



CITY OF TEXARKANA

CITY COUNCIL

AGENDA • JUNE 27, 2016

Council Chambers

Regular Meeting

6:00 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

Mayor

Bob Bruggeman

Ward 1

Jean H. Matlock

Ward 3

Tina Veal-Gooch

Ward 5

Christy P. Paddock

Ward 2

Willie Ray

Ward 4

Brian Matthews

Ward 6

Josh Davis



For any agenda item, the City Council reserves the right to advance the "Council Vote" date to a hearing or briefing date.

The City Council reserves the right to convene into closed session on any agenda item or issue should the need arise and if applicable pursuant to authorization by the Texas Open Meetings Act (Title 5, Chapter 551 of the Texas Government Code).

If the City Council convenes into closed session, they will reconvene in one hour or less to take any final action, decision, or vote on a matter deliberated in closed session.

- I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM**
- II. INVOCATION AND PLEDGE BY COUNCIL MEMBER CHRISTY PADDOCK**
- III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST**

Upcoming City Council Meetings:

Monday, July 11, 2016 at 6:00 p.m.

Saturday, July 16, 2016 at 9:00 a.m. ("Strategic Planning" workshop - location TBD)

Monday, July 25, 2016 at 6:00 p.m.

Parks & Recreation Events:

July 2 nd - 5 th	Coach Pitch & 8U Dixie State Baseball Tournaments	Spring Lake Park
July 9 th - 12 th	Ozone & 10U Dixie State Baseball Tournaments	Spring Lake Park

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

Appointments to Boards & Commissions

- IV. OPEN FORUM: COMMENTS FROM THE PUBLIC (LIMIT 5 MINUTES EACH)**
Items scheduled for "Public Hearing" or have been heard at a previous "Public Hearing" are not to be addressed at the "Open Forum".
- V. ITEMS FOR CONSIDERATION**

Consent Items

1. Consider approval of the minutes of the Regular Meeting of the City Council held on June 13, 2016 at 6:00 PM.

BCAD Documents Referencing 2016-051 RES Uncollectible Accounts Receivable

2. Consider approval of the minutes of the Workshop Meeting of the City Council held on June 20, 2016 at 6:00 PM.
3. Ordinance No. 2016-074 accepting additional grant funding for the Women, Infants, & Children (WIC) program from the Department of State Health Services in the amount of \$25,000.

Public Hearing:

Second Briefing:

Council Vote: June 27, 2016

Action Items**VI. FIRST BRIEFINGS**

1. Ordinance No. 2016-065 rezoning the south 50' of Lot 1, Block 23, West Texarkana Addition, located at 1023 1/2 Peach Street. Single Family-2 to Planned Development-Neighborhood Service. Malvin Patterson, owner. Eric Witherspoon, agent.

Public Hearing: July 11, 2016

Second Briefing: July 25, 2016

Council Vote: August 8, 2016

2. Ordinance No. 2016-066 amending PD-16-3(NS) for site plan approval on the south 50' of Lot 1, Block 23, West Texarkana Addition, located at 1023 1/2 Peach Street. Malvin Patterson, owner. Eric Witherspoon, agent.

Public Hearing: July 11, 2016

Second Briefing: July 25, 2016

Council Vote: August 8, 2016

3. Ordinance No. 2016-067 rezoning Lots 6-9, Block I-2, Tilson & Pitcher's 2nd Addition, located in the 1300 block of Lee Street. Commercial to Single Family-3. Valree Wingfield, owner.

Public Hearing: July 11, 2016
Second Briefing: July 25, 2016
Council Vote: August 8, 2016

4. Ordinance No. 2016-068 granting a Specific Use Permit to allow the location of a HUD code manufactured home on Lots 6-9, Block I-2, Tilson & Pitcher's 2nd Addition, located in thie 1300 block of Lee Street. Valree Wingfield, owner.

Public Hearing: July 11, 2016
Second Briefing: July 25, 2016
Council Vote: August 8, 2016

5. Ordinance No. 2016-069 amending the Code of Ordinances, Chapter 140 "Zoning", Section 140-80 "Use regulations districts" and Section 140-113 "Definitions" pertaining to adding food truck courts and commissaries as new uses and definitions.

Public Hearing: July 11, 2016
Second Briefing: July 25, 2016
Council Vote: August 8, 2016

6. Resolution No. 2016-070 authorizing the City Manager to enter into a purchase agreement with GovConnection of Merrimack, VA for Nutanix Virtual Infrastructure hardware and software not to exceed \$81,906.31 with the Texarkana Texas Water Utilities portion not to exceed \$51,560.02.

Public Hearing: July 11, 2016
Second Briefing: July 25, 2016
Council Vote: August 8, 2016

7. Resolution No. 2016-071 authorizing the City Manager to enter into a contract for the environmental cleanup of 203/205 West Broad Street utilizing EPA grant funds previously identified for this project.

Public Hearing: July 11, 2016
Second Briefing: July 25, 2016
Council Vote: August 8, 2016

8. Resolution No. 2016-072 recognizing the Believe in Beverly Neighborhood Association as an official neighborhood association.

Public Hearing: July 11, 2016
Second Briefing: July 25, 2016
Council Vote: August 8, 2016

9. Ordinance No. 2016-073 amending budget expenditures related to options for the Kress building and authorizing the City Manager to enter into a contract for cleanup.

Public Hearing: July 11, 2016
Second Briefing: July 25, 2016
Council Vote: August 8, 2016

10. Resolution No. 2016-075 authorizing the City Manager to accept the bid and enter into a contract with Belt Construction, Inc. of Texarkana, Arkansas, in an amount not to exceed \$188,132 for the New Boston WTP 30" sludge main relocation.

Public Hearing: July 11, 2016
Second Briefing: July 25, 2016
Council Vote: August 8, 2016

VII. PUBLIC HEARINGS

1. Ordinance No. 2016-060 finding and determining the individuals and families who qualify as low-income individuals and families under Sec. 253.010, Tex. Loc. Gov't Code to include in the Property Policy Manual for sale of city acquired land.

Public Hearing: June 27, 2016
Second Briefing: July 11, 2016
Council Vote: July 25, 2016

2. Resolution No. 2016-063 amending the Property Policy Manual to sell city acquired land to non-profit organizations that develop housing for low-income individuals and families and increase surplus/sale authorization for real property with an appraised value not to exceed \$10,000.

Public Hearing: June 27, 2016
Second Briefing: July 11, 2016
Council Vote: July 25, 2016

3. Resolution No. 2016-061 supporting the submission of a Small Business Assistance grant.

Public Hearing: June 27, 2016
Second Briefing: July 11, 2016
Council Vote: July 25, 2016

4. Resolution No. 2016-062 accepting a petition regarding adoption of the Fire and Police Employee Relations Act to be placed on the November 2016 General Election ballot for the Texarkana Fire Department.

Public Hearing: June 27, 2016
Second Briefing: July 11, 2016
Council Vote: July 25, 2016

VIII. SECOND BRIEFING WITH UPDATES

IX. SECOND BRIEFING WITHOUT UPDATES

X. ITEMS FOR DISCUSSION

Staff Updates

XI. ADMINISTRATIVE COMMENTS

1. Council
2. Staff

XII. ADJOURNMENT

Jennifer Evans, City Secretary

This open meeting of a governmental entity is subject to the Texas Open Meetings Act (Chapter 551, Government Code). The "Council Chambers" is the room or property where the City Council holds this meeting.

Pursuant to Section 46.035(c), Penal Code (unlawful carrying of handgun by license holder), a license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter.

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for these services, please call 903.798.3917, Personnel or (TDD) 1.800.RELAY.TX (1.800.735.2989).



CITY OF TEXARKANA

CITY COUNCIL

MINUTES • JUNE 13, 2016

Council Chambers

Regular Meeting

6:00 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

Member Name	Title	Status	Arrived
McGee	Mayor	Present	
Matlock	Ward 1	Present	
May	Ward 2	Present	
Mal-Gooch	Ward 3	Present	
Matthews	Ward 4	Present	
P. Paddock	Ward 5	Present	
W. Davis	Ward 6	Present	

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

Legal Counsel: Jeff Lewis

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

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, June 20, 2016 at 6:00 p.m. ("Hotel Occupancy Tax Fund" workshop)
Monday, June 27, 2016 at 6:00 p.m.
Monday, July 11, 2016 at 6:00 p.m.
Saturday, July 16, 2016 at 9:00 a.m. ("Strategic Planning" workshop - location TBD)
Monday, July 25, 2016 at 6:00 p.m.

Parks & Recreation Events:

June 16 th	Movies in the Park Make Up Date	Spring Lake Park
June 20 th	Summer Camp Begins	Southwest Center
June 24 th - 26 th	Showcase Softball Tournament	Karrh/Wallace Parks

Minutes Acceptance: Minutes of Jun 13, 2016 6:00 PM (Consent Items)

Movie will start at 7:45 p.m.

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

Mayor Bruggeman said he received a letter from the Government Finance Officers Association office. The letter stated that the City has received the *Distinguished Budget Presentation Award* for the current budget. This award is the highest form of recognition in governmental budgeting. Mayor Bruggeman congratulated the Finance Department for receiving this prestigious award.

City Manager Whitson added that this recognition represents a significant achievement for all city departments who make the budget document come together with the Finance Department leading the effort.

Proclamation Presentation

Mayor Bruggeman read the proclamation and encouraged all citizens to have regular check-ups and get preventative screenings for overall good health.

Men's Health Week June 13 - 19, 2016

Appointments to Boards & Commissions

There were no appointments made to any board or commission.

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

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

David Carter, on behalf of HandsOn Texarkana, gave a huge "Thanks" to Parks & Recreation staff, noting Robby Robertson & Kenny Jordan, for assistance with the first Dragon Boat Races event at Bringle Lake on Saturday, June 11th.

Mr. Carter said the event was an overwhelming success and plans are already being made to have the Dragon Boat Races again next year in Texarkana.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:17 p.m.)

Minutes Acceptance: Minutes of Jun 13, 2016 6:00 PM (Consent Items)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on May 23, 2016 at 6:00 PM.
2. Consider approval of the minutes of the Workshop Meeting of the City Council held on June 6, 2016 at 6:00 PM.

Action Items

3. Resolution No. 2016-051 authorizing the City Manager to write-off uncollectible accounts receivable.

Public Hearing: May 9, 2016
 Second Briefing: May 23, 2016
 Council Vote: June 13, 2016

Council Member Davis said that, at the last council meeting, questions were asked concerning the responsibility of Bowie Central Appraisal District (BCAD) toward properties held in trust that have uncollected mowing fees. CM Davis did some research and handed out the BCAD Interlocal Governmental Tax Collection contract and a copy of an email from BCAD Chief Appraiser Mike Brower.

CM Davis quoted the agreement, in part, which states that BCAD **"does not assume any duty for and shall not be responsible for, any costs or expenses relating to the property, including but not limited to expenses for maintaining, preserving or safe keeping the property prior to its resale"**. Council members continued with a brief discussion before the vote. The City Secretary was provided a copy of the documents to be a part of the official record.

(6:37 p.m.)

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

VI. FIRST BRIEFINGS

1. Ordinance No. 2016-060 finding and determining the individuals and families who qualify as low-income individuals and families under Sec. 253.010, Tex. Loc. Gov't Code to include in the Property Policy Manual for sale of city acquired land.

Public Hearing: June 27, 2016
 Second Briefing: July 11, 2016
 Council Vote: July 25, 2016

Sharon Moore briefed this item. City Manager Whitson shared additional comments.

RESULT:	MOVED FORWARD	Next: 6/27/2016 6:00 PM
----------------	----------------------	--------------------------------

2. Resolution No. 2016-063 amending the Property Policy Manual to sell city acquired land to non-profit organizations that develop housing for low-income individuals and families and increase surplus/sale authorization for real property with an appraised value not to exceed \$10,000.

Public Hearing: June 27, 2016
 Second Briefing: July 11, 2016
 Council Vote: July 25, 2016

Sharon Moore briefed this item. Jeff Lewis made additional comments.

RESULT:	MOVED FORWARD	Next: 6/27/2016 6:00 PM
----------------	----------------------	--------------------------------

3. Resolution No. 2016-061 supporting the submission of a Small Business Assistance grant.

Public Hearing: June 27, 2016
 Second Briefing: July 11, 2016
 Council Vote: July 25, 2016

David Orr briefed this item. City Manager Whitson made additional comments.

RESULT:	MOVED FORWARD	Next: 6/27/2016 6:00 PM
----------------	----------------------	--------------------------------

4. Resolution No. 2016-062 accepting a petition regarding adoption of the Fire and Police Employee Relations Act to be placed on the November 2016 General Election ballot for the Texarkana Fire Department.

Public Hearing: June 27, 2016
 Second Briefing: July 11, 2016
 Council Vote: July 25, 2016

City Manager Whitson briefed this item.

RESULT: MOVED FORWARD

Next: 6/27/2016 6:00 PM

VII. PUBLIC HEARINGS

1. Motion to move Resolution No. 2016-056 up for council vote.

Council Member Veal-Gooch made the motion and Council Member Ray seconded it.

2. Resolution No. 2016-056 authorizing staff to proceed with proposed necessary work to upgrade from a four-way stop to a traffic signal at the intersection of Galleria Oaks Drive and Cowhorn Creek Road.

Public Hearing: June 13, 2016

Second Briefing: June 27, 2016

Council Vote: July 11, 2016

There were no public comments made at this hearing. Mayor Bruggeman asked the City Secretary for a roll call vote.

(6:57 p.m.)

RESULT: ADOPTED [5 TO 1]
MOVER: Josh Davis, Ward 6
SECONDER: Willie Ray, Ward 2
AYES: Ray, Veal-Gooch, Matthews, Paddock, Davis
NAYS: Matlock
EXCUSED: Bruggeman

3. Motion to move Ordinance No. 2016-057 up for council vote.

(6:57 p.m.)

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

4. Ordinance No. 2016-057 amending PD-02-13(GR) for revising the site plan to allow a building expansion on Lot 6, Block 6, Richmond Development 5th Addition, located at 4413 Galleria Oaks Drive. Bowie County Farm Bureau, applicant. Aaron Gaylor, agent.

Public Hearing: June 13, 2016

Second Briefing: June 27, 2016

Council Vote: July 11, 2016

There were no public comments made at this hearing.

(6:58 p.m.)

Minutes Acceptance: Minutes of Jun 13, 2016 6:00 PM (Consent Items)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Tina Veal-Gooch, Ward 3
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

5. Motion to move Resolution No. 2016-058 up for council vote.

(6:59 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Tina Veal-Gooch, Ward 3
AYES:	Matlock, Ray, Veal-Gooch, Matthews, Paddock, Davis
EXCUSED:	Bruggeman

6. Resolution No. 2016-058 authorizing the City Manager to enter into a contract with J. R. Pope Company, Inc. in an amount not to exceed ONE HUNDRED SEVEN THOUSAND THREE HUNDRED TWENTY DOLLARS (\$107,320) for the concrete replacement for Meadowland Drive and Sunny Street construction project.

Public Hearing: June 13, 2016
 Second Briefing: June 27, 2016
 Council Vote: July 11, 2016

There were no public comments made at this hearing.

(6:59 p.m.)

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

7. Resolution No. 2016-059 authorizing support for a Cultural District Application to the Texas Commission for the Arts.

Public Hearing: June 13, 2016
 Second Briefing:
 Council Vote: June 13, 2016

Brian Goesl, Executive Director of Texarkana Regional Arts & Humanities Council, thanked city staff, especially David Orr and Lisa Thompson, for the support received in moving forward with this application to the Texas Commission for the Arts. Mr. Goesl also asked council to consider an affirmative vote to pass this resolution.

(7:03 p.m.)

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

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates

City Manager Whitson reminded council that he would be in Austin along with Council Member Matlock, Council Member Ray, and Council Member Davis for the second half of the TML Leadership Academy training and would be out of the office the rest of the week.

Mayor Bruggeman said excellent work is taking place on the resurfacing of old Shilling Road. The project is coming along and it looks very nice.

XI. ADMINISTRATIVE COMMENTS

1. City Council

Council Member Veal-Gooch asked if the next meeting with Riverbend Water Resources District and TAC-East is scheduled for June 22nd and can council members attend the meeting. City Manager Whitson responded, yes, the second meeting is scheduled for June 22nd.

Mr. Whitson also said if one or two council members wanted to attend the meeting that would be fine, however, this is not scheduled to be a public meeting. If four or more council members attended, then it would become a public meeting with the need of a potential quorum notice.

2. City Staff

There were no staff comments.

XII.

1. Motion to Adjourn

A motion was made to adjourn the meeting.

(7:08 PM)

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

From: **Mike Brower** mbrower@bowieappraisal.org
Subject: BCAD Trust Properties
Date: May 26, 2016 at 1:22 PM
To: joshd@cableone.net

Josh,

First let me say that I understand the issue the city has with uncollected mowing fees. Earlier I was asked if there is or has been an agreement as to BCAD paying the city for mowing the properties in trust with BCAD, the short answer is no. Bowie CAD has never paid anyone for the upkeep on trust property. After speaking with our attorneys both local and in Round Rock, we are all in agreement that maintenance on the properties held in trust is the responsibility of the jurisdictions not BCAD. BCAD holds properties in trust to make the properties easier to identify and also easier to dispose of by requiring one signature on a deed as opposed to each jurisdiction having a separate deed or multiple signers on a single deed. The issue at hand is at its core is a city issue and one which BCAD cannot remedy.

The only suggestion I can offer at this time is to make sure liens are attached to the property in question in order to secure possible payment at some future date. The downside is, mowing fees could be more than someone who were to acquire the property would be willing to absorb, this could cause them to let the taxes go delinquent, cut their losses and the city would be right back where they started. There is also the issue of property which BCAD will never be able to sell at any price. There are some properties that will most likely always be carried as trust property due to its location and therefore will always be an issue. If you have any further questions please let me know.

Mike Brower

Communication: BCAD Documents Referencing 2016-051 RES Uncollectible Accounts Receivable (Consent Items)

**INTERLOCAL GOVERNMENTAL
TAX COLLECTION CONTRACT**

THE STATE OF TEXAS §
 §
COUNTY OF BOWIE §

THIS CONTRACT AND AGREEMENT, entered into by and between the CITY OF TEXARKANA of Bowie County, Texas, hereinafter called "City", organized and existing under the laws of the State of Texas, and the Bowie Central Appraisal District, Bowie County, State of Texas, hereinafter called "District", both parties acting herein under the authority and pursuant to the terms of Chapter 791 of the Texas Government Code known as the "Interlocal Cooperation Act", and Texas Property Tax Code, Section 6.24 (a).

W I T N E S S E T H:

WHEREAS, the District is appraising property for the City pursuant to the Texas Property Tax Code; and

WHEREAS, it will be economically advantageous to the City and District, and to other taxing units, to further consolidate other taxing functions such as current and delinquent collection of taxes; and

WHEREAS, in entering into this contract and agreement, it is the intention of the City and the District that upon commencement of the term of this Contract as herein stated, the District shall for the said term of the Contract provide the necessary tax collection services.

NOW, THEREFORE, the said parties have and do hereby covenant and agree as follows:

1. Current Taxes and Refunds.

A. With respect to all ad valorem taxes levied by the City, the District agrees to perform any and all duties incident to the assessment and collection thereof to the full extent that such duties would be performed by the duly elected Tax Assessor and Collector acting only for the City, and the City hereby grants to the District all lawful powers which would otherwise be possessed by the Tax Assessor and Collector acting only for the City. Specifically and in such connection, the District agrees to bill all real

and personal property owners in the City the amount of tax due to the City, formulate a tax roll of City property, collect all current tax due, and remit said current collections to the City. The District agrees to furnish to City a periodic report of all current taxes collected and remitted to the City. District further agrees to provide an annual report of all taxes assessed, taxes collected and delinquent taxes.

B. District further agrees that at least two delinquent tax statements shall be mailed to delinquent property owners annually by either the District or its collection attorneys. The compensation herein stated for mailing the tax statements includes the original mailing on or about October 1, and two separate delinquent mailings with respect to current year taxes.

C. The City agrees that the District may retain from the remittance due the City a sum equal to the total amount of checks returned to the District for insufficient funds or other miscellaneous reasons on City taxes. The District shall provide a report of all funds retained for this purpose in the collection reports to the City.

D. The District Board of Directors shall have authority to approve refunds and may pay said refunds from current tax collections of the City pursuant to Section 31.11 of the Texas Property Tax Code.

2. Delinquent Taxes.

A. It is further specifically agreed that included as part of the services to be provided by the District hereunder is the collection of delinquent taxes. The District agrees that it shall control and maintain all delinquent tax records including judgments and related documents and shall be responsible for collecting amounts due thereunder. Delinquent taxes will be remitted to City on a monthly basis along with a report of delinquent taxes collected for that month no later than the 10th of the following month.

B. In the collection of the delinquent taxes, the District shall have the authority to have the property bid off to the District as Trustee for the City and other taxing jurisdictions that established tax liens in the delinquent tax suit. By taking title to the property as Trustee, the District does not assume any duty for and shall not be responsible for, any costs or expenses relating to the property, including but not limited to expenses for maintaining, preserving or safe keeping the property prior to its resale.

C. To the extent that the District is required by appropriate legal authority to maintain, preserve, insure, demolish or otherwise expend District funds upon a Trustee property, the City shall reimburse the District for its proportionate share of said expenses based upon its percentage of taxes assessed against the property as compared to all taxes assessed against the property by all taxing jurisdiction which assess taxes against the property. Said reimbursement shall be made by the City within 30 days after receipt of an invoice from the District. The District may retain from the remittance due the City a sum equal to the required reimbursement if the reimbursement is not timely made.

D. The District shall have all authority of the City to undertake any and all collection procedures authorized by the Texas Property Tax Code including but not limited to initiating tax foreclosure suits and resales of bid in properties.

3. Compensation To District.

A. In consideration of the services to be rendered by the District, the City agrees to compensate District in accordance with the following:

- (1) The City agrees to pay the District the sum to be determined in accordance with the following formula:

$(\text{Factor A} + \text{Factor B}) \text{ divided by } 2 = \text{Amount Due District}$

Factor A is defined as Number of Taxable Accounts in the City divided by the Total Number of Taxable Accounts of All the Taxing Units contracting with the District for collections the quotient of which is multiplied by the Total Budget of the District allocated or designated for Collections

Factor B is defined as Total City Tax Levy divided by the Total Tax Levy of All Taxing Units contracting with the District for collections the quotient of which is multiplied by the Total Budget of the District allocated or designated for Collections

Remittance of the compensation due the District shall be governed by the provisions of Section 6.06 (e) of the Texas Property Tax Code.

- (2) In the event that the qualified voters of the City, at an election duly called pursuant to Section 26.07 of the Texas Property Tax Code, vote in favor of the "rollback tax rate", the City shall pay to the District an amount equal (1) all sums required to be refunded to tax payers under said section and (2) to all expenses

incurred by the District in calculating and making refunds of taxes previously paid. Said expenses shall include all expenses incurred, including but not limited to postage, paper, supplies, computer programming costs, additional salaries, overtime payments, bank charges and printing fees. The City shall deposit with the District the refund amounts and the costs estimated by the District within 30 days of the date of certification of the election results. Final payment of costs shall be made within 30 days of receipt of the final invoice for said expenses by City.

B. All payments due under this Contract shall be made from current revenues available to the paying party.

4. Attorney's Fees. It is agreed that the District shall have the sole responsibility for contracting with an attorney for the effective collection of delinquent taxes. Compensation paid to an attorney for the collection of delinquent taxes shall not exceed the amount specified in Section 6.30 of the Texas Property Tax Code.

5. Effective Date and Term. The effective date of this Contract shall be January 1, 2015. This Contract shall continue in full force and effect from year to year unless the City or the District gives notice of its intention to terminate this agreement. Notice of intent to terminate this Contract must be delivered not less than one year prior to the effective date of termination.

6. Assignment Restriction. It is agreed and understood that this Contract is not transferable or assignable without the written consent and approval of the City. The terms herein stated shall be binding upon the parties hereto, their successors, assigns and legal representatives.

7. Notice. Any notice required to be delivered by one party to the other under terms of this Contract shall be delivered by United States registered or certified mail, postage prepaid, return receipt requested, and addressed to the other party as set out below, or to such other address as may hereafter be designated.

Chief Appraiser
Bowie Central Appraisal District
P.O. Box 6527
Texarkana, Texas 75505

City of Texarkana

Texarkana, Texas 75503

8. Alternate Dispute Resolution. The parties to this agreement agree to submit all disputes regarding or arising under this Agreement to mediation prior to initiating litigation of such disputes.

9. Applicability of this Agreement. This Agreement applies only to the collection of taxes for the City by the District. Appraisal services performable by the District and not covered by this Agreement and shall be performed by the District in accordance with Chapter 6 of the Texas Property Tax Code.

IN WITNESS WHEREOF, the respective parties hereunto set their hands the date set forth below.

BOWIE CENTRAL APPRAISAL DISTRICT

By: Josh Davis
Chairman of the Board of Directors

Date: 3-4-2015

CITY OF TEXARKANA

By: John A. Whitson
Name: JOHN A. WHITSON
Title: CITY MANAGER
Date: 18 DEC 14



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • JUNE 20, 2016

Conference Room

Workshop Meeting

6:00 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

Name	Title	Status	Arrived
Bruggeman	Mayor	Present	
Matlock	Ward 1	Present	
May	Ward 2	Present	
Al-Gooch	Ward 3	Present	
Matthews	Ward 4	Present	
P. Paddock	Ward 5	Absent	
Vis	Ward 6	Present	

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Kristin Peeples, Jodie Lee, Lisa Thompson, David Orr, and Jerry Sparks.

Legal Counsel: None.

II. MAYOR'S OPENING REMARKS

Mayor Bruggeman welcomed staff and representatives from local community agencies to the workshop. The purpose of the meeting was to review the hotel occupancy tax fund in preparation for the upcoming fiscal year. Mayor Bruggeman outlined the agenda schedule.

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

There were no public comments made at open forum. Mayor Bruggeman then turned the meeting over to Chief Financial Officer Kristin Peeples.

IV. ITEMS FOR DISCUSSION - HOTEL OCCUPANCY TAX FUND

Update on the Hotel Occupancy Tax Fund - by Finance Director

Ms. Peeples opened the discussion stating that city staff met last week with representatives of the recipient organizations requesting hotel occupancy tax funds for the upcoming fiscal year. All requests were reviewed and each organization met the eligibility requirements to receive hotel occupancy tax funds except for Runnin' WJ

Minutes Acceptance: Minutes of Jun 20, 2016 6:00 PM (Consent Items)

Ranch. Ms. Peebles went on to state that the fund balance looks good and should have an ending balance of approximately \$300,000 for fiscal year 2015-2016.

Ms. Peebles provided a handout which outlined the budgeted fund balance and funding requests for fiscal year 2016-2017. Staff proposes to fund the eligible requesting organizations at 100%. City Manager Whitson added that staff prepares to bring forth a proposed fund balance policy for hotel occupancy tax funds that council will consider at a future meeting.

Ms. Peebles and City Manager Whitson continued the discussion and answered questions from council members.

1. Hotel Occupancy Tax Fund Balance sheet

RESULT:	PRESENTED
----------------	------------------

2. FY17 Hotel Occupancy Tax Requests

RESULT:	PRESENTED
----------------	------------------

Presentations from organizations

- a. Chamber of Commerce - Mike Malone
- b. Main Street Texarkana - Lee Medley & Ina McDowell
- c. Texarkana Museums System - Velvet Cool
- d. Texarkana Symphony Orchestra - Remica Gray
- e. TRAHC - Brian Goesl

Each organization presenter provided a general overview of their organization and recapped how hotel occupancy tax funds were spent in the preceding year.

V. MAYOR'S CLOSING REMARKS

Mayor Bruggeman thanked city staff and presenters for information and comments shared at the workshop. Mayor Bruggeman turned the meeting over to Council Member Davis who wanted to address the council. Council Member Davis said, as an elected official, he was invited to testify at the Sunset Review Committee hearing regarding the Sulphur River Basin Authority. The hearing is scheduled for Thursday, June 23rd at 9:00 a.m. in Austin.

The City Council had unanimously adopted, in a council meeting last year, a resolution expressing "no confidence" in the Sulphur River Basin Authority. Council Member Davis asked if there was any objection to his representing the city by attending and testifying at the hearing. Council consensus showed no objections.

VI. ADJOURNMENT

A motion was made to adjourn the meeting.

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

City of Texarkana, Texas

Lead Department: Parks, Recreation & Health **Action Officer:** Jennifer Evans, City Secretary
Subject: Ordinance No. 2016-074 accepting additional grant funding for the Women, Infants, & Children (WIC) program from the Department of State Health Services in the amount of \$25,000.

Briefing: 6/27/2016 **Public Hearing:** **Second Briefing:** **Council Vote:** 6/27/2016

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The Department of State Health Services is granting the City of Texarkana, Texas Health Department \$25,000 for clinic repairs and improvements for the WIC program department.

Potential Options:

- None
-

Fiscal Implications:

Accept additional funding

Staff Recommendation:

To accept additional grant funding for the WIC program

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2016-074 ORD WIC Grant Budget Amendment je (DOC)
- b. DSHS email on FY16 Addtl funds (MSG)

City of Texarkana, Texas

Staff Coordination

Parks, Recreation & Health	Completed	Robby Robertson	Department Head Review	
		06/17/2016 9:08 AM		
Finance Department	Kristin Peebles	Review	Completed	06/17/2016
Assistant City Manager		Shirley Jaster	Assistant City Manager	
Review	Completed	06/20/2016 4:32 PM		
Public Information Officer		Lisa Thompson	PIO Review	Completed
	06/20/2016 4:33 PM			
City Manager	John Whitson	City Manager Review	Completed	06/23/2016
City Council	Vicky Coopwood	Meeting	Pending	06/27/2016

Meeting History

ORDINANCE NO. 2016-074

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016 TO APPROPRIATE ADDITIONAL GRANT FUNDING IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000) RECEIVED FROM THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE WOMEN, INFANTS, & CHILDREN (WIC) PROGRAM UNDER THE TEXARKANA-BOWIE COUNTY HEALTH DEPARTMENT TO BE USED FOR CLINIC REPAIRS AND/OR IMPROVEMENTS IN THE WIC DEPARTMENT; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2015, and ending September 30, 2016, be amended to reflect additional expenditures appropriated with the addition of **TWENTY-FIVE THOUSAND DOLLARS (\$25,000)** of grant funds received from the DSHS WIC program by Texarkana-Bowie County Health Department to be used for clinic repairs and/or improvements.

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

PASSED AND APPROVED in Regular Council Session on this the 27th day of June, 2016.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2016-065 rezoning the south 50' of Lot 1, Block 23, West
Texarkana Addition, located at 1023 1/2 Peach Street. Single Family-2 to
Planned Development-Neighborhood Service. Malvin Patterson, owner. Eric
Subject: Witherspoon, agent.

Briefing: 6/27/2016 **Public Hearing:** 7/11/2016 **Second Briefing:** July 25, 2016 **Council Vote:** 8/8/2016

Item Schedule

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

Updates/History of Briefing:

Not applicable.

Executive Summary and Background Information:

Z-16-8: This is a request by Malvin Patterson, owner, and Eric Witherspoon, agent to rezone the south 50' of Lot 1, Block 23, West Texarkana Addition from Single Family-2 to Neighborhood Service. There is currently a storage building located on the rear portion of Lot 1 (behind the existing residence that faces West 11th Street) where the applicant is proposing to locate a shaved ice and candy business.

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.

This area is a single family residential neighborhood. There are no business zoned properties in the immediate area. A business at this location could create a traffic congestion problem along Peach Street. Dunbar School is located a half block to the south of this property.

This item was previously tabled by the Planning and Zoning Commission at last month's meeting. There was discussion at that meeting about placing a Planned Development designation on the property. If the Commission approves this request with a Planned Development designation, staff would suggest prohibiting the following uses based on the size of this property:

1. Any type office use
2. Retail store (tobacco shop, grocery store)
3. Restaurant other than shaved ice business
4. Greenhouse or nursery.
5. Hardware store.

If this request for rezoning is approved, the applicant should be aware that all building and parking code requirements must be met prior to opening the business.

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

City of Texarkana, Texas

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

The Comprehensive Plan has designated this property as a low density residential area. Therefore, staff recommends for denial of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

At the Planning and Zoning Commission meeting, the applicant agreed to amend the application to include the Planned Development designation.

The Planning and Zoning Commission unanimously by a vote of 5 to 0 recommended for approval of the rezoning to Planned Development-Neighborhood Service with the following prohibited uses:

1. Any type office use
2. Retail store (tobacco shop, grocery store)
3. Greenhouse or nursery.
4. Hardware store.

Advisory Board/Committee Meeting Date and Minutes:

June 6, 2016

Attachments

- a. 2016-065 ORD rezoning at 1023 1/2 Peach Street (PDF)
- b. 2016-065 ATTH 01 Maps (PDF)
- c. Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	06/15/2016 5:14 PM	
Assistant City Manager	Shirley Jaster	Assistant City Manager
Review Completed	06/16/2016 8:44 AM	
Public Information Officer	Lisa Thompson	PIO Review Completed
	06/16/2016 8:48 AM	
City Manager	John Whitson	City Manager Review Completed 06/19/2016
3:07 PM		
City Council	Vicky Coopwood	Meeting Pending 06/27/2016
6:00 PM		

City of Texarkana, Texas

Meeting History

Z-16-8

ORDINANCE NO. 2016-065

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING SOUTH 50' OF LOT 1, BLOCK 23, WEST TEXARKANA ADDITION, LOCATED AT 1023 ½ PEACH STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-2 TO PLANNED DEVELOPMENT-NEIGHBORHOOD SERVICE; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone the south 50' of Lot 1, Block 23, West Texarkana Addition, located at 1023 ½ Peach Street in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Neighborhood Service**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to Planned Development-Neighborhood Service** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Single Family-2 to Planned Development-Neighborhood-Service**; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone the south 50' of Lot 1, Block 23, West Texarkana Addition, located at 1023 ½ Peach Street in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Planned Development-Neighborhood Service**.

SECTION 2: That the following uses are prohibited and are hereby imposed and made a part of this Planned Development Ordinance:

1. Any type office use
2. Retail store (tobacco shop, grocery store)
3. Greenhouse or nursery
4. Hardware store

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

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

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

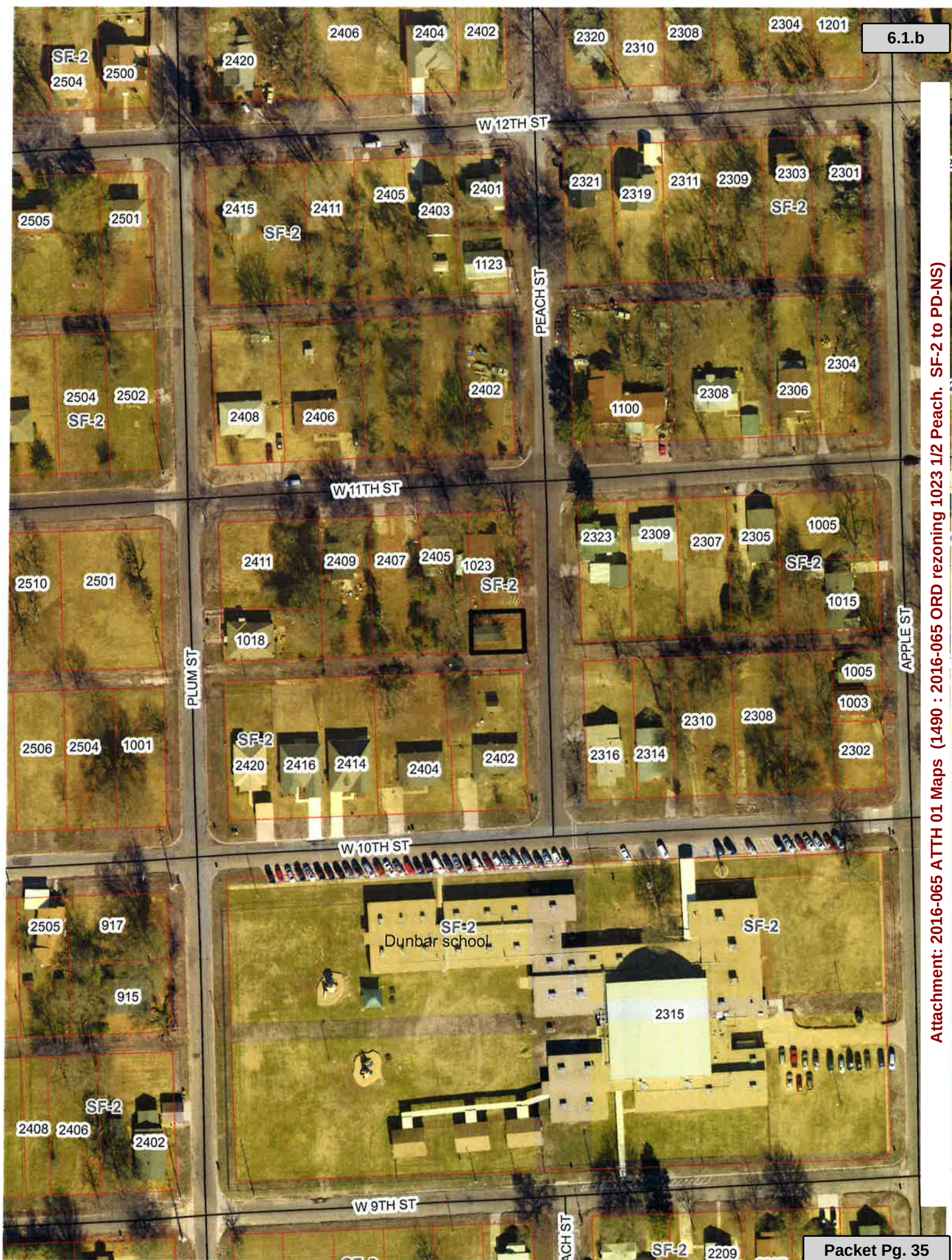
PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2016**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR





6.1.b

Attachment: 2016-065 ATTH 01 Maps (1490 : 2016-065 ORD rezoning 1023 1/2 Peach. SF-2 to PD-NS)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: Goals & Perspectives (1490 : 2016-065 ORD rezoning 1023 1/2 Peach. SF-2 to PD-NS)

City of Texarkana, Texas

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2016-066 amending PD-16-3(NS) for site plan approval on the
south 50' of Lot 1, Block 23, West Texarkana Addition, located at 1023 1/2
Subject: Peach Street. Malvin Patterson, owner. Eric Witherspoon, agent.

Briefing: 6/27/2016 **Public Hearing:** 7/11/2016 **Second Briefing:** July 25, 2016 **Council Vote:** 8/8/2016

Item Schedule

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

Updates/History of Briefing:

Not applicable

Executive Summary and Background Information:

Amendment to PD-16-3(NS): This is a request by Malvin Patterson, owner, and Eric Witherspoon, agent, for site plan approval on the south 50' of Lot 1, Block 23, West Texarkana Addition to allow a shaved ice and candy store in the existing storage building located on the rear portion of Lot 1 (behind the existing residence that faces West 11th Street). The storage building faces Peach Street.

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.

A site plan has been provided that shows the existing building and a small parking area. Two parking spaces are required per Ordinance based on the square footage of the storage building. Access to the site will be from Peach Street. The applicant plans to concrete the parking area. The City Engineer has reviewed the site plan and has no objections to the proposed layout.

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

If this site plan is approved, staff would suggest prohibiting the following uses based on the size of this property:

1. Any type office use
2. Retail store (tobacco shop, grocery store)
3. Restaurant other than shaved ice business
4. Greenhouse or nursery.
5. Hardware store.

City of Texarkana, Texas

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously by a vote of 5 to 0 recommended for approval of the site plan with the following prohibited uses:

1. Any type office use
2. Retail store (tobacco shop, grocery store)
3. Greenhouse or nursery.
4. Hardware store.

Advisory Board/Committee Meeting Date and Minutes:

June 6, 2016

Attachments

- a. 2016-066 ORD amending PD-16-3(NS) for site plan app. (PDF)
- b. 2016-066 ORD Exhibit "A" Site plan (PDF)
- c. 2016-066 ATTH 01 Maps (PDF)
- d. 2016-066 ATTH 02 Photo of storage bldg. (PDF)
- e. Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	06/16/2016 9:07 AM	
Assistant City Manager	Shirley Jaster	Assistant City Manager
Review	Completed	06/16/2016 10:25 AM
Public Information Officer	Lisa Thompson	PIO Review Completed
	06/16/2016 10:31 AM	
City Manager	John Whitson	City Manager Review Completed
3:08 PM		06/19/2016
City Council	Vicky Coopwood	Meeting
6:00 PM		Pending
		06/27/2016

Meeting History

ORDINANCE NO. 2016-066

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-16-3(NS) FOR SITE PLAN APPROVAL ON THE SOUTH 50' OF LOT 1, BLOCK 23, WEST TEXARKANA ADDITION, LOCATED AT 1023½ PEACH STREET, 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 the south 50' of Lot 1, Block 23, West Texarkana Addition, located at 1023 ½ Peach Street in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five to 0 (5-0) to recommend approval of the petition for the site plan (Exhibit “A”) to the City Council of Texarkana, Texas; and**

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

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

SECTION 1: That the site plan (**Exhibit “A”**) on the south 50' of Lot 1, Block 23, West Texarkana Addition, located at 1023 ½ Peach Street in the City of Texarkana, Bowie County, Texas, be and is hereby approved and hereby amends PD-16-3(NS).

SECTION 2: That per Ordinance No. 2016-065, the following uses were prohibited:

1. Any type office use
2. Retail store (tobacco shop, grocery store)
3. Greenhouse or nursery
4. Hardware store

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

11th Street



Peach Street

NOTE: OWNER AND CONTRACTORS TO
VERIFY ALL SIZES, DIMENSIONS, & STYLES
PRIOR TO ORDERING/CONSTRUCTION

PROPOSED
NEW PARKING

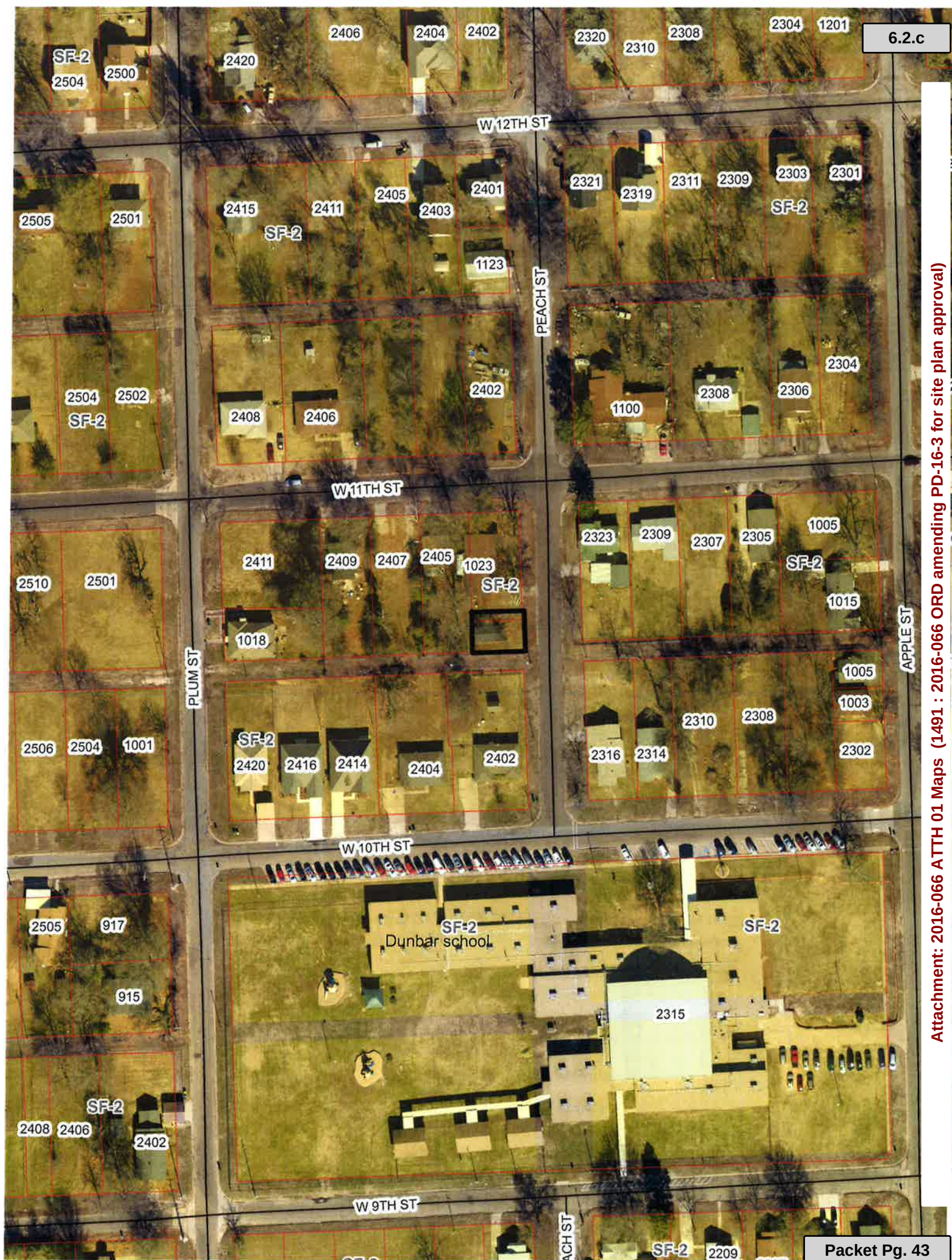


1023 1/2 Peach Street

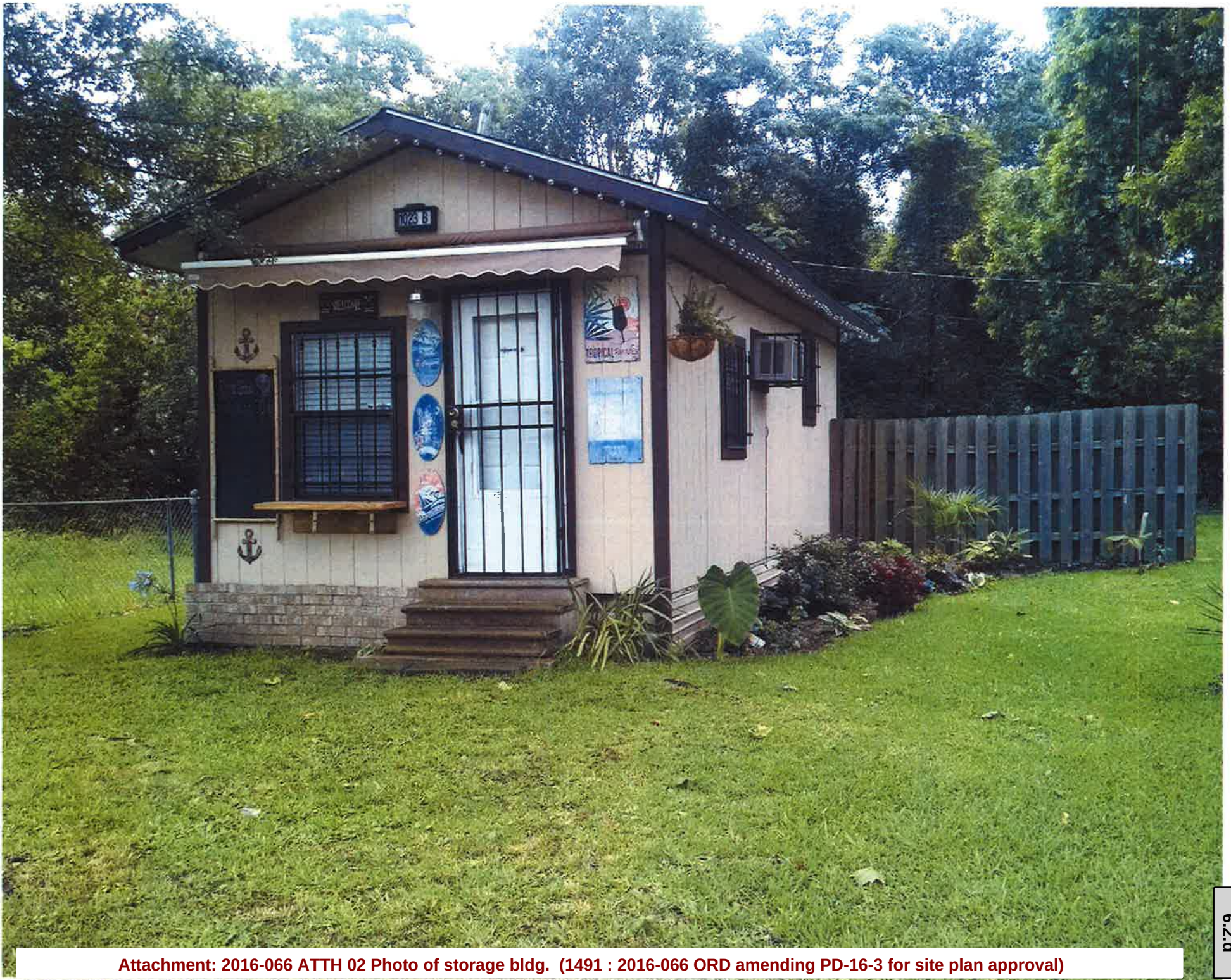
SITE PLAN

DATE	07/26/2016
BY	07/26/2016
SCALE	1/8" = 1'-0"
PROJECT NO.	16145
DATE	07/26/2016
BY	07/26/2016
SCALE	1/8" = 1'-0"
PROJECT NO.	16145
DATE	07/26/2016
BY	07/26/2016
SCALE	1/8" = 1'-0"
PROJECT NO.	16145





Attachment: 2016-066 ATTH 01 Maps (1491 : 2016-066 ORD amending PD-16-3 for site plan approval)



Attachment: 2016-066 ATTH 02 Photo of storage bldg. (1491 : 2016-066 ORD amending PD-16-3 for site plan approval)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: Goals & Perspectives (1491 : 2016-066 ORD amending PD-16-3 for site plan approval)

City of Texarkana, Texas

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2016-067 rezoning Lots 6-9, Block I-2, Tilson & Pitcher's 2nd
Subject: Addition, located in the 1300 block of Lee Street. Commercial to Single
Family-3. Valree Wingfield, owner.

Briefing: 6/27/2016 **Public Hearing:** 7/11/2016 **Second Briefing:** July 25, 2016 **Council Vote:** 8/8/2016

Item Schedule

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

Updates/History of Briefing:

Not applicable

Executive Summary and Background Information:

Z-16-9: This is a request by Valree Wingfield, owner, to rezone Lots 6-9, Block I-2, Tilson & Pitcher's 2nd Addition, located in the 1300 block of Lee Street from Commercial to Single Family-3 to allow the location of one double wide HUD code manufactured home as a residence. Currently, the property is vacant.

The adjacent zoning is SF-2 to the north, east, south and west. The adjacent land usage is vacant lots to the north, a vacant lot and residence to the south and residences to the east and west.

The City's Comprehensive Plan has designated this as a retail area. It is in close proximity to industrial uses.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

There appears to be several vacant lots in this area. Some double wide manufactured housing looks similar to frame pier and beam houses and could be a revitalization housing alternative to traditional site built homes. Also, another manufactured home is located in this area of Lee Street. Therefore, staff recommends for approval of this request.

Advisory Board/Committee Review:

City of Texarkana, Texas

Planning and Zoning Commission.

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously by a vote of 5 to 0 recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

June 6, 2016

Attachments

- a. 2016-067 ORD rezoning in the 1300 blk. of Lee Street (PDF)
- b. 2016-067 ATTH 01 Maps (PDF)
- c. Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	06/16/2016 9:07 AM		
Assistant City Manager	Shirley Jaster	Assistant City Manager	
Review	Completed	06/16/2016 10:27 AM	
Public Information Officer	Lisa Thompson	PIO Review	Completed
	06/16/2016 10:32 AM		
City Manager	John Whitson	City Manager Review	Completed 06/19/2016
3:09 PM			
City Council	Vicky Coopwood	Meeting	Pending 06/27/2016
6:00 PM			

Meeting History

ORDINANCE NO. 2016-067

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 6-9, BLOCK I-2, TILSON & PITCHER'S 2ND ADDITION, LOCATED IN THE 1300 BLOCK OF LEE STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM COMMERCIAL 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 Lots 6-9, Block I-2, Tilson & Pitcher's 2nd Addition, located in the 1300 block of Lee Street in the City of Texarkana, Bowie County, Texas, from **Commercial to Single Family-3**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend approval of the application for rezoning from Commercial to Single Family-3** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Commercial 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 Lots 6-9, Block I-2, Tilson & Pitcher's 2nd Addition, located in the 1300 block of Lee Street in the City of Texarkana, Bowie County, Texas, from **Commercial to Single Family-3**.

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

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

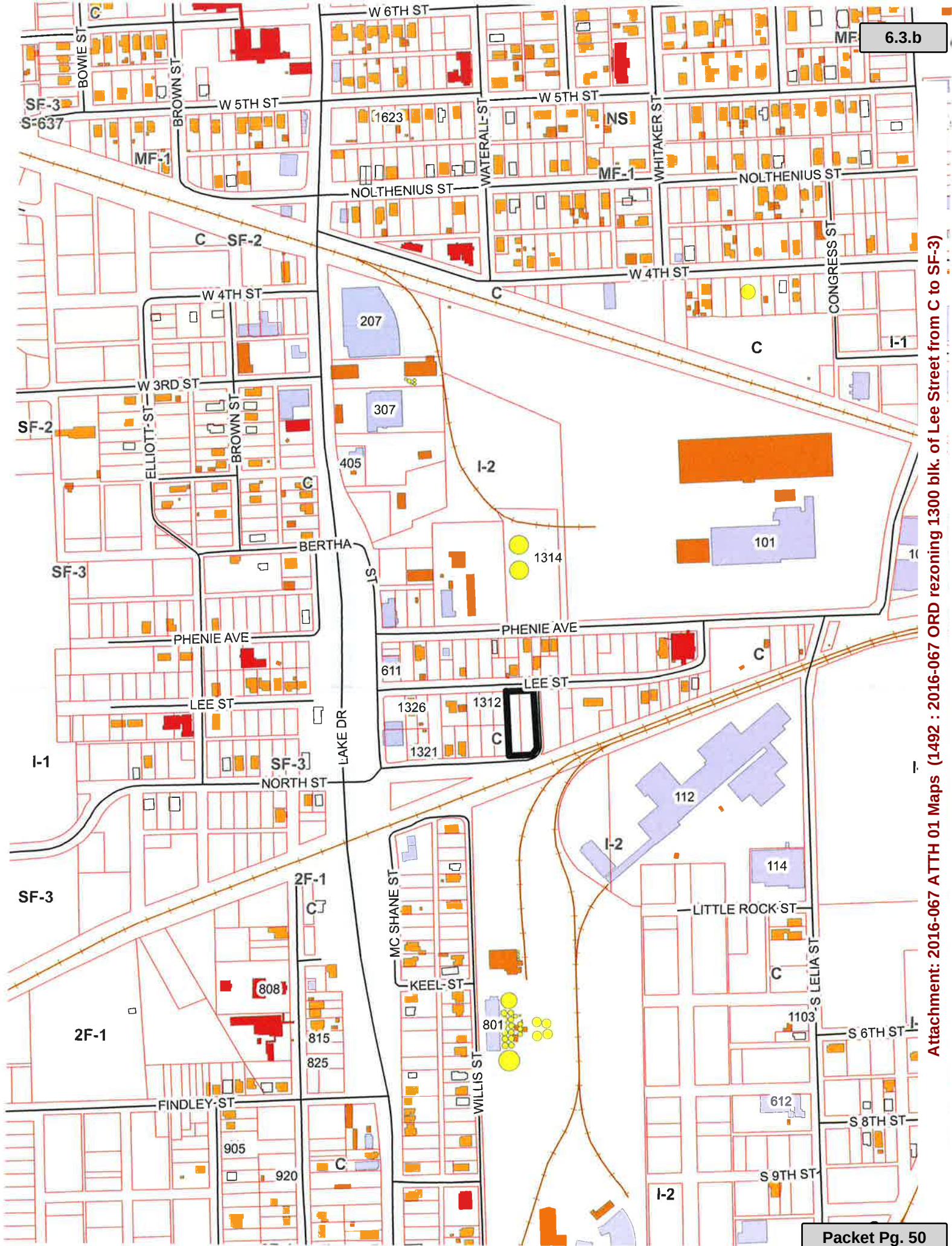
SECTION 4: That this Ordinance shall be in full force and effect from and after its passage and approval.

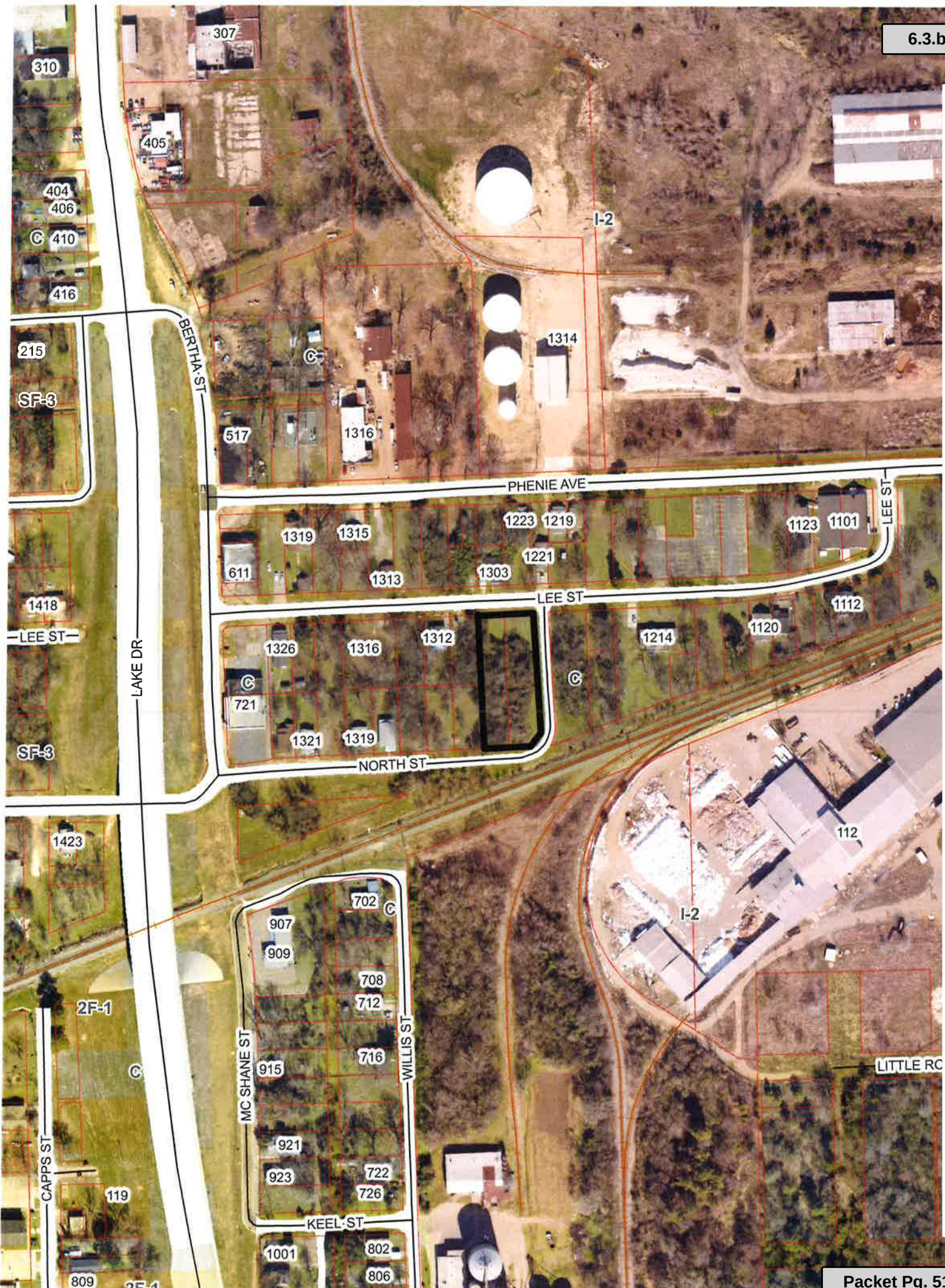
PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR





Attachment: 2016-067 ATTH 01 Maps (1492 : 2016-067 ORD rezoning 1300 blk. of Lee Street from C to SF-3)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: Goals & Perspectives (1492 : 2016-067 ORD rezoning 1300 blk. of Lee Street from C to SF-3)

City of Texarkana, Texas

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2016-068 granting a Specific Use Permit to allow the location of
Subject: a HUD code manufactured home on Lots 6-9, Block I-2, Tilson & Pitcher's 2nd
Addition, located in thie 1300 block of Lee Street. Valree Wingfield, owner.

Briefing: 6/27/2016 **Public Hearing:** 7/11/2016 **Second Briefing:** July 25, 2016 **Council Vote:** 8/8/2016

Item Schedule

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

Updates/History of Briefing:

Not applicable

Executive Summary and Background Information:

S-667: This is an application submitted by Valree Wingfield, owner, requesting a Specific Use Permit to allow the one additional use of a HUD code double wide manufactured home as a residence on Lot 6-9, Block I-2, Tilson & Pitcher's 2nd Addition. Currently, the property is vacant.

The adjacent zoning is Commercial to the north, south east and west. The adjacent land use is residences to the north and vacant land to the 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.

The proposed HUD code manufactured home will be a Fleetwood, 3 bedroom 2 bath, 2016 or newer model. See attached floor plan.

Staff would ask that the following stipulations be added if this Specific Use Permit is approved:

1. The double wide HUD code manufactured home allowed on this property be a 2016 or newer model with 3 bedrooms and 2 baths.
2. The double wide HUD code manufactured home be tied down/skirted/underpinned.
3. The double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. The Specific Use Permit will 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. All driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

City of Texarkana, Texas

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

There is another double wide manufactured home located in this area of Lee Street as well as many vacant lots. Therefore, staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously by a vote of 5 to 0 recommended for approval of this request with staff stipulations.

Advisory Board/Committee Meeting Date and Minutes:

June 6, 2016

Attachments

- a. 2016-068 ORD SUP for manf. home in the 1300 blk. of Lee Street (DOCX)
- b. 2016-068 EXH 'A' Floor plan (PDF)
- c. 2016-068 ATTH 01 Maps (PDF)
- d. 2016-068 Goals and Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	06/16/2016 9:07 AM	
Assistant City Manager	Shirley Jaster	Assistant City Manager
Review	Completed	06/16/2016 10:30 AM
Public Information Officer	Lisa Thompson	PIO Review
	06/16/2016 10:32 AM	Completed
City Manager	John Whitson	City Manager Review
3:09 PM		Completed
City Council	Vicky Coopwood	Meeting
6:00 PM		Pending
		06/27/2016

Meeting History

ORDINANCE NO. 2016-068

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-667 TO ALLOW THE LOCATION OF A HUD CODE DOUBLE WIDE MANUFACTURED HOME ON LOTS 6-9, BLOCK I-2, TILSON & PITCHER'S 2ND ADDITION, LOCATED IN THE 1300 BLOCK OF LEE STREET IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance so as to grant a **Specific Use Permit** to allow the location of a HUD code double wide manufactured home (**Exhibit "A"**) on Lots 6-9, Block I-2, Tilson & Pitcher's 2nd Addition, located in the 1300 block of Lee Street in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously five (5) to zero (0) to recommend** to the City Council of the City of Texarkana, Texas, **that a Specific Use Permit be granted to allow the location of HUD code double wide manufactured home** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended so as to grant a **Specific Use Permit numbered S-667 for the purpose of allowing the location of a HUD code double wide manufactured home** on the following described property, to-wit: Lots 6-9, Block I-2, Tilson & Pitcher's 2nd Addition, located in the 1300 block of Lee Street in the City of Texarkana, Bowie County, Texas.

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

1. The double wide HUD code manufactured home allowed on this property be a 2016 or newer model with 3 bedrooms and 2 baths.
2. The double wide HUD code manufactured home be tied down/skirted/underpinned.
3. The double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. The Specific Use Permit will 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. All driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

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

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

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

PASSED AND APPROVED in regular Council Session on this the **8th day of August, 2016.**

ATTEST:

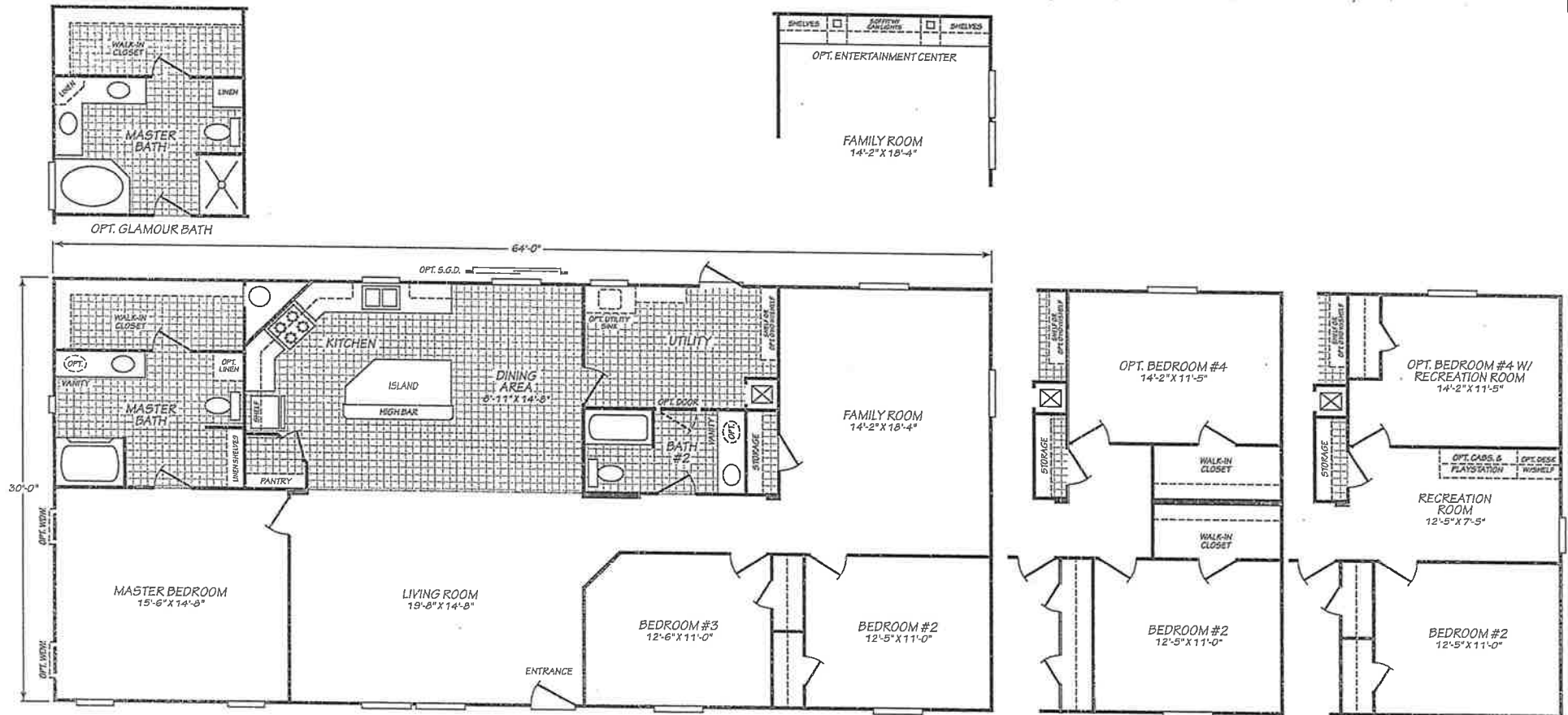
JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



WESTON

www.fleetwoodhomes.com



MODEL 32643W

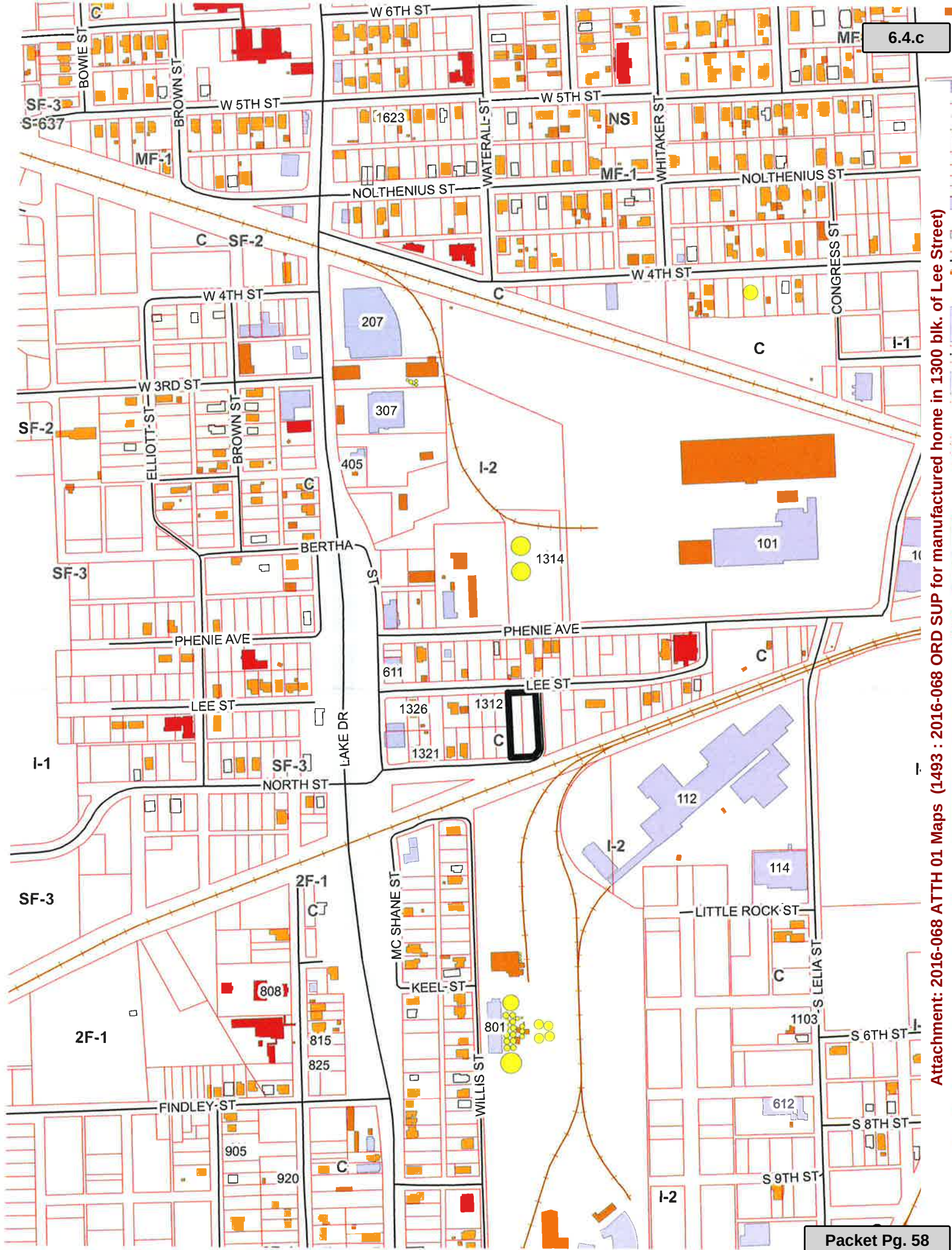
3 Bedroom • 2 Bath • 1,920 Square Feet

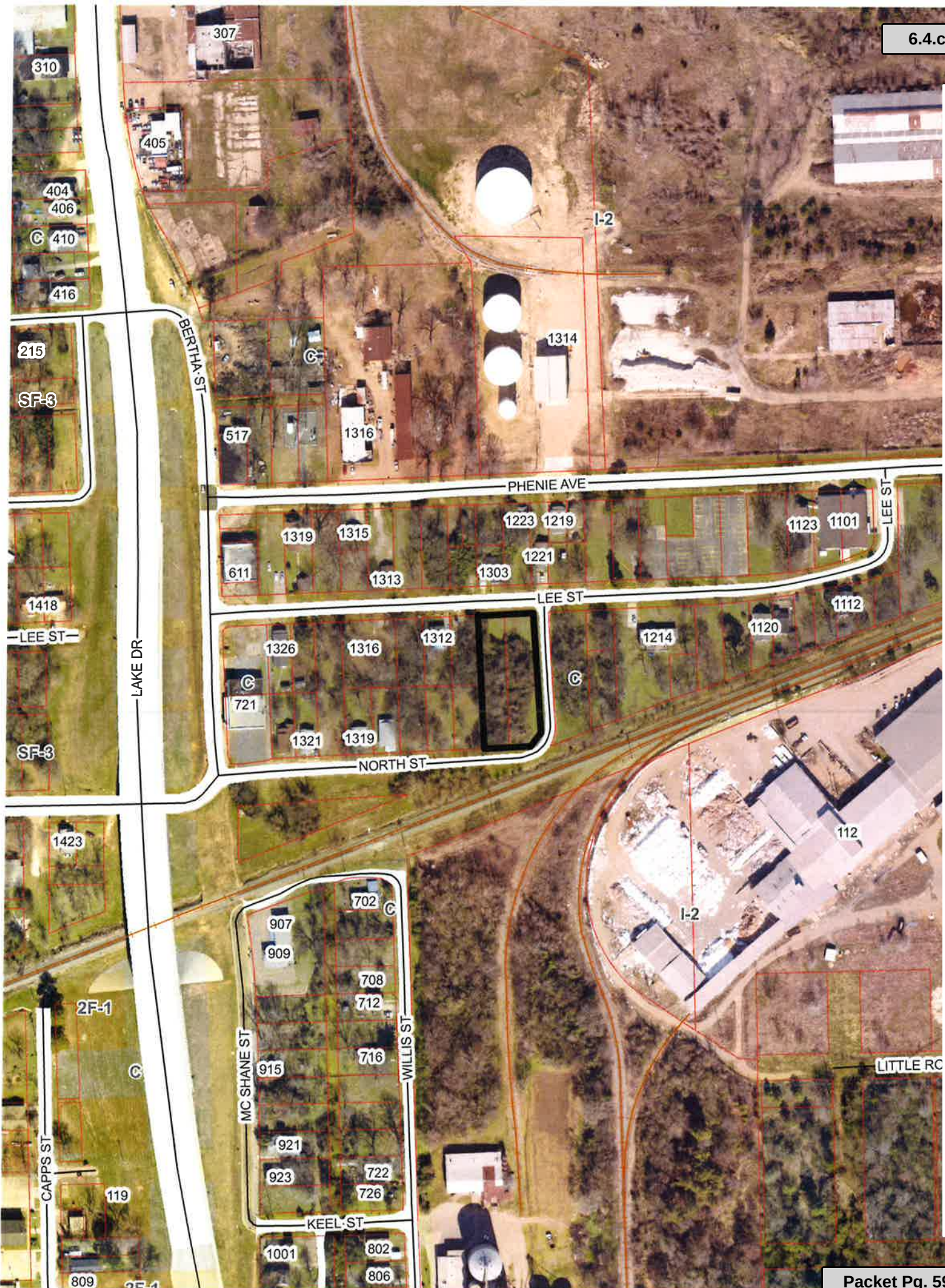
Important: Because we continually update and modify our products, it is important for you to know that our brochures and literature are for illustrative purposes only. Illustrations may show optional features. All information contained herein may vary from the actual home we build. Dimensions are nominal and length and width measurements are from exterior wall to exterior wall. We reserve the right to make changes at any time, without notice or obligation, in prices, colors, materials, specifications, features and models. Please check with your retailer for specific information about the home you select.



WE/240/MAY14
PFS APPROVAL 2/17/14







Attachment: 2016-068 ATTH 01 Maps (1493 : 2016-068 ORD SUP for manufactured home in 1300 blk. of Lee Street)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: 2016-068 Goals and Perspectives (1493 : 2016-068 ORD SUP for manufactured home in 1300 blk. of Lee Street)

City of Texarkana, Texas

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2016-069 amending the Code of Ordinances, Chapter 140
"Zoning", Section 140-80 "Use regulations districts" and Section 140-113
"Definitions" pertaining to adding food truck courts and commissaries as new
Subject: uses and definitions.

Briefing: 6/27/2016 **Public Hearing:** 7/11/2016 **Second Briefing:** July 25, 2016 **Council Vote:** 8/8/2016

Item Schedule

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

Updates/History of Briefing:

Not applicable

Executive Summary and Background Information:

Staff has been asked to add "food truck court" and "Central preparation facility/commissary" to the City's Section 140 "Zoning" in the Code of Ordinances.

Staff is recommending that the Ordinance be amended to allow food truck courts as a primary use of a property. This would allow multiple food vendors on a property at any given time. This new use and proposed amendment would not affect the continued usage of existing mobile food units as they are currently regulated in Section 20-59 in Code of Ordinances (as long as they are not the "primary use" of the property).

Staff recommends that the following amendments be made to Section 140 "Zoning" of the Code of Ordinances pertaining to food truck courts.

Amend Section 140 "Zoning" of the Code of Ordinances, Section 140-80 "Use regulation districts" to add the following new uses:

Central Preparation Facility/Commissary – to be allowed in the General Retail, Limited Commercial, Central Business, Commercial, Industrial-1 and Industrial-2 zoning districts.

Food Truck Court – to be allowed in the Central Business District, Commercial, Industrial-1 and Industrial-2 zoning districts.

Amend Section 140 "Zoning" of the Code of Ordinances, Section 140-113 "Definitions" to add the following:

- Central Preparation Facility/Commissary - A facility that is an approved and permitted retail food establishment at which food is prepared, stored, and wrapped; and the Mobile Food Unit is supplied with fresh water and ice; and emptied of waste water into a proper waste disposal system, and cleaned, including washing, rinsing, and sanitizing of those food-contact surfaces or items not capable of being immersed in the Mobile Food Unit utensil-washing sink. Use of a private residence as a central preparation facility is prohibited.

City of Texarkana, Texas

- Food Truck Court – An area designed to accommodate two or more Mobile Food Units and offering food and/or beverages for sale to the public as the primary use of the property; functioning as a single business.

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval of these proposed amendments to the Code of Ordinances, Section 140 "Zoning".

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously by a vote of 5 to 0 recommended for approval of these proposed amendments.

Advisory Board/Committee Meeting Date and Minutes:

June 6, 2016

Attachments

- 2016-069 ORD Amending Code of Ordinances, Chapter 140 "Zoning" pertaining to food truck courts and commissaries (DOCX)
- 2016-069 ORD Goals and Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	06/20/2016 7:55 AM	
Assistant City Manager	Shirley Jaster	Assistant City Manager
Review	Completed	06/20/2016 4:05 PM
Public Information Officer	Lisa Thompson	PIO Review
	06/20/2016 4:06 PM	Completed
City Manager	John Whitson	City Manager Review
4:12 PM		Completed
City Council	Vicky Coopwood	Meeting
6:00 PM		Pending
		06/27/2016

Meeting History

Publish

ORDINANCE NO. 2016-069

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE CODE OF ORDINANCES, LAND DEVELOPMENT CODE, CHAPTER 140 “ZONING”, TO AMEND REGULATIONS RELATING TO “USE REGULATION DISTRICTS” AND “DEFINITIONS” FOR FOOD TRUCK COURTS AND CENTRAL PREPARATION FACILITIES/COMMISSARIES, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas, finds that within the City there is an increased interest and demand for access to Food Truck Courts; and

WHEREAS, the City desires to increase access to affordable and gourmet foods, encourage food entrepreneurship, support local small businesses, and foster economic development; and

WHEREAS, after consideration of the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that amending regulations relating to “use regulation districts” and “definitions” related to Food Truck Courts and Central Preparation Facilities/Commissaries are in the best interest of citizens and the City’s future growth.

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

SECTION 1. Section 140 “Zoning” of the Code of Ordinances, Section 140-80 “Use regulation districts” shall be amended to add the following new uses:

Central Preparation Facility/Commissary – to be allowed in the General Retail, Limited Commercial, Central Business, Commercial, Industrial-1 and Industrial-2 zoning districts.

Food Truck Court – to be allowed in the Central Business District, Commercial, Industrial-1 and Industrial-2 zoning districts.

SECTION 2. Section 140 “Zoning” of the Code of Ordinances, Section 140-113 “Definitions” to add the following new definitions:

Central Preparation Facility/Commissary - A facility that is an approved and permitted retail food establishment at which food is prepared, stored, and wrapped; and the Mobile Food Unit is supplied with fresh water and ice; and emptied of waste water into a proper waste disposal

Attachment: 2016-069 ORD Amending Code of Ordinances, Chapter 140 ?Zoning? pertaining to food truck courts and commissaries [Revision

Publish

system, and cleaned, including washing, rinsing, and sanitizing of those food-contact surfaces or items not capable of being immersed in the Mobile Food Unit utensil-washing sink. Use of a private residence as a central preparation facility is prohibited.

Food Truck Court – An area designed to accommodate two or more Mobile Food Units and offering food and/or beverages for sale to the public as the primary use of the property; functioning as a single business.

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

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

SECTION 5: 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 6: That this Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

To provide access to affordable and gourmet foods, encourage food entrepreneurship, support local small businesses, and foster economic development.

Resource Impact:

NA	No Additional
----	---------------

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Lead Department: Information Technology **Action Officer:** Jeff Luckett, Supervisor
Resolution No. 2016-070 authorizing the City Manager to enter into a purchase
agreement with GovConnection of Merrimack, VA for Nutanix Virtual
Subject: Infrastructure hardware and software not to exceed \$81,906.31 with the
Texarkana Texas Water Utilities portion not to exceed \$51,560.02.

Briefing: 6/27/2016 **Public Hearing:** 7/11/2016 **Second Briefing:** July 25, 2016 **Council Vote:** 8/8/2016

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The city IT department has a server virtual infrastructure that is becoming obsolete. This solution combines Dell hardware and Nutanix software to create a hyper-converged virtual environment. The package will increase virtual server performance, provide additional capacity and allow for modular capacity upgrades in the future.

IT plans to budget for an identical solution in FY 2017 to provide additional capacity, redundancy and disaster recovery capabilities.

Potential Options:

- Storage Hardware and Server Hardware purchased separately.
-Purchase price for comparable pieces plus 10GB backplane networking costs are significantly higher with fewer options for management.
- Nutanix Hyper-Converged Virtual Infrastructure

Fiscal Implications:

Funds are budgeted in the Texarkana Water Utilities Technology Fund.

Staff Recommendation:

Purchase the Nutanix Hyper-Converged Virtual Infrastructure.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

City of Texarkana, Texas

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2016-070 RES IT Virtual Infrastructure Refresh (DOCX)
- b. 2016-070 RES Quote (Exhibit A) (PDF)

Staff Coordination

Information Technology	Kevin J. Davenport	Review	Completed
06/16/2016 10:30 AM			
Water Utilities	Jim Cornelius	Review	Completed 06/16/2016
12:58 PM			
Water Utilities	JD Phillips	Review	Completed 06/16/2016
1:19 PM			
Public Information Officer	Lisa Thompson	PIO Review	Completed
06/16/2016 1:21 PM			
City Manager	John Whitson	City Manager Review	Completed 06/19/2016
3:13 PM			
City Council	Vicky Coopwood	Meeting	Pending 06/27/2016
6:00 PM			

Meeting History

RESOLUTION NO. 2016-070

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO PURCHASE NUTANIX VIRTUAL INFRASTRUCTURE SYSTEM AT A TOTAL COST NOT TO EXCEED EIGHTY-ONE THOUSAND NINE HUNDRED SIX AND 31/100 DOLLARS (\$81,906.31) WITH THE TEXARKANA TEXAS WATER UTILITIES PORTION NOT TO EXCEED FIFTY-ONE THOUSAND FIVE HUNDRED SIXTY AND 02/100 DOLLARS (\$51,560.02); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the IT Division of TWU budgets and purchases hardware and software for the computer systems of the Texarkana Water Utilities; and

WHEREAS, utilizing Virtual Server Infrastructure provides cost savings; and

WHEREAS, the purchase of a Nutanix virtual infrastructure system will improve the ability to virtualize; and

WHEREAS, Texarkana Water Utilities, has received a quote from GovConnection of Merrimack, NH for a Nutanix virtual infrastructure system, a copy of which is attached hereto as **Exhibit “A”**; and

WHEREAS, GovConnection is an authorized reseller under Dell Incorporated’s Texas Department of Information Resources contract, which exempts the city from requiring competitive bids; and

WHEREAS, the proposal from GovConnection of Merrimack, NH for the Nutanix virtual infrastructure system has a total cost not to exceed EIGHTY-ONE THOUSAND NINE HUNDRED SIX AND 31/100 DOLLARS (\$81,906.31) with the Texarkana Texas Water Utilities portion not to exceed FIFTY-ONE THOUSAND FIVE HUNDRED SIXTY AND 02/100 DOLLARS (\$51,560.02) in a three-year term; and

WHEREAS, the funds for the system have been appropriated in the Texarkana Water Utilities Technology Fund.

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

SECTION 1: That the City Manager be and is hereby authorized to execute a purchase agreement with GovConnection of Merrimack, NH for a Nutanix virtual infrastructure system for a total cost not to exceed EIGHTY-ONE THOUSAND NINE HUNDRED SIX AND 31/100 DOLLARS (\$81,906.31) with the Texarkana Texas Water Utilities portion not to exceed FIFTY-ONE THOUSAND FIVE HUNDRED SIXTY AND 02/100 DOLLARS (\$51,560.02).

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

PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



ORDERING INFORMATION

GovConnection, Inc.
State of Texas DIR – Dell
Agreement #DIR 1951
Contract Expiration: 9 January 2017

Please contact your account manager with questions.

Ordering Address

GovConnection, Inc.
 732 Milford Road
 Merrimack, NH 03054

Remittance Address

GovConnection, Inc.
 PO Box 536477
 Pittsburgh, PA 15253-5906

Please reference the Contract # on all purchase orders.

TERMS & CONDITIONS

Payment Terms:	NET 30 (subject to approved credit)
FOB Point:	DESTINATION (within Continental US)
Maximum Order Limitation:	NONE
FEIN:	52-1837891
DUNS Number:	80-967-8782
CEC:	80-068888K
Cage Code:	OGTJ3
Business Size:	LARGE

WARRANTY: *Manufacturer's Standard Commercial Warranty*

Important Notice: --- THIS QUOTATION IS SUBJECT TO THE FOLLOWING Terms of Sale: All purchases from GovConnection, Inc. are subject to the Terms and Conditions of our State of Texas DIR – Dell, Agreement # DIR 1951. Any Order accepted by GovConnection for the items included in this Quotation is expressly limited to those Terms and Conditions; any other terms and conditions referenced or appearing in your Purchase Order are considered null and void. No other terms and conditions shall apply without the written consent of GovConnection, Inc. Please refer to our Quote Number in your order.

If you require a hard copy invoice for your credit card order, please visit the link below and click on the Proof of Purchase/Invoice link on the left side of the page to print one:

<https://www.govconnection.com/web/Shopping/ProofOfPurchase.htm>

Please forward your Contract to: SLEDOPS@GovConnection.com

QUESTIONS: Call 800-800-0019

FAX: 603.683.0374

SALES QUOTE

GovConnection, Inc.
732 Milford Road
Merrimack, NH 03054

Account Executive: Louis Adinolfi
Phone:
Fax:
Email:

Account Manager:
Phone:
Fax:
Email:

24095500.04-W1

PLEASE REFER TO THE ABOVE
QUOTE # WHEN ORDERING

Date: 6/16/2016
Valid Through: 7/16/2016
Account #: 885794

Customer Contact: Jeff Luckett
Email: luckett@txkusa.org

Phone: (903) 798-3830
Fax: (903) 798-3967

QUOTE PROVIDED TO:

AB#: 2743591
TEXARKANA WATER UTILITIES
ACCOUNTS PAYABLE
PO BOX 2008
TEXARKANA, TX 75504

(903) 798-3800

SHIP TO:

AB#: 12735695
CITY OF TEXARKANA
2411 SUMMERHILL RD
CIS/SUMMERHILL RD ANNEX
TEXARKANA, TX 75501

(903) 792-8855

DELIVERY	FOB	SHIP VIA	SHIP WEIGHT	TERMS	CONTRACT ID#
5-30 Days A/R/O	Destination	Small Pkg Ground Service Level	.00 lbs	NET 30	DIR-SDD-1951

Important Notice: --- THIS QUOTATION IS SUBJECT TO THE FOLLOWING Terms of Sale: All purchases from GovConnection, Inc. are subject to the Terms and Conditions of the State of Texas DIR - Dell Contract #DIR-SDD-1951. Any Order accepted by GovConnection for the items included in this Quotation is expressly limited to those Terms and Conditions; any other terms and conditions referenced or appearing in your Purchase Order are considered null and void. No other terms and conditions shall apply without the written consent of GovConnection, Inc. Please refer to our Quote Number in your order.

* Line #	Qty	Item #	Mfg. Part #	Description	Mfg.	Price	Ext
1	3			Dell XC630 for Hyper-V 1U Node		\$ 25,035.16	\$ 75,105.48
2	1			Dell Networking S4048-ON (see notes for details)		\$ 6,800.83	\$ 6,800.83
Subtotal							\$ 81,906.31
Fee							\$ 0.00
Shipping and Handling							\$ 0.00
Tax							Exempt!
Total							\$ 81,906.31

***Lease for as low as:** \$2,439.99/Mo

Attachment: 2016-070 RES Quote (Exhibit A) [Revision 1] (1489 : 2016-070 RES IT Virtual Infrastructure Refresh)

Product Notes for Quote# 24095500.04-W1

Item #	Description	Notes
	Dell XC630 for Hyper-V 1U Node	Dell XC630 for Hyper-V (210-AEIH) 1 Info C31 Raid configuration for XC630 10 hdd (321-BBQW) 1 PowerEdge R630 Motherboard MLK (329-BCZI) 1 XC630 Label (350-BBGP) 1 XC630-10 (350-BBHJ) 1 64GB SSDR SATA-DOM (400-AGXG) 1 PE Server FIPS TPM 1.2,CC (461-AADP) 1 Nutanix OS for Hyper-V, Volume Licensing (619-AHST) 1 ProSupport: Next Business Day Onsite Service After Problem Diagnosis, 2 Year Extended (802-1065) 1 ProSupport: Next Business Day Onsite Service After Problem Diagnosis, Initial Year (802-1068) 1 ProSupport: 7x24 HW / SW Tech Support and Assistance, 3 Year (802-1073) 1 Dell Hardware Limited Warranty Plus On Site Service Extended Year (802-1103) 1 Dell Hardware Limited Warranty Plus On Site Service Initial Year (802-1104) 1 Thank you choosing Dell ProSupport. For tech support, visit http://www.dell.com/support or call 1-800-945-3355 (989-3439) 1 Channel Partner Installation - Restricted access: Deployment Competency Partners only (995-8131) 1 US Order (332-1286) 1 ProSupport for Multivendor SW, Webscale SW, 3 Year (802-1078) 1 XC630 Shipping (340-AOKM) 1 Intel X520 DP 10Gb DA/SFP+, + I350 DP 1Gb Ethernet, Network Daughter Card (540-BBBB) 1 iDRAC8 Enterprise, integrated Dell Remote Access Controller, Enterprise (385-BBHO) 1 Chassis with up to 10, 2.5" Hard Drives, 3 PCIe Slots (321-BBKM) 1 Bezel (325-BBNL) 1 PERC HBA330 12GB Controller Minicard (405-AAJU) 1 Intel Xeon E5-2630 v4 2.2GHz,25M Cache,8.0 GT/s QPI,Turbo,HT,10C/20T (85W) Max Mem 2133MHz (338-BJCX) 1 Intel Xeon E5-2630 v4 2.2GHz,25M Cache,8.0 GT/s QPI,Turbo,HT,10C/20T (85W) Max Mem 2133MHz (338-BJDG) 1 16GB RDIMM, 2400MT/s, Dual Rank, x8 Data Width (370-ACNX) 16
	Dell XC630 for Hyper-V 1U Node Notes Continued...	2400MT/s RDIMMs (370-ACPH) 1 Performance Optimized (370-AAIP) 1 1TB 7.2K RPM NLSAS 6Gbps 2.5in Hot-plug Hard Drive,13G (400-AEFE) 8 400GB Solid State Drive SATA Write Intensive 6Gbps 2.5in Hot-plug Drive, S3710 (400-AKKL) 2 No Systems Documentation, No OpenManage DVD Kit (631-AACK) 1 ReadyRails Sliding Rails With Cable Management Arm (770-BBBL) 1 Dual, Hot-plug, Redundant Power Supply (1+1), 1100W (450-ADWM) 1 C13 to C14, PDU Style, 12 AMP, 6.5 Feet (2m) Power Cord, North America (492-BBDI) 2 Dell Networking, Cable, SFP+ to SFP+, 10GbE, Copper Twinax Direct Attach Cable, 3 Meter (470-AAGP) 2 Internal Dual SD Module (330-BBCL) 1 16GB SD Card For IDSMD (385-BBHV) 1 Custom Licensing (379-BBVO) 1 DIMM Blanks for System with 2 Processors (370-ABWE) 1 120W Heatsink for PowerEdge R630 (412-AAEE) 1 120W Heatsink for PowerEdge R630 (412-AAEE) 1 Nutanix 3Y SW Maintenance for Dell XC, Custom1 (634-BCZV) 9 Nutanix Pro Edition for Dell XC, Custom1 (634-BDCG) 2 Nutanix 3Y SW Maintenance for Dell XC, Custom3 (634-BDBX) 1 Nutanix 3Y SW Maintenance for Dell XC, Custom2 (634-BDBL) 3 Redefining the economics of storage (469-3024) 1 Nutanix Pro Edition for Dell XC, Custom3 (634-BCZU) 6 Nutanix Pro Edition for Dell XC, Custom2 (634-BDBD) 7

Product Notes for Quote# 24095500.04-W1

	Dell Networking S4048-ON (see notes for details)	Dell Networking S4048-ON, 48x 10GbE SFP+ and 6x 40GbE QSFP+ ports, IO to PSU air, 1x AC PSUs, DNOS9 (210-ADUW) 1 Thank you choosing Dell ProSupport. For tech support, visit http://www.dell.com/support or call 1-800-945-3355 (989-3439) 1 ProSupport: Next Business Day Onsite Service After Problem Diagnosis, 2 Year Extended (997-6174) 1 ProSupport: Next Business Day Onsite Service After Problem Diagnosis, Initial Year (997-6179) 1 ProSupport: 7x24 HW / SW Tech Support and Assistance, 3 Years (997-6186) 1 Dell Hardware Limited Warranty Extended Year(s) (997-6304) 1 Dell Hardware Limited Warranty Initial Year (997-6305) 1 Info 3rd Party Software Warranty provided by Vendor (997-6306) 1 US Order (332-1286) 1 On-Site Installation Declined (900-9997) 1 Dell Networking S4048-ON User Guide (634-BCWX) 1 Dell Networking, Jumper Cord, 250V, 12A, 2 Meters, C13/C14, US (450-AASX) 1 Dell Networking, Cable, SFP+ to SFP+, 10GbE, Copper Twinax Direct Attach Cable, 3 Meter (470-AAGP) 6 Dell Networking OS9, S4048-ON (634-BCWZ) 1
--	--	---

City of Texarkana, Texas

Lead Department: Planning and Community Development **Action Officer:** Daphnea Ryan,
Resolution No. 2016-071 authorizing the City Manager to enter into a contract
Subject: for the environmental cleanup of 203/205 West Broad Street utilizing EPA grant
funds previously identified for this project.

Briefing: 6/27/2016 **Public Hearing:** 7/11/2016 **Second Briefing:** July 25, 2016 **Council Vote:** 8/8/2016

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

In 2012, the City of Texarkana, Texas was awarded a \$440,000 grant from the EPA Brownfields Program specific to the assessment and environmental cleanup of 203/205 West Broad Street.

This project encompassed multiple steps, with the final step of contractual cleanup pending. As required, a Request for Proposal was published June 5, 2016 for a contractor to perform the cleanup and any necessary stabilization of the property. Proposals are due no later than July 6, 2016 at 2:00 p.m., at which time proposals will be reviewed and a contract awarded based on the criteria established in the Request for Proposal.

Potential Options:

- None
-

Fiscal Implications:

\$440,000 EPA Grant Funded Project

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

NOT APPLICABLE

City of Texarkana, Texas

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2016-071 ATTH 01 Authorizing Contract for Environ Cleanup 203 205 (PDF)
- b. 2016-071 Goals & Perspectives (DOCX)
- c. 2016-071 RES Authorizing Contract Environ Cleanup 203 205 W Broad (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	06/20/2016 5:45 PM		
Finance Department Kristin Peebles	Review	Completed	06/21/2016
9:40 AM			
Finance Department David Orr	Finance Review	Skipped	06/20/2016
5:44 PM			
Purchasing and Contracting	Sharon Moore	Purchasing Review	
Completed	06/21/2016 9:43 AM		
Assistant City Manager	Shirley Jaster	Assistant City Manager	
Review	Completed		
	06/23/2016 4:16 PM		
Public Information Officer	Lisa Thompson	PIO Review	Completed
	06/23/2016 4:30 PM		
City Manager John Whitson	City Manager Review	Completed	06/23/2016
5:14 PM			
City Council Vicky Coopwood	Meeting	Pending	06/27/2016
6:00 PM			

Meeting History

Hazardous Materials Remediation

COMMERCIAL BUILDING
203/205 W Broad Street
Texarkana, Texas
EPA ACRES ID Nos. 72441/72421

United States Environmental Protection Agency, Region 6
Brownfields Multi-Purpose Pilot
Hazardous Substances
Cooperative Agreement No. BF-00F62801

June 5, 2016
Terracon Project No. 94137464B



Prepared for:
City of Texarkana
Texarkana, Texas

Prepared by:
Terracon Consultants, Inc.
Dallas, Texas

terracon.com

Terracon

Project Overview

This project consists of the remediation of hazardous materials at the vacant commercial building located at 203/205 W Broad Street, Texarkana, Texas. The City of Texarkana expects to encounter asbestos-containing and -contaminated materials, lead paint-coated building components, avian pathogen-contaminated materials and fungal-contaminated (mold) materials based on the findings of previous ASTM E1527 Phase I environmental site assessments and limited historical testing. The site specific asbestos, lead, mold and avian-pathogen abatement scope of work are provided in separate sections within this document.

The City with structural engineer Jeff Raley, Raley & Associates, Inc. (RAI), Bossier City, Louisiana, were on-site July 29, 2015 for observation to reevaluate and report project conditions relative to structural integrity and safety to implement the EPA-approved sampling plans. In the subsequent RAI report it was stated;

“As of this date, the building structures appear to be unstable and not safe for persons to enter the structures for the purpose of sampling. It is our opinion that it would not be cost effective to do temporary shoring for the purpose of sampling since sampling can be done during material removal (see photos).

The adjacent buildings to the east and west will need to be protected during the removal of materials for assessment and clean up.”

The contractor submitting a proposal on the work must take this into account in the preparation of their proposal.

It has evolved that a combined cleanup with simultaneous assessment of debris and materials from the interior of 203/205 can occur. In general here and later set forth in more detail in the Site Cleanup Plan, the expected approach is to have a licensed abatement contractor stabilize the structure sufficient to remove unsegregated hazardous materials to a processing station on the exterior of the building. Hazardous substance assessments will be conducted on-site and in-process at a safe staging area to determine whether waste/debris should be handled and disposed as asbestos-, mold-, avian pathogen- or lead-impacted waste material as part of cleanup.

The contractor will perform the hazardous materials remediation under conditions and in a sequence that ensures compliance with applicable state and federal asbestos, lead and mold regulations. With pre-emption by asbestos, debris will initially be assumed to be asbestos-containing material (ACM) or asbestos-contaminated and appropriately collected, handled and removed through the rear of the structure to a staging and assessment area in the alley.

In the staging area, materials will be first visually assessed and segregated as suspect materials or asbestos materials. Under Texas rule determination that materials do or do not contain asbestos have to be submitted to a third party laboratory as set forth in the EPA-approved PSAP (Appendix B); this may require temporary containment and staging with rush analyses.

Hazardous Materials Remediation

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 June 5, 2016 ■ Terracon Project No. 94137464B / City of Texarkana RFP#16-2001-07



Alternatively, a Texas-licensed asbestos consultant, inspector or management planner may assume materials contain asbestos.

Secondly, materials will be visually segregated as having mold or adhered or mixed avian waste (e.g. bird or bat guano). If possible, these materials will be cleaned of mold or avian waste contamination.

Thirdly, materials will be visually segregated for suspect lead-containing coatings and tested on-site using x-ray fluorescence (XRF) field technology.

The remaining materials once cleaned of potentially adhering *de minimis* ACM, mold or avian waste will be handled and disposed as demolition debris.

The defined sequencing will avoid combining regulated waste generated as part of the remediation. The contractor will provided a detailed schedule of the remediation sequence which will include, at a minimum, containment and non-containment areas, regulated areas, order in which identified hazardous materials will be remediated, waste packaging, and disposal, to ensure regulatory compliance with applicable state and federal regulations.

The Contractor selected to perform the remediation work will demonstrate experience performing abatement of each of the hazardous materials identified and experience with similar structures. Prior to beginning work at the site the Contractor will attend a preconstruction meeting to coordinate all site activities with the Owner and their designated representative. In addition, prior to beginning any remediation activities the contractor will conduct an orientation meeting with their personnel. The purpose of the meeting will be to inform each employee of the health and safety hazards present on the site and the specific procedures to be followed to minimize those hazards.

TABLE OF CONTENTS

Section 00010 - Request for Proposals
Section 00020 - Proposal Form
Section 00030 - General Terms and Condition
Section 00040 - Insurance Requirements
Section 00050 - Bond Requirements
Section 00100 - Instructions to Proposers

Appendix A: Site Cleanup Plan

SECTION 00010 – REQUEST FOR PROPOSALS

PROJECT NO: 94137464B / City of Texarkana RFP#16-2001-07

PROPOSAL DATE/TIME: June 5, 2016 to July 6, 2016, 2:00 p.m.

PROJECT SITE: Commercial Building
203/205 W Broad Street
Texarkana, Texas

OWNER: City of Texarkana
PO Box 1967
220 Texas Boulevard, 4th Floor
Texarkana, Texas 75504

CONSULTANT: Terracon Consultants, Inc. (Terracon)
8901 John Carpenter Freeway, Suite 100
Dallas, Texas 75247
(214) 630-1010

- Proposals shall be on a totality basis; segregated proposals will not be accepted.
- Contractor shall identify the sealed proposal on the outside of the envelope by writing “PROPOSAL”. The proposals shall be mailed or delivered to Ms. Sharon Moore, Purchasing Manager, City of Texarkana, PO Box 1967 – 220 Texas Boulevard, 2nd Floor, Texarkana, Texas 75504. **No Faxed Proposals Will Be Accepted!**
- Proposals are due by 2:00 p.m. on July 6, 2016. Late proposals will not be accepted.
- Pre-Proposal Conference will be conducted Tuesday, June 14, 2016 at 2:00 p.m. The pre-proposal meeting will be at the Texarkana, Texas Municipal Building, 220 Texas Blvd., Texarkana, Texas 75501 in the 2nd floor Conference Room, followed by a walkthrough of the project site. Interested proposers are required to attend.
- Proposals will be opened publicly in the 2nd floor conference room of the Texarkana, Texas Municipal Building, 220 Texas Blvd., Texarkana, Texas 75501 on the proposal closing date.

- Right is reserved, as the interest of the Owner may require, to reject any and all proposals and to waive any informality in proposals received.
- The Owner reserves the right to accept or reject any and all proposals in whole or in part, waive any minor technicality and enter into this contract deemed to provide the best value to the Owner.

END OF SECTION 00010

SECTION 00020 - PROPOSAL FORM FOR HAZARDOUS MATERIALS REMEDIATION

Project: Commercial Building
 203/205 W Broad Street
 Texarkana, Texas

Company: _____
 Contact: _____
 Phone: _____
 Email: _____

Terracon Project No.: 94137464B

PROPOSAL FORM

To: _____ Date: _____

In compliance with your Request for Proposals and subject to all the conditions thereof the undersigned:

Name of Proposer

A Corporation organized and existing under the laws of the State of _____, a Partnership consisting of _____ or an Individual trading as _____, having principal offices in the city of _____, hereby proposes to furnish all labor and materials and perform all Work required for the following Project:

ACKNOWLEDGMENTS: The proposer declares that he himself has examined the site of the Work and fully informed himself regarding all pertinent conditions, and that he has examined the Scope of Work (including all Addenda received) for the work relative thereto, and that he has satisfied himself relative to the Work to be performed.

1. BASE PROPOSAL (Time Frame 1): The Proposer herewith submits for the portion of the Work identified as "Base Proposer" a lump sum cost of: _____
2. ADDENDA: The Proposer acknowledges receipt of Addenda No's: _____

3. PROJECT SCHEDULE: The Proposer submits the following work schedule:

The proposer agrees to start work within _____ consecutive calendar days of receipt of notice to proceed and complete the Contract within:

SCHEDULE & STAFF

Total number of work days to complete: _____

Number of days per week Contractor will work: _____

Hours per day the Contractor will work: _____

Number of TDSHS Supervisors/Workers: _____

PRICE

A. Total Base Proposal (includes labor, materials, disposal & reporting: _____

B. Performance and Payment Bonding Rate: _____

CERTIFICATIONS: The undersigned certifies that he is authorized to execute contracts on behalf of the Proposer as legally named, that this proposal is submitted in good faith without fraud or collusion with any other Proposer, that the data indicated below is true and complete, and that the proposal is made in good faith and in full accord with State Law. Notice or acceptance may be sent to the undersigned at the address set forth below:

Legal Name of Proposer*: _____

Mailing Address: _____

By (Legal Signature): _____

Name Typed: _____

Title: _____

DATA ON PROPOSER:

Abatement Contractor's State Licenses: Submit Copies of Licenses.

If a partnership, list all partners and their addresses. If a corporation, affix corporate seal: If proposal is signed by other than the president or vice president, attach written authority to bind the corporation. If an individual, then so state. Any modifications to a proposal shall be over the initials of the person signing the proposal or of an agent who supplied written authority with the modification.

The Proposer as part of the proposal package shall submit a list of a minimum of five (5) previous asbestos, fungal, lead paint and avian pathogen abatement projects of a similar scope and size, successfully completed by the Proposer along with the Owner's name, address and telephone number. If the projects were handled by a consulting firm, the name, address, contact and telephone number of the firm shall also be included.

LIST FIVE PREVIOUS HAZARDOUS MATERIAL ABATEMENT PROJECTS OF SIMILAR SCOPE (highlight historical projects and note if scope of work included a deteriorated structure with common walls to adjoining, sound structures):

1. Owner: _____ Phone No.: _____
Contract Amount: _____ Completion Date: _____
Consultant: _____ Phone No.: _____
Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No
2. Owner: _____ Phone No.: _____
Contract Amount: _____ Completion Date: _____
Consultant: _____ Phone No.: _____
Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No
3. Owner: _____ Phone No.: _____
Contract Amount: _____ Completion Date: _____
Consultant: _____ Phone No.: _____
Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No
4. Owner: _____ Phone No.: _____
Contract Amount: _____ Completion Date: _____
Consultant: _____ Phone No.: _____
Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No
5. Owner: _____ Phone No.: _____
Contract Amount: _____ Completion Date: _____
Consultant: _____ Phone No.: _____
Common Wall: ☐ Yes ☐ No Historical: ☐ Yes ☐ No

ADDITIONAL ITEMS REQUIRED WITH PROPOSAL: The following items are additionally required as part of this proposal submittal.

1. INSURANCE CERTIFICATES.
2. CONTRACTOR'S QUALIFICATION STATEMENT: Completed AIA Document A305.
3. A notarized statement, signed by an officer of the company, containing the following information of a statement of negative of the same:

- a) A record of citations issued by Federal, State, or Local regulatory agencies relating to asbestos, fungal(mold) and lead paint abatement activity for the Contracting company and any and all affiliates. Include projects, dates and resolutions.
 - b) Situations in which an asbestos and lead related contract has been terminated including projects, dates and reasons for terminations.
 - c) A listing of any asbestos or lead-related legal proceedings/claims in which the Proposer (or employees scheduled to participate in this project) have participated or are currently involved. Include descriptions of role, issue and resolution to date.
4. Name of supervisor and/or supervisors who will work on the project. Include a detailed description of his/her experience with references and years of experience.
 5. Contractor will provide the name and appropriate permit information of the waste transporter and their insurance certificate.
 6. Contractor will provide the name of the landfill at which the asbestos and lead waste will be disposed.

END OF PROPOSAL FORM

SECTION 00030 – GENERAL TERMS AND CONDITIONS

**** PLEASE READ CAREFULLY ****

THESE GENERAL CONDITIONS APPLY TO ALL PROPOSALS AND BECOME A PART OF THE TERMS AND CONDITIONS OF ANY PROPOSAL SUBMITTED AND SUBSEQUENT PURCHASE ORDER OR CONTRACT. THE CITY SHALL MEAN THE CITY OF TEXARKANA, TEXAS.

1. **REQUIRED INFORMATION:** The proposal form section of the proposal packet must be completed prior to the date and time set for the proposal opening and included with the proposal packet or the vendor will be found non-responsive.
2. **INSTRUCTIONS:** These instructions apply to all quotations and become a part of terms and conditions of any proposal packet submitted and subsequent purchase order or contract.
3. **ERROR-QUANTITY:** Proposal price must be submitted on units of quantity specified, extend, and total shown. In the event of discrepancies in extensions, the unit price shall govern.
4. **AWARD:** The City of Texarkana, Texas reserves the right to accept or reject any and all proposals in whole or in part and waive any minor technicality and enter into contract deemed to provide the **best value** to the City.
The City of Texarkana, Texas reserves the right to award a separate contract to separate vendors for each item/group or to award one contract for the entire proposal.
 - 4.1 The contract may be awarded either to the lowest responsible proposer or to the proposer who provides goods or services at the best value for the City of Texarkana, Texas. In determining the best value for the City of Texarkana, Texas, the City may consider:
 - (a) The purchase price;
 - (b) The reputation of the proposer and of the proposer's goods or services;
 - (c) The quality of the proposer's goods or services;
 - (d) The extent to which the goods or services meet the City's needs;
 - (e) The proposer's past relationship with the City;
 - (f) The impact on the ability of the City to comply with laws and rules relating to contracting with Historically Underutilized Businesses and non-profit organizations employing persons with disabilities;
 - (g) The total long-term cost to the City to acquire goods or services; and
 - (h) Any relevant criteria specifically listed in the Request for Proposal.
 - 4.2 All proposals are evaluated for compliance with specifications before the proposal price is considered. Failure to comply with the listed General Conditions may result in disqualification of proposal.
 - 4.3 In case of tie proposals, preference will be given to local proposers.
 - 4.4 Any contract made, or purchase order issued, as a result of this Request for Proposal, shall be entered into the State of Texas and under the laws of the State of Texas. In connection with the performance of work, the Proposer agrees to comply with the Fair Labor Standard Act, Equal Opportunity Employment Act, and all other applicable Federal, State, and Local laws, regulations, and executive orders to the extent that the same may be applicable.

Responsible Proposer Criteria: The City shall consider only responsible Proposers. Responsible Proposers are those that have, in the sole judgment of the City, the financial ability, experience, resources, skills, capability, reliability and business integrity necessary to perform the requirements of the contract. The City may also consider references and financial stability in determining a responsible Proposer.

5. **INVOICES:** Invoices shall be submitted by the successful proposer to the City of Texarkana, Texas, Purchasing, P. O. Box 1967, Texarkana, Texas 75504
6. **PAYMENT TERMS:** Net 30 days.
7. **TAXES:** The City of Texarkana, Texas is exempt from Federal Manufacturer's excise and state sales tax. Tax must not be included in proposal. Tax exemption certificates will be executed by the City and furnished upon request.
8. **DELIVERY PROMISE:** Proposals must show the number of calendar days required to place the materials in the possession of the City. Do not quote shipping dates.
9. **FUNDING:** The City of Texarkana, Texas is a home-rule municipal corporation operated and funded on an October 1 to September 30 basis; accordingly, the City reserves the right to terminate, without liability to the City, any contract for which funding is not available.
10. **ASSIGNMENT:** The successful proposer shall not sell, assign, transfer or convey this contract in whole, or part, without the prior written consent of the Purchasing Department.
11. **LATE PROPOSALS:** Proposal packets received after submission deadline shall be returned unopened and will be considered void and unacceptable. The City of Texarkana, Texas is not responsible for the lateness of mail carrier, weather conditions, etc.
12. **ALTERING PROPOSALS:** Proposal prices cannot be altered or amended after submission deadline. Any interlineation alteration or erasure made before opening time must be initialed by the signer of the proposal, guaranteeing authenticity.
13. **WITHDRAWAL OF PROPOSALS:** A proposal price may not be withdrawn or canceled by the proposer for a period of ninety (90) days following the date designated for the receipt of proposals without written approval of Purchasing Director, and proposer so agrees upon submittal of proposal.
14. **CHANGE ORDERS:** No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract. All change orders to the contract will be made in writing by the City of Texarkana, Texas.
15. **ADDENDA:** Any interpretations, corrections or changes to this proposal packet will be made by addenda. Sole issuing authority shall be vested in the City of Texarkana, Texas Purchasing Department. Addenda will be sent to all who are known to have received a copy of this proposal packet. If the addenda contain changes to the "specification" or "proposal form", proposers shall acknowledge receipt of all addenda or they will be declared non-responsive.
16. **Contractor shall release, defend, indemnify and hold harmless the City** and its officers, agents and employees from and against all damages, injuries (including death), claims, property damages (including loss of use), losses, demands, suits, judgments and costs, including reasonable attorney's fees and expenses, in any way arising out of,

related to, or resulting from the performance of the work or caused by the negligent act or omission of contractor, its officers, agents, employees, subcontractors, licensees, invitees or any other third parties for whom contractor is legally responsible (hereinafter "claims"). Contractor is expressly required to defend City against all such claims.

In its sole discretion, City shall have the right to select or to approve defense counsel to be retained by contractor in fulfilling its obligation hereunder to defend and indemnify City, unless such right is expressly waived by City in writing. City reserves the right to provide a portion or its own entire defense; however, City is under no obligation to do so. Any such action by City is not to be construed as a waiver of contractor's obligation to defend City or as a waiver of contractor's obligation to indemnify City pursuant to this contract. Contractor shall retain City approved defense counsel within seven (7) business days of City's written notice that City is invoking its right to indemnification under this contract. If contractor fails to retain counsel within such time period, City shall have the right to retain defense council on its own behalf, and contractor shall be liable for all costs incurred by City.

17. **TERMINATION:** The City of Texarkana, Texas reserves the right to enforce the performance of this contract in any manner prescribed by law or deemed to be in the best interest of the City in the event of breach or default of this contract. The City reserves the right to terminate the contract immediately in the event the successful proposer fails to 1) meet delivery schedules or 2) otherwise perform in accordance with these specifications or 3) the City of Texarkana may terminate this contract for any reason with 30 days written notice.
18. **VENUE:** This agreement will be governed and constructed according to the laws of the State of Texas. This agreement is performable in Bowie County, Texas.
19. **NO PROHIBITED INTEREST:** Proposer acknowledges and represents that they are aware of the laws, City charter, and City code of conduct regarding conflicts of interest. The City charter states that "no officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, nor shall be financially interested, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service".
20. **PREPARATION COST:** The City will not be liable for any costs associated with the preparation, transmittal, or presentation of any proposals or materials submitted in response to any proposal, quotation, or proposal.
21. **MINOR DEFECT:** The City reserves the right to waive any minor defect, irregularity, or informality in any proposal. The City may also reject any or all proposals without cause prior to award.
22. **PROPOSAL OPENINGS:** All proposals submitted will be read at the City's regularly scheduled proposal opening for the designated project. However, the reading of a proposal at proposal opening should not be construed as a comment on the responsiveness of such proposal or as any indication that the City accepts such proposal as responsive. The City will make a determination as to the responsiveness of proposals submitted based upon compliance with all applicable laws, City of Texarkana, Texas purchasing guidelines, and project documents, including but not limited to the project specifications and contract documents. The City will notify the successful proposer upon award of the contract and, according to state law; all proposals received will be available for inspection at that time.

23. **FORCE MAJEURE:** Neither party shall be held responsible for losses or damages hereunder, if the fulfillment of any terms of provisions of the contract is delayed or prevented by strike, walkouts, acts of god, or public enemy, fire, or flood.
24. **PRICE:** The price or prices for the work shall include full compensation for all taxes, permits, etc. that the proposer is or may be required to pay.
25. **CONFLICT OF INTEREST:** The proposer shall not offer or accept gifts or anything of value nor enter into any business arrangement with any employee, official or agent of the City of Texarkana, Texas.

By signing and executing this proposal, the proposer certifies and represents to the City the proposer has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value for the receipt of special treatment, advantage, information, recipient's decision, opinion, recommendation, vote or any other exercise of discretion concerning this proposal.

26. **PERMITS:** Successful proposer is responsible for obtaining any and all City permits when job requires.
27. **CONFLICT OF INTEREST DISCLOSURE:** Disclosure requirements of potential conflicts of interest involving counties, cities, and other local government entities must be filed after January 1, 2006. The disclosures must be filed by vendors or potential vendors to local government entities. The new requirements are set forth in a new Chapter 176 of the Texas Local Government Code added by H.B. No. 914 of the last Texas Legislature.

A "local government entity" includes counties, municipalities, school districts, and other political subdivisions of the state or any entity to which a member is appointed by a county commissioner's court or the mayor or governing body of a municipality. A "local government officer" means a member of the governing body of a local government entity and the person designated as the chief executive officer of the local government entity.

Companies and individuals who contract, or seek to contract, with the City of Texarkana, Texas and its agents (including employees involved in the business with the entity) must file with the City Secretary's Office at 220 Texas Blvd., Room 102, Texarkana, Texas 75504 a Conflict of Interest Questionnaire that describes, among other things, affiliations or business relationships with City of Texarkana, Texas officers, or certain family members or other businesses of the City of Texarkana, Texas officer, and certain employees or other contractors of the City of Texarkana, Texas with which such persons do business.

The new requirements are in addition to any other disclosures required by law. The dates for filing disclosure statements begin on January 1, 2006. A violation of the filing requirements is a Class C misdemeanor.

The Conflict of Interest Questionnaire (Form CIQ) may be downloaded from http://www.ethics.state.tx.us/conflict_forms.htm.

28. **Disclosing "Interested Parties" to a Contract, HB1295:** A governmental entity (the City) or state agency may not enter into a contract described by Subsection (b) with a business entity unless the business entity, in accordance with this section and rules adopted under this section submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency.

“controlling interest” means: (1) an ownership interest or participating interest in a business entity by virtue of units, percentage, shares, stock or otherwise that exceeds 10%; (2) membership on a board of directors or other governing body of a business entity of which the board or other governing body is composed of not more than 10 members; or (3) service as an officer of business entity that has four or fewer officers or service as one of the four officers most highly compensated by a business entity that has more than four officers.

“Interested party” means a person who has a controlling interest in the business entity with whom a governmental entity or state agency contracts or who actively participated in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser or attorney for the business entity.

The disclosure of interested parties must be submitted on a form prescribed by the Texas Ethics Commission that includes:

- (1) A list of each interested party for the contract of which the contracting business entity is aware; and
- (2) The signature of the authorized agent of the contracting business entity, acknowledging that the disclosure is made under oath and under penalty of perjury.

A copy of this form can be found on the Texas Ethics Commission website with instructions. <https://www.ethics.state.tx.us/tec/1295-info.htm>

SECTION 00040 - INSURANCE REQUIREMENTS

Prior to the award of this contract by the City and before commencing work, the successful proposer shall be required, at his own expense, to furnish the City of Texarkana, Texas, within ten (10) days of notification of award with certified copies of all insurance certificates showing the following insurance coverage to be in force throughout the term of the contract. The City shall have no duty to pay or perform under this contract until such certificate has been delivered to and approved by the City, and no officer or employee of the City shall have authority to waive this requirement without written approval from the City Manager.

(a) Commercial General Liability (CGL) insurance at minimum combined single limits of \$1,000,000 per-occurrence and \$2,000,000 general aggregate for bodily injury and property damage. Coverage must be written on an occurrence form. Contractual liability must be maintained with respect to the contractor's obligations contained in the contract. The general aggregate limit must be at least two (2) times the per-occurrence limit. CGL shall include coverage for:

1. Premises/Operations
2. Products Completed Operations
3. Personal Injury

(b) Workers Compensation insurance at statutory limits.

(c) Commercial Automobile Liability insurance at minimum combined single limits of \$1,000,000 per-occurrence for bodily injury and property damage, including owned, non-owned, and hired vehicle coverage.

The required limits may be satisfied by any combination of primary, excess or umbrella liability insurances, provided the primary policy complies with the above requirements and the excess umbrella is following form. The successful proposer may maintain reasonable and customary deductibles, subject to approval by the City.

A comprehensive general liability insurance form may be used in lieu of a commercial general liability insurance form. In this event, coverage must be written on an occurrence basis, at limits of \$500,000 per occurrence, combined single limit; and coverage must include a broad form comprehensive general liability endorsement, coverage for products/completed operations, and broad form contractual liability covering the obligations included in the contract.

With reference to the foregoing insurance requirement, the successful proposer shall specifically endorse applicable insurance policies as follows:

- (1) The City shall be named as an additional insured with respect to general liability.
- (2) A waiver of subrogation in favor of the City of Texarkana, Texas shall be contained in the workers compensation coverage.
- (3) All insurance policies shall be endorsed to require the insurer to immediately notify the City of any material change in the insurance coverage.
- (4) All insurance policies shall be endorsed to the effect that the City will receive at least 10 days notice prior to cancellation, non-renewal or termination of the insurance.

- (5) All copies of Certificates of Insurance shall reference the project/contract number for which the insurance is being supplied.

The City prefers that all insurance be purchased from an insurance company that meets the following requirements:

- 1) A financial rating of A:VII or better as assigned by the BEST rating Company or A or better by Standard and Poor's.
- 2) Written by companies approved by the State of Texas and acceptable to the City of Texarkana, Texas.

All insurance must be written on forms filed with and approved by the Texas State Board of Insurance. Certificates of Insurance shall be prepared and executed by the insurance company or its authorized agent, and shall contain provisions representing and warranting the following:

- 1) The insurance set forth by the insurance company are underwritten on forms, which have been approved by the Texas State Board of Insurance.
- 2) Sets forth all endorsements and insurance coverage according to requirements and instructions contained herein.
- 3) Shall specifically set forth the notice of cancellation or termination provisions to the City of Texarkana, Texas.

CONTRACTOR SHALL:

- (1) provide coverage for its employees providing services on a project, for the duration of the project based on proper reporting of classification codes and payroll amounts and filling of any coverage agreements;
- (2) provide a certificate of coverage showing workers' compensation coverage to the governmental entity prior to beginning work on the project;
- (3) provide the governmental entity, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the contractor's current certificate of coverage ends during the duration of the project;
- (4) obtain from each person providing services on a project, and provide to the governmental entity:
 - (A) a certificate of coverage, prior to that person beginning work on the project, so the governmental entity will have on file certificates of coverage showing coverage for all persons providing services on the project; and
 - (B) no later than seven days after receipt by the contractor, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;

- (5) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;
- (6) notify the governmental entity in writing by certified mail or personal delivery, within ten (10) days after the contractor knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project;
- (7) post a notice on each project site informing all persons providing services on the project that they are required to be covered, and stating how a person may verify current coverage and report failure to provide coverage. This notice does not satisfy other posting requirements imposed by the Act or other commission rules. This notice must be printed in at least 19-point normal type, and shall be in both English and Spanish and any other language common to the worker population. The text for the notices shall be the following text provided by the commission on the sample notice, without any additional words or changes:

REQUIRED WORKERS' COMPENSATION COVERAGE

"The law requires that each person working on this site or providing services related to this construction project must (see reverse) be covered by workers' compensation insurance. This includes persons providing, hauling, or delivering equipment and materials, or providing labor or transportation or other service related to the project, regardless of the identity of their employer or status as an employee."

"Call the Texas Workers' Compensation Commission at 512-305-7238 to receive information on the legal requirement for coverage, to verify whether your employer has provided the required coverage, or to report an employer's failure to provide coverage." and

- (8) contractually require each person with whom it contracts to provide services on a project, to:
 - (A) provide coverage based on proper reporting of classification codes and payroll amounts and filing of any coverage agreements for all of its employees providing services on the project, for the duration of the project;
 - (B) provide a certificate of coverage to the contractor prior to that person beginning work on the project;
 - (C) include in all contracts to provide services on the project the language in subsection (e) (3) of this rule;
 - (D) provide the contractor, prior to the end of the coverage period, a new certificate of coverage showing extension of coverage, if the coverage period shown on the current certificate of coverage ends during the duration of the project;
 - (E) obtain from each other person with whom it contracts, and provide to the contractor:

- and
- (i) a certificate of coverage, prior to the other person beginning work on the project;
 - (ii) prior to the end of the coverage period, a new certificate of coverage showing extension of the coverage period, if the coverage period shown on the current certificate of coverage ends during the duration of the project;
- (F) retain all required certificates of coverage on file for the duration of the project and for one year thereafter;
- (G) notify the governmental entity in writing by certified mail or personal delivery, within (ten) 10 days after the person knew or should have known, of any change that materially affects the provision of coverage of any person providing services on the project; and
- (H) contractually require each other person with whom it contracts, to perform as required by paragraphs (A) - (H), with the certificate of coverage to be provided to the person for whom they are providing services.

SECTION 00050 –BOND REQUIREMENTS

BID BOND

An acceptable Bid Bond, certified check or cashier's check (bid/proposal security) payable without recourse to the order of the City of Texarkana, Texas, in an amount not less than **five percent (5%)** of the amount of the bid/proposal must accompany each bid/proposal as guarantee that, if awarded the contract, the bidder/proposer will enter into a contract within ten (10) days of the presentation of such contract to the bidder/proposer by the City. The Bid Bond must be on a form acceptable to City and the bonding company supplying the Bid Bond must be authorized to do business in the State of Texas.

The bid/proposal security submitted with each bid/proposal shall be considered as the amount of the liquidated damages which the City of Texarkana will sustain by the failure, neglect or refusal of the bidder/proposer to execute and deliver the agreement should the contract be awarded him.

If the bidder/proposer defaults in executing the agreement within ten (10) days after presentation of the contract to him, the bid/proposal security shall become the property of the City of Texarkana.

Bidder/Proposer warrants that the bid/proposal he submits has been checked for mathematical correctness and same is correct. Bidder/proposer agrees that should he desire to withdraw his bid/proposal after bid/proposal opening because of a mathematical mistake that the City of Texarkana may retain the bid/proposal security as liquidated damages and not as penalty and the bidder/proposer hereby waives any legal defense available to bidder/proposer for such mistake. (i.e. unilateral mistake).

The Bid Bond shall be retained by the City of Texarkana as liquidated damages in the event the successful bidder/proposer, after the award, fails to comply with the terms of this bid/proposal.

Bond rating must be A- or better.

PERFORMANCE BOND

Successful bidders/proposers must provide a performance bond for 100 percent of the contract price to ensure fulfillment of the Contractor's obligations under the contract.

PAYMENT BOND

Successful bidders/proposers must provide a payment bond for 100 percent of the contract price. Said payment bond is to ensure payment as required by statute to all persons supplying labor and material under the contract.

SECTION 00100 – INSTRUCTIONS TO PROPOSERS

A complete set of the proposal documents will be provided by Terracon. A complete set of proposal documents shall be used in preparing proposals; neither Owner, nor Terracon assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of proposal documents.

Owner by making available copies of the proposal documents on the above terms, does so only for the purpose of obtaining proposals on the work and does not confer a license or grant for any other use.

Qualification of Proposers

All proposers must demonstrate qualifications to perform work. Each proposer must submit the required documents including previous work experience and proof of authority to conduct business in the jurisdiction in the area in which the work is to be performed.

Contractors submitting proposals must comply with requirements of the Davis-Bacon Act and associated U.S. Department of Labor regulations for all construction, alteration and repair activities. Cleanup activities will involve construction, alteration and repair activities and are, therefore, subject to the Davis-Bacon Act. The remediation of asbestos- and lead-containing materials are considered "Building Construction" under the Davis-Bacon Act. These requirements include, but are not limited to, payment of prevailing wages, weekly payment of wages, and specific job-site postings. More information is available at <https://www.dol.gov/whd/govcontracts/dbra.htm>.

Contractor proposals must include:

- Davis-Bacon Wage Determinations; available at www.wdol.gov Wage Determinations
- Federal Labor Standards Clauses

Proposal Submittal: Required Documents Summary

Insurance Certificate

Bid Bond (5%) will be required for this project.

Performance Bond and Labor and Material Payment Bond will be required for this project.

AIA A305 Contractor's Qualification Statement

State of Texas Asbestos, Lead and Mold Contractor Licenses

State of Texas Supervisor License and Work Experience (Asbestos, Lead and Mold)

Name of the Proposed Landfill at which the Waste will be Disposed

Name of the Waste Transporter and a Certificate of Insurance

Notarized Statement of Compliances

Scoring and Selection

The following criteria will be used to score the proposals:

- Experience Specific to Deteriorated Structures that Include Common Walls – 25 Points
- Experience Specific to Façade Preservation of Deteriorated Structures – 20 Points
- Experience Specific to Federally Funded State Environmental Cleanups – 15 Points
- References – 15 Points
- Demonstrated Ability to Adhere to Project Timelines – 15 Points
- Total Project Cost - 10 Points

In the event of a tie score, the Owner will break the tie amongst the tying proposers using the following method:

- (1) The first tie breaker, if needed, will be preference to local contractor as shown in "General Terms and Conditions" Section 4.3.
- (2) The second tie breaker, if needed, will be the highest score for the "Total Project Cost" criterion.
- (3) The third tie breaker, if needed, will be the highest score for the "Demonstrated Ability to Adhere to Project Timelines" criterion.
- (4) The fourth tie breaker, if needed, will be the highest score for the "References" criterion.

Timeline

Contractor is required to meet the following timeline:

- Begin field work – no later than July 25, 2016
- Abatement/remediation and clearance completion – by August 12, 2016
- Closeout submittals – within 7 working days following completion of abatement.
- All invoices must be submitted within 14 days following completion of abatement.

Upon Proposal Award the Contractor will submit the Following Items:

Hazardous Communication Program

Respiratory Protection Program

Material Safety Data Sheets

Current Worker Licensing and Registration

Medical Surveillance Information for Personnel

Original Certificate of Insurance

Safety Plan

Examination of Proposal Documents and Site

Before submitting a proposal, each proposer must:

- a) Examine the contract documents thoroughly.
- b) Attend the mandatory pre-proposal walk-through to familiarize the proposer with variances that may affect cost, progress, or performance of the work.
- c) Familiarize himself with local, federal and state laws, ordinances, rules and regulations that may affect cost, progress or performance of the work.
- d) Study and carefully correlate proposer's observations with the contract documents.

The Owner reserves the right to award only one contract to one contractor after receipt of proposals.

Before submitting a proposal, each proposer will, at his own expense, make any investigations and tests as the proposer may deem necessary to determine his proposal for performance of the work in accordance with the time, price and other terms and conditions of the contract documents.

Interpretation:

Questions about the meaning or intent of the Proposal Package shall be submitted to Terracon via electronic mail. Replies will be issued by addenda transmitted via electronic mail to all parties recorded by Terracon as having received the proposal package. Questions received less than two (2) days prior to the date for opening of proposals will not be answered. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

END OF SECTION 00100

APPENDIX A

SITE CLEANUP PLAN

SITE CLEANUP PLAN

COMMERCIAL BUILDING
203/205 W Broad Street
Texarkana, Texas
EPA ACRES ID Nos. 72441/72421

United States Environmental Protection Agency, Region 6
Brownfields Multi-Purpose Pilot
Hazardous Substances
Cooperative Agreement No. BF-00F62801

February 25, 2016
Terracon Project No. 94137464B



Prepared for:

City of Texarkana
Texarkana, Texas

Prepared by:


Greg Calhoun
TDSHS Individual Asbestos Consultant
License No. 10-5510
Expires 10.19.17

Terracon Consultants, Inc.
Dallas, Texas
TDSHS Asbestos Consultant Agency License No. 10-0157
TDSHS Lead Firm License No. 2110106
TDSHS Mold Assessment Company License No. ACO0117

terracon.com

Terracon

Environmental



Facilities



Geotechnical



Materials

TABLE OF CONTENTS

1.0	TITLES AND APPROVALS	1
2.0	INTRODUCTION	2
3.0	THE PROJECT	2
3.1	Original Approach	3
3.2	Changed Conditions	5
3.3	Adjusted Approach	6
4.0	SAMPLING FOR ASSESSMENT AND CLEANUP	8
4.1	Deviations from Assessment Sampling Plan.....	8
4.2	Sampling and Testing by Contractor.....	10
5.0	IMPLEMENTATION OF THE CLEANUP PLAN.....	10
6.0	MATERIAL DESCRIPTION AND QUANTITIES.....	10
7.0	WORK PRACTICES	11
7.1	Respiratory Protection.....	12
7.2	Protective Clothing	12
7.3	Containment/Regulated Area.....	13
7.4	Removal	16
7.5	Disposal of Asbestos-Containing or -Contaminated Materials, Mold- Contaminated Materials, and Avian Waste-Contaminated Materials.....	16
7.6	Disposal of Lead-Containing or -Contaminated Materials.....	17
7.7	Disposal of Non-hazardous Waste.....	19
7.8	Clearance.....	19
8.0	CONTRACTOR SUBMITTALS	21
9.0	CONSTRUCTION NOTES	24
10.0	PRODUCTS	25
11.0	AIR MONITORING SERVICES	26

APPENDICES

APPENDIX A	Structural Assessment Letter Raley & Associates, Inc., July 2015
APPENDIX B	Property-Specific Sampling and Analysis Plan (PSAP) Terracon Consultants, Inc., July 2014
APPENDIX C	CONCEPTUAL Drawing of Waste Processing Station

SITE CLEANUP PLAN

Commercial Building
203/205 W Broad Street, Texarkana, Texas 75501
EPA ACRES ID Nos. 72441/72421

Brownfields Multi-Purpose Pilot Grant, Cooperative Agreement No. BF-00F62801
U.S. Environmental Protection Agency, Region 6
Terracon Project No. 94137464B

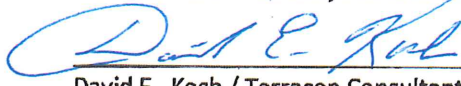
Prepared by: Terracon Consultants, Inc., Dallas, Texas
TDSHS Asbestos Consultant Agency License No. 10-0157
TDSHS Lead Firm License No. 2110106
TDSHS Mold Assessment Company License No. ACO0117

1.0 TITLES AND APPROVALS

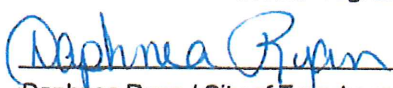
1.1 Contractor Project Manager


Date 3/28/16
Greg Calhoun / Terracon Consultants, Inc.
TDSHS Individual Asbestos Consultant, License No. 10-5510, Expires 10.19.17

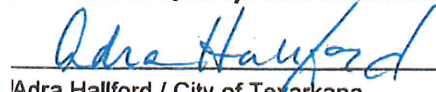
1.2 Contractor Quality Assurance Reviewer


Date 3/28/16
David E. Koch / Terracon Consultants, Inc.

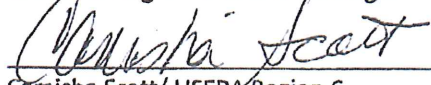
1.3 Grantee Brownfields Program Manager


Date 3/24/16
Daphnea Ryan / City of Texarkana

1.4 Grantee Quality Assurance Manager


Date 3/28/16
Adra Hallford / City of Texarkana

1.5 EPA Region 6 Grant Manager


Date 3/24/16
Camisha Scott / USEPA Region 6

Responsive ■ Resourceful ■ Reliable

1

TDSHS Asbestos Consultant License #10-5510
Expires 10.19.17


Greg Calhoun
TDSHS Asbestos Consultant License #10-5510
Expires 10.19.17

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon**2.0 INTRODUCTION**

The U.S. Environmental Protection Agency (EPA) Brownfields Program announced in 2011 a pilot program that combined environmental assessment and cleanup funds into one grant. The Multi-Purpose Pilot Grant award required a government entity to apply for a specific site that passed CERCLA liability requirements and was owned by the applying government entity.

The objectives of the City of Texarkana, Texas' Brownfields Program include improving public health and safety, increasing jobs, increasing revenue for the City, increasing industrial, commercial and housing development, increasing green space, conserving energy, protecting natural resources, enhancing community pride and improving the overall quality of life for our citizens. Brownfields revitalization of real property is integral to all these objectives. The City submitted a FY2012 application for 203/205 West Broad Street in the Fiscal Year 2012 national grant competition. EPA awarded Texarkana a \$400,000 Multi-Purpose Pilot Grant to conduct environmental assessment and cleanup of this property to improve environmental health conditions in our community and stimulate redevelopment interest.

The downtown West Broad Street property is a catalyst site identified by previous environmental assessments and planning. Catalysts sites have elevated potential to initiate community change if they can be revitalized. The purpose of this grant project is to assess and clean up this Downtown Brownfields site to a point where residual environmental issues do not reasonably obstruct active re-use of the structures and redevelopment.

3.0 THE PROJECT

The site has been physically developed with structure(s) since at least 1885. The current commercial building consists of two physically adjoined 0.08-acre parcels located at 203 and 205 West Broad Street in Texarkana, Bowie County, Texas. Both parcels are developed with single story retail buildings which are adjoined to other commercial structures on the block in a manner typical of historic downtown development. Both buildings are vacant. Prior to City of Texarkana acquisition in 2012 the buildings had not been maintained for several years. Water infiltration had severely damaged the roof and flooring of both buildings, to the point of partial collapse.

203 West Broad Street. This portion of the project is a one story former bail bonds office in a multi-tenant retail center. The structure is constructed on a slab on grade and pier and beam foundation and consists of approximately 2,800 square feet. The exterior

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

of the building consists of wood, brick, and hard plaster. The roof consists of a flat, built-up roofing system. The interior of the structure consists of former sales floor, office, restrooms, storage rooms, stockroom, and crawlspace. Multiple areas of the interior are currently deemed unsafe and not accessible for other than remote visual evaluation. The interior walls consist of textured drywall, unfinished drywall with wallpaper, unfinished drywall, wood, brick and hard plaster. The ceiling consists of a drop ceiling, hard plaster, and wood ceiling system suspended from a wood deck. The floors consist of vinyl floor tile on a concrete and wood substrate. Fungal growth as mold is visible and analytically documented at multiple locations in the interior of the building on gypsum wallboard walls, ceiling tiles, wood sub-flooring, ceiling and roof decks, plaster walls and exposed wood framing and beams. The roof and/or ceiling systems are collapsed in various locations of the indoor spaces allowing inclement weather to directly impact the interior building materials. Portions of the floor system are collapsed, exposing the crawlspace.

205 West Broad Street. This portion of the project is a one-story former key store in a multi-tenant retail center. The structure is constructed on a slab on grade and pier and beam foundation and consists of approximately 3,500 square feet. The exterior of the building consists of wood, brick, and hard plaster. The roof consists of a flat, built-up roofing system. The interior of the site consists of a north entrance area, sales floor, safe room, mezzanine area, mechanical room, restroom, and crawlspace. The interior walls consist of textured drywall, wood, brick, and hard plaster. The ceiling consists of a drop ceiling, drywall, hard plaster, and interlocking tiles ceiling system suspended from a wood deck. The floors consist of carpet, vinyl floor tile, and terrazzo on a concrete and wood substrate. Fungal growth as mold is visible and analytically documented at multiple locations in the interior of the building on gypsum wallboard walls, ceiling tiles, wood sub-flooring, ceiling and roof decks, plaster walls and exposed wood framing and beams. The roof and/or ceiling systems are collapsed in various locations of the indoor spaces allowing inclement weather to directly impact the interior building materials. Portions of the floor system are collapsed, exposing the crawlspace.

3.1 Original Approach

The City of Texarkana expected to encounter asbestos-containing and -contaminated materials, lead paint-coated building components, avian pathogen-contaminated materials and fungal-contaminated (mold) materials based on the findings of previous ASTM E1527 Phase I environmental site assessments and limited historical testing. As grantee Texarkana proposed to complete a traditional series of EPA-approved plans to assess and cleanup the property.

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

Central to grant activities was structural integrity of the 2-story commercial property. Developed more than 130 years ago, the walls, roof, structural members and street façade had deteriorated to a degree it was suspected unsafe to conduct physical sampling activities. City ownership was requisite of the grant. Raley & Associates, Inc. (RAI), Bossier City, Louisiana conducted a visual observation of the connected buildings in October 2012 as part of grant proposal preparation. In the interests of worker and public safety, the grant application provided for additional structural integrity analysis of the building before EPA-approved Phase II assessment occurred. In the interim, the City of Texarkana has secured and maintained doors, windows, and structural openings of the premises to prevent access by unauthorized persons consistent with *Chapter 5, Article III, of the Code of Ordinances* of the City of Texarkana, Texas for substandard structures.

Under the Multi-Purpose Pilot Grant Texarkana competitively procured Qualified Environmental Professional (QEP) consultant services to develop grant plans and conduct assessment as physical sampling and analysis. Assessment would develop an improved understanding of the distribution of contaminants known to be in and possibly beneath the structures. This information would then be used to quantify contaminants. Contaminant quantities would be used to decide a cleanup strategy and plan to mitigate or manage contaminants consistent with Texas regulatory programs and goals for re-use.

Under this approach, the following were completed toward grant implementation;

- Negotiated with *EPA Cooperative Agreement # BF-00F62801*, 2012
- A supporting cooperative agreement work plan as *Brownfields Multi-Purpose Pilot Grant Milestones and Schedule, City of Texarkana, Texas, 203/205 West Broad Street Site, (\$200,000 Hazardous Substances Assessment, \$200,000 Hazardous Substances Clean Up)*; 2012
- Competitive selection process to secure Qualified Environmental Professional services, *Consultant Services, Qualified Environmental Professional To Assist in the Implementation and Management of the EPA Brownfields Multi-Purpose Grant*, Texarkana Request For Qualifications #13-2001-02, May 2013
- Selection of Terracon Consultants, Inc. for Qualified Environmental Professional (QEP) services, initiating first services with Texarkana Purchase Order #01204, June 2013
- Qualitative interior observation and testing limited by safety and physical access;
 - *Hazardous Materials Consulting Report: Visual Mold Assessment, 203 and 205 West Broad Street, Texarkana, Texas, Terracon Project No. 94137464*, September 20, 2013
 - *Lead-Based Paint Vacant Commercial Structures, 203 & 205 West Broad Street, Texarkana, Texas 75165; Terracon Project No. 94137464*, September 23, 2013


 Greg Calhoun

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

- *Asbestos Survey, Vacant Commercial Structures, 203 & 205 West Broad Street, Texarkana, Texas; Terracon Project No. 94137464, October 1, 2013*
- *EPA-approved Site-Specific Quality Assurance Project Plan for Assessment and Cleanup (Revision 1), Terracon Project No. 94137464B, March 31, 2014*
- *Property-Specific Sampling And Analysis Plan (PSAP) – Asbestos, Lead-Paint, Mold and Guano Sampling, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501; Brownfields Multi-Purpose Pilot Grant, U.S. Environmental Protection Agency, Region 6, EPA Cooperative Agreement No. BF-00F62801, Terracon Project No. 94137464B, July 2014 (reference Appendix B)*
- *Property-Specific Sampling and Analysis Plan (PSAP) – Soil And Groundwater Assessment, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501; Brownfields Multi-Purpose Pilot Grant, U.S. Environmental Protection Agency, Region 6, EPA Cooperative Agreement No. BF-00F62801, Terracon Project No. 94137464B, July 2014*

3.2 Changed Conditions

Terracon conducted September 2013 observations and limited qualitative sampling and testing of materials of the structures' interiors where safe access allowed. This testing was external to the grant budget. Testing was conducted and results evaluated by Texas-licensed professionals. Testing produced quantitative data, but is considered qualitative in that it was developed external to the final quality assurance project plan and cannot be used for critical grant process decisions. Qualitative data identified measured asbestos-containing materials, lead-based paint and mold. The data was considered in developing technical sampling plans under the grant. At that time Terracon observed the southern section of the roof and sub-floor at the 203 West Brown Street location were collapsed. The sub-floor and roof visually appeared structurally damaged throughout the interior of 205. Building debris was observed throughout the interior of both 203 and 205 consisting of wood, ceiling tile, floor tile and mastic, drywall, plaster materials and roofing materials.

During 2013 and 2014 although the structure was secured against access, it could not be sealed against all weather. Seasonal weather fluctuations, often severe, further impacted and degraded the structure. High winds associated with rain penetrated the building further. In one instance on April 27, 2014 the metropolitan area of the twin cities of Texarkana, Texas and Texarkana, Arkansas was hit by damaging hail ranging in size up to 1.75 inches in diameter. In that extensive band of weather, 25 miles south of the city a single hailstone 4.5 inches in diameter was reported.¹ On _____, 2015 the City observed the effects of further deterioration of the structure as crumbling facade debris on

¹ *DamageRecon, Event Details Texarkana Apr 27 2014*, online <https://damagerecon.donan.com/map-central/texarkana-tx>, February 2016


 Greg Calhoun

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

the street front side and structural wall movement evidenced by exterior widening of cracks.

The City with structural engineer Jeff Raley, RAI, were on-site July 29, 2015 for observation to re-evaluate and report project conditions relative to structural integrity and safety to implement the EPA-approved sampling plans. In the subsequent RAI report it was stated;

"As of this date, the building structures appear to be unstable and not safe for persons to enter the structures for the purpose of sampling. It is our opinion that it would not be cost effective to do temporary shoring for the purpose of sampling since sampling can be done during material removal (see photos).

The adjacent buildings to the east and west will need to be protected during the removal of materials for assessment and clean up."

3.3 Adjusted Approach

There followed discussions and meetings by City of Texarkana with EPA, Texas Commission on Environmental Quality (TCEQ), the community and the QEP on alternatives to successfully complete the Multi-Purpose Grant in support of redeveloping 203/205 W Broad Street. The following issues were considered;

- The project site remains a viable redevelopment catalyst site for the community. To discontinue and stabilize without cleanup for redevelopment would be detrimental to the community brownfield revitalization goals and investment to date
- Contaminated materials and debris need to be removed from the structure so that routine architectural and structural stabilizations can be done
- Technically the traditional sequence of assessment and cleanup as "sample-test-report- design-cleanup-confirm-report" cannot be not be completed safely with reasonable cost
- In removing mixed and jointly degraded materials not readily segregated from the interior of structures, asbestos contamination pre-empts lead-, mold- and avian waste-impacted materials for regulation of handling and disposal. Unsegregated materials become subject to Texas Asbestos Health Protection Rules (TAHPR), Texas Administrative Code (TAC), Title 25, Part 1, Chapter C, Subchapter 295, which require that any asbestos-related activity be performed by an individual licensed by the State of Texas through the Texas Department of State Health Services (TDSHS)

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

- Quality process and methods of EPA-approved PSAPs remain valid for sampling and analysis relative to assessment and cleanup, although rationale and number of samples change

The following were completed toward adjusting the grant approach and implementation as a result of changed conditions;

- City of Texarkana negotiated 1-year extension of project period to September 30, 2016 for cooperative agreement #BF-00F62801
- Updated structural integrity observations and report, Raley and Associates, Inc., July 31, 2015 (reference Appendix A)
- City of Texarkana met with Ms. Mary Kemp and Ms. Camisha Scott / EPA Region 6 on November 12, 2015 on an adjusted approach consistent with changed conditions
- Open House and Public Meeting was advertised and held by City of Texarkana on December 10, 2015 to update the community on Multi-Purpose Grant adjustments and solicit input on the project

It has evolved that a combined cleanup with simultaneous assessment of debris and materials from the interior of 203/205 can occur. In general here and later set forth in more detail in this plan, the adjusted approach is to have a licensed abatement contractor stabilize the structure sufficient to remove unsegregated hazardous materials to a processing station on the exterior of the building. The adjusted plan is to conduct hazardous substance assessments on-site and in-process at a safe staging area to determine whether waste/debris should be handled and disposed as asbestos-, mold-, avian pathogen- or lead-impacted waste material as part of cleanup.

With pre-emption by asbestos, debris will initially be assumed to be asbestos-containing material (ACM) or asbestos-contaminated and appropriately collected, handled and removed through the rear of the structure to a staging and assessment area in the alley.

In the staging area, materials will be first visually assessed and segregated as suspect materials or asbestos materials. Under Texas rule determination that materials do or do not contain asbestos have to be submitted to a third party laboratory as set forth in the EPA-approved PSAP (Appendix B); this may require temporary containment and staging with rush analyses. Alternatively, a Texas-licensed asbestos consultant, inspector or management planner may assume materials contain asbestos.

Secondly, materials will be visually segregated as having mold or adhered or mixed avian waste (e.g. bird or bat guano). If possible, these materials will be cleaned of mold or avian waste contamination.

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

Thirdly, materials will be visually segregated for suspect lead-containing coatings and tested on-site using x-ray fluorescence (XRF) field technology.

The remaining materials once cleaned of potentially adhering *de minimis* ACM, mold or avian waste will be handled and disposed as demolition debris.

Assessment and cleanup testing will be subject to the EPA-approved PSAP and related QAPP, modified for locations and sample quantities as the adjusted approach requires. Some anticipated adjustments are addressed in Section 4.1 *Deviations from Assessment Sampling Plan*. All testing will be documented in final reports.

Alley control and security will be coordinated with the City of Texarkana. The City will communicate and work with adjacent property owners and businesses prior to, during and after cleanup.

4.0 SAMPLING FOR ASSESSMENT AND CLEANUP

Public readers of this document should understand that the Multi-Purpose Pilot is a 'trial' process used by EPA to explore the effectiveness and implementability of programs. Not all pilots programs evolve beyond to full-scale grants or programs. Prior to 2002, all EPA Brownfield grants were pilots. The Multi-Purpose Pilot Grant program provides a single grant to an eligible entity for both assessment and cleanup work at a specific brownfield site owned by the applicant.

Although they are often technically identical, sampling and testing of structure-related materials falls into two different programmatic categories under the Multi-Purpose Grant. These categories are Assessment and Cleanup. They are allocated to separate Multi-Purpose grant budgets. Assessment involves characterization of materials as part of quantitation for design of remedy and plans to implement it. The latter involves sampling and analysis that is part of the actual cleanup to document compliance for regulatory closure.

4.1 Deviations from Assessment Sampling Plan

Sampling and analysis as part of assessment will be done by the QEP. This will involve assessing materials as practically feasible immediately after they are removed from the structure and staged. Methods, operating procedures and analyses will occur as set forth in the EPA-approved *Property-Specific Sampling and Analysis Plan (PSAP) for Asbestos, Lead-Paint, Mold and Guano Sampling, Commercial Building, 203 & 205 W Broad Street, Texarkana, Texas 75501, July 2014* (reference Appendix B).



Greg Calhoun

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

The following deviations are planned relative to data quality indicators and data quality objectives in applying the EPA-approved PSAP to the adjusted approach;

PSAP 4.2 Precision. Testing was specified for typical substrates and surfaces which will now be removed, physically reduced and likely mixed together as debris consistent with interior demolition practices. Testing will now be done as needed on materials, partial surfaces or broken fixtures as identified in the bulk debris removed and staged. Selection of materials for sampling will make use of professional judgment by the **QEP**. Heterogeneity of sample matrices can produce wide-ranging variability of media and effect strict comparisons of precision. Failure of precision as a data quality indicator will not invalidate data providing the minimums are met necessary to document regulatory closures or suitability to the needed project decisions. These will be discussed as part of data usability and quality in final reports.

PSAP 4.3 Accuracy. The use of fluid decontamination and cleaning blanks of QAPP A.7.3.2 will not apply to asbestos, fungal or avian pathogen sampling due to the technical method of collection.

PSAP 4.5 Completeness. The PSAP estimated the number of samples as in-situ structure sampling, often to represent homogenous areas or rooms. The adjusted approach for safety will not allow in-situ testing or an accurate estimate of the number of samples. While it is believed that the estimated number of samples is adequate, fewer samples may be needed. Failure of completeness will not invalidate data providing the minimums are met necessary to document regulatory closures or suitability to the needed project decisions. These will be discussed as part of data usability and quality in final reports.

PSAP 7.0 Sampling Rationale and Methodology. The overall governance of regulatory programs cited will remain the same. The rationale for sampling is adjusted for typical substrates and surfaces which will now be removed, physically reduced and likely mixed together as debris consistent with interior demolition practices. Testing will now be done as needed on materials, partial surfaces or broken fixtures as identified in the bulk debris removed and staged. Selection of materials for sampling will make use of professional judgment by the **QEP** to select representative material as the debris is segregated as described above in *1.3 Adjusted Approach* and later hereafter. Significant or special deviations from adjusted rationale will be discussed in final reports.

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon**4.2 Sampling and Testing by Contractor**

Sampling and analysis in the field or by fixed-based laboratory conducted by contractor for safety, abatement, disposal, clearance or otherwise required as part of the cleanup of materials relative to state or federal regulations or other law shall be to the requirements and documentation of those programs. Where sampling and analysis of the QEP and contractor overlap or are coordinated in staging areas, the data may be shared. Texarkana and the QEP may rely on the contractor data for qualitative project decision-making.

5.0 IMPLEMENTATION OF THE CLEANUP PLAN

The following sets forth the technical details necessary by the successful contractor competitively selected by the City of Texarkana with assistance from Terracon as QEP within the requirements of the Cooperative Agreement, hereafter **CONTRACTOR**.

Traditionally, prior assessment would better provide quantities for abatement contractors to bid and implement contractor elements of the cleanup plan. The adjusted approach will necessarily require use of experienced, licensed abatement contractors capable of making initial estimates, with overage and underage contingencies, to fully implement the cleanup plan. With unknown quantities and multiple handling exterior to traditional building containment, the remainder of the plan further focuses on strict control of materials and process in close coordination with the City and QEP.

6.0 MATERIAL DESCRIPTION AND QUANTITIES

Briefly and without force and effect upon the contract documents, the work of the Contract can be summarized as the removal and disposal of the following suspect asbestos-containing and -contaminated materials, lead containing components, avian pathogen-contaminated materials and fungal-contaminated materials:

- Floor tile and mastic
- Carpet and mastic
- Resilient sheet flooring
- Drywall wall/ceiling systems
- Ceiling tile
- Wall/ceiling plaster
- Ceramic wall and floor tile grout/thinset
- Cove base and mastic
- Duct insulation and mastic
- Cementitious pipe

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

- Rolled-out roofing materials
- Built-up roofing materials
- Roof cement
- Roof flashing
- Assorted unsegregated building material debris

The preceding list should be considered representative only and not a comprehensive catalog of subject materials present on the site. The **CONTRACTOR** is responsible for verifying site conditions and material quantities prior to submission of bid. The **CONTRACTOR** will perform work for materials and locations indicated, regardless of actual quantities, and no increase in Contract amount will be allowed for quantity adjustment.

The subject commercial building structure has been vacant for an extended period of time. As noted above, the structure has significant structural degradation, including roof collapse; items that are porous (i.e. carpet, furnishings) exposed to damaged suspect asbestos containing materials, avian pathogens or fungal contamination will be disposed of as asbestos, fungal- or avian pathogen-contaminated waste in accordance with applicable regulation and this scope of work.

Non-porous items which are not suspect asbestos-containing materials and bear no paint or lacquer coatings may be cleaned and decontaminated, then removed through the processing area and disposed of as general construction debris. Non-porous items with paint or lacquer coatings will be cleaned of surface contamination and disposed of as lead-paint waste

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

7.0 WORK PRACTICES

CONTRACTOR shall maintain personnel on the site at all times any portion of the work area(s) is open or not properly secured. **CONTRACTOR** will ensure that at least one (1) **CONTRACTOR** representative is on-site at all times during work hours, including during lunch break. **CONTRACTOR** will ensure that work areas are secure at the end of each work day. **CONTRACTOR** will have a company representative stay on-site to maintain security during times other than normal working hours.

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

If a regulatory inspection is conducted by the Texas Department of State Health Services (TDSHS) inspector, the **CONTRACTOR'S** abatement project supervisor must immediately cease all abatement activities and give his complete and undivided attention to the inspector. Should the TDSHS inspector don personal protective equipment (PPE) and enter the containment, the abatement project supervisor will also don PPE and enter the containment to accompany the inspector on his inspection. If any deficiency/deficiencies are noted by the TDSHS inspector, the abatement project supervisor will direct the workers to immediately correct the deficiency/deficiencies.

The abatement project supervisor will accompany the TDSHS inspector throughout the duration of the inspection process, whether inside or outside the containment. Upon the TDSHS inspector's departure from the site, the supervisor will resume abatement activities.

7.1 Respiratory Protection

During asbestos related activities, the **CONTRACTOR** will provide respirators which are applicable and suitable for the purpose intended in accordance with OSHA 1910.134 – Respirator Standard. Terracon recommends use of powered air purifying respirators (PAPR) pending receipt of air monitoring data collected on-site; Terracon further recommends use of combination HEPA/organic vapor combination respirator filters.

7.2 Protective Clothing

During preparation, removal and cleanup activities in interior areas, at least one protective suit will be worn by each worker. Boots and gloves will be made available to each worker as needed. All protective suits will be properly disposed of at the conclusion of each work-shift. Prior to exiting the work area, the workers performing the cleanup will decontaminate thoroughly in three-chambered wet decontamination system attached to the work area.

During cleanup in exterior regulated areas, each worker will wear two (2) protective suits and proper respiratory protection. Upon completion of cleanup activities in each or regulated area, workers will thoroughly HEPA vacuum the outer suit. Workers will then remove the outer suit and, still wearing the inner suit, proceed to either (a) the next regulated work area, where a new outer suit will be donned over the inner suit, or (b) a central decontamination area as defined below. All protective suits will be properly disposed of at the conclusion of each work shift.

Greg Calhoun

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon**7.3 Containment/Regulated Area**

The **CONTRACTOR** will establish the waste processing station and regulated work area(s) in compliance with applicable local, state and federal regulations.

Preparation of the work area will include, but may not be limited to, the cleanup of asbestos-containing and -contaminated materials, lead paint-coated components, avian pathogen-contaminated materials and fungal-contaminated materials. These activities will be performed after the installation of critical barriers and establishment of HEPA-filtered circulatory air flow. The **CONTRACTOR** will install a three chambered personnel decontamination system as described below and place HEPA-filtered negative air machines in the work area and exhausted to the outside prior to beginning precleaning activities.

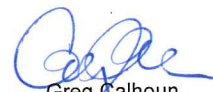
The **CONTRACTOR** will establish a waste processing station on the exterior of the structure. This waste processing station will be subdivided into separate dedicated chambers for the processing of (a) general construction debris, (b) asbestos-, avian pathogen-, or fungal-contaminated materials, and (c) lead-paint waste. Please refer to Appendix C for a conceptual sketch of the waste processing station.

The waste processing station will be constructed with a rigid frame and provide protection from overhead hazards as necessary. Waste processing station walls, floors and ceilings will constructed of or covered with two (2) layers of minimum 6-mil polyethylene sheeting. Damaged polyethylene sheeting will be repaired or replaced immediately. The **CONTRACTOR** will provide one additional floor layer of 6-mil polyethylene sheeting per shift change and remove contaminated layer after each shift.

The floor of the waste processing station will be kept clean and clear of waste and debris. Accumulated water will be collected through a HEPA-filtered vacuum and disposed of through storm drain or sanitary sewer.

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

Exterior asbestos containing materials (e.g. window glazing, roof flashing, cementitious siding, cementitious debris) will be abated in accordance with the National Emission Standard for Hazardous Air Pollutants (NESHAP) within a series of regulated areas, each employing asbestos warning signs and barrier tape at all approaches to the work area, drop-cloths consisting 6-mil polyethylene sheeting in and around all removal areas,



Greg Calhoun

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

localized HEPA vacuum systems, critical barriers at all openings into the structure within and adjoining the regulated area, and a central three-chambered wet decontamination system.

Provide a Personnel Decontamination Unit consisting of a serial arrangement of connected rooms or spaces, Changing Room, Shower Room, and Equipment Room.
NOTE: disposable/pop-up units displaying excessive use or wear will not be permitted for the decontamination system. Require all persons without exception to pass through this decontamination unit for entry into and exiting from the work area for any purpose. Do not allow parallel routes for entry or exit.

Changing Room (clean room): Provide a room that is physically and visually separated from the rest of the building for the purpose of changing into protective clothing. Construct using polyethylene sheeting, at least 6-mil in thickness, to provide an airtight seal between the Changing Room and the rest of the building. Locate so that access to Work Area from Changing Room is through Shower Room. Separate Changing Room from the building by a sheet polyethylene flapped doorway.

Maintain floor of changing room dry and clean at all times. Do not allow overflow water from shower to wet floor in changing room. Damp wipe all surfaces twice after each shift change with a disinfectant solution.

Provide a continuously adequate supply of disposable bath towels.

Provide posted information for all emergency phone numbers and procedures.

Shower Room: Provide a completely water tight operational shower to be used for transit by cleanly dressed workers entering the Work Area from the Changing Room, or for showering by workers exiting the Work Area after undressing in the Equipment Room.

Construct room by providing a shower pan and 2 shower walls in a configuration that will cause water running down walls to drip into pan. Install a freely draining floor in the shower pan at an elevation that is at the top of pan.

Separate this room from the rest of the building with airtight walls fabricated of 6-mil polyethylene sheeting.

Separate this room from the Changing and Equipment Rooms with airtight walls fabricated of 6-mil polyethylene sheeting.

Provide splash-proof entrances to Changing and Equipment Rooms with 2 doors arranged

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

in the following configuration:

At each entrance to the Shower Room construct a doorframe out of lumber, PVC Pipe or equivalent. Attach to this door frame two overlapping flaps fastened at the head (top) and jambs (sides). Overlap the flaps that present a shingle-like configuration to the water stream from the shower. Arrange so that any air movement out of the Work Area will cause the flaps to seal against the door frame.

Provide shower head and controls. Provide temporary extensions of existing hot and cold water and drainage, as necessary for a complete and operable shower.

Provide a continuously adequate supply of soap and maintain in sanitary condition. Arrange so that water from showering does not splash into the Changing or Equipment Rooms.

Provide flexible hose showerhead. Pump wastewater to drain or to storage for use in amended water. If pumped to drain, provide 20 micron and 5 micron waste water filters in line to drain or waste water storage. Change filters daily or more often if necessary. Provide Hose Bib.

Equipment Room (contaminated area): Require work equipment, footwear and additional contaminated work clothing to be left here. This is a change and transit area for workers. Separate this room from the work area by a 6-mil polyethylene flap doorway. Separate this room from the rest of the building with airtight walls fabricated of 6-mil polyethylene sheeting. Separate this room from the Shower Room and Work Area with airtight walls fabricated of 6-mil polyethylene sheeting.

Work Area: Separate work area from the Equipment Room by polyethylene barriers. If the airborne asbestos level in the work area is expected to be high, as in dry removal, add an intermediate cleaning space between the Equipment room and the Work area. Damp wipe clean all surfaces after each shift change. Provide one additional floor layer of 6-mil polyethylene sheeting per shift change and remove contaminated layer after each shift.

Waste Load-out Area: the **CONTRACTOR** will conduct the waste load out in areas separate from any non-project personnel or passers-by.

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon**7.4 Removal**

The **CONTRACTOR** will perform the removal and disposal in accordance with current local, state and federal regulations.

The **CONTRACTOR** will be responsible for providing power and water to the work areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN THE WASTE PROCESSING STATION UNTIL CLEARANCE HAS BEEN ACHIEVED.** "Fire watch" is required while active work areas are in place at the site.

Suspect asbestos-containing and -contaminated materials, lead containing components, avian pathogen-contaminated materials and fungal-contaminated materials will be abated in a series of regulated work areas constructed in accordance with applicable regulations and these specifications. Spray these materials with amended water or removal encapsulant. Allow time for amended water or removal encapsulant to saturate the material. Do not over saturate to cause excess dripping. The **CONTRACTOR** will insure that associated nails/screws/fasteners and associated structural wall components are removed or thoroughly cleaned as part of the abatement process. If amended water is used, spray material repeatedly during the work process to maintain a continuously wet condition. If a removal encapsulant is used, apply in strict accordance with manufacturer's written instruction. The use of mechanical methods for removal will not be permitted. The clean surfaces will be encapsulated after passing a visual inspection conducted by a Terracon representative.

Following removal of loose or accumulated building debris, the **CONTRACTOR** will establish install splashguards of minimum 6-mil polyethylene sheeting extending a minimum four vertical feet (4') from the floor, two (2) layers of minimum 6-mil polyethylene sheeting on the floors (where applicable) prior to removing adhered flooring materials from their substrate(s).

Asbestos containing flooring materials may be applied to wood substrates. Removal of these materials through demolition of the wood substrate requires installation of a critical barrier in crawlspace(s) beneath the abatement area, if present.

7.5 Disposal of Asbestos-Containing or -Contaminated Materials, Mold-Contaminated Materials, and Avian Waste-Contaminated Materials

1. As the subject materials are removed, they will be double bagged and labeled in accordance with Texas Department of State Health Services (TDSHS) and OSHA guidelines. Pre-printed Generator Labels shall be affixed to each bag or wrapped component prior to being placed in the lined waste disposal dumpster or trailer. **The**


 Greg Calhoun
 TDSHS Asbestos Consultant License #10-5510
 Expires 10.19.17

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

use of bladder bags, onion bags or any other disposal bags deemed unconventional by the QEP will not be permitted, unless authorized in writing by the QEP prior to contract award.

2. Asbestos-containing or -contaminated waste will be labeled in accordance with 29 CFR 1910.1200 (f) of OSHA's Hazard Communication standard, and will contain the following information:

DANGER
 CONTAINS ASBESTOS FIBERS
 AVOID CREATING DUST
 CANCER AND LUNG DISEASE HAZARD

3. The area between the bag-out area and the prepared waste receptacle shall be regulated with barrier tape during bag-out operations. The waste dumpster or trailer shall remain secured during all other periods.
4. The waste will be disposed in an approved landfill. The waste will be transported to the landfill in a lined closed top receptacle. Verification of disposal at the landfill will be provided to the **OWNER** by **CONTRACTOR** via the Uniform Hazardous Waste Manifest signed by the landfill.
5. The waste will be transported to the landfill in a lined closed top receptacle. Verification of disposal at the landfill will be provided to the **OWNER** by **CONTRACTOR** via the Uniform Hazardous Waste Manifest.

7.6 Disposal of Lead-Containing or -Contaminated Materials

This section describes the disposal of lead containing or lead contaminated components and/or waste materials. Disposal includes packaging of all non-metal waste materials and shall be accomplished by land filling or incineration as appropriate. Approval by **OWNER** is required prior to all recycling or disposal activities.

Absent testing of waste to determine disposal requirements, suspect lead-containing or -contaminated materials will be disposed of as lead-containing. Testing, if conducted, shall be conducted by the **QEP**. The **QEP** shall verify that the waste has been properly segregated, containerized, and classified in the following categories:

Hazardous Solid Waste:

- Paint chips
- Rags, sponges, mops, HEPA vacuum filters and contents, respirator

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

- cartridges, protective clothing, shower water filter(s) and other materials used during abatement.
- Building components if applicable

Hazardous Liquid Waste (as determined by testing)

- Waste water

Place all lead waste generated during the project in a DOT approved drum lined with a 6-mil disposal bag in an enclosed dumpster, truck or designated secure storage area. Separate waste materials into the following categories and label all disposal drums.

All waste shall be handled and disposed of according to local, city, state, and federal regulations. All waste assumed to be hazardous shall be transported off-site to the approved disposal site by **CONTRACTOR**.

Disposal of Hazardous Liquid or Solid Wastes (as categorized by QEP):

- a. Comply with Resource Conservation Recovery Act (RCRA), Department of Transportation (DOT), state and local regulations.
- b. Comply with DOT and state regulations for containers. The most stringent regulation shall apply.
- c. All waste is to be hauled by a licensed waste hauler with all required licenses from all state and local authorities with jurisdiction.
- d. Load all waste material into properly sized disposal bags or polyethylene sheeting prior to being placed in lead-tight drums. Prior to transporting, all materials are to be contained in a DOT approved sealable steel drum with one of the following:
 - One, 6-mil layer of sheet polyethylene, duct tape all seams or
 - One, 6-mil disposal bag; or
 - Two, 4-mil disposal bags
- e. Protect interior of truck or dumpster with two (2) layers of 6-mil polyethylene sheeting will all seams sealed with duct tape.
- f. Load containerized waste in fully enclosed dumpsters or trucks for transport.

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

- g. Do not store containerized materials outside of the Work Area. Take containers from the Work Area directly to the designated storage area or enclosed dumpster or truck.
- h. At completion of hauling and disposal of each load submit copy of Uniform Hazardous Waste Manifest to QEP.

7.7 Disposal of Non-Hazardous Waste**Non-Hazardous Solid Waste:**

- After thorough cleaning, plastic sheeting and duct tape used during abatement.

Disposal of Non-Hazardous Solid Waste (as categorized by QEP)

Materials are to remain in 6-mil disposal bags or wrapped in polyethylene sheeting.

Transport waste in enclosed trucks or dumpsters.

Disposal of Non-Hazardous Liquid Waste (as categorized by QEP)

Dispose of liquid waste by pouring into sanitary sewage system if permission is received from publicly owned treatment works facility (POTW). Do not dispose of liquid waste by pouring onto ground or into storm drain. If the liquid waste contains phosphates or other chemicals, advise treatment facility of quantity of liquid and that it is likely to contain phosphates.

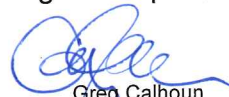
Properly filtered shower water shall be disposed of as non-hazardous liquid waste. All filters shall be disposed of in accordance with applicable regulations.

7.8 Clearance

Removal will be considered complete following a visual inspection by the QEP. The QEP will inspect all interior surfaces for dust, debris or other evidence of the subject materials.

Asbestos

Asbestos final air clearance sampling will be conducted in interior work areas, negative-pressure enclosures, full containments and the waste processing station; sampling will be performed in accordance with the Texas Asbestos Health Protection Rules (TAHPR) 295.58(i)(3). Clearance samples will be collected using aggressive sampling techniques.


 Greg Calhoun
 TDSHS Asbestos Consultant License #10-5510
 Expires 10.19.17

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

as described in TAHPR 295.58(i)(3)(A). Equipment used in aggressive sampling should be properly cleaned and decontaminated before use. Air filtration units shall remain on during the clearance air-monitoring period. Prior to air sample collection, floors, ceiling and walls shall be swept with the exhaust of a minimum one (1) horsepower leaf blower. A minimum of eight (8) complete air changes will occur within any containment prior to collection of clearance samples.

A minimum of three (3) samples will be collected inside each negative-pressure enclosure or full containment; at the QEP'S direction, one additional sample will be collected for each 10,000 cubic feet of containment volume (or fraction thereof) in excess of 30,000 cubic feet. The PCM analysis will be performed in accordance with the most current NIOSH 7400 Method and A Counting Rule for the determination of final clearance. The release criteria for PCM analysis is complete if all PCM air samples are determined below 0.01 fibers per cubic centimeter. If the PCM results fail to meet the release criteria, then the decontamination is incomplete and recleaning per the specification is required.

Mold

The project will be cleared by: 1) visual inspection; and, 2) total bioaerosol analysis. The post remedial inspection and air sample collection will be conducted while the containment is in place and properly ventilated. The containment must be on direct exhaust ventilation to the outdoor environment or sealed and in air scrub mode for a cumulative of 24 hours after final cleaning and prior to the PRV final clearance air sample collection. The containment(s) may not be removed or depressurized until final clearance criteria has been achieved and written, interim notice provided by the MAC to the MRC.

The visual evaluation criteria will consist of an evaluation of the remediation area to determine if the remediation has been properly conducted in accordance with the project specifications and procedures, applicable state regulations, and visible fungal growth and extraneous debris within the work areas has been properly removed.

Representative air samples shall be collected from within the containment, the outdoor environment, and analyzed by standard optical light microscopy methods. Total bioaerosol analysis must be conducted by a licensed Mold Analysis Laboratory. Any area whose air test does not meet post remediation criteria will be re-tested following cleaning and air scrubbing of those areas.

Total bioaerosol analytical clearance criteria will be based on qualitative and quantitative similarity between the indoor samples and the ambient outdoor control samples collected contemporaneously. Air samples will be collected and analyzed in a manner that provides a


 Greg Calhoun
 TDSHS Asbestos Consultant License #10-5510
 Expires 10.19.17

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

minimum detection limit of 43 spores/m³. Fungal aerosols in the indoor environment should not exceed the contemporaneously collected outdoor control samples by more than 650 spores/m³ (2), or, fungal spores that are unique to the indoor environment should not exceed more than 50 % of the "high" results for Typical Outdoor Spore Levels (Texas) as reported in the EMLab P & K IAQ Pocket Reference Guide, 6th Edition (3). The consultant may make numeric exceptions for frequently isolated genera such as *Cladosporium* or other typical mesophilic fungi.

Lead

The **QEP** shall confirm removal of lead waste through visual inspection and wipe sampling for lead dust concentrations conducted as follows:

- a) Post-abatement or removal to determine if previously specified clearance criteria has been met in each area of remediation. The clearance level has been established at 40 micrograms per square foot (µg/ft²) on horizontal surfaces.
- b) The specific location and number of samples will be determined upon conclusion of the remediation. If at any time the post-abatement or removal wipe samples exceed the clearance levels identified. The **CONTRACTOR** shall be responsible additional cleaning of the area to attempt to achieve clearance levels. If additional cleaning is required, the **CONTRACTOR** will perform the re-cleaning with no adjustment in the contract price.

8.0 CONTRACTOR SUBMITTALS

Submittals required for proper execution include but are not limited to the following:

Pre-Construction Submittals (submitted to **QEP**):

Regulatory Notification Information

Plan of Action

Fire Action Plan

Emergency Phone List

Project Schedule

2 "Post Remedial Assessment and Clearance Criteria for Mold Remediation Projects" L. D. Robertson, H. L. Horner, Mycological Society of America Annual Conference, Louisiana State University, August 9, 2007.

3 IAQ Pocket Reference Guide – 6th Edition, EMLab P & K.


 Greg Calhoun
 TDSHS Asbestos Consultant License #10-5510
 Expires 10.19.17

Terracon

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Copy of Written Respirator Program which conforms to 29 CFR 1910.134(b)
 OSHA Material Safety and Data Sheets (Product Handling)
 Negative Initial Exposure Assessment
 Copy of EPA "uniform hazardous waste manifest" form
 Sample of disposal bag and labels to be used.

Construction Submittals (submitted to **QEP** before start of work on-site)

Licenses: Contractor, Supervisor, Transporter(s)
 NESHAP Training Certificate
 Personal Air Monitoring Lab Results
 List of Workers
 Worker Registration Certificates
 Medical Examination Results
 Pre-project lead blood level monitoring testing for each supervisor and worker
 Worker Training Certificates
 Respiratory Fit Test Certificate
 Certificates of Worker Acknowledgement

Project Closeout (submitted to **QEP**)

Contractor's Daily Log
 Worker Registration Certificates for Personnel
 Waste Disposal Manifest Copies
 Company Licenses/Certifications
 Worker Training Certificates
 Respiratory Fit Test Certificate
 Certificate of Completion
 Releases, Occupancy Permits (if applicable)
 Personal Air Monitoring Lab Results
 Post-project lead blood level monitoring testing for each supervisor and worker
 Personal Air Monitoring Lab Results

RESUBMISSION:

Revise submittals as required and resubmit as specified for initial submittal. Indicate any changes which have been made other than those requested by **QEP**.

CONTRACTOR RESPONSIBILITIES:

Illegible submittals will be rejected and returned for re-submittal.

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

Schedule submittals according to general flow of Work and so as to allow for adequate and timely review of submittals by **QEP**.

Review submittals prior to submission and submit to **QEP** in accordance with provisions herein.

Verify field measurements, construction criteria, catalog numbers and similar data.
 Coordinate submittals with requirements of Work and Contract Documents.

CONTRACTOR'S responsibility for errors or omissions is not relieved by **QEP's** review.

CONTRACTOR'S responsibility for deviations from requirements of Contract Documents is not relieved by **QEP'S** review, unless **QEP** is notified of deviations in writing at time of submittal, and gives written consent to specific deviations.

Do not begin work which requires submittals until reviewed submittals have been reviewed and approved by **QEP**.

If required, reproduce and distribute copies after **QEP'S** review.

QEP'S RESPONSIBILITIES:

The responsibility of performing the final visual inspection and the final air clearance is delegated to Terracon's on-site State of Texas licensed project manager.

Review submittals within two working days or indicate in writing reasons for reviews which require additional time.

Review for conformance with design concept of project and information given in Contract Documents.

Indicate results of review and return submittals to **CONTRACTOR** for distribution.

QEP is not responsible for verification of field measurements, construction criteria, catalog numbers and other similar data.

Review of separate items does not constitute review of an assembly in which items function.

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon**9.0 CONSTRUCTION NOTES**

The **CONTRACTOR** is responsible for filing and managing the 10-Day Notification to the Texas Department of State Health Services (TDSHS) and is responsible for communicating amendments of changes to the local TDSHS staff. The **OWNER** shall be responsible for payment of notification fees included in the Demolition/Renovation Notification Form. On Notification form, **OWNER** shall be listed as stated on front cover.

The **CONTRACTOR** will be responsible for providing power and water to the containment areas. **NOTE: NEGATIVE PRESSURE MUST BE MAINTAINED WITHIN ANY CONTAINED AREA UNTIL CLEARANCE HAS BEEN ACHIEVED.** Terracon recommends that "fire watch" be performed while active containments are in place at the site.

The **CONTRACTOR** is to be current and in good standing on all asbestos abatement notification fees. The **OWNER** reserves the right to verify **CONTRACTOR'S** standing.

The **CONTRACTOR** shall maintain all records required by TDSHS Texas Asbestos Health Protection Rules, Texas Environmental Lead Reduction Rules, and Texas Mold Assessment and Remediation Rules, as applicable.

CONTRACTOR parking and disposal dumpster areas will be as designated by the **OWNER**. The **CONTRACTOR** will keep work and parking areas clean.

Prior to any commencement of work, the **CONTRACTOR** will provide a licensed electrician to provide power lock-out and tag-out of all circuits to be affected by the asbestos abatement activities. Lock-out/Tag-out must meet OSHA 1910.147 requirements. All electrical circuits in the regulated and/or contained area shall have ground-fault interrupter (GFCI) units installed.

Exhaust negative pressure ventilation system to outside of building.

The **CONTRACTOR** shall be responsible for installing hard barriers in any window openings utilized for exhaust of negative pressure and shall ensure that the building can be secured between work periods. If necessary, a hard barrier decontamination unit shall be constructed at the site to ensure building security.

The **CONTRACTOR** shall provide temporary self-contained toilet units for use by **CONTRACTOR** and **QEP** personnel throughout the duration of abatement activities.

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

The **CONTRACTOR** shall install one fire extinguisher in the work area for each 1,000 square feet of work area or fraction thereof. Additional fire extinguishers shall be installed in the Equipment Room and Clean Room of the decontamination unit.

The **CONTRACTOR** shall conduct a safety meeting for **CONTRACTOR'S** employees with emphasis on operation of fire extinguishers and emergency exits in case of fire. **CONTRACTOR** shall have posted emergency phone numbers for the fire department and police.

CONTRACTOR shall store a minimum of volatile substances on the job site and in fire resistant containers only.

10.0 PRODUCTS

Amended Water: Provide water to which a surfactant has been added. Use a mixture of surfactant and water which results in wetting of the ACM and retardation of fiber release during disturbance of the material.

Disposal Bags: Provide as a minimum, individual, 6-mil thick, leak-tight, manufactured polyethylene bags.

Disposal Bag Labels: Provide labels with **OWNER'S** name, **CONTRACTOR'S** name, project site address and the following warnings and labels, in accordance with regulatory requirements. Labels shall be lettered with indelible ink.

First Label:

CAUTION
 CONTAINS ASBESTOS FIBERS
 AVOID OPENING OR BREAKING CONTAINER
 BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH

Second Label: Provide in accordance with 29 CFR 1910.1200(f) of OSHA's Hazard Communication standard:

DANGER
 CONTAINS ASBESTOS FIBERS
 AVOID CREATING DUST
 CANCER AND LUNG DISEASE HAZARD
 BREATHING AIRBORNE ASBESTOS, TREMOLITE, ANTHOPHYLLITE, OR
 ACTINOLITE FIBERS IS HAZARDOUS TO YOUR HEALTH

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

Third Label: Provide in accordance with U.S. Department of Transportation Regulation on hazardous waste marking. 49 CFR parts 171 and 172. Hazardous Substances: Final Rule:

RQ HAZARDOUS
 SUBSTANCE,
 CLASS 9,
 NA 2212, PG III
 (ASBESTOS)

Polyethylene Wrap: Provide minimum 6-mil polyethylene sheeting as a wrapping for large sections of rigid waste material and for construction of floors and critical barriers in the containment areas. Provide minimum 4-mil polyethylene sheeting for construction of walls of the containment.

Removal Encapsulant: Provide a penetrating type encapsulant designed specifically for removal of ACM. Utilize an encapsulant that will meet or exceed the results produced by use of Amended Water, as described above.

11.0 AIR MONITORING SERVICES

The responsibility for performing visual inspections and air monitoring services is delegated to Terracon's on-site State of Texas licensed project manager/air monitoring technician.

The **QEP** shall verify that the Work performed is in compliance with applicable regulations and that the building areas beyond the Work Area and the outside environment remain free of contamination. This section also sets forth airborne fiber levels both inside and outside the Work Area as permissible exposure limits (PELs), and describes the action required by the **CONTRACTOR** if a permissible exposure limit is met or exceeded.

AIR MONITORING:

The **QEP** will be conducting air monitoring throughout the course of the project.

Work Area Isolation: The **QEP** will monitor airborne fiber counts outside the Work Area. The purpose of this air monitoring will be to detect faults in the Work Area isolation including, but not limited to, contamination of the building outside of the Work Area with airborne asbestos fibers, failure of filtration or rupture in the ventilation system, or contamination of the exterior of the building with airborne asbestos fibers.

Should any of the above occur, the **CONTRACTOR** shall immediately cease asbestos

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

abatement activities until the fault is corrected. Work shall not recommence until authorized by the **QEP**.

Work Area Airborne Fiber Count: The **QEP** will monitor airborne fiber counts in the Work Area. The purpose of this air monitoring will be to detect airborne fiber counts which may significantly challenge the integrity of Work Area isolation procedures that protect the balance of the building or outside of the building from contamination by airborne fibers.

AIRBORNE FIBER COUNTS:

Inside Work Area: Maintain an average airborne count in the Work Area of less than 0.1 fibers per cubic centimeter. If the fiber counts rise above this figure for any sample taken, revise work procedures to lower fiber counts. If the Time Weighted Average (TWA) fiber count for any Work shift or eight (8) hour period exceeds 0.1 fibers per cubic centimeter, stop work and leave ventilation system in operation. Do not recommence work until authorized by the **QEP**.

Outside Work Area: Maintain an average airborne count outside the Work Area of less than the Permissible Exposure Limit (PEL) of 0.1 f/cc of air.

If any air sample taken outside the Work Area exceeds the PEL, immediately stop work until the source of the elevated fiber readings can be determined by the **QEP**. Immediately take corrective as instructed by the **QEP**.

Decontaminate the affected area in accordance industry standard methods.

ANALYTICAL METHODS:

The following methods will be utilized at the discretion of the **QEP** in collecting and analyzing air samples:

Phase Contrast Microscopy (NIOSH 7400 Method, Issue 2, Revision 3 or OSHA Reference Method)

Transmission Electron Microscopy (40 CFR Part 763, Subpart E, Appendix A)

SAMPLE PROTOCOLS:

General: The number and volume of air samples taken by the **QEP** will generally be in accordance with the following schedule. Sample quantities, locations, volumes and methodologies may vary depending upon the analytical method, project layout, procedures used and at the discretion of the **QEP**.


 Greg Calhoun
 TDSHS Asbestos Consultant License #10-5510
 Expires 10.19.17

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon**SCHEDULE OF AIR SAMPLES FOR WORK AREAS & WASTE PROCESSING STATION(S):**

Base Line Sample Schedule: The **QEP** will secure the following air samples to establish a Base Line before start of Work. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Work Area	3	1,250 Liters	PCM

Daily Sample Schedule (per 8-hour work period): The **QEP** will generally take the following samples on a daily (8-hour work period) basis. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Interior Work Area	1	500 Liters	PCM
Outside Each Interior Work Area/Inside Building	1	500 Liters	PCM
Decon Unit Clean Room	1	500 Liters	PCM
Output of Negative Pressure Ventilation System	1	500 Liters	PCM

Clearance Sample Schedule: The **QEP** will secure the following air samples to determine air clearance at the conclusion of abatement. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
Each Interior Work Area	3	1,250 Liters	PCM

If airborne fiber counts exceed baseline limits, additional samples will be taken (and classified as retests) as necessary to monitor fiber levels and confirm sources.

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon

Please refer to Section 3.8 Clearance for mold and lead clearance procedures.

SCHEDULE OF AIR SAMPLES FOR EXTERIOR WORK AREA(S):

Daily Sample Schedule (per 8-hour work period): The **QEP** will generally take the following samples on a daily (8-hour work period) basis. The number of samples may vary according to site plan and on authorization of **QEP**.

Location Sampled	Minimum Number of Samples	Minimum Sample Volume	Planned Analytical Method
"Upwind" of Work Area	1	500 Liters	PCM
"Downwind" of Work Area	1	500 Liters	PCM

The **QEP**, in addition to providing air monitoring services, will provide full-time, on-site inspection of work activities. Work shall not proceed without prior notice to the **QEP** and presence of the **QEP** on the work site (requires 48 hours advance notice of work).

The **QEP** will conduct the following key Project inspections and no work by the **CONTRACTOR** will proceed beyond these points until all discrepancies noted during the inspection have been corrected.

The **QEP'S** inspections do not relieve the **CONTRACTOR** of Contract obligations and are not designed to locate all project discrepancies. The **CONTRACTOR** is responsible for project quality.

First Key Inspection:

Inspection of Work Area Prior to Start of Removal: Removal operations shall not proceed until the **QEP** has completed inspection of the Work Area preparations and until all discrepancies noted have been corrected.

Second Key Inspection:

Inspection during Removal: Removal Work shall not be conducted unless the **QEP** is on the Project site. Daily inspection of the Work Area and Work practices will be conducted; upon discovery and report of a discrepancy the **CONTRACTOR** shall immediately stop Work and correct the discrepancy.


 Greg Calhoun

Site Cleanup Plan

Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
 EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
 February 25, 2016 ■ Terracon Project No. 94137464B

Terracon**Third Key Inspection:**

Inspection of Work Area after Completion of Removal Work, but Prior to Encapsulation and Containment Disassembly: A visual inspection of the Work site and/or Containment areas and removal surfaces will be conducted at this point by the **QEP** and encapsulation and/or containment disassembly shall not proceed until discrepancies noted have been corrected.

Fourth Key Inspection:

Final Clearance: After encapsulation and final clean-up of the Work Area, but prior to removal of Critical Barriers, the **QEP** will conduct a visual inspection.

Final Key Inspection:

Project Closeout Inspection: A final inspection will be conducted by the **QEP** after the **CONTRACTOR** has removed all barrier tape, drop-cloths, equipment, and supplies. A project "Punch List" will be provided of any items requiring correction or completion. Punch List items shall be completed prior to issuance of final completion notice by the **CONTRACTOR**.

Discrepancies or needed corrective measures observed by the **QEP** will be reported to the **CONTRACTOR'S** Superintendent on-site and shall be immediately corrected.

The above inspections are not necessarily single events. Failed inspections will be re-conducted and time classified as retests and charged back to the **CONTRACTOR** in accordance with the project documents. Inspections will require 24 hours advance notice to the **QEP**.

PERSONAL MONITORING:

The **CONTRACTOR** shall perform air monitoring as required to meet OSHA requirements for maintenance of Time Weighted Average (TWA) and excursion limit fiber counts for types of respiratory protection provided. The **OWNER** will not be providing air monitoring services to meet these OSHA requirements. Note: Results of Personal Monitoring shall be submitted to the **QEP** within 72 hours of the time samples are obtained. A listing of all personal monitoring results obtained during the project shall be submitted to the **QEP** with the **CONTRACTOR** closeout submittals.

Site Cleanup Plan

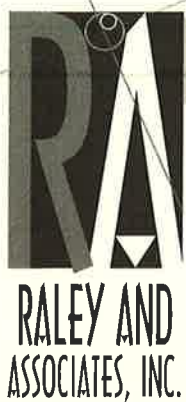
Commercial Building ■ 203/205 W Broad Street ■ Texarkana, Texas
EPA ACRES ID No. 72441/72421 ■ Cooperative Agreement No. BF-00F62801
February 25, 2016 ■ Terracon Project No. 94137464B

Terracon**LABORATORY TESTING:**

The **QEP** will perform field analysis of the air samples. A microscope and field laboratory will be set up at the jobsite, at the option of the **QEP**, so that verbal reports on air samples can be obtained promptly after collection.

Reports to the **OWNER** by the **QEP** will include air monitoring data and pertinent information on work being conducted such as: work hours, number of workers, procedures used, contractor discrepancies and corrective measures, containment methods and construction, and amount of ACM removed.

APPENDIX A
STRUCTURAL ASSESSMENT
RALEY & ASSOCIATES, INC.
July 2015



July 31, 2015

Ms. Daphnea Ryan
Manager of Environmental Services
City of Texarkana, TX
P.O. Box 1967
Texarkana, TX 75504

Re: 203 and 205 W. Broad
Texarkana, TX

Dear Ms. Ryan,

Per your request, this office made a visual observation of the subject buildings on Wednesday, July 29, 2015. We had made a previous observation on October 4, 2012. The purpose of this visit was to observe the buildings for the possibility of shoring the structure while Phase II environmental sampling could be done. For the record, Jeff Raley, P.E. and Heather Ochoa, City of Texarkana, were present during this visit.

As of this date, the building structures appear to be unstable and not safe for persons to enter the structures for the purpose of sampling. It is our opinion that it would not be cost effective to do temporary shoring for the purpose of sampling since sampling can be done during material removal (see photos).

The adjacent buildings to the east and west will need to be protected during the removal of materials for assessment and clean up.

Once the buildings are cleared of rubble and debris, we can assess the front walls to determine the feasibility of saving them in place. It has been our experience that more times than not, this is a possibility. The rear walls have been damaged from the roof collapses and most likely will have to be rebuilt. The adjacent side walls will need to be reinforced once the removal is complete.

We are not able to determine the type of shoring or reinforcing that will be required for the front and sidewalls at this time. We are available to make that assessment as soon as the removal is complete.

This report is based upon our experience, readily accessible visible defects and certain assumptions that conventional methods of construction were used to build the buildings. We cannot normally see irregularities inside structures. Nature through excessive rain, droughts and differing soil characteristics cause extremes we cannot anticipate. Also, remodeling and changes

Professional Engineers Licensed in:

Alabama, Arizona, Arkansas, Colorado, Connecticut, District of Columbia, Florida, Georgia, Idaho, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia

in the building alter conditions that affect the building. Because of all these unknowns, this firm offers no warranty or guaranty with this report.

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

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

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

Sincerely,


Jeff Raley
Professional Engineer
TX-F594



APPENDIX B
PROPERTY-SPECIFIC SAMPLING AND ANALYSIS PLAN (PSAP)
ASBESTOS, LEAD-PAINT, MOLD AND GUANO SAMPLING

Commercial Building
203 & 205 W Broad Street
Texarkana, Texas 75501

Brownfields Multi-Purpose Pilot Grant
United States Environmental Protection Agency, Region 6
EPA Cooperative Agreement No. BF-00F62801
Terracon Project No. 94137464B
July 2014

PROPERTY-SPECIFIC SAMPLING AND ANALYSIS PLAN (PSAP) – ASBESTOS, LEAD-PAINT, MOLD AND GUANO SAMPLING

Commercial Building
203 & 205 W Broad Street
Texarkana, Texas 75501

Brownfields Multi-Purpose Pilot Grant
United States Environmental Protection Agency, Region 6
EPA Cooperative Agreement No. BF-00F62801
Terracon Project No. 94137464B

1.0 TITLE AND APPROVALS

1.1 Contractor Project Manager

Greg Calhoun / Terracon Consultants, Inc. Date _____

1.2 Contractor QA Reviewer

John Sallman, P.G. / Terracon Consultants, Inc. Date _____

1.3 Grantee Brownfields Project Manager

Craig Lindholm / City of Texarkana Date _____

1.4 Grantee QA Manager

Daphnea Ryan/ City of Texarkana Date _____

1.5 EPA Region 6 Grant Manager

Camisha Scott/ USEPA Region 6 Date _____



The project Quality Assurance Project Plan (QAPP) and this Property-Specific Sampling and Analysis Plan (PSAP) incorporate TRIAD elements of systematic planning, a dynamic work plan and use of on-site analytical tools. This document makes direct use of the most current QAPP approved by USEPA, providing numerical references to the QAPP where appropriate.

2.0 TABLE OF CONTENTS

1.0	TITLE AND APPROVALS.....	1
1.1	CONTRACTOR PROJECT MANAGER	1
1.2	CONTRACTOR QA REVIEWER.....	1
1.3	GRANTEE BROWNFIELDS PROJECT MANAGER	1
1.4	GRANTEE QA MANAGER	1
1.5	EPA REGION 6 GRANT MANAGER	1
2.0	TABLE OF CONTENTS.....	2
3.0	PROPERTY IDENTIFICATION AND ELIGIBILITY	4
3.1	CITY IDENTIFICATIONS	4
3.2	AGENCY APPROVALS TO ALLOW ASSESSMENT.....	4
3.3	ALL APPROPRIATE INQUIRIES COMPLETED PER COOPERATIVE AGREEMENT	4
3.4	ACCESS BY OWNER/OTHER AUTHORITY, REFERENCED OR ATTACHED	4
3.5	HAVE PROPERTY CONDITIONS CHANGED SINCE PHASE I ASSESSMENT ?	4
3.6	SITE DESCRIPTION.....	4
4.0	PURPOSE AND OBJECTIVES.....	4
4.1	DATA QUALITY INDICATORS (DQIs).....	4
4.2	PRECISION	5
4.3	ACCURACY	5
4.4	REPRESENTATIVENESS	5
4.5	COMPLETENESS	5
4.6	COMPARABILITY	5
4.7	SENSITIVITY	5
4.8	BIAS	5
5.0	NEEDED PROJECT DECISIONS	5
6.0	STATEMENT OF RECOGNIZED ENVIRONMENTAL CONDITIONS	6
6.1	HAZARDOUS MATERIALS	6
7.0	SAMPLING RATIONALE AND METHODOLOGY	7
	<i>Table 1. Rationale for Sample Locations.....</i>	<i>7</i>
7.1	SAMPLE SUMMARY	8
7.2	LABORATORY METHODOLOGY	9
	<i>Table 2. Preservation, Storage and Container Requirements.....</i>	<i>9</i>
8.0	QUALITY CONTROL	10
9.0	HEALTH AND SAFETY	10
10.0	DEVIATIONS FROM APPROVED QAPP	10
11.0	PERSONNEL.....	10
	<i>Table 3. Key Personnel.....</i>	<i>10</i>

12.0 SCHEDULE OF ASSESSMENT11

Table 4. Proposed Project Schedule11

ATTACHMENTS

- Appendix A: Health & Safety Plan
- Appendix B: Survey Protocols
- Appendix C: Site Access Agreement

3.0 PROPERTY IDENTIFICATION AND ELIGIBILITY

3.1 City Identifications

City Riggs Addition Lot 2 Tract 27, 203 West Broad Street, Bowie County, Texas

City Riggs Addition Lot 2 Tract 27, 205 West Broad Street, Bowie County, Texas

Property ID Number(s): 203 W Broad Street - Parcel No. 03840017100
205 W Broad Street - Parcel No. 03840017200

3.2 Agency Approvals to Allow Assessment

Hazardous Substance by EPA	<u>X</u> Yes	<u> </u> NO-STOP
Petroleum by State (provide Attachment D)	<u> </u> Yes	<u> </u> NO-STOP
Co-mingled Hazardous and Petroleum by EPA by State	<u> </u> Yes*	<u> </u> NO-STOP

3.3 All Appropriate Inquiries Completed per Cooperative Agreement

ASTM E1527-05 X Yes NO-STOP

Phase I ESA report completed February 3, 2012

3.4 Access By Owner/Other Authority, Referenced or Attached

X Yes NO-STOP

The current owner will grant access the site.

3.5 Have Property Conditions changed since Phase I Assessment?

X No Yes Not Applicable

3.6 Site Description

The site is located at 203 and 205 West Broad Street in Texarkana, Bowie County, Texas. The site consists of two contiguous commercial buildings totaling approximately 3,500 square-feet.

4.0 PURPOSE AND OBJECTIVES

(Expanded in QAPP Section A5.2) The United States Environmental Protection Agency (EPA) selected the City of Texarkana, Texas (City and Grantee) for a Brownfields Multi-Purpose Pilot Grant (Grant). The purpose of this project is to fully assess the Downtown Texarkana, Texas 203/205 W. Broad Street Brownfields site (Project)

4.1 Data Quality Indicators (DQIs)

(QAPP A7.3) When conducting this investigation, all measurements will be made so that results are reflective of the medium and conditions being measured. DQIs will be assessed by

evaluating Precision, Accuracy, Representativeness, Completeness, Comparability, Sensitivity and Bias of the data collection process.

4.2 Precision

A measure of the reproducibility of analyses under a given set of conditions calculated at data check per QAPP Section A7.3.1.

4.3 Accuracy

A measure of the bias that exists in a measurement system, calculated at data check per QAPP Section A7.3.2.

4.4 Representativeness

The degree of how well sampling data accurately and precisely depict selected characteristics, calculated at data check per QAPP Section A7.3.4.

4.5 Completeness

The measure of the amount of valid data obtained from a measurement system compared to the amount that was expected to be obtained under “normal” conditions, calculated at data check per QAPP Section A7.3.3.

4.6 Comparability

The degree of confidence with which one data set can be compared to another, determined at data check per QAPP Section A7.3.5.

4.7 Sensitivity

Sensitivity is the ability of the method or instrument to detect target compounds at the level of interest, determined at data check per QAPP Section A7.3.6.

4.8 Bias

Bias is the systematic or persistent distortion of a measurement process that causes errors in one direction, determined at data check per QAPP Section A7.3.7.

5.0 NEEDED PROJECT DECISIONS

(Expanded in QAPP Section A5) The Brownfields project decision is the same for all eligible properties of assessment. The data collected is used to determine whether or not a property with an ASTM REC identified in Phase I assessment is or is not impacted relative to Texas environmental standards. Based on the outcome of the data collection, there are two actions:

- The property is “clean” and presents, due to measured conditions of environmental impairment compared to state cleanup standards, no reasonable impediment to consideration for redevelopment than would normally be exercised by the Grantee; or,
- The property is impacted and presents, based on measured conditions of environmental impairment compared to state cleanup standards, a need for additional evaluation above

that normally exercised by the Grantee in considering a property as feasible for redevelopment.

6.0 STATEMENT OF RECOGNIZED ENVIRONMENTAL CONDITIONS

With the support provided through the EPA Brownfields Multi-Purpose Pilot Grant, the City of Texarkana, Texas will assess, cleanup, and prepare the derelict property site located at heart of the Texarkana's Historic Central Business District, 203 and 205 W. Broad Street, Texarkana, Texas 75501-5609, for commercial redevelopment.

The City conducted a Phase I ESA using EPA Brownfields Assessment Grant funds while the property was under the ownership of Josh and Dianna Morriss. Phase I ESA's were also performed through the AR-Tex Council of Governments with EPA Brownfields funds (2005) and TCEQ (2008). There are no less than 20 recognized environmental conditions (REC's) for the site. RECs are conditions observed by the environmental professional that could potentially produce environmental impairment. In and of themselves, RECs do not require action. This is an opportunity for Texarkana to address asbestos, lead paint, pigeon guano and mold contamination, as well as possible subsurface contamination (see separate PSAP).

6.1 Hazardous Materials

☐ Petroleum REC ☒ Hazardous Substance REC ☐ Co-mingled REC

During the Phase I site reconnaissance, the buildings were observed to be in extremely poor condition. Water infiltration has severely damaged the roof and flooring of both buildings, with a significant portion of the roof at 203 W Broad Street collapsed, as well as the floor of 205 W Broad Street. Based on the age and deteriorated condition of the buildings, asbestos-containing materials, lead-based paint, mold, and bird guano may be present on the site.

The City of Texarkana is requesting asbestos, lead-based paint, mold and bird guano surveys prior to renovation of the on-site structures. The survey reports will include quantities and locations of various types of the respective hazardous materials.

7.0 SAMPLING RATIONALE AND METHODOLOGY

This PSAP describes the type and frequency of samples that will be collected for this project. Any significant modifications to this PSAP that are the result of field conditions will be discussed with the EPA. The rationale for location and type of sample indicated at these locations is indicated in Table 1 below.

Table 1. Rationale for Sample Locations

Location	Media	Project Rationale
A-1 thru A-200	Suspect Asbestos-Containing Building Materials	Sample suspect asbestos-containing building materials in accordance with NESHAP, AHERA and TAHPR requirements; Protect human health by determining if suspect building materials are asbestos containing.
L-1 thru L-30	Suspect Lead-Based Paint Coatings	Sample suspect lead-based paint coatings with TELRR requirements; Protect human health by determining if suspect paint coatings are lead containing.
M-1 thru M-15	Suspect Fungal Growth	Sample suspect fungal growth in accordance with TMARR guidelines. Protect human health by determining if suspect fungal growth is hazardous and provide OSHA Right to Know information related to dealing with hazardous materials.
G-1 thru G-7	Bat/Bird Guano/Debris	Bulk materials of Bat/Bird guano/debris will be aseptically sampled and analyzed by PCR to determine if <i>Histoplasma capsulatum</i> , <i>Cryptococcus neoformans</i> and <i>Chlamydia psittaci</i> are present and provide OSHA Right to Know information related to dealing with hazardous material, develop appropriate PPE based on laboratory results.

Building material samples collected for asbestos analysis will be collected following the applicable Asbestos Hazard Emergency Response Act (AHERA) and Texas Department of State Health Services (TSDHS) protocols, including the Texas Asbestos Health Protection Rules (TAHPR), TAC 295.31 through 295.73 and discussed in detail in the Asbestos Survey Protocol (ASP) included as Appendix B. The building materials samples will be collected by TSDHS licensed inspectors; the samples will be analyzed by TSDHS licensed and National Voluntary Laboratory Accreditation Program (NVLAP) accredited laboratories.

Building material samples collected for lead analysis will be collected following the applicable protocols, including the Texas Environmental Lead Reduction Rules (TELRR), TAC 295.201 through 295.220 and discussed in detail in the Lead-Based Paint Survey Protocol (LBSPS) included as Appendix B. The building materials samples will be collected by TSDHS certified inspectors; the samples will be analyzed by a NVLAP accredited laboratory.

An evaluation of building materials for visible mold contamination will be conducted in general accordance with guidelines published by the TSDHS (*Texas Mold Assessment and Remediation Rules*, 2004), the American Conference of Governmental Industrial Hygienist (*Bioaerosols; Assessment and Control*, 1999) and American Standard Test Methods (*Standard Guide for Assessment of Fungal Growth in Buildings*, ASTM D7338-10). The TSDHS regulates fungal assessment and remediation activities under the Texas Mold Assessment and Remediation Rules (TMARR). The TMARR requires that fungal assessments be performed by a TSDHS-licensed Mold Assessment Technician (MAT) or Mold Assessment Consultant (MAC) following specified minimum work practices and procedures. Bulk, surface and air samples collected during a fungal assessment must be analyzed by a TSDHS-licensed mold analysis laboratory.

Visible fungal growth that exceeds twenty-five (25) contiguous square feet is considered a regulated quantity in accordance with the TMARR.

Bat/Bird guano and debris associated with Bat/Bird nesting materials are well documented as a reservoir for pathogenic microorganisms. The microorganisms of interest include the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydia psittaci*. There are no federal, state or local regulatory limits related to the referenced avian pathogens; however, qualitative and quantitative information developed by bulk and air sample collection will satisfy OSHA Right to Know information related to handling hazardous materials and assist in making judgments regarding the level of PPE required at various stages of the project. Bulk materials of Bat/Bird guano/debris will be aseptically sampled by trained staff and analyzed by Polymerase Chain Reaction (PCR) to determine if these pathogens are present. Bulk and air samples will be analyzed by a laboratory participates in custody (COC) protocol to NAME Laboratories, accredited by the American Industrial Hygiene Association (AIHA®) Laboratory Accreditation Programs, LLC under the Environmental Microbiology Laboratory Accreditation Program (EMLAP) and is Texas licensed Mold Analysis Laboratory under the TMARR.

7.1 Sample Summary

Samples will be collected in a manner consistent with the QAPP and Survey Protocols as summarized below.

It is estimated that 200 building material samples will be collected and analyzed for asbestos through Polarized Light Microscopy (PLM) analysis. Current TDSHS and EPA regulations require that a minimum number of samples from each homogeneous area be obtained in order to characterize a material as non-ACM. In accordance with sampling protocols established in EPA AHERA and NESHAP, and the TAHPR, sample collection points will be randomly selected dependent on locations of homogenous areas of suspect asbestos containing materials. A minimum of three samples will be collected from each homogenous area in accordance with the AHERA 3, 5 and 7 rule; therefore, additional quality control samples are not anticipated, as all three samples will be analyzed for each homogeneous material. In addition, where applicable, samples of surfacing materials will be collected in accordance with guidelines referenced above, which may require the collection of more than three samples from each homogenous area depending on the quantity of material.

It is estimated that 30 paint chip samples will be collected from representative building component surfaces and analyzed for lead content through Flame Atomic Absorption Spectrophotometer (AAS) analysis. Representative building component surfaces that may be sampled include, but are not necessarily limited to, woodwork/molding, door jambs and trim, window sills and sashes, cabinets, walls, ceilings, counter tops, stair railings, floors, radiators, balcony railings, and baseboards. The LBP sampling will be conducted in general accordance with applicable protocols.

The indoor environment will be evaluated for visual evidence of moisture intrusion or visible fungal growth that could impact indoor air quality. It is estimated that 10-15 tape lift samples will be

collected from suspect building material substrates. Criteria to establish fungal growth on the substrates sampled will be microscopic confirmation of fungal somatic and reproductive structures. Tape lift samples will be submitted under chain of custody (COC) to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR.

Bulk materials of Bat/Bird guano/debris will be aseptically sampled by trained staff and transferred to appropriately labeled sterile containers. Additionally, air samples will be collected on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters. The air samples will be shipped under COC to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR for analysis. Analysis of the bulk and air samples will be conducted by PCR for both qualitative and quantitative information on the concentrations of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydia psittaci*.

7.2 Laboratory Methodology

Sample collection, preservation and analytical methods will be consistent with QAPP B2.2 and the Survey Protocols included as Appendix B as summarized below.

Table 2. Preservation, Storage and Container Requirements

Analysis	State or EPA Approved Method	Water				Soil/Solid		
		Volume (ml)	Container	Preservation	Holding Time	Volume (oz)/ Quantity	Container	Holding Time
Asbestos	Polarized Light Microscopy (PLM)	---	---	---	---	N/A	Sealable Plastic Bag	---
Lead-based Paint	NIOSH 7300	---	---	---	---	2 square inches	Sealable Plastic Bag	---
Mold (tape lift method)	---	---	---	---	---	N/A	Sealable Plastic Bag	---
Guano						N/A	Sealable, Rigid, Sterile Container	--

8.0 QUALITY CONTROL

Terracon does not anticipate collecting Quality Control samples as stipulated in Section B5 of the QAPP. The following is a field summary of quality control checks.

9.0 HEALTH AND SAFETY

(QAPP A8.1.4, Default Approval Limited to D & D-Modified Levels) Provide Attachment A as completed Terracon Health and Safety Plan per QAPP and referenced corporate plans and management requirements.

- ☒ Level D Personal Protective Equipment (PPE): equip, monitor and record accordingly.
- ☐ Level D-Modified Personal Protective Equipment (PPE): equip, monitor and record accordingly.
- ☐ Level C Personal Protective Equipment (PPE): **STOP - Contact Project Manager or Safety Officer**

10.0 DEVIATIONS FROM APPROVED QAPP

No deviations from the approved QAPP are projected.

11.0 PERSONNEL

Persons involved at this property and their roles and/or responsibilities consistent with section A4 of the approved QAPP are summarized below.

Table 3. Key Personnel

Title	Name	Responsibilities	Phone Number
City Brownfields Coordinator	Craig Lindholm	General grant project coordination and management; EPA, Terracon, and landowner contact; financial oversight and budget approvals; scope development; report reviews	903-798-3902
Terracon Project Manager	Greg Calhoun	General project oversight and management; EPA and Client contact; scope and PSAP development and implementation; field oversight, data validation; report development	214-630-1010
Coordinator	Greg Calhoun	Field implementation of PSAP; field quality control and documentation; contractor administration	214-630-1010
Terracon Field Captain & Site Health and Safety Officer	David Ladage	Health and Safety Plan (HASP) development; utility locates; project safety briefings; field implementation of HASP	214-630-1010
Terracon Quality Assurance Reviewer	John Sallman	Internal project audits; data validation; draft report reviews	913-577-0403
Contractor Personnel			
Steve Moody Micro Services	Bruce Crabb	Laboratory analytical procedures and reporting; laboratory quality control	877-606-0788
Cates Laboratories, Inc.	John Cates	Laboratory analytical procedures and reporting; laboratory quality control	972-564-4723
Environmental Hazards Services, LLC	Julie Dickerson	Laboratory analytical procedures and reporting; laboratory quality control	800-347-4010

Title	Name	Responsibilities	Phone Number
ESC	Peter Schulert	Laboratory analytical procedures and reporting; laboratory quality control	615-758-5858
EMLab P&K	Marcella Hodges	Laboratory analytical procedures and reporting; laboratory quality control	623-445-6111

12.0 SCHEDULE OF ASSESSMENT

Activities are scheduled for this property as follows;

Table 4. Proposed Project Schedule

Task	Anticipated Completion Timeline
Submission of Revised PSAP	- - -
EPA Review, PSAP Revision, and EPA Approval	- - -
Field Activities Completed	Within 15 days of EPA PSAP approval
Laboratory Work Completed	Within 25 days of EPA PSAP approval
Submission of Draft Report	Within 35 days of EPA PSAP approval
Report Review, Revision, and Submission of Final Report	Within 10 days of City approval of draft report

APPENDIX A: HEALTH & SAFETY PLAN



SITE HEALTH AND SAFETY PLAN

HAZARDOUS MATERIALS SURVEY

**Commercial Buildings
203 & 205 W Broad Street
Texarkana, Texas
Terracon Project No. 94137464B**

1.0 INTRODUCTION

This Site Health and Safety Plan has been developed to define the protocols and requirements to be followed by Terracon personnel during hazardous materials sampling activities at the Commercial Buildings, 203 & 205 W Broad Street in Texarkana, Texas.

Prior to the start of site activities, the designated Site Safety Officer will conduct a safety briefing and review the contents of this plan with participating field personnel. Project participants will review this plan and sign the Acknowledgment of Instruction page prior to the start of hazardous material-related project activities.

The guidelines contained in this Health and Safety Plan are based upon potential health hazards from exposure to asbestos, lead-based paint, mold and guano. Sampling activities will be performed in accordance with applicable federal/state health and safety regulations. The Site Safety Officer is responsible for enforcing the provisions contained in this Plan.

2.0 TRAINING AND MEDICAL SURVEILLANCE REQUIREMENTS

Project participants actively engaged in asbestos sample collection must have received State of Texas accredited Building Inspector training and will possess a current State of Texas asbestos inspection license. All Terracon field personnel and will be medically cleared for asbestos work in accordance with OSHA 29 CFR 1926.1101.

Project participants actively engaged in lead-based paint sample collection must have received State of Texas accredited Lead Inspector training and will possess a current State of Texas lead inspector certification.

Project participants actively engaged in mold inspection or guano inspection activities must have received State of Texas accredited Mold Inspector training and will possess a current State of Texas mold inspector license.

Terracon personnel will also be medically cleared, trained and properly fit-tested for respirator use in accordance with OSHA 29 CFR 1910.134.

Health and Safety Plan
 Asbestos Survey
 Terracon Project No. 94137646B
 Page 2

3.0 PROJECT ORGANIZATIONAL STRUCTURE

Project Manager:	Greg Calhoun Terracon	214-630-1010
Corporate Health and Safety Mgr.:	Mark Huddleston, CSP, Terracon	913-577-0419
Site Safety Officer/Project Supervisor	David Ladage Terracon	214-630-1010

4.0 SCOPE OF SERVICES

Terracon personnel will mobilize to the project site to conduct surveys of suspect asbestos containing materials (ACM), lead-based paint (LBP), mold and guano may be present in the building at the site.

Bulk asbestos samples will be collected in general accordance with the Texas Department of State Health Services (TDSHS) and AHERA sampling protocols and will be submitted to a NVLAP-accredited and TDSHS-licensed laboratory for analysis by polarized light microscopy.

Lead-based paint samples will be collected following the applicable United States Department of Housing and Urban Development (HUD) 24 CFR Part 35 and TSDHS protocols, including the Texas Environmental Lead Reduction Rules (TELRR) and will be submitted to a NVLAP-accredited laboratory for analysis through Flame Atomic Absorption Spectrophotometer (AAS).

Building materials will be evaluated for visible mold contamination in general accordance with guidelines published by the TDSHS (*Texas Mold Assessment and Remediation Rules*, 2004), the American Conference of Governmental Industrial Hygienist (*Bioaerosols; Assessment and Control*, 1999) and American Standard Test Methods (*Standard Guide for Assessment of Fungal Growth in Buildings*, ASTM D7338-10). Bulk, surface and air samples collected during a fungal assessment will be submitted for analysis by TDSHS-licensed mold analysis laboratory.

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and analyzed by Polymerase Chain Reaction (PCR) to determine if these pathogens are present. Bulk and air samples will be analyzed by a laboratory accredited by the American Industrial Hygiene Association (AIHA®) Laboratory Accreditation Programs, LLC under the Environmental Microbiology Laboratory Accreditation Program (EMLAP) and is Texas licensed Mold Analysis Laboratory under the TMARR.

The primary purpose of this Plan is to ensure that Terracon personnel are aware that site activities will be conducted in a facility where asbestos, lead-based paint, mold and guano hazards may be present. A separate job hazard analysis of facility-specific hazards is required to help assure that project personnel are protected against these potential hazards through controlled sampling techniques and appropriate personal protective equipment. The following procedures are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations.

4.1 Asbestos Sampling Equipment Requirements

In addition to the personal protective equipment outlined below, each project participant should mobilize an asbestos sampling equipment kit similar to that outlined below. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Wet methods will be employed in collecting all suspect ACM samples. Absolutely no bulk asbestos samples will be collected over the heads of or in near proximity to non-project personnel.

- Utility knife
- Coring tool
- Duct tape
- Sample containers (preferably ziplock style clear plastic bags)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Spray atomizer containing detergent amended water
- Spray adhesive
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.2 Fiber Release

Asbestos bulk sampling activities must be conducted in a manner which minimizes the generation of dusts and airborne fibers. Each sample team member will assess the condition of ACM prior to sampling or otherwise disturbing the material. Sampling will not be conducted in buildings occupied by non-project personnel, or over the heads of any personnel. Wherever possible, sample collection will be conducted at a level below the breathing zone of the sampler.

If sampling impregnated materials or other ACMs appear non-friable (floor tiles, mastic, roofing felt or sealant, ceiling tile, etc.), respiratory protection should not be required. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition,

Health and Safety Plan
Asbestos Survey
Terracon Project No. 94137646B
Page 4

precautions must be taken to prevent the release of fibers to the work area. Precautions include isolation of the material prior to disturbance (i.e., glove bagging) and the use of wet sampling methods as described below.

4.3 Lead-Based Paint Sampling Equipment Requirements

LBP analysis will be conducted by collecting paint chip samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no lead-based paint samples will be collected over the heads of or in near proximity to non-project personnel.

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Mold Sampling Equipment Requirements

Mold analysis will be conducted by collecting tape lift samples. The Site Safety Officer will review sample collection techniques with each project participant prior to the start of sample collection. Absolutely no mold samples will be collected over the heads of or in near proximity to non-project personnel.

- Transparent tape
- Sample retention sheet
- Laboratory chain of custody for mold sample analysis
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

4.3 Guano Sampling Equipment Requirements

Bulk materials of bat/bird guano/debris will be aseptically sampled by trained staff and transferred to appropriately labeled sterile containers. Additionally, air samples will be collected

Health and Safety Plan
 Asbestos Survey
 Terracon Project No. 94137646B
 Page 5

on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters. The air samples will be shipped under COC to a laboratory accredited by the AHIA® Laboratory Accreditation Programs, LLC under EMLAP and is Texas licensed Mold Analysis Laboratory under the TMARR for analysis. Analysis of the bulk and air samples will be conducted by PCR for both qualitative and quantitative information on the concentrations of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydia psittaci*.

- Utility knife
- Sterile sample containers (preferably rigid, sealable plastic bottles)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis
- Sampling pumps
- 37 millimeter sterile media cassettes
- Flashlight
- Cut-resistant gloves
- Hardhat
- Steel- or composite-toe safety boots

5.0 PERSONAL PROTECTIVE EQUIPMENT

5.1 Hazardous Material Inspection and Sample Collection

The Terracon Project Safety Officer will ensure that all project personnel mobilize the following personal protective equipment to the project site on each day of sample collection:

- Poly laminated Tyvek protective coveralls
- Half face or full face air purifying respirator equipped with HEPA cartridges
- Cut-resistant impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear
- ANSI specification Safety eyewear

If fiber release appears likely during asbestos sampling activities, sampling personnel will upgrade to **LEVEL C** personal protective equipment as itemized above. Personnel will remove protective clothing before proceeding out of the building at the project site.

6.0 SAMPLING GUIDELINES AND PRECAUTIONS

6.1 Asbestos Sampling Guidelines and Precautions

- Collect samples of each type of ACM identified during the visual survey. This includes but is not limited to pipe wrapping and elbows, ceiling tiles, floor tiles and mastic, sprayed or troweled on surfacing materials.
- Samples of surfacing material (sprayed or troweled fireproofing material), should be collected in a statistically random manner that is representative of a homogenous area. At least 3 samples should be collected from each homogeneous area of 1,000 ft² or less. At least 5 bulk samples should be collected from each homogeneous area that is greater than 1,000 ft.² but less than or equal to 5,000 ft.². At least 7 bulk samples should be collected from each homogeneous area that is larger than 5,000 ft.².
- At least 3 bulk samples should be collected from each homogeneous area of thermal system insulation (pipe lagging and boiler system insulation) and miscellaneous suspect ACM.
- Areas to be sampled will be misted with detergent-amended water *prior* to sample collection. Minimal misting force should be used to reduce the potential for fiber release.
- Use water mister to rinse sampling tools in the sample container after sample collection.
- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.
- Repair pipe lagging or other disturbed areas with spray adhesive and duct tape as appropriate to prevent potential fiber release.

6.2 Lead-Based Paint Sampling Guidelines and Precautions

- Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.
- Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in

general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995 revision.

- Conduct paint-chip sampling on selected surfaces. Document descriptions of each surface sampled on the field log.
- Use tape measure or template to delineate proper sample size. Use heating tool to loosen paint coating. Remove coating with chisel, chipping hammer or scraper. Transfer sample to sample container.
- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container.

6.3 Mold Sampling Guidelines and Precautions

- Evaluate building materials for areas of suspect mold contamination. Select appropriate materials and locations to be sampled.
- Use transparent tape to collect tape lift sample of suspect mold contamination. Transfer tape, contaminated side down, to the sample retention sheet. Log sample location information on laboratory chain of custody.
- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample retention sheet with the sample number.

6.4 Guano Sampling Guidelines and Precautions

- Collect bulk samples of suspect guano.
- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.
- Collect air samples on 37-millimeter cassettes containing sterile filter media at flow rates between 3 liters/minute (l/m) and 15 l/m. Target air volumes will range from 540 liters and 1800 liters.
- Assign a sample number to each sample collected. Affix a sample label or indelibly mark the sample container with the sample number and seal the sample container. Log sample location information on laboratory chain of custody.

7.0 HAZARD ASSESSMENT

7.1 Chemical Hazards

Asbestos is a recognized human carcinogen. It causes asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers. The OSHA Permissible Exposure Limit for asbestos is 0.1 fiber per cubic centimeter (0.1f/cc) of air.

Sample team members are advised to practice proper personal hygiene throughout the course of this project. Wash hands frequently during the course of sample collection and always prior to drinking, eating, smoking or any other activity which could increase the likelihood of hand to mouth transfer of site contaminants.

7.2 Physical Hazards

7.2.1 Ladders

Asbestos sampling activities may involve the use of ladders to gain access to overhead structures. Personnel will ensure that proper ladder or other suitable means of access (cherry picker, scaffold, etc.) is used to obtain access to elevated areas. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will be placed at an angle of no more than one fourth of its working length. Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present.

7.2.2 Personnel Lifts ("Cherry Pickers")

If elevated sample collection is required which precludes the safe use of extension ladders, sample team personnel may be required to use basket lifts (manlift, cherry picker). No Terracon personnel will attempt to operate or position personnel lift until they are trained in the proper use of the equipment. Personnel being elevated in a cherry picker basket will be secured at all times with a safety belt and safety lanyard. Lanyards used in basket lifts will not exceed 6 feet in length.

7.2.3 Confined Space Entry

No sample team member will enter any pit, shaft, or tunnel which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy. Pipe tunnels accessible from a utility room in which personnel may stand can be entered to a maximum of 6 feet from the tunnel entrance if, and only if, a stand-by team member remains at the tunnel entrance in continuous visual and verbal communication with the sample team member. Terracon personnel will mobilize adequate portable lighting during the course of this assessment. Confined space entry is not anticipated during the course of this asbestos sampling project. If entry to pipe tunnels, pits, tanks or other structure which could be defined as a confined spaces becomes necessary during the course of this project, the Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager to discuss conditions and to obtain a task-specific confined space entry addendum to this plan and confined space entry permits. No personnel will enter confined spaces until the addendum and any rescue, air monitoring or other equipment required for the task has been received, and personnel are briefed in site hazards, precautions, and safe work practices.

7.2.4 Electrical Contact Hazards

Asbestos sample team members will be continuously cognizant of potential electrical contact hazards during asbestos sample collection activities. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided in collection of bulk samples of suspect materials.

8.0 DECONTAMINATION

Decontamination as part of abatement activities are not planned as part of this project.

9.0 SITE CONTROL

Samples of suspect ACM will not be collected in the presence of non-project personnel. Sample team members will ensure that non-project participants are well clear of proposed sample collection areas prior to obtaining bulk ACM samples. Terracon will coordinate sampling activities with the site representatives to prevent sample collection in occupied structures.

If unauthorized personnel attempt to enter a sampling area, sample team member will immediately curtail bulk sample collection activities and request that the individual leave the project area. If unauthorized personnel refuse to leave the sample collection area, immediately contact the

Health and Safety Plan
 Asbestos Survey
 Terracon Project No. 94137646B
 Page 10

Terracon Site Health and Safety Officer. Sample collection activities will continue only after unauthorized personnel have left the project site.

10.0 EMERGENCY RESPONSE

This section describes emergency planning procedures which will be implemented during assessment activities at project site. The Project Safety Officer will remind all personnel of the provisions of this section during daily site safety briefings. It is the responsibility of the Site Safety Officer to mobilize emergency equipment required by this section.

10.1 First Aid Requirements

The Project Safety Officer will ensure that a first aid kit is mobilized to the site on each day of sampling activity.

10.2 Emergency Contact/Notification System

The following list provides names and telephone numbers for emergency contact personnel. In the event of a medical emergency, personnel will take direction from the Project Safety Officer and notify the appropriate emergency agency.

EMERGENCY TELEPHONE NUMBERS		
<u>Organization</u>	<u>Contact</u>	<u>Telephone Number</u>
Hospital	Wadley Regional Medical Center	(903) 798-8000
Ambulance Service		911
Fire Department		911
Facility Representative	Holly Wall	903-798-3934
Project Manager	Greg Calhoun	214-630-1010
Terracon Safety & Health Mgr.	Mark Huddleston	913-577-0419

10.3 Route to Emergency Facility

The Terracon Corporate Health and Safety Manager will be contacted following all site emergencies. Medical emergencies will be taken to Wadley Regional Medical Center. The route to the facility from the site is: See attached map

Health and Safety Plan
Asbestos Survey
Terracon Project No. 94137646B
Page 11

10.4 Emergency Medical Treatment Procedures

Any person who becomes ill or injured during the course of this project must be decontaminated to the maximum possible extent. If the injury or illness is minor, full decontamination should be completed and first aid administered prior to transport. If the patient's condition is serious, at least partial decontamination should be completed prior to transport of the injured site worker.

If rescue is required from an area of obvious fiber release, Terracon personnel will inform rescue personnel of site contaminants and will assist emergency personnel in transporting the injured employee if requested. Terracon personnel will don the appropriate personal protective equipment prior to entering sites with signs of obvious fiber release.

10.5 In the Event of Fiber Release

In the event that small amounts of suspect asbestos containing materials such as thermal system insulation, sprayed on or troweled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with detergent-amended water, slowly and deliberately swept to a centralized pile, re-wetted, double bagged in asbestos disposal bags and sealed with duct tape. Affected surfaces will be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be placed in asbestos disposal bags which will be containerized pending proper removal and disposal in an approved disposal facility.

ACKNOWLEDGMENT OF INSTRUCTION

I understand that this project will involve asbestos sampling in the building located at 203 & 205 W Broad Street, Texarkana, Texas. Asbestos activities outlined in this Plan could expose project participants to physical hazards and potential chemical hazards (see plant specific job hazard analysis attached). Potential fiber releases will be controlled by deliberate collection techniques and wet sampling methods. If potential fiber releases appear likely, sampling personnel will upgrade to Level C personal protective equipment as specified in this Health and Safety plan. I have read this Health and Safety plan and have received instructions for procedures to be followed. I understand that if at any time I have questions concerning health and safety precautions at this site, I am to contact the Site Health and Safety Officer. The Site Health and Safety Officer will contact the Terracon Corporate Health and Safety Manager at (913) 577-0419.

ASBESTOS SURVEY TERRACON PROJECT NO. 94137464B

Name: (Please Print)	Signature	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Site Safety briefing performed by: _____ Date _____

Level of PPE: ___ D X Dmod (Stand-by) X C (Stand-by)

HAZARDLINE

COPYRIGHT 1997 OCCUPATIONAL HEALTH SERVICES, INC.

OCCUPATIONAL HEALTH SERVICES, INC.

NEW YORK, NEW YORK 10036

FORMAT EDITING: TERRACON ENVIRONMENTAL, INC.--CONTENT UNCHANGED

CHEMICAL NAME

ASBESTOS

CHEMICAL FORMULA

VARIES

SYNONYMS

CHRYSTOTILE, CROCIDOLITE, ACTINOLITE, AMOSITE, ANTHOPHYLLITE, TREMOLITE

PERMISSIBLE EXPOSURE LIMIT AND TOXICOLOGY

0.1 FIBER/CC

TUMORIGENIC DATA (RTECS)

MUTAGENIC DATA (RTECS)

CERCLA HAZARD RATINGS

TOXICITY -- 3 IGNITABILITY -- 0 REACTIVITY -- 0 PERSISTENCE -- 3

OSHA CARCINOGEN

KNOWN HUMAN CARCINOGEN (NTP)

ACGIH A1-CONFIRMED HUMAN CARCINOGEN

HUMAN SUFFICIENT EVIDENCE FOR CARCINOGENICITY (IARC GROUP-1)

ANIMAL SUFFICIENT EVIDENCE FOR CARCINOGENICITY (IARC GROUP-1)

TOXICOLOGY

ASBESTOS MAY BE IRRITATING TO THE EYES, SKIN AND MUCOUS MEMBRANES. THERE IS INSUFFICIENT DATA TO QUANTIFY THE TOXICITY. POISONING MAY AFFECT THE LUNGS. REPEATED OR PROLONGED EXPOSURE TO ASBESTOS MAY CAUSE ASBESTOSIS, AN INTERSTITIAL FIBROSIS OF THE LUNG TISSUE WHICH MAY DEVELOP FULLY WITHIN 7-9 YEARS, BUT ONSET IS TYPICALLY DELAYED 20-40 YEARS AFTER THE FIRST EXPOSURE. THE INITIAL SYMPTOM IS A PROGRESSIVE EXERTIONAL DYSPNEA. OCCUPATIONAL EXPOSURE TO CHRYSTOTILE, AMOSITE, MIXTURES CONTAINING CROCIDOLITE, AND OTHER FORMS OF ASBESTOS HAS RESULTED IN A HIGH INCIDENCE OF LUNG CANCER AND PLEURAL AND PERITONEAL MESOTHELIOMAS. GASTROINTESTINAL CANCERS WERE INCREASED IN WORKERS EXPOSED TO AMOSITE, CHRYSTOTILE, OR MIXED FIBERS CONTAINING CROCIDOLITE. THE LATENT PERIOD FOR MESOTHELIOMAS IS 3.5-30 YEARS; FOR LUNG CANCER, 15-30 YEARS.

THE THRESHOLD LIMIT VALUE WAS ESTABLISHED BASED ON HEALTH EFFECTS DATA. SMOKING ENHANCES THE RISK OF LUNG CANCER.

IHL-HMN TCLO: 1.2 FIBERS/CC/19 YRS-C

ASBESTOS (CONT'D)**PHYSICAL DESCRIPTION**

FIBERS OR FILAMENTS WHICH MAY BE WHITE, BLUE, BROWN, GRAY, GREEN OR YELLOW IN COLOR.

CHEMICAL AND PHYSICAL PROPERTIES

MOLECULAR WEIGHT: VARIES

BOILING POINT AT 1 ATM, F: NOT AVAILABLE

SOLUBILITY IN WATER, G/100 G WATER AT 20°C: INSOLUBLE

FLASH POINT, CLOSED CUP, F (OR OPEN CUP IF 0C): NONCOMBUSTIBLE SOLID

VAPOR PRESSURE @ 20°C, MMHG: NOT AVAILABLE

MELTING POINT, F: >1832°F (>1000°C)

UPPER EXPLOSIVE LIMIT IN AIR, % BY VOLUME: NONFLAMMABLE

LOWER EXPLOSIVE LIMIT IN AIR, % BY VOLUME: NONFLAMMABLE

SPECIFIC GRAVITY: 2.4-3.3

ROUTE OF ENTRY INTO BODY

INHALATION, INGESTION, SKIN OR EYE CONTACT

SYMPTOMS

EYE IRRITATION, SKIN IRRITATION, MUCOUS MEMBRANE IRRITATION, COUGHING, CHEST PAIN, LUNG FIBROSIS, DYSPNEA, DECREASED VITAL CAPACITY, TACHYPNEA, PULMONARY RALES, CYANOSIS, ANOREXIA, WEAKNESS, WEIGHT LOSS, FINGER CLUBBING, FATIGUE, DERMATITIS, CONJUNCTIVITIS, GASTROINTESTINAL IRRITATION, PLEURAL MESOTHELIOMA, UREMIA MESOTHELIOMA, LUNG CANCER, GASTRO-INTESTINAL CANCER, LARYNX CANCER

ORGANS AFFECTED BY THE SUBSTANCE

LUNGS

RESPIRATORY SYSTEM

GASTROINTESTINAL

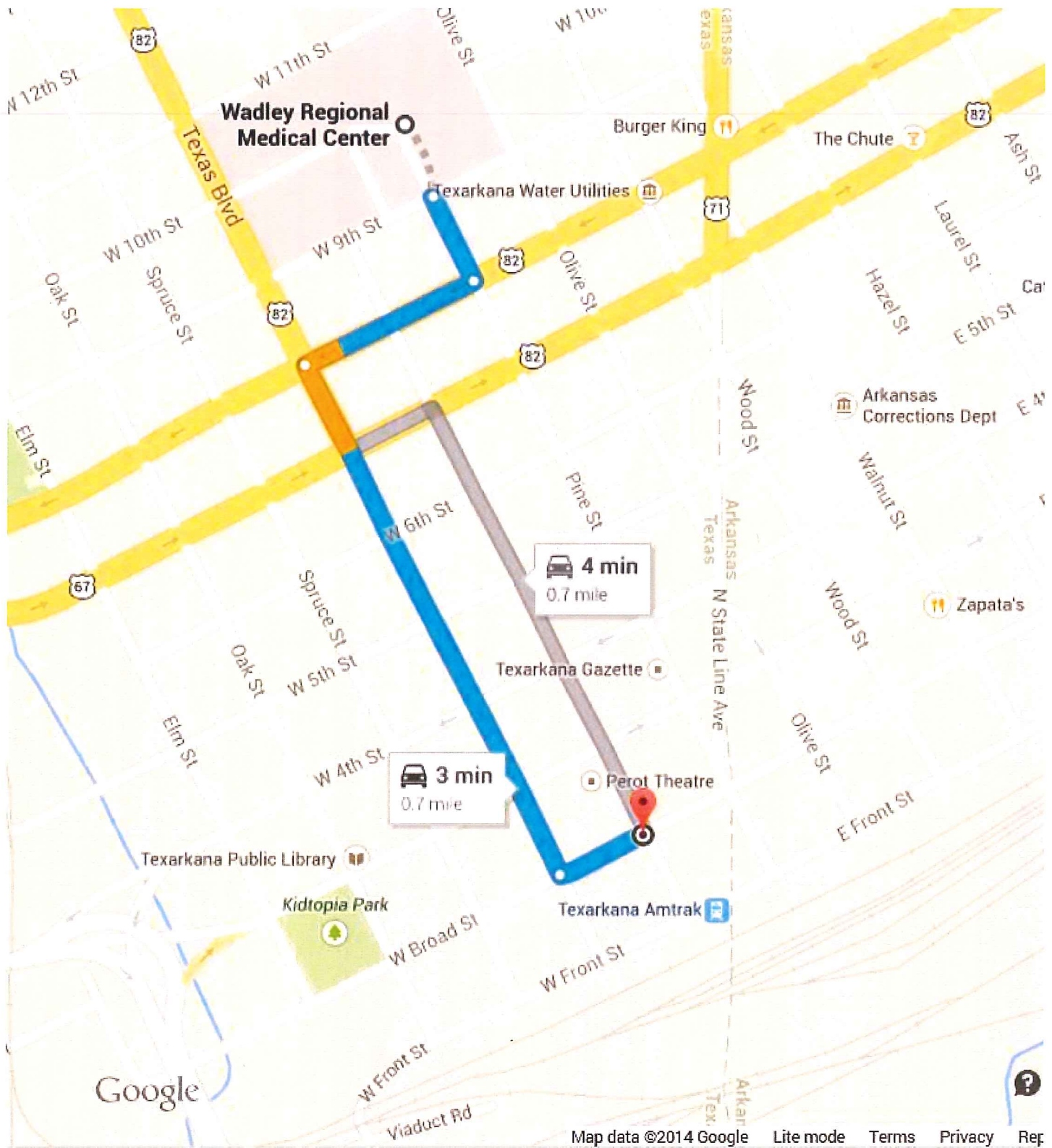
SKIN

LEAK AND SPILL PROCEDURES

REPORTABLE QUANTITY (RQ): 1 LB. (0.454 KG)

A REPORTABLE QUANTITY OF ONE POUND APPLIES TO THIS SUBSTANCE

ESTABLISHED BY SECTIONS 101(14) AND 102(B) OR ADJUSTED UNDER SECTION 102(A) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT OF 1980 (CERCLA). SECTIONS 103(A) AND 103(B) REQUIRE THAT PERSONS IN CHARGE OF A VESSEL OR FACILITY FROM WHICH A HAZARDOUS SUBSTANCE HAS BEEN RELEASED IN A QUANTITY EQUAL TO OR GREATER THAN THE REPORTABLE QUANTITY FOR THAT SUBSTANCE IMMEDIATELY NOTIFY THE NATIONAL RESPONSE CENTER (800) 424-8820; IN THE WASHINGTON, D.C. METROPOLITAN AREA (202)426-2675.



APPENDIX B: SURVEY PROTOCOLS



STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.3000

BULK SAMPLING OF SUSPECT ASBESTOS-CONTAINING MATERIAL (ACM)

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of asbestos and procedures to follow to sample suspect materials for laboratory analysis. The following guidelines contained in this document apply to Terracon personnel who engage in bulk sampling of suspect ACM and are designed to provide standardization with respect to sample collection. This procedure should ensure that potential asbestos-containing material samples are collected in a manner which allows for accurate analysis of the material and that sampling personnel are protected against potential asbestos fiber releases through controlled sampling techniques or appropriate personal protective equipment.

The objective of bulk sampling building materials and components suspected to contain asbestos is to characterize the items that contain asbestos in quantities equal to or greater than 1% or other content limit as specified by local or state guidelines. By characterizing the locations and quantities of asbestos-containing materials (ACM), exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Asbestos has been a common component used in several building materials because of its strength enhancing and fire resisting properties. However, asbestos has been recognized as a human carcinogen and respiratory hazard. Due to its health hazards, building inspections and asbestos bulk sampling is requested for schools and many public or commercial properties prior to building renovation or demolition activities. Therefore, identifying, locating and quantifying materials containing asbestos is essential in the effort to prevent worker exposure to asbestos and prevent environmental contamination.

As a consequence of inhalation of asbestos fibers, a body of federal and state regulations has been developed. Federal regulations pertaining to asbestos are included in AHERA (Asbestos Hazard Emergency Response Act) US EPA 40 CFR 763, Subparts E, F; NESHAP (National Emissions Standards for Hazardous Air Pollutants (EPA 40 CFR 61); OSHA Asbestos Standards (29 CFR 1910.1001 and 29 CFR 1926.1101), and ASHARA (Asbestos School Hazard Abatement Reauthorization Act). Many states and local authorities have additional requirements including state-specific licensing and certification.

Terracon will comply with applicable federal, state and local regulations when conducting asbestos-related services.

III. EQUIPMENT

The minimum equipment necessary to conduct bulk sampling of suspect materials, in addition to the personal protective equipment outlined below in the Health and Safety Section, is listed below.

- Utility Knife, Chisel, Hammer, Screwdriver, Coring Tool
- Duct Tape
- Sample Containers (preferably ziplock-style clear plastic bags)
- Sample Labels and Indelible Marker
- Spray Atomizer containing Detergent Amended Water, Paper Towels/Wet Wipes
- Spray Adhesive
- Roof Patch Kit (if necessary)
- Measuring Wheel
- Camera
- Flashlight
- Field ACM Sample Log

IV. CERTIFICATION

Individuals conducting asbestos sampling must have the certifications listed below. Copies of these certifications and licenses should be taken to the site during the sampling event.

- United States Environmental Protection Agency Building Inspector training (and refresher training, if applicable)
- Asbestos Inspector State-license for the state of the project location (where necessary)

In addition, Terracon requires company-based training courses and hands-on experience of employees prior to commencing asbestos-related field services. Each employee must also receive respirator training, be medically monitored and successfully pass a fit-test utilizing issued respirator(s).

V. HEALTH AND SAFETY

Asbestos has been recognized to cause asbestosis, cancer of the lungs and digestive tract and mesothelioma. Asbestosis is a lung disorder characterized by a diffuse interstitial (between cell) fibrosis. The onset of asbestosis probably depends upon the asbestos dust

concentration, the morphology of the fiber and length of exposure. Cigarette smoking is strongly implicated as a co-carcinogenic among asbestos workers.

Under the OSHA asbestos standards, the employer has an obligation to protect employees against exposure to asbestos fibers in excess of 0.1 fibers per cubic centimeter of air (0.1f/cc). Personnel engaged in asbestos-related activities (including building inspections) must be trained, medically cleared and fit-tested for respiratory protection. Therefore, enrollment in a medical surveillance program in compliance with the OSHA asbestos and respiratory protection standards is mandatory. Terracon employees are not permitted to engage in asbestos-related activities unless they are enrolled in the Terracon medical surveillance program and have been medically cleared for respirator use by a physician.

The following safety and health protocols apply to Terracon personnel who engage in asbestos-related services. The guidelines contained in this document are based upon potential health hazards from exposure to asbestos fibers and physical hazards which may be encountered on survey project sites. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Terracon personnel will use professional judgment during sample collection to prevent exposure to other building occupants. If unauthorized personnel attempt to enter a sampling area which could reasonably pose a fiber release hazard, the inspector will curtail bulk asbestos sample collection activity and request that the individual(s) leave the work area. If unauthorized personnel refuse to leave the work area, immediately contact the Project Safety Officer and/or a client representative. Sample collection activities should recommence only after unauthorized personnel have left the work area.

In the event that minor amounts of suspect asbestos containing materials such as thermal system insulation, sprayed-on or trowled-on surfacing materials, ceiling texture, etc. are released during the course of sampling, sampling team members will immediately evacuate the area and don Level C personal protective equipment. The area of potential ACM release will then be approached and suspect materials will be thoroughly wetted with amended water, slowly and deliberately swept to a centralized pile, re-wetted, and containerized in heavy mil asbestos disposal bags. Affected surfaces will then be re-wetted and swabbed with clean cloths or paper towels. Used wipes will be disposed of as asbestos-containing waste.

In the event that large quantities of potential ACM is released during sample collection activities, personnel will immediately evacuate the area and notify the Project Safety Officer and the client representative. The Project Safety Officer will request that the area be sealed until a properly attired response team can be mobilized to the area with a high efficiency particulate air filter (HEPA) vacuum and other equipment necessitated by site conditions.

If suspect materials are in deteriorated condition and fiber release appears likely, or if sampling must be conducted overhead and/or above drop ceilings, personnel will upgrade to Level C personal protective equipment as itemized above. Level C personal protective

equipment should be donned before moving drop ceiling panels, attic access panels, etc. where friable fireproofing or thermal system insulation are known to be present.

The indicated personal protective equipment shall be mobilized to asbestos sampling project sites on each day of sample collection and utilized, if necessary:

- Tyvek (standard) protective coveralls
- Half face or full face air purifying respirator equipped with HEPA (P-100) cartridges
- Impermeable gloves (nitrile or latex).
- Tyvek boot covers or washable outer footwear

Additional Health and Safety protocols such as those established by the owner/operator of the project site and Terracon's company policy regarding ladder safety, confined space entry and electrical hazards shall be followed.

VI. SAMPLING HAZARDS

a. Elevated Surfaces

Asbestos building inspections may include roofing materials and ceiling spaces containing suspect ACM. Appropriate ladders or other suitable devices (e.g., manlifts) will be used for gaining access to elevated sampling locations. Ladders will be inspected prior to use. Spreaders will be fully extended on all step ladders and firmly positioned prior to use. Where footing is uncertain, a sample team member will hold or otherwise secure ladders while in use by another sample team member. Personnel must always face ladders during both ascent and descent. Extension ladders will not be positioned more than one-quarter of their working length from buildings, walls, etc. (4:1 pitch). Sample team personnel will not walk on steeply pitched roof surfaces and will not walk on low pitched roofing surfaces while wet. Remain on designated roof walkways wherever present. Terracon personnel will visually inspect roofs prior to beginning sample collection activities and will avoid all areas which appear to be structurally unsound.

b. Confined Space Entry

Terracon asbestos inspectors will not enter any pit, shaft, tunnel, etc. which has limited means of egress, the potential for an oxygen deficient or toxic atmosphere or which was not designed for human occupancy without first developing a written safety plan which includes a confined space entry permit and procedures. Readily accessible spaces such as pipe tunnels in which personnel may stand can be entered to a distance where continuous visual and verbal communication can be maintained with another sample team member.

Adequate portable lighting must be utilized during sample collection in tunnels and similar spaces. No Terracon or sample team member may attempt to walk through a pipe tunnel,

etc. beyond the sight of a stand-by team member unless written confined space entry procedures have been prepared for the project.

c. Electrical Contact Hazards

Personnel will remain cognizant of the location and condition of electrical wiring during the collection of bulk asbestos samples. A visual assessment of each work space will be made prior to sample collection and electrical contact hazards will be evaluated. Unguarded junction boxes, exposed wiring, knife switches, etc. will be avoided during the collection of bulk ACM samples, and coring tools will not be used in near proximity to electrical switches or receptacles.

VII. PROCEDURES FOR BULK SAMPLING OF SUSPECT ACM

The primary purpose of this section is to identify the methods and techniques of controlled sampling, sampling site control and use of appropriate personal protective equipment to protect Terracon personnel and members of the general public from exposure to asbestos fibers during sampling activities. Adherence to these procedures should enhance personnel safety during sample collection activities and aid in the suitability of samples for analysis. Field activities will be performed in accordance with the procedures outlined in this document and applicable federal/state health and safety regulations.

Protocols for inspection and bulk sampling are defined in AHERA regulations. These are applicable for any type of survey; for example, a school, an area prior to renovation, a building prior to demolition and inspections undertaken to rebut the OSHA presumption that certain materials contain asbestos.

An accredited Building Inspector must perform the inspection. A summary of AHERA sampling protocols is as follows:

1. Visually inspect the building interior and/or exterior and identify locations of suspect ACM. Identify homogenous areas of friable and non-friable suspect ACM. Document locations, condition, classification and estimated quantities of each suspect material. It is recommended to depict locations of materials on a building diagram and take photographs of sampled materials.
2. Touch each suspect ACM to determine its friability.
3. Collect representative samples of suspect ACM. Terracon recommends a minimum of three (3) samples of each material be collected from each homogeneous area. However, specific materials may require additional samples such as surfacing material and insulation

as described below. Judgment should be used on the need for and quantity of additional sample collection.

Surfacing materials: Collect, in a statistically random manner, at least 3 bulk samples from each homogenous area of 1,000 sq. ft. or less, at least 5 bulk samples from each homogenous area that is greater than 1,000 sq. ft. but less than or equal to 5,000 sq. ft., and at least 7 bulk samples of each homogenous area larger than 5,000 sq. ft.

Thermal System Insulation (TSI): Collect, in a randomly distributed manner, at least three bulk samples from each homogeneous area of TSI; collect at least one bulk sample from each homogeneous area of patched TSI if the patched section is less than 6 linear or square feet; collect bulk samples from each insulated mechanical system where cement or plaster is used on tees, elbows, etc. in a manner sufficient to assess whether the material is ACM.

If fiber release appears likely, wet methods will be employed in the collection of suspect ACM samples. Water amended with a minimum of 10% commercially available window cleaning solution or other suitable surfactant should be used to moisten materials prior to sampling. Bulk asbestos samples will not be collected over the heads of, or in near proximity to, non-project personnel. Respiratory protection is not required when sampling non-friable suspect materials or materials below the breathing zone which are adequately wetted with amended water.

4. Bulk ACM samples should be immediately placed in sample containers and sealed while the materials are wet. If collecting samples of friable ACM or normally non-friable materials which are in deteriorated condition, precautions must be taken to prevent the release of fibers to the work area. Precautions include aggressively wetting the surface or potentially isolating the material (e.g. glove bagging) prior to disturbance.

5. Reusable sampling equipment will be gently rinsed with amended water. Dry the equipment with paper towels to be disposed of as contaminated materials.

6. The following decontamination sequence should be used following sample collection activities requiring Level C personal protective equipment:

- Remove coveralls slowly turning the outside inward.
- Place in heavy mil asbestos disposal bag.
- Remove gloves and shoe covers (if utilized)
- Remove respirator and carefully dispose of respirator cartridges in asbestos disposal bag.
- Securely seal protective clothing and any potentially contaminated disposable sampling equipment in heavy mil asbestos disposal bags.
- Do not smoke or eat with soiled hands.



STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

**E.4000
SAMPLING OF POTENTIAL LEAD-BASED PAINT**

Last Review or Revision: June 2010

I. PURPOSE

The purpose of this standard operating procedure (SOP) is to provide information on the hazards of lead-based paint (LBP) and describe procedures for identification and proper LBP sampling techniques. The following procedures for sampling potential LBP using a direct reading instrument and paint chip collection are designed to provide standardization with respect to location and number of samples collected and method of labeling sample locations. In addition, this procedure should ensure that potential LBP samples are collected in a manner which allows for accurate analysis of the material. Finally, this procedure will help to ensure that sampling personnel are protected against potential lead dust releases through controlled sampling techniques or appropriate use of personal protective equipment.

The objective of sampling coated (i.e., painted, pigmented or stained) surfaces for LBP (LBP) is to characterize materials and components that contain lead in surface coatings and compare them to established limits such as the Environmental Protection Agency (EPA) or Housing Urban Development (HUD) standards and guidelines such as at quantities greater than 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight or other regulated quantity as specified by state or local authority. By characterizing the locations and quantities of LBPs, exposure hazards can be greatly reduced.

II. BACKGROUND AND REFERENCE

Lead is a toxic heavy metal which may cause blood, kidney and nervous system disorders if inhaled or ingested. Metallic lead and lead contained in dusts are not readily absorbed through the skin. However, skin contact with potentially contaminated site materials should be avoided.

The United States EPA and HUD have established an action level for LBP of 1.0 milligram per square centimeter (mg/cm^2) or 0.5% by weight. Coatings with quantities equal to or greater than these values are considered LBP. The Occupational Safety and Health Administration (OSHA) does not establish a LBP quantity but regulates the amount of lead that can become airborne and either inhaled or ingested by setting limits for air concentrations of 0.05 milligram per cubic meter (mg/m^3) of air over a work shift and blood values of 50 micrograms per deciliter of blood.

Lead was a common ingredient in paint until 1978 when the Consumer Product Safety Commission (CPSC) banned the sale of LBP for use in residences in quantities greater than 0.06% by weight. However, some industrial paints still contain lead today and are used in several applications. Lead can be introduced into the air by sanding or abrading surfaces containing LBP, and inhalation or ingestion of the dust is possible. Ingestion of lead can occur when children consume deteriorated paint chips, children place exposed toys or body parts into their mouths or when industrial workers exposed to lead-containing dust eat or smoke without washing their hands.

The lead content of paint can be determined with direct-reading instrumentation or by analysis of a bulk paint chip sample. An X-ray fluorescence (XRF) type analyzer is recommended to obtain direct readouts of lead content in coated surfaces. The XRF analyzes for lead by atomic absorption spectroscopy (AAS). Results are in milligrams of lead per square centimeter. Paint chip sample analysis is performed by inductively coupled plasma-atomic emission spectrometry (ICP-AES) in accordance with EPA SW-846 Method 6010B. Results are typically reported as lead percent per paint chip weight.

When sampling for LBP in buildings classified under the United States Department of Housing and Urban Development (HUD) or other child occupied-facilities (i.e., publicly and privately owned-housing, public buildings, daycares, etc.), procedures stated in the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995 revision will be used.

Lead is also regulated by the Occupational Safety and Health Administration (OSHA) and the EPA. Occupational exposure to lead occurring in the course of construction work, including maintenance activities, painting, renovation and demolition, is subject to OSHA standard (29 CFR 1926.62), Lead Exposure in Construction. Construction work covered by 29 CFR 1926.62 includes any repair or renovation activities or other activities that disturb in-place, lead-containing materials. Employers must assure that no employee will be exposed to lead at concentrations greater than 0.05 mg/m³ averaged over an eight-hour period without adequate protection.

The Resource Conservation and Recovery Act (RCRA) provides the EPA with the authority to regulate the waste status of demolition or renovation debris, including lead-containing materials. Specific notification and testing requirements must be addressed prior to transporting, treating, storing or disposing of hazardous wastes. Lead containing wastes are considered hazardous waste under RCRA if Toxicity Characteristic Leachate Procedure (TCLP) results exceed 5 milligrams per liter (mg/L). EPA exempts from most RCRA requirements those generators whose combined hazardous waste generation is less than 100 kilograms (kg) per month.

III. EQUIPMENT

LBP analysis can be conducted by using a direct reading XRF analyzer or by collecting paint chip samples. Equipment necessary to conduct both methods is listed below.

For direct reading sampling:

- X-ray fluorescence (XRF) analyzer and accessories
- XRF result field log (optional if downloading software is used)

For paint chip sampling:

- Heating tool and extension cord
- Tape measure or template
- Chisel
- Chipping hammer or scraper (lead paint samples from metal structures)
- Face shield or chipping goggles
- Sample containers (preferably sturdy, clear plastic vials)
- Sample labels
- Laboratory chain of custody for paint chip sample analysis

IV. CERTIFICATION

Individuals conducting LBP inspection services should have the certifications listed below. Copies of these certifications and licenses should be taken to the site.

- EPA lead inspector and risk assessor certification
- As applicable, local- or State-licensed lead inspector/risk assessor (required for HUD projects)
- Manufacturer training certification for the XRF analyzer

V. HEALTH AND SAFETY

The OSHA personal exposure limit (PEL) for lead is 0.05 milligram per cubic meter (mg/m³) and the action level is 0.03 mg/m³. The primary route of exposure of lead is through inhalation of contaminated dusts or by accidental ingestion; however, collection of small sample volumes required for analysis is not expected to generate significant dust. Although, if painted surfaces are being disturbed and dust is generated in the vicinity, personnel will take protective measures as indicated below. Project activities may be conducted in Level D personal protective equipment modified as specified below.

- Lead sampling activities will be performed in Level D personal protective equipment to include standard work uniform, safety footwear and hard hat if overhead hazards are present.

- Protective goggles or a full face shield will be worn during chipping hammer operations.
- Protective gloves should also be worn during lead chip sampling to prevent abrasion and contact with site materials. Half face disposable dust/fume/mist respirators (3M 9920 "surgical style" masks) or half-face air purifying respirators equipped with HEPA filter cartridges will be worn if dusty conditions develop on-site.

Due to the potential of accidental ingestion when working in areas with lead dust, do not smoke or eat with soiled hands. Wash thoroughly before eating, drinking or smoking. Shower thoroughly as soon as possible upon leaving the site.

The XRF analyzer contains a radioactive source and should be transported and used according to the manufacturer's instructions. Personnel utilizing the equipment shall have the proper training and certifications required for use of the equipment.

VI. PROCEDURES FOR XRF ANALYSIS

1. Identify areas with coated or prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and should be included in the survey. Some ceramic tiles have a lead-containing glaze and should also be assessed, particularly where required by state or local regulatory agencies.
2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995 revision.
3. Calibrate the XRF unit according to the manufacturer's instructions before and after the survey. This involves taking calibration sample readings from a known source provided by the manufacturer.
4. Conduct XRF sampling on selected surfaces. Document descriptions of each surface sampled on the XRF result field log or using the manufacture's software. Record results on the XRF result field log if software is not used.

If results yield 1.0 mg/cm² (inconclusive), then a paint chip sample should be collected using the applicable procedures indicated in the following section.

If results indicate the presence of lead in quantities greater than 1.0 mg/cm², it is recommended that a photograph depicting the material and location be taken.

VII. PROCEDURES FOR PAINT CHIP SAMPLING

1. Identify areas with prepared surfaces. This includes building materials, components and fixtures finished with a coating such as paint, stain and varnish. Wallpaper can mask prepared surfaces and these areas should be included in the survey.

2. Select appropriate materials and locations to be sampled. When sampling painted interior surfaces, representative samples must be obtained per client instruction or in general compliance with the most current revision of the Department of Housing and Urban Development *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards Housing*, June 1995 revision.

3. A heating tool and chisel is recommended to collect representative samples of painted surfaces, but a knife, chipping hammer or paint scraper may also be used. Minimum force should be used to prevent the generation of dusts and particles. Wear protective goggles, abrasion resistant gloves and/or particulate respirator as appropriate to the task.

Check with the analytical laboratory you will use to determine minimum sample size required. A two square inch (2 in²) sample is recommended for each sample. The sample size should be documented on the sample log. Some laboratories conducting toxic characteristic leaching procedures (TCLP) analysis may request up to ten grams (10 g) per sample. Lead-based paint samples must be removed down to the bare substrate to ensure each layer of paint has been collected. Use a brush or mini-vacuum to clean up residual material and place it in the sample container.

4. Assign a sample number to each sample collected. Affix a label or mark the sample container indelibly with a sample identification number. Seal the sample container securely. Document descriptions and locations of each surface sampled on a field log. It is recommended that a photograph depicting the material and location be taken.

5. Send results and chain of custody to an American Industrial Hygiene Association (AIHA) accredited laboratory for analysis.

- Wash hands, face and forearms thoroughly before eating, drinking smoking or using toilet facilities.
- Shower thoroughly as soon as possible upon leaving the project site.

7. Bulk sample analysis for asbestos content is performed by polarized light microscopy (PLM). The analytical testing procedure is based on U.S. Environmental Protection Agency (EPA) methods and National Voluntary Laboratory Accreditation Program (NVLAP) requirements. Terracon will use NVLAP accredited and appropriately licensed laboratories for analysis of asbestos bulk samples. Samples will be controlled with the analytical laboratory through chain of custody documentation.



STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4020 AVIAN PATHOGEN SAMPLING - AIRBORNE (Bat and Pigeon Droppings)

Last Revision/Review: July 2014

Reviewer / Office: RAG/Dallas

Objective and Application

Indoor air sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged for when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click [here](#) if viewing electronically.

The following procedure is for collection of samples for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydia psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273. The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Equipment

The following equipment and supplies will be needed for this testing:

- Air monitoring cassettes are obtained from EMLab P&K. The sterile, 37 millimeter (mm) three piece cassettes contain a polycarbonate filter with a 0.4 micrometer pore size.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of air sample pumps will be calibrated against a primary standard on a quarterly basis.
- Air monitoring pump (battery operated or ac powered depending on application) capable of providing 10 to 15 L/min flow rate for ambient air samples and a 1 to 4 L/min flow rate for personal air samples.
- Cassette holders (SKC Model 225-1).
- Vinyl tubing to connect pump to cassette holder.
- Cassette stand or other means to fix cassette in place as appropriate for ambient air sample testing locations. Cassette holders affix to the lapel or similar location in the personal breathing zone (PBZ) when collecting personal air samples.
- Chain of Custody.

Procedures

Label cassette and record laboratory identification number on chain of custody. For ambient air samples, select a location for the sample that is subject to ambient air flow and representative of the location(s) to be tested. For personal air samples, clip the cassette/cassette holder to the individual's lapel, shoulder or other location in the PBZ and secure with duct tape as needed. Secure the low flow personal pump to the workers belt or similar location. A location protected from precipitation should be selected. Excessive moisture will interfere with sample analysis and could affect the flow rate.

Assemble sampling pump, tubing and stand in sample collection location. The cassette should be placed in the cassette holder and the tubing from the pump attached to the base of the cassette holder at the nipple. The joint between the tubing and cassette may be reinforced with tape if site conditions make this necessary. Cassette must be tilted downward at a 45° angle from horizontal. Cassette and pump should be placed so that the sample does not have to be moved after sample calibration.

A short section of vinyl tubing should be used to connect the flowmeter to the inlet port of the cassette holder. An adapter fitting may be needed to connect the tubing to the cassette. If a rotometer is used for flow calibration, the instrument must be held upright for accurate readings. Turn on the pump and measure the flow rate. Using the flow control on the pump, adjust the flow to the desired reading between 10 and 15 L/min for ambient air samples and 1.0 and 4.0 L/min for personal air samples. Record the sampling start time and beginning flow rate. The target total air sample volume for ambient and personal air samples is generally 1,400 L to 1,800 L. For personal samples collected while workers are physically disturbing Bat/Bird guano or related debris and visible emissions are observed, the target total air sample volume may be adjusted to 360 L to 720 L.

After completion of the sample collection, inspect the pump and cassette for any problems that may affect the sample validity and record any problems noted. Measure the post collection flow rate using the procedure described above. The average of the two flow rates will be used by the laboratory to calculate the sample volume. Turn off the pump and cap the inlet and outlet ports on the 37 mm filter cassette. Record the sampling completion time and ending flow rate.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Average flow rate (average of beginning and ending readings)
- Sample duration
- Filter number
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ



STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4022 AVIAN PATHOGEN SAMPLING – BULK MATERIAL (Bat and Pigeon Droppings)

Last Revision/Review: July 2014

Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click [here](#) if viewing electronically.

The following procedure is for the collection of bulk samples of Bat/Bird guano and related debris for the determination of the avian pathogens *Histoplasma capsulatum*, *Cryptococcus neoformans* and *Chlamydia psittaci* by the Polymerase Chain Reaction (PCR) analytical method. The PCR method is qualitative for *H. capsulatum* and quantitative for *C. neoformans* and *C. psittaci*. For *H. capsulatum*, EMLab P&K (1501 W. Knudsen Drive, Phoenix, AZ) utilizes the National Institute of Occupational Safety and Health (NIOSH) two-stage PCR method as published by T. M. Reid and M. P. Schafer, *Molecular and Cellular Probes*, (1999) 13:269-273. The PCR method for *C. neoformans* and *C. psittaci* is a proprietary real time analytical developed by EMLab P&K using species-specific sequences published in Genbank for PCR primers (single strand of DNA specific for the species of interest) and probes (fluorescent molecules attached to primers to allow detection).

Personal Protective Equipment (PPE)

Because the target microorganisms are inherently hazardous/pathogenic, PPE is required for the collection of bulk samples. Bulk sample collection disturbs the matrix being sampled and may result in aerosolization of pathogenic spores or other viable propagules and proper dermal and respiratory protection is required during sample collection.

The following PPE will be needed for this testing:

- Prior to sample collection, don Tyvek disposable coveralls, safety glasses, nitrile or latex gloves and respiratory protection. Depending on the level of substrate disturbance or visible airborne dust/emissions in the general sample collection area either an N-95 or N-100 respirator will be worn during sample collection. If a full face respirator is worn, safety glasses are not required.

Equipment

The following equipment and supplies will be needed for this testing:

- Sterile sample containers obtained from EMLab P&K. The sterile sample containers are typically 100 to 250 milliliter plastic bottles.
- Pre-cleaned metal bulk sample collection spatulas or an equivalent single use sterile bulk sample device. Metal spatulas must be pre-cleaned with 70% isopropyl alcohol, flamed with a Bunsen burner, Bic® lighter, or equivalent flame source, cooled in air and then stored in zip-lock bags or similar clean containers. To avoid cross contamination, use only one bulk collection device per sample.
- Appropriate marking pens to label containers or pre-printed labels to affix to the containers.
- Chain of Custody.

Procedures

Don the required PPE. Locate Bat/Bird guano or related debris that will be sampled and note the location in field notes and/or on a floor plan.

Label sample containers and record laboratory identification number on chain of custody.

With one hand, scoop approximately 10-100 milligrams (1-5 level tablespoons) of the Bat/Bird guano or related debris with the single use bulk sample collection device and promptly transfer to the sterile, lab supplied bulk sample container in the other hand. The bulk sample device and the sterile bulk sample container should not be placed on the ground or other surfaces near the sample location during sample collection. The pre-labeled sterile bulk sample container should be sealed and placed in a zip-lock bag prior to transfer to the laboratory.

If only sampling from one Bat/Bird guano or related debris location, collect a minimum of two samples.

Prepare a blank sample by opening the bulk sample container for 5-10 seconds in the immediate sample collection location, then sealing the container. Label accordingly.

Each metal spatula used to collect the bulk material should be transferred to a separate zip-lock bag and the bag sealed. After completion of the sample collection, re-clean the metal spatulas by placing the metal spatulas in a solution of non-ionic detergent amended with household bleach (Joy liquid dishwashing soap and 1 cup household bleach/gallon water) and soak for 24 hours. The metal spatulas may then be final cleaned as previously described. Sterile single use disposable bulk sample devices should be placed in a separate zip-lock bag and discarded.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Sample location
- Requested analytical method (Avian Pathogens by PCR)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- Industrial Hygiene Technical Manual – Chapter II: Standard Methods for Sampling Air Contaminants
- EMLab P&K, 1501 W. Knudsen Drive, Phoenix, AZ



STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4030 BIOAEROSOL SAMPLING, TOTAL (Airborne Mold Spores)

Last Revision/Review: July 2014

Reviewer / Office: RAG/Dallas

Objective and Application

Bioaerosol sampling requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for airborne contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click [here](#) if viewing electronically.

An airborne biogenic particle, such as a fungal spore, is a bioaerosol. Fungal spores are ubiquitous in the environment, and have specific requirements for survival, germination, and growth. Although fungal bioaerosols have not been conclusively associated with adverse health effects commonly noted in typically building-related complaints (e.g., mucous membrane irritation, headache, and fatigue), they are known in the medical literature to be associated with common allergies, or more serious respiratory disease. Some studies, and case histories have shown correlations between allergy, or more serious respiratory symptoms, and fungal contamination of heating, ventilating, air conditioning (HVAC) systems.

The spore trap sampling method used for total bioaerosol sampling is capable of determining total fungal spore concentrations per cubic meter of air (spores/m³). Bioparticulate such as pollen grains, insect exoskeletons, or fungal spores that require specific substrates in order to germinate and/or produce taxonomically identifiable reproductive structures (e.g., Ascospores and Basidiospores) are detected by this technique. While many fungal spores can be identified by this method, others, which are morphologically similar, cannot be positively assigned a genus designation and are grouped based on similar spore morphology (e.g. *Aspergillus/Penicillium*, *Drechslera/Bipolaris*). High variability in fungal spore concentrations will exist in different geographic locations, during different seasons, and weather patterns, and over the course of a given day. As a general rule, indoor fungal spore concentrations in an HVAC-supplied building are typically less than, but qualitatively similar to, fungal spore concentrations found in the outside environment. To assist in the interpretation of bioaerosol sampling results, a comparative sampling strategy is employed.

Equipment

The following equipment and supplies will be needed for this testing:

- Bioaerosol sample cassettes are obtained directly from laboratory supply companies or from the laboratory that will analyze the air samples. Allergenco-D™ or Air-O-Cell™ bioaerosol sample cassettes are recommended.
- Rotometer or other flowmeter accurate to 0.1 L/min. Flowmeters used for calibration of ac powered air sample pumps will be calibrated against a primary standard on a quarterly basis.
- a) Air monitoring pump (ac powered) capable of providing 15 L/min flow rate; b) Buck BioAire Bioaerosol Sampling Pump, Model B520 with rotometer for calibration; c) Zefon Bio-Pump Plus with rotometer for calibration; d) or equivalent battery operated air sampling devices capable of using the Allergenco-D™ or Air-O-Cell™ sample cassettes at a flow rate of 15 L/min.
- Vinyl tubing to connect air sampling cassette to ac powered air monitoring pump.
- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs, extension cords and camera.
- Cassette stand or other means to fix cassette in place as appropriate for ac powered air monitoring pump applications.
- Chain of Custody (COC).

Sample Collection Considerations

The bioaerosol sampling cassettes are designed to operate at a recommended flow rate of 15 L/min. It is important not to run the sampling pumps at lower flow rates for longer times to achieve the recommended air volume, as lower flow rates may result in a loss of some spores and the accumulation of others in a non-uniform manner. Higher flow rates may damage the spores.

The sampling time is dependent on the density of particulate in the environment. It is important not to overload the sample, otherwise it will be impossible to assess the types of spores, pollen and particulates that are present. The following table represents typical sample times to attain a sharply defined sample trace with good dispersion of the spores:

Environmental Conditions	Sampling time at 15 L/min
Drywall renovation or heavy industrial dust	1 minute
Dusty, dirty, visible particles in the air	3 minutes
Indoor environment, high activity and personnel present	5 minutes
Outdoors (collect a minimum of 2 outdoor samples)	5 minutes

Sampling Procedures

1. Prior to sampling, calibrate the pump to 15 liters per minute.
2. Record sampling location on field data sheet.
3. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
4. Inspect cassette for quality control mark indicating that sampling cassette has been inspected by manufacturer and approved for use.
5. Remove and retain tape seal covering outlet.
6. Attach the outlet (round hole) to the supplied tubing adapter (available from bioaerosol cassette supplier), or use standard ½" PVC tubing (for use with high volume pumps only).

Using a sampling stand, the cassette should be located approximately 4 to 5 feet above the floor surface.

7. Remove and retain tape seal covering inlet.
8. Start the sampling pump, and record sampling start time. Sample for an appropriate period of time (see table above).
9. Stop the sampling pump and seal inlet with the original tape. Record sampling stop time. Remove cassette from tubing, and reseal outlet with the original tape. Label sample and place into 1 gallon zip lock bag.
10. Repeat steps 1-9 for remaining samples to be collected.
11. A minimum of 2 samples should be collected in complaint area(s) and the outdoor environment. A comparative sample should be collected in a non-complaint area and duplicate samples at the building exterior, preferably adjacent to the air handling system's air intake or main point of egress. The outdoor environment should be sampled prior to entering the building and again at the end of the site assessment. It is recommended that sample field blanks should be included with the samples submitted to the laboratory.
12. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number(s), description of area, volume of air collected, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
13. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

QUALITY CONTROL SUGGESTIONS

1. Initial air sampling should be performed prior to disturbance of mold and mold contaminated materials by investigative and surface/bulk sampling activities.
2. An effective interpretation is based on the comparison of indoor and outdoor samples. Outdoor control samples will help demonstrate whether spore amplification is occurring indoors.
3. Obtain an indoor control sample from a non-complaint area for comparison.
4. Sending a blank cassette for analysis is a good practice. The recommended industry practice for the number of field blanks is to provide two field blanks for each lot of bioaerosol sampling cassettes.
5. Flow rate is critical for accurate results. Remember to calibrate the pump at 15 L/min prior to sampling.
6. Never use cassettes that are damaged, expired, or do not have the manufacturers quality control mark.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Sample duration and flow rate
- Sample number
- Requested analytical method (total bioaerosol analysis)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.



STANDARD OPERATING PROCEDURE for EPA Brownfield Grant Projects

E.4033 FUNGAL GROWTH (MOLD) – SURFACE/BULK COLLECTION

Last Revision/Review: July 2014
Reviewer / Office: RAG/Dallas

Objective and Application

Bulk sample collection of potentially hazardous materials requires the participation / review of a Terracon industrial hygienist (IH) in selecting methods and scoping work. Engaging an IH is encouraged when sampling for microbial contaminants. For direction to local or regional assistance, contact the Chair of the Industrial Hygiene Practice Resource Group on the Terracon Environmental Services Webpage. Click [here](#) if viewing electronically.

Because many building materials can provide a source of nutrients for fungal growth, water is the limiting factor in minimizing the potential for fungal growth. Therefore, visible fungal growth, excessive dirt and water-damaged building materials should not be observed. When these conditions are observed, it indicates a need to conduct additional assessment, cleaning, and/or remediation activities.

Tape lift and bulk sampling are techniques used for direct examination. A direct exam allows for the immediate determination of the presence of fungal growth as well as what types of fungi are present. The criteria to establish fungal growth on the substrate sampled is microscopic confirmation of fungal somatic and reproductive structures. Direct examinations should only be used to sample visible or suspect fungal growth in a contaminated area. Most surfaces naturally collect a mixture of fungal spores that are normally present as background debris in the environment.

The direct exam is inexpensive and can be performed quickly. It is a useful test for initial site sampling. Direct examination of a surface indicates the fungi present in a given sample location.

Health problems related to indoor microbial growth are generally caused by the inhalation of substantial numbers of airborne spores, sometimes over a long period of time. The presence of biological contamination on a particular surface is not a direct indication of what may be in the air.

Equipment

The following equipment and supplies will be needed for this testing:

- Gloves, 1 gallon zip-lock bags, alcohol based hand wash, marker pen, field sampling logs and camera.
- Tape lift kit(s) may be obtained from the laboratory, or standard clear "Scotch" tape may be used.

- Chain of Custody (COC).

SAMPLING PROCEDURE

Tape Lift:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Remove tape applicator from slide provided in the tape lift kit or remove a few inches of clear tape from tape roll. Avoid touching the sticky side of the tape.
3. Apply the designated area of the lift kit tape applicator or central inch of tape to the sample area. Apply light pressure to the non-adhesive side.
4. Pull the lift kit tape applicator or tape off of the surface with slow, steady pressure, holding the tape edges only.
5. Apply sticky side of the lift kit tape applicator to the slide provided in the lift kit. For tape method, gently apply sticky side of the tape to a field sampling log, ensuring that there are no folds or creases in the tape. Do not fold tape onto itself.
6. Label samples and place into 1 gallon zip lock bag.
7. Record sampling location on COC. Photograph sample location.
8. Repeat steps 1-7 for remaining samples to be collected.
9. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
10. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Bulk:

1. Wash hands with alcohol based hand wash. Don clean nitrile (or latex) gloves.
2. Collect a small sample of the suspect material and place in a clean zip lock bag and close.
3. Prepare sample label and place on the 1 gallon zip lock bag.
4. Record sampling location on field data sheet. Photograph sample location.
5. Repeat steps 1-4 for remaining samples to be collected.
6. At the conclusion of the sampling event complete a COC detailing client name and information, project name or number, sample number, description of area, date of sample collection and date of shipment. Specify sample analysis and turnaround time. Maintain original and submit the copy to the laboratory with the samples.
7. To reduce shipping damage, it is recommended that the samples be placed in a corrugated shipping box to ensure safe arrival at the laboratory.

Documentation

In addition to chain of custody documentation, the following must be provided to the laboratory performing sample analysis:

- Sample location
- Requested analytical method (fungal identification)

The following additional information must be collected for Terracon project files:

- Sample date
- Sample times
- Sample location
- Activities performed by during the sampling
- Wind orientation (upwind, downwind, etc.)
- Weather conditions

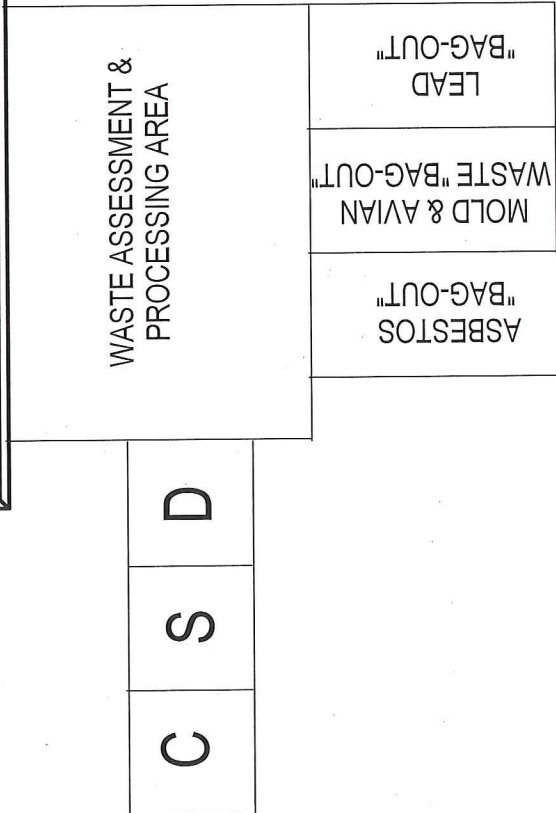
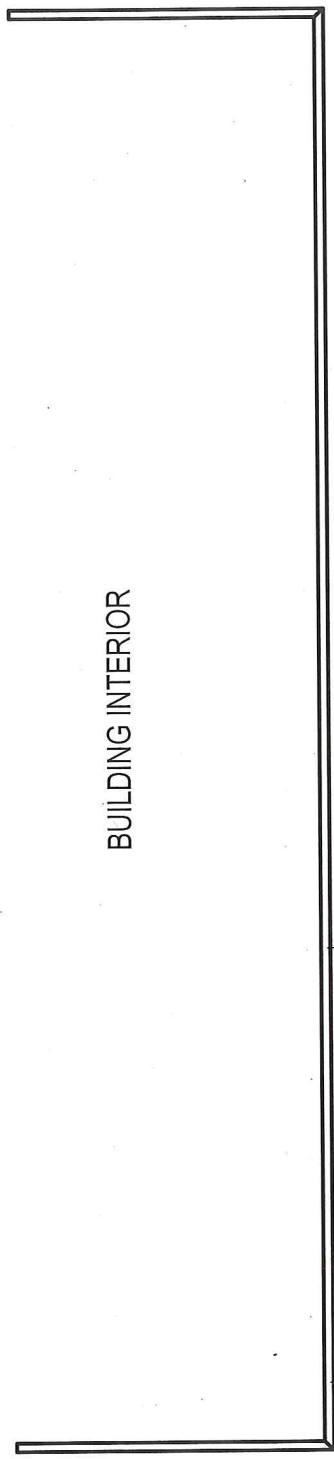
Attached or Referenced Supporting Information

- American Conference of Governmental Industrial Hygienist: Bioaerosols, Assessment and Control, 1999.
- Terracon Mold Practice Guidelines.

APPENDIX C: SITE ACCESS AGREEMENT

This page intentionally left blank.

**APPENDIX C
CONCEPTUAL DRAWING
OF
WASTE PROCESSING STATION**



CONCEPTUAL DRAW
NOT FOR CONSTRUCT

Commercial Building 203/205 W Broad Street Texarkana, Texas		Terracor 8901 Carpenter Freeway Suite 100 Dallas Texas 75247	
Conceptual Drawing		Project #: 94137464B	Drawing: #1
Drawn by: GBC		Date: 2/25/16	

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

RESOLUTION NO. 2016 -071

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT OR CONTRACTS WITH ONE OR MORE PARTIES FOR THE ENVIRONMENTAL CLEANUP OF 203/205 WEST BROAD STREET UTILIZING EPA BROWNFIELDS MULTI-PURPOSE GRANT FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City was awarded \$440,000.00 in 2012 specific to the environmental assessment and cleanup of 203/205 West Broad Street; and

WHEREAS, the grant period will end September 30, 2016; and

WHEREAS, the City released a Request for Proposals with a deadline of July 6, 2016 to secure a contractor to complete the cleanup of this project.

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

SECTION 1: That the City Manager be and is hereby authorized to enter into a contract with an environmental cleanup contractor to complete the EPA Brownfields Multi-Purpose Grant requirements.

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

PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Lead Department: Planning and Community Development **Action Officer:** Daphnea Ryan,
Subject: Resolution No. 2016-072 recognizing the Believe in Beverly Neighborhood Association as an official neighborhood association.
Briefing: 6/27/2016 **Public Hearing:** 7/11/2016 **Second Briefing:** July 25, 2016 **Council Vote:** 8/8/2016

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The residents and property owners of the Beverly community have worked to establish a neighborhood association named Believe in Beverly Neighborhood Association. With approximately twenty members currently, the association is comprised of dedicated individuals who are deeply invested in Beverly. The association recently established a Board of Directors and passed Bylaws. The Believe in Beverly Neighborhood Association desires to be recognized by the City as an official neighborhood association and plans to pursue incorporation followed by status as a 501 (c) 4 in the future.

Potential Options:

- None
-

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

City of Texarkana, Texas

- a. 2016-072 Goals & Perspectives (DOCX)
- b. 2016-072 RES Recognize Believe in Beverly Neighborhood Association (DOC)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	06/20/2016 5:52 PM	
Assistant City Manager	Shirley Jaster	Assistant City Manager
Review	Completed	06/21/2016 9:00 AM
Public Information Officer	Lisa Thompson	PIO Review
	06/21/2016 9:01 AM	Completed
City Manager	John Whitson	City Manager Review
4:13 PM		Completed
City Council	Vicky Coopwood	Meeting
6:00 PM		Pending
		06/27/2016

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: 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:

RESOLUTION NO. 2016 - 072

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEXARKANA, TEXAS, OFFICIALLY RECOGNIZING THE
BELIEVE IN BEVERLY NEIGHBORHOOD ASSOCIATION; AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City Council, along with staff and citizens, recognize the importance of developing and maintaining healthy neighborhoods throughout the community; and

WHEREAS, the City of Texarkana, Texas values citizen involvement and wishes to reach out to all segments of the community by supporting the formation of effective neighborhood associations; and

WHEREAS, the residents of the Beverly area have a deep commitment to bring about positive change in their community with a dedicated group of residents that have joined together to establish a neighborhood association, elect a Board of Directors, and adopt Bylaws, (**Attachment 01**); and

WHEREAS, the Believe in Beverly Neighborhood Association will be open to and serve residents and property owners of the City of Texarkana in an area bound to the north by College to Moser Street, then Moser Street to Richmond Road; to the south by New Boston Road; to the west by Robison Road; and to the east by Richmond Road to Summerhill, then Summerhill south to New Boston Road.

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

SECTION 1: That the Believe in Beverly Neighborhood Association is an officially recognized neighborhood association.

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

PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

North Boundary: College to Moser Street, then Moser Street to Richmond Road

South Boundary: New Boston Road

West Boundary: Robison Road

East Boundary: Richmond Road to Summerhill, then Summerhill South to New Boston Road

ARTICLE IV. MEMBERSHIP

1. The membership of the Association shall consist of residents, property owners or entrepreneurs within the neighborhood who have submitted their names on/for a membership list.
2. A Voting Member shall be a household or business in attendance at an association meeting that has established membership in the Association. Each household or business within the neighborhood shall be entitled to one vote.
3. Membership shall not be denied on the basis of views or opinions contrary to the goals and purposes of the Association.

ARTICLE V. MEETINGS

1. The Association shall hold quarterly meetings for purposes of conducting business as determined by the officers.
2. The Association shall hold an annual meeting for the purpose of electing officers and standing committee chairs.
3. It shall be the duty of the President to call special meetings for purposes which shall be stated in the notice. Notices shall state the time, place, and purpose of the special meeting. No business outside of what has been stated in the notice shall be discussed at the special meeting.
4. Five members shall constitute a quorum for any meeting.
5. At least a seven (7) day notice shall be provided in advance of any association meeting. Every effort will be made to notify all interested parties and members of the Association of upcoming meetings either by direct mailing, pamphlets, newsletters, or announcements at regularly scheduled meetings.
6. All meetings shall be public and open to any interested persons.
7. Residents who do not reside within the Believe in Beverly Neighborhood Association boundaries are welcome to attend meetings and discuss issues but shall not have a vote.

ARTICLE VI. NOMINATIONS, ELECTIONS, ANNUAL REPORTS AND INSTALLATION OF OFFICERS

1. Nominations of Officers shall be made from the floor at the annual meeting.
2. Election of Officers shall be held on the same day as the nominations.
3. Any vacancy which occurs during the term of any Officer shall be filled by appointment by the Board of Directors.

4. Any officer can be removed from office by a 2/3 majority vote of the Voting Members after a special meeting has been requested at least fourteen (14) days in advance.

ARTICLE VII. OFFICERS

The Voting Members of the Association shall nominate and elect the Officers of the Association. The Officers shall hold office for a term of one (1) year or until successors are elected. The term of office shall begin at the close of the Annual Meeting. The Officers of the Association shall be President, Vice President, Secretary, and Treasurer. The Officers of the Association will comprise the Board of Directors.

President:

The President shall call and preside at all meetings, shall act for and on behalf of the membership of the Association, shall appoint any special committees necessary for the operation of Association business, and shall act as official spokesperson for the Association.

Vice President:

The Vice President shall, in the absence of the President, assume all of the duties of that office and shall be responsible for publicity and notification of meetings of the Association.

Secretary

The Secretary shall keep a permanent record of all formal meetings and all legal documents and transactions of the association. The Secretary shall transcribe the minutes of each meeting and shall maintain a file copy of same. The Secretary shall at each meeting read the minutes from the previous meeting and have available copies of the minutes for members to have.

Treasurer

The Treasurer shall keep all financial receipts and a permanent record of all financial business of the Association. An up-to-date financial report shall be submitted at each meeting.

Neighborhood Advocates

Neighborhood Advocates shall be composed of an appropriate number of voting Members, shall be appointed by the Board of Directors, and shall serve in the capacity of gathering and disseminating information critical to the implementation of the purpose of the Association. Every effort will be made to ensure that neighborhood advocates serve specific blocks or streets within the Association boundaries.

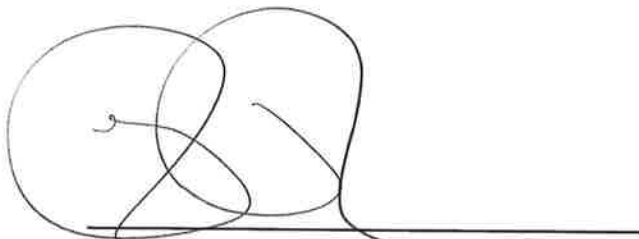
ARTICLE VII. COMMITTEES

The President shall have the power to appoint committees as necessary to implement the purposes of the Association.

ARTICLE IX. AMENDMENT OF BYLAWS

The Believe in Beverly Neighborhood Association Bylaws shall be adopted by a vote of the general membership and may be amended by a majority vote of Voting Members. To amend, a formal written notice, which shall include the location, date, and time of the meeting must be given at least 10 days in advance at the direction of the President and disseminated either in person, by e-mail, by posting, or by mail by the Secretary. The notice and the agenda must include the wording of the proposed change. No change to the bylaws will be valid unless the majority vote to change is received.

DATE ADOPTED: June 14, 2016



PRESIDENT



SECRETARY

City of Texarkana, Texas

Lead Department: Planning and Community Development **Action Officer:** David Orr, Planning & Community Development Director

Subject: Ordinance No. 2016-073 amending budget expenditures related to options for the Kress building and authorizing the City Manager to enter into a contract for cleanup.

Briefing: 6/27/2016 **Public Hearing:** 7/11/2016 **Second Briefing:** July 25, 2016 **Council Vote:** 8/8/2016

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

Ordinance No. 073-2009
Ordinance No. 2015-038

Executive Summary and Background Information:

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

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

A structural engineering report conducted by Raley and Associates in 2012 stated that the building structure appears to be unstable and needs to be demolished as soon as possible.

The City received confirmation June 23, 2015 from the Texas Historical Commission stating the building is not eligible for an individual listing in the National Register of Historic Places.

ERI Consulting, Inc conducted asbestos and lead-based paint inspections in 2015 and confirmed positive tests for both hazardous materials.

ERI Consulting, Inc consulted with the Texas Department of State Health Services and received an approved contaminated construction debris disposal plan.

ERI Consulting, Inc has developed design options and cost estimates for consideration.

Staff has researched funding options including but not limited to City use of EPA Brownfields RLF, HUD CDBG and Texas Historic Commission Grant Funds.

City of Texarkana, Texas

Main Street Texarkana has issued a letter of intent to acquire the building in order to obtain eligibility for a \$200,000 sub-grant from the Environmental Protection Agency Revolving Loan Fund.

The proposed reuse of the property is a plaza area with space for food trucks.

Potential Options:

- 3 options provided by ERI Consulting
-

Fiscal Implications:

\$585,000 total project cost with \$200,00 from USEPA grant funds.

Staff Recommendation:

Staff recommends for approval of option 3.

Advisory Board/Committee Review:

Historic Committee Review 6/17/2015

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Historic Committee Minutes 6/17/2015

Attachments

- a. 2016-073 ORD Budget Amendment for Options Related to Kress & Auth (DOCX)
- b. 2016-073 Goals & Perspectives (DOCX)
- c. 2016-073 ATTH 01 KRESS BUILDING PRELIM EVALUATION (PDF)
- d. 2016-073 ATTH 02 CITY OF TEXARKANA CONTRACT (PDF)
- e. 2016-073 ATTH 03 CITY OF TEXARKANA KRESS COVER LETTER (PDF)
- f. 2016-073 ATTH 04 116 West Broad (PDF)
- g. 2016-073 ATTH 05 EPA Funding Denial Email 2012 (PDF)
- h. 2016-073 ATTH 06 EPA Funding Denial Email 2015 (PDF)
- i. 2016-073 ATTH 07 Executive Summary Phase 1 Environmental (PDF)
- j. 2016-073 ATTH 08 Jason Horton Letter (PDF)
- k. 2016-073 ATTH 09 Kress Building Tom Morrissey Email (PDF)
- l. 2016-073 ATTH 10 Kress Building October 2012 Report (PDF)
- m. 2016-073 ATTH 11 Kress Pictures 4.13.2015 (PDF)
- n. 2016-073 ATTH 12 Timeline 2015 (PDF)
- o. 2016-073 ATTH 13 Order of Commission (PDF)
- p. 2016-073 ATTH 14 Ordinance 073 09 Authorizing City Manager (PDF)
- q. 2016-073 ATTH 15 Redev & Grants Memo Council Kress Transfer (PDF)
- r. 2016-073 ATTH 17 City Inspection Correspondence (PDF)
- s. 2016-073 ATTH 18 Warranty Deed (PDF)
- t. 2016-073 ATTH 19 Texas Historic Commission Response Kress (PDF)

Staff Coordination

City of Texarkana, Texas

Planning and Community Development	David Orr	Department Head Review	
Completed	06/16/2016 5:17 PM		
Finance Department	Jennifer Evans	Finance Review	Skipped 06/20/2016
7:57 AM			
Purchasing and Contracting	Sharon Moore	Purchasing Review	
Completed	06/20/2016 8:47 AM		
Finance Department	Kristin Peebles	Review	Completed 06/20/2016
5:21 PM			
Assistant City Manager	Shirley Jaster	Assistant City Manager	
Review	Completed	06/21/2016 9:00 AM	
Public Information Officer	Lisa Thompson	PIO Review	Completed
	06/21/2016 9:02 AM		
City Manager	John Whitson	City Manager Review	Completed 06/23/2016
4:13 PM			
City Council	Vicky Coopwood	Meeting	Pending 06/27/2016
6:00 PM			

Meeting History

ORDINANCE NO. 2016-073

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGET EXPENDITURES IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$585,000) RELATED TO OPTIONS FOR THE KRESS BUILDING FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR CLEANUP; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

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

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

WHEREAS, a structural engineering report conducted by Raley and Associates in 2012 stated that the building structure appears to be unstable; and

WHEREAS, the City received confirmation June 23, 2015 from the Texas Historical Commission stating the building is not eligible for an individual listing in the National Register of Historic Places; and

WHEREAS, ERI Consulting, Inc conducted asbestos and lead-based paint inspections in 2015 and confirmed positive tests for both hazardous materials; and

WHEREAS, ERI Consulting, Inc consulted with the Texas Department of State Health Services and received an approved contaminated construction debris disposal plan; and

WHEREAS, ERI Consulting, Inc has developed design options and cost estimates for consideration; and

WHEREAS, Main Street Texarkana has issued a letter of intent to acquire the building in order to obtain eligibility for a \$200,000 sub-grant from the Environmental Protection Agency Revolving Loan Fund.

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

SECTION 1: That the budget estimate of the expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2015, and ending September 30, 2016, be amended to reflect additional expenditures

appropriated in an amount not to exceed **FIVE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS** (\$585,000) related to options for the Kress Building located at 116 West Broad Street and authorizing the City Manager to enter into a contract for cleanup.

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

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

(Insert Text Here/or say "NONE")

Resource Impact:

Staff time required if item is approved: Select One By Clicking Here

Other Potential Impacts:

List or say "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:



ERI CONSULTING, INC.

P. O. Box 2024, Tyler, Texas 75710
 2026 Republic Drive, Suite A, Tyler, Texas 75701
 Ph: (903) 534-5001 Fax: (903) 534-8701
 TBPE Firm # F-1787
 www.ericonsulting.com

PRELIMINARY EVALUATION for 116 W. Broad, Texarkana, Texas ES#15-825

Background

The Kress Building is a three-story brick structure with a full basement located at 116 W. Broad Street, Texarkana, Texas. The building was constructed in 1933. The location was in the City of Texarkana's central business district at the time of its construction. The structure served as a general mercantile store and retail for most of its functional life. The structure has been vacant for many years.

The building is structurally unsound, and was certified as such by Jeff Raley, Texas Professional Engineer #70297, on October 16, 2012. Eighty percent of the interior floors have fallen into the basement area. Over twenty-five percent of the roof has fallen into the basement area. All of the wooden structural and substructural members exhibit some degree of decay - most of these have rotted significantly.

All of the exterior perimeter walls exhibit signs of significant structural deficiencies. These signs include separation cracks in the brick veneer, compression cracks in the facade, leaning walls, and architectural features falling off of the front facade. The basement collects and is holding water. There are reports of water intruding into the adjacent structure to the east, which also has a basement.

The structural steel framework is functioning from the standpoint of it is still standing and has prevented the collapse of the building. A detailed analysis of the structural steel was not performed, but the stresses introduced by the building roof collapse and the exposure of the steel to the elements for a prolonged period of time may have degraded the structural integrity of the steel.

Recent activities on this project include:

June 23, 2015 - Letter from Texas Historical Commission stating the building is not eligible for an individual listing in the National Register of Historic Places.

July 23, 2015 - Asbestos inspection by ERI Consulting, Inc. of asbestos materials in building.

October 27, 2015 - Lead-based paint inspection by ERI Consulting, Inc. of lead painted surfaces in building.

ERI Consulting, Inc.

December 2, 2015 - ERI Consulting, Inc. follow-up discussion with TDSHS on treatment of asbestos contaminated construction debris. ERI's disposal plan approved.

January 5, 2016 - Meeting between ERI Consulting, Inc. and City of Texarkana to discuss demolition options.

January 6, 2016 - Retention of ERI's services for design and request for cost estimates by City of Texarkana.

February/Mary 2016 - ERI interviews qualified architectural firms.

March/April 2016 - ERI interviews qualified structural engineering firms.

April 15, 2016 - ERI selects Mark Thacker AIA and Mike Bugh, P.E.

May 4, 2016 - Team from City of Texarkana and EPA representative meet with Smith County Judge, Smith County Commissioner, general contractor, Mark Thacker, Mike Bugh and Larry Snodgrass on Spring Street project in Tyler, Texas.

June 9, 2016 - Preliminary Demolition/Restoration Options submitted to the City of Texarkana by ERI.

The July 2015 asbestos inspection of the facility revealed that the majority of the asbestos-containing building materials in the structure were intermixed with the debris created by the failure of the roof and floor systems. The asbestos materials are not able to be safely segregated and abated in the regulated manner, due to the degree of mixing and unsafe conditions inside the building. Asbestos materials in the building include floor coverings, thermal system insulation, built-up roofing materials, window caulking, and mastic vapor barriers.

After discussions with Waste Management landfill and TDSHS, a protocol for safely removing the asbestos-containing debris and disposal (as asbestos waste) in the New Boston landfill was agreed upon by all parties in November 2015. As required by the EPA National Emission Standards for Hazardous Air Pollutants (NESHAP) rules and the Texas Asbestos Health Protection Act (TAHPA), the asbestos products must be removed from the structure as part of any demolition or renovation activity. As a matter of public health, the asbestos products could become a hazard in the future as the building continues to deteriorate, further exposing these materials to the elements and increasing the likelihood of exposure to the general public.

The November 2015 lead-based paint inspection revealed lead paint concentrations above 1.0 mg/cm² on interior steel stair components, and exterior steel such as fire escape components and burglar bars. These components may be safely removed and disposed of as part of the demolition process in compliance with current regulations. If these components are refinished for re-use, then different protocols, worker protection, and disposal requirements will be necessary for regulatory compliance. There will be no additional cost for the removal of lead-based painted components as part of demolition activities, but there would be additional cost for restoring these same items as part of a restoration project.

ERI Consulting, Inc.

Evaluation of Options

As outlined to ERI by the City of Texarkana in the January 4, 2016 meeting, the City is considering a number of options regarding the structure. These are outlined further below.

Option I: Restoration of the structure. Scope of work:

- Remove existing roof. (Phase 1)
- Remove all interior debris, environmental hazards, furnishings and finishes. (Phase 1)
- Lower/remove adjacent incinerator smokestack. (Phase 1)
- Permanently stabilize and waterproof basement walls. (Phase 5)
- Permanently stabilize perimeter walls. (Phase 5)
- Install new roof. (Phase 5)
- Repair front facade. (Phase 5)
- Install sump pump, if required. (Phase 5)
- Secure and weatherproof building exterior. (Phase 5)
- Restore building interior at client's direction. (Phase 5)

This option may not be technically feasible to accomplish or, if so, may be too costly to consider further. ERI has worked with other clients who have elected to perform interior demolition, re-roof, and waterproof structures in an effort to prevent further structural decay so that they may allow time to budget for and schedule future renovation activities. These buildings were all in much better condition structurally than the Kress Building. The architectural and structural evaluation (Phase 3) performed by Thacker and Bugh will determine if full restoration is technically and economically feasible.

This option requires additional structural bracing to maintain temporary structural integrity while restoration activities take place. This is due, in part, to the longer time frame required to design, bid, and perform restoration activities.

This option is sequenced in the following manner.

- Phase 1: Removal of environmental hazards and initial demolition.
- Phase 2: Temporary structural bracing.
- Phase 3: Architectural and structural evaluation.
- Phase 4: Enhanced temporary structural bracing.
- Phase 5: Design and bid restoration improvements.
- Phase 6: Construction of restoration improvements.

The level of restoration is determined by the client. ERI's services will include the design and oversight for removal of demolished materials and environmental hazards. Mark Thacker's services will include (with the aid of Mike Bugh) design and oversight of reconstruction activities, including additional subsurface waterproofing and basement improvements to prevent ground water intrusion (Phases 5 & 6).

Mike Bugh's services also include design of temporary structural bracing (Phases 2 & 4).

ERI Consulting, Inc.

Option II: Demolition with front facade saved. Scope of work:

- Remove existing roof. (Phase 1)
- Remove all interior debris, environmental hazards, furnishings and finishes. (Phase 1)
- Lower/remove incinerator smokestack on adjacent building. (Phase 1)
- Complete demolition of back wall. (Phase 1)
- Remove structural steel frame. (Phase 1)
- Partial demolition of side walls down to parapet height of adjacent structures. (Phase 1)
- Stabilize and waterproof basement walls. (Phase 1)
- Fill basement with structural fill material. (Phase 1)
- Install French drain and sump pump system (if required). (Phase 1)
- Install hard surface at finished floor elevation. (Phase 5)
- Waterproof remaining perimeter walls. (Phase 5)
- Repair/reconstruct front facade. (Phase 5)
- Final demolition (as required to facilitate facade configuration). (Phase 5)

Under this option, Mark Thacker will design and direct restoration activities on the front facade. Note: The facade may need significant reconstruction including lowering its height from three to two stories to safely stabilize it. These activities must take place as soon as possible after demolition is complete, or risk further damage to the facade (including total collapse). Mike Bugh will determine the structural bracing and improvements required to secure the facade and common walls with adjacent structures permanently (Phase 4). Mark Thacker will specify and direct final demolition, waterproofing treatments and final improvements (Phases 4 & 5).

- Phase 1: Removal of environmental hazards and initial demolition.
- Phase 2: Temporary structural bracing.
- Phase 3: Architectural and structural evaluation.
- Phase 4: Design and bid facade improvements and final demolition.
- Phase 5: Construction of facade improvements and final demolition.

ERI Consulting, Inc.

Option III: Demolition with front facade rebuilt. Scope of work:

- Remove existing roof. (Phase 1)
- Remove all interior debris, environmental hazards, furnishings and finishes. (Phase 1)
- Lower/remove incinerator smokestack on adjacent building. (Phase 1)
- Complete demolition of back wall. (Phase 1)
- Partial demolition of side walls down to parapet height of adjacent structures. (Phase 1)
- Remove structural steel frame (if possible). (Phase 1)
- Salvage historically significant architectural features from front facade. (Phase 1)
- Stabilize and waterproof basement walls. (Phase 1)
- Install French drain and sump pump system (if required). (Phase 1)
- Fill basement with structural fill material. (Phase 1)
- Install hard surface at finished floor elevation. (Phase 1)
- Stabilize and waterproof remaining perimeter walls. (Phase 1)
- Construct new facade using salvaged items at a later date. (Phase 4)

In this option Mr. Thacker will specify and manage the construction of a new facade after demolition is complete. Mr. Bugh will assist ERI in developing final stabilization measures for the demolition specifications. New construction will incorporate saved architectural features from original structure. This option is sequenced as follows:

- Phase 1: Removal of environmental hazards and demolition.
- Phase 2: Architectural and structural evaluation.
- Phase 3: Design and bid restoration improvements.
- Phase 4: Construction of restoration improvements.

Note: ERI may elect to award items such as wall stabilization, installing concrete slab, waterproofing, french drains, etc. in individual contracts, separate and apart from base demolition contract, if in the City of Texarkana's best interest.

ERI Consulting, Inc.

PRELIMINARY COST ESTIMATES

OPTION I - Restoration of the structure

Phase 1:	Removal of environmental hazards and initial demolition.	\$350,000.00
Phase 2:	Temporary structural bracing	\$25,000.00
Phase 3:	Architectural and structural evaluation.	\$35,000.00
Phase 4:	Enhanced temporary structural bracing.	\$35,000.00
Phase 5:	Design and bid restoration improvements (est. 8% of construction) ..	\$156,000.00
Phase 6:	Construction of restoration improvements (est. @ \$100/s.f.).	\$1,950,000.00
	Total	\$2,551,000.00
	5% contingency	\$127,550.00
	Grand total	\$2,678,550.00

OPTION II - Demolition with front facade saved

Phase 1:	Removal of environmental hazards and initial demolition.	\$350,000.00
Phase 2:	Temporary structural bracing.	\$15,000.00
Phase 3:	Architectural and structural evaluation.	\$25,000.00
Phase 4:	Design and bid facade improvements and final demolition.	\$33,000.00
Phase 5:	Construction of facade improvements. & final demolition*	\$200,000.00
	Total	\$643,000.00
	5% contingency	\$32,150.00
	Grand total	\$675,150.00

OPTION III - Demolition with front facade rebuilt

Phase 1:	Removal of environmental hazards and demolition.	\$350,000.00
Phase 2:	Architectural and structural evaluation.	\$25,000.00
Phase 3:	Design and bid new facade	\$33,000.00
Phase 4:	Construction of new facade*	\$150,000.00
	Total	\$550,000.00
	5% contingency	\$27,900.00
	Grand total	\$585,000.00

*Includes basement wall stabilization and waterproofing, filling basement, concrete slab, and drainage improvements.



ERI CONSULTING, INC.

P. O. Box 2024, Tyler, Texas 75710
 2026 Republic Drive, Suite A, Tyler, Texas 75701
 Ph: (903) 534-5001 Fax: (903) 534-8701
 TBPE Firm # F-1787
 www.ericonsulting.com

June 7, 2016

Mr. David W. Orr,
 Director of Planning & Community Development
 P.O. Box 1967, 220 Texas Blvd., 4th Floor
 Texarkana, Texas 75504
 Office: (903) 798-3902 / Cell: (903) 278-7735
 Fax: (903) 798-3913 / david.orr@txkusa.org
 cc: Ms. Daphnea Ryan dryan@txkusa.org

RE: Contract - Design/Project Management - Demolition/Environmental Hazards Removal Project, 116 W. Broad Street, Texarkana, Texas

Dear Mr. Orr:

Based upon the Professional Services Procurement Act (PSPA) selection process, ERI Consulting, Inc. (ERI) appreciates being selected by City of Texarkana to provide our engineering services on the above referenced project. Our services on the demolition will include:

1. Project design and preparation of Plans and Specifications for all demolition and disposal activities.
2. Meet with utility companies and assist City of Texarkana in utility relocation
3. Conduct a pre-bid conference with prospective contractors prior to submission of bids.
4. Assist City of Texarkana in awarding the contract, review the executed contract, insurance certificates, and bonds and submit the contract to City of Texarkana for execution .
5. Prepare a contract between City of Texarkana and the demolition contractor
6. Review the required pre-job submittals from the demolition contractor.
7. Prepare the 10-day Texas Department of State Health Services (TDSHS) notification of demolition for compliance with the TAHPA and NESHAPS requirements.
8. Conduct an on-site pre-construction conference with the demolition contractor, maintenance department and other concerned parties.
9. Prepare an erosion control plan. Prepare plan to comply with the EPA's Storm Water Pollution Prevention regulations.

ERI Consulting, Inc.

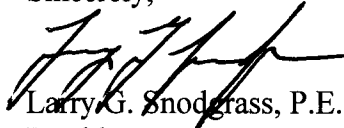
Mr. Orr
June 7, 2016
page 2 of 2

9. Perform periodic site visits during demolition activities.
10. Assist City of Texarkana with final site work and final acceptance of the project.
11. Prepare a final post-job submittal documentation including trip tickets, manifests, and letters from private property owners.
12. Provide a full-time TDSHS licensed project manager to collect ambient air samples while debris is disturbed or removed from the site.
13. Analyze air samples by Phase Contrast Microscopy in our TDSHS licensed laboratory.

All work is covered by our general and professional liability insurances. Our fees are outlined on the attached page. Professional service fees from Mark Thacker AIA and Mike Bugh, P.E., are also attached.

Please sign the statement below and authorize us to begin design and to file the notification on behalf of City of Texarkana at the appropriate time. If you should have any questions please contact our office at (903)534-5001.

Sincerely,


Larry G. Snodgrass, P.E.
President

lgs/ma

NOTIFICATION STATEMENT:

RE: Contract - Design/Project Management - Demolition/Environmental Hazards Removal Project, 116 W. Broad Street, Texarkana, Texas

We hereby authorize ERI Consulting, Inc. to sign and file the appropriate TDSHS/NESHAPS notification in accordance with 295.61 of the Texas Asbestos Health Protection Act, and to begin design activities.

Signature

Printed Name/Title

Date

ERI Consulting, Inc.

**PROFESSIONAL FEE OUTLINE
116 W. Broad, Texarkana, Texas
ES#15-825**

ERI Consulting, Inc.

Design, bid, and administer demolition/environmental hazards removal	\$26,500.00
Full-time air & compliance monitoring during asbestos removal activities (30 days @ \$650/day)	\$19,500.00
Total	\$46,000.00

Mark Thacker AIA

Architectural evaluation, developing recommendations & cost estimates for Option I	\$25,000.00
OR	
Architectural evaluation, developing recommendations & cost estimates for Options II or III	\$15,000.00
AND	
Design, bid, and administer restoration improvements for Option I (estimated)	\$156,000.00
OR	
Design, bid, and administer facade improvements and final demolition for Option II	\$30,000.00
OR	
Design, bid, and administer construction of new facade	\$30,000.00

Michael Bugh, P.E.

Assist ERI with demolition specifications	\$3,000.00
Initial structural evaluation	\$10,000.00
Design and oversee construction of temporary structural bracing	\$5,000.00
Design and oversee construction of enhanced temporary structural bracing	\$5,000.00
Assist Mark Thacker with restoration/facade improvement/final demolition specifications	\$3,000.00
Total	\$21,000.00 - \$26,000.00



ERI CONSULTING, INC.

P. O. Box 2024, Tyler, Texas 75710
 2026 Republic Drive, Suite A, Tyler, Texas 75701
 Ph: (903) 534-5001 Fax: (903) 534-8701
 TBPE Firm # F-1787
www.ericonsulting.com

June 7, 2016

Mr. David W. Orr,
 Director of Planning & Community Development
 P.O. Box 1967, 220 Texas Blvd., 4th Floor
 Texarkana, Texas 75504
 Office: (903) 798-3902 / Cell: (903) 278-7735
 Fax: (903) 798-3913 / david.orr@txkusa.org
 cc: Ms. Daphnea Ryan dryan@txkusa.org

RE: Preliminary Demolition/Restoration Options, 116 W. Broad Street, Texarkana, Texas

Dear Mr. Orr:

Per our meeting and the City of Texarkana's subsequent request, ERI Consulting, Inc. is pleased to submit a preliminary evaluation, preliminary cost estimates, and our estimated fees on the above referenced structure. We appreciate being selected as the City of Texarkana's engineer on this project.

As discussed in the evaluation, ERI has neither the qualifications nor experience to design or oversee the reconstruction of the building or the facade. All restoration and/or work will require design by a licensed architect. All options will require the services of a Texas licensed professional engineer, specializing in structural engineering.

I personally, and ERI Consulting, Inc., have the licensing, qualifications, and experience to design and manage the removal of environmental hazards, and demolition of the existing structure. This includes any of the demolition options outlined.

We have interviewed qualified firms to provide the architectural and structural engineering services necessary to complete the project. We have selected Mark Thacker AIA of Tyler, Texas. Mr. Thacker is a renowned preservation architect with 30 years' experience. We have selected Mike Bugh, P.E., of Tyler, Texas, as our structural engineer. Mr. Bugh has performed multiple structural building evaluations on historically significant structures, and on structures undergoing renovation and demolition activities. We believe our team possesses the formal training and expertise to complete the project.

At the request of City staff, and with some reservations, I have included a broad range of possible costs for each option. Please note these costs are speculative in nature and will vary greatly, based on the findings of our evaluations conducted at the end of Phase 1. These evaluations cannot be performed until the physical and environmental hazards have been removed and the structure temporarily stabilized (if possible).

ERI Consulting, Inc.

Mr. Orr
June 7, 2016
page 2 of 2

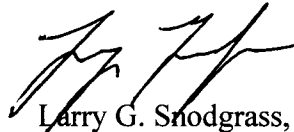
Also note the cost estimates for removal of environmental hazards and demolition are based on past projects and from consultation with demolition contractors. There are unique field conditions and unknowns on this project.

We have already consulted with the Texas Department of State Health Services and Waste Management at New Boston Landfill regarding the disposal of asbestos hazards. We believe our plan best protects the public, workers, and adjacent property owners.

Finally, our demolition design, including the removal of environmental hazards, will be prepared in accordance with best practices. Considering the field conditions, age and condition of the structure, and manner in which the adjacent buildings are connected, damage to these structures is possible.

Please contact us if you have questions regarding the information submitted, or if we may be of further service to you.

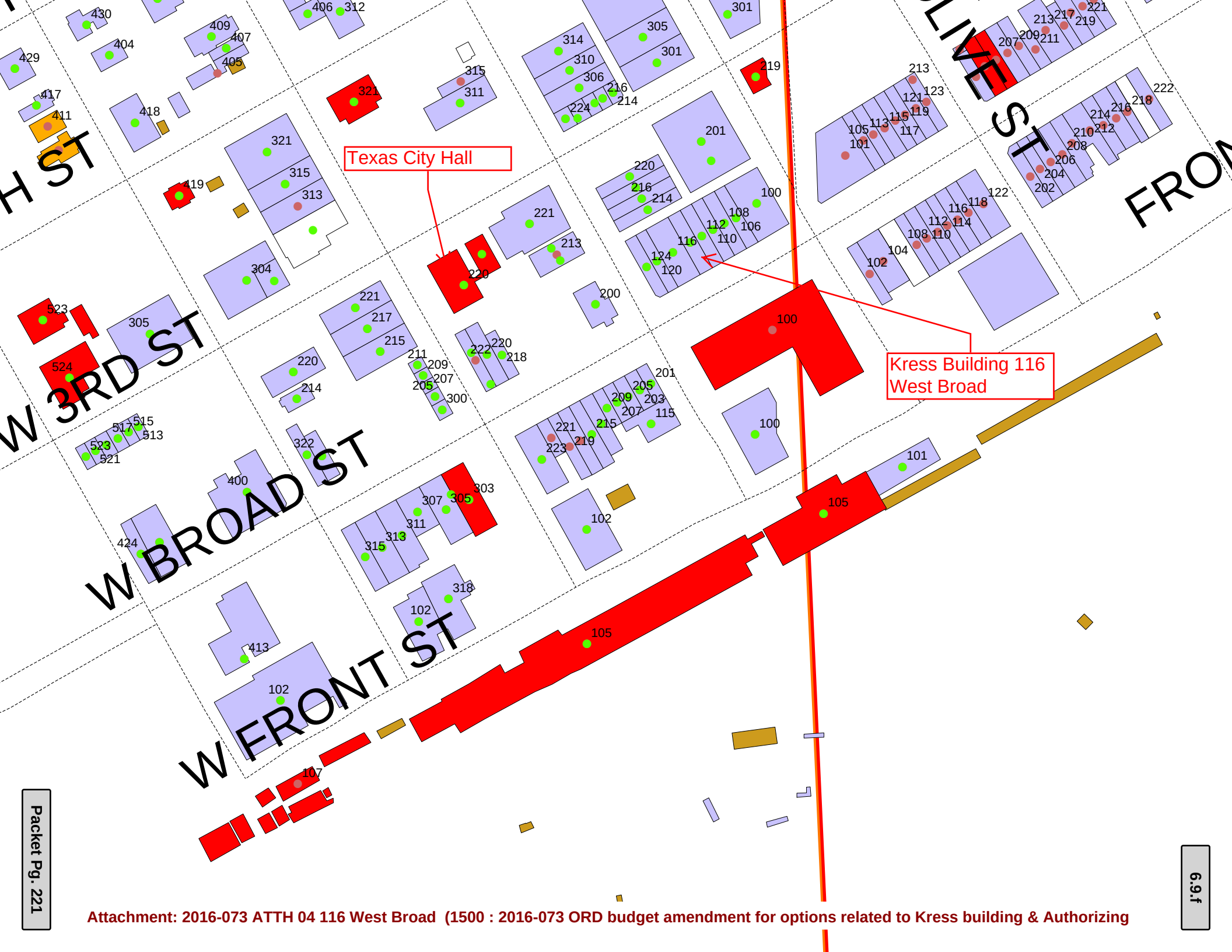
Sincerely,



Larry G. Snodgrass, P.E.
President

lgs/ma
Enclosures

Attachment: 2016-073 ATTH 03 CITY OF TEXARKANA KRESS COVER LETTER (1500 : 2016-073 ORD budget amendment for options related to



Texas City Hall

Kress Building 116
West Broad

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

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

From my counsel:

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

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

Thanks,
 Amber

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

Good Morning,

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

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

Thank you for your consideration.

Daphnea Ryan

Manager, Environmental Services Unit

P.O. Box 1967

Texarkana, Texas 75504

dryan@txkusa.org

903-798-3977

903-748-5031 Cell

903-798-5066 Fax

[attachment "116 Broad HFC Consent and Application.pdf" deleted by Amber

Perry/R6/USEPA/US] [attachment "Property Approval Form 116 Broad Street Housing Finance Corporation.doc" deleted by Amber Perry/R6/USEPA/US]

From: Scott, Camisha [<mailto:Scott.Camisha@epa.gov>]

Sent: Friday, April 17, 2015 8:57 AM

To: TEX-Ryan, Daphnea

Cc: Tex-Orr, David

Subject: Re: Kress Building

Hey Daphne and David,

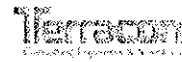
The Brownfields Law establishes that site characterizations or assessments conducted with the use of brownfields grants awarded under CERCLA Section 104(k)(2)(B)(ii) must be conducted in accordance with the federal "all appropriate inquiries" standards established under CERCLA and addressed in EPA's final rule setting standards and practices for all appropriate inquiries (70 FR 66070).

All appropriate inquiries also refers to the requirements for assessing the environmental conditions of a property prior to its acquisition, for purposes of establishing certain landowner liability protection under subtitle B of Title II of the Brownfields Law. These landowner liability protections require that a person perform "all appropriate inquiries" into the previous ownership and uses of a property before acquiring title to the property.

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

Thanks

Camisha



EXECUTIVE SUMMARY

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

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

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

- The site is located at 116 West Broad Street, Texarkana, Bowie County, Texas. The site is a 0.15-acre tract of land that has been improved with a 26,000 square feet (ft²) four-story brick structure. The rectangular building has a masonry facade, a flat tar roof, and a single rear entrance. There is a large metal awning above the storefront entrance. The site is currently unoccupied.
- Site reconnaissance revealed a vacant building in downtown Texarkana, heretofore referenced as the Kress building, which once operated as a S.H. Kress & Co. department store. The Kress building is structurally connected on both sides to other downtown building structures in a manner typical of historical downtown architecture. It was noted that the Kress building has not been maintained since store operations ceased and is in severe disrepair. Masonry siding on the exterior of the building is damaged, and several pieces appear to have fallen from the building. Portions of the interior walls, ceilings and floors have collapsed due to water damage, and several windows are either broken or missing. Plywood is nailed to the storefront to prevent access or trespassing. The awning above the storefront is rotting and a large segment is missing. No other building features (e.g., elevators, office/storage space, restrooms, etc.) were visually apparent at the time of site reconnaissance due to severe structural damage and dilapidation. In addition, severe water damage due to frequent flooding prevented full access to the basement. However, considering the

Terracon

EXECUTIVE SUMMARY (cont.)

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

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

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

- Inspection records obtained from the City of Texarkana Building Permit/Inspection Department indicated that in 1979, site repairs were requested in order for the building to meet minimum code requirements. Actions requested included the removal of batteries used for auxiliary power. Based on the previous use of batteries of unknown disposition, this finding constitutes a REC at the site.
- Properties adjacent to the site include vacant and occupied commercial office space, government offices, and law offices. The south-adjoining properties consist of the Bi-State Justice Building, Bi-State Bail Bonds (201 W. Broad St.), and Main Street. The east-adjoining properties consist of Four States Magazine (114 W. Broad St.), AR & TX Bail Bonds (112 W. Broad St.), T-Town Camo (110 W. Broad St.), A-1 Bonding (108 W. Broad St.), Advanced Business Equipment (106-A W. Broad St.), and Capital One (100 W. Broad St.), followed by State Line Avenue. An alleyway adjoins the site to the north, followed by two finance companies, a parking lot, and then E. 3rd Street. The west-adjoining properties consist of a vacant commercial structure (120 W. Broad St.), the Mabel Bryan Morriss Center (124 W. Broad St.), and Main Street.
- The environmental regulatory database review identified the subject site as a TX Brownfields. In addition, the regulatory review identified one (1) National Priorities List (NPL) site, one (1) Texas Brownfields (TX Brownfields) site, one (1) Record of Decision (ROD) site, one (1) Arkansas leaking underground storage tank (LUST) site, one (1) Arkansas underground storage tank (UST) site, eight (8) Texas underground storage tank (TX UST) sites, eight (8) Texas leaking underground

EXECUTIVE SUMMARY (cont.)

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

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

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

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

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

Hazardous Substance and Co-mingled RECs

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

Terracon

EXECUTIVE SUMMARY (cont.)

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

- A review of historical Sanborn maps revealed that a Sears Roebuck & Co. auto repair shop and filling station were operated on an adjoining property north of the site during the 1940s-1960s. These types of automotive-related facilities commonly used solvents and chemical compounds in repair operations in addition to petroleum. Based on these past land uses adjacent to the site and their potential for historical releases, in combination with the 1933 fire that destroyed the original Kress store, these findings appear to constitute potential multiple point source releases of hazardous substances co-mingled with residual levels of petroleum/petroleum lubricants as a REC from a contiguous property.
- Due to the age of the building, it is possible that building materials such as drywall, floor tiles, ceiling tiles, surfacing material, mastic, and thermal system insulation could contain asbestos. In addition, painted surfaces were observed to be in poor condition. Based on the date of construction, it is possible that the original layers of paint are considered lead-based paint. Although future renovation of the structure would likely include removal of potential asbestos- or lead-containing materials, it is important to consider potential current exposures by transients or adolescent trespassers.
- Evidence of water infiltration (e.g. water stains) was noted during the site reconnaissance that may have contributed to mold growth and proliferation.

114 WEST BROAD STREET, TEXARKANA, TEXAS 75501

Mail To:

P.O. BOX 1596, TEXARKANA, TEXAS 75504

PHONE: [903] 792-2000 FAX: [903] 792-2100

JASONHORTONLAW.COM LICENSED IN TEXAS & ARKANSAS

JASON HORTON

LAW FIRM

March 2, 2015

Via email to david.orr@txkusa.org

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

RE: *Kress Building*

Dear David:

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

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

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

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

Thanks for your time and consideration.

Sincerely,



Jason Horton

/tmc

Enclosure

Attachment: 2016-073 ATTH 08 Jason Horton Letter (1500 : 2016-073 ORD budget amendment for options related to Kress building &

TEX-Burns, Pam

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

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

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

-----Original Message-----

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

Hello Jerry,

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

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

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

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

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

Tom Morrissey

Sent from my iPad

October 16, 2012

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

Re: Kress Department Store
Texarkana, TX

Dear Mr. Lindholm,

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

1. This building was a multi story department store.
2. We were not able to enter the interior of the building due to the dilapidated nature of the flooring system. We viewed the interior from the rear landing at the alley entrance door.
3. It appears the roof has had numerous leaks over the years leading to the collapse of the roof system and subsequent floor system.
4. From our vantage point we were able to see into the basement due to the collapse of the flooring (see photos).
5. From what we could observe, the steel framing was in poor condition due to rust.
6. We noted several masonry cracks on the exterior masonry which appeared to be indicative of structural problems.

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

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

Professional Engineers Licensed in:

Alabama, Arizona, Arkansas, Colorado, Connecticut, District of Columbia, Florida, Georgia, Idaho, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin

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

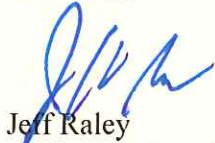
This report is based upon our experience, readily accessible visible defects and certain assumptions that conventional methods of construction were used to build the building. We cannot normally see irregularities inside structures. Nature through excessive rain, droughts and differing soil characteristics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

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

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

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

Sincerely,

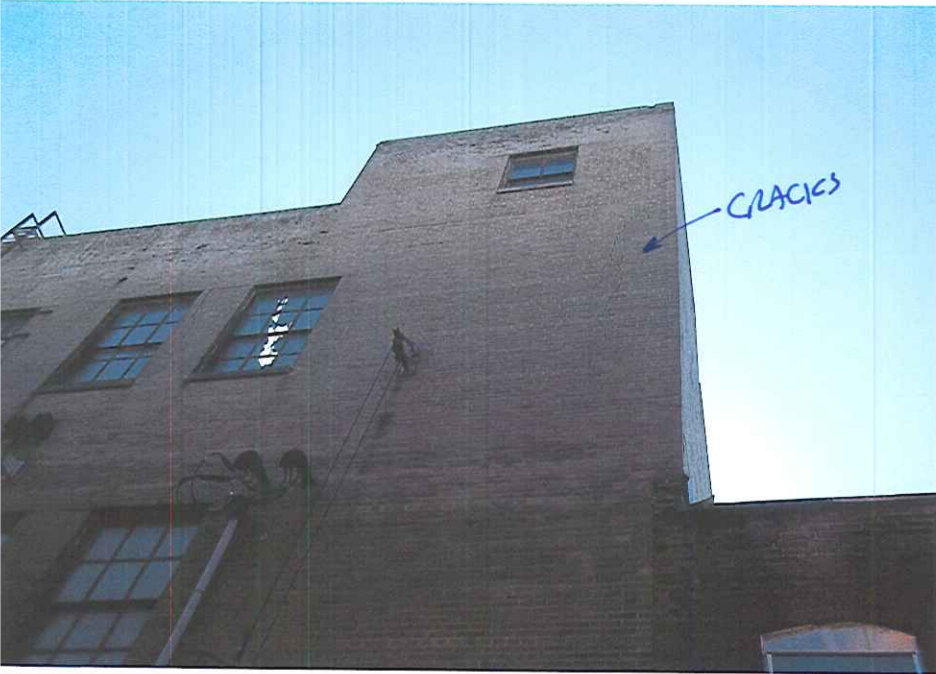


Jeff Raley
Professional Engineer





KRESS BUILDING





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









6.9.m





6.9.m







6.9.m















6.9.m



Kress Property Timeline

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

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

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

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

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

November 2009- Texas Commission on Environmental Quality(TCEQ), completed a Phase I EPA Assessment.

Note: In order to use federal clean up funds, this EPA Assessment would have had to have been updated within six months prior to the the City accepting ownership.

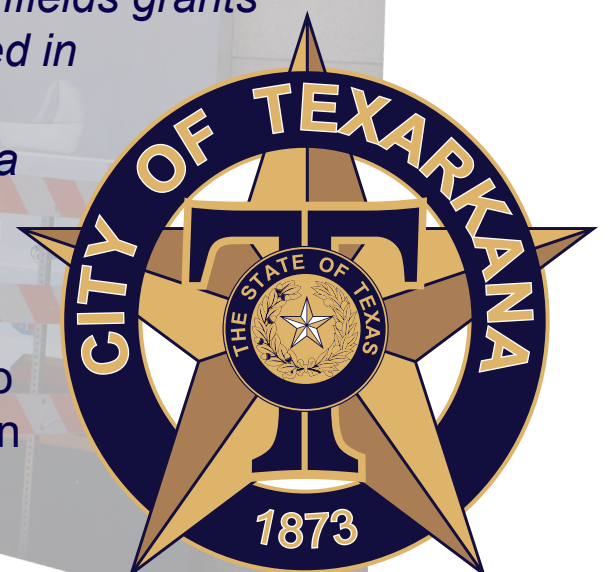
October 2012- City hired structural engineering firm, Raley and Associates, to determine options for next steps related to the building. After inspection, the firm reported "the structure appears to be unstable and needs to be demolished as soon as possible. The building by its location and size will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

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

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

April 2015- City requests a re-review of the property to use EPA Brownfields Program Funding. *From EPA Program Officer: The Brownfields Law establishes that site characterizations or assessments conducted with the use of brownfields grants awarded under CERCLA Section 104(k)(2)(B)(ii) must be conducted in accordance with the federal "all appropriate inquiries" standards... the Kress is not a candidate for our funding." Council will consider a resolution regarding next steps for the building, including demolition.*

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



**PUBLIC HEARING
FOR UNSAFE STRUCTURE**

Property: 116 West Broad Street

Owner of Record:

Bi-State Women's Shelter

§
§
§
§
§
§

**BUILDING AND STANDARDS
COMMISSION**

CITY OF TEXARKANA, TEXAS

ORDER OF THE COMMISSION

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

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

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

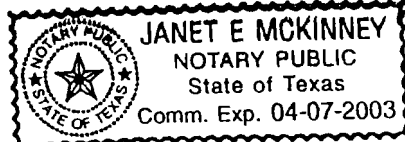
IT IS THEREFORE ORDERED that the Owner of Record shall demolish the structure on the above referenced property within thirty (30) days from the date this Order is signed. The Owner of Record shall obtain the appropriate permits from the Inspection Department of the City of Texarkana, Texas in order to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

SIGNED this the 6 day of August, 2002.

Eddie Hackleman

Eddie Hackleman, Chairman
Building and Standards Commission

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



Janet E. McKinney
Notary Public, Bowie County, Texas

ORDINANCE NO. 073-09

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

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

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

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

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

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

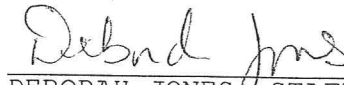
PASSED AND APPROVED in Special Council Session on this the 18th day of May, 2009.


STEPHEN A. MAYO, MAYOR

ATTEST:


KERRY MEREDITH, CITY SECRETARY

APPROVED AS TO FORM:


DEBORAH JONES, STAFF LEGAL COUNSEL

Submitted Kress Building Questions

1. “Why would the former council accept this liability?” No assumptions can be made for the purpose of accepting this building, other than that it was a public nuisance and in writing we have confirmed that the original intent was to tear it down.
2. “Was it an attempt to salvage a historically significant structure?” No, when the council accepted the donation of the building, it was to “demolish the structure removing the building as an eyesore and potential public health and safety risk” per a memo from Craig Lindholm, Executive Director of Community Redevelopment and Grants for the City of Texarkana, Texas to the city manager, dated May 14, 2009.
3. “Why isn’t any of information in your packet?”

There is extensive information available (21 documents total) in the packet including the recommendation memo and the Council resolution regarding the acquisition of the building.

4. “The former city council didn’t accept this building with a liability to tear it down so why would this council be so quick to take on this substantial fiscal liability?”

The city owns this building, and is therefore liable for any harm or damage it may cause to people or other buildings. Ignoring the problem and taking no action will not relieve the city of this fiduciary responsibility. The property has been an issue for the Texarkana community since 1979, and publicly owned since 2009.

No assumptions can be made for the purpose of accepting this building, other than that it was a public nuisance and in writing we have confirmed that the original intent was to tear it down.

5. “Staff says all funding options have been exhausted; however, does NOT include any denial letters or applications.”

The 2009 Texas Historical Commission response to eligibility is included in the packet that could have allowed an application for the building to be placed on the National Register for state and federal historic tax credit eligibility if a purchaser was identified. However, no potential purchasers have come forward in 6 years and THC has recently suggested a re-review of the case to determine if the structure is still eligible given the current condition.

Denial emails regarding use of EPA Brownfields program grant funds in 2012 and 2015 are now included in the packet material.

6. “Has the city conducted an engineering study to discuss the live spring under the building and the cost?”

October 2012- City hired structural engineering firm, Raley and Associates, to determine options for next steps related to the building. After inspection, the firm reported “the structure appears to be unstable and needs to be demolished as soon as possible.” The existence of a “live spring” was not listed in their report.

November 2014 - Patterson Engineering did a preliminary inspection of the building’s structural integrity. Again, the existence of a “live spring” was not listed in the report.

7. “Why is the Morrissey letter not in the packets, nor on the website?”

The Morrissey letter was linked and accessible from the website. However, when printed the Morrissey letter was omitted from the IQM2 software for Council agenda packets. A new PDF version of the Morrissey letter has been included that will resolve the printing issue.

8. Most importantly, has the city asked the community about their feelings?”

Public feedback and transparency is essential throughout any City process. For this reason, the Council agenda is set by default to discuss this agenda item and any other agenda items at 4 separate Council meetings which occur generally over a 2 month timeframe. This format allows multiple opportunities for the public to express comments or concerns over any public action including this item.

9. “How does the city explain the expenditure of \$300k from the fund balance on one building when there are city residents who are forced to live next to partially burned and collapsed residential homes?”

The city owns this building, and is therefore liable for any harm or damage it may cause to people or other buildings. The residential homes on the city’s demolition list are almost solely privately owned properties (2 out of 300+ properties are city owned).

10. “When the council opens the fund balance up to demolition of this building, how does the city address all the other neglected structures in Texarkana?”

This building is publicly owned and has a structural engineering report from 2012 that states “the structure appears to be unstable and needs to be demolished as soon as possible.” Furthermore, the city has received complaints regarding pieces of the façade falling onto the public sidewalk below and a flooded basement that negatively impacts adjacent property owners. The City is liable for any harm or damage it may cause to people or other buildings and therefore it is considered a high priority.

What makes this building more unstable than others and who decides? Is there a process? Instead of spending 300k, the city could be forced to spend \$3 million on several other buildings.”

Structural engineers are qualified professionals that can comment and make recommendations regarding stability.

The City owns two other vacant buildings in downtown Texarkana (203/205 W Broad & 219 Elm Street) and both qualify for EPA Brownfield program funding. Staff is actively working with funded EPA Brownfield grants to assess and remediate these properties. With grant funding in place, staff does not anticipate general funds will be needed for the cleanup of these properties.

Although past mistakes cannot be undone, current staff will be required to provide proof of funding options prior to acquiring additional properties for cleanup.

5. “If you can’t answer these questions how do you justify spending \$300k out of the fund balance?”

See answers 1-10.



City of Texarkana, Texas

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

Telephone: 903-798-3902

FAX: 903-793-3913

Memo

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

From: Craig Lindholm, Executive Director CR&G

Date: May 14, 2009

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

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

**CITY OF TEXARKANA, TEXAS**

P.O. BOX 1967, 75501

PHONE 214-794-3434

February 7, 1979

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

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

Building

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



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

Electrical

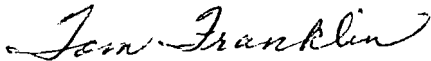
1. Need exit lights installed over all stairwell doors, also over windows leading to fire escape.
2. Replace all non-grounding type receptacles with grounding type.
3. Recover all old open junction boxes(general clean up and repairs).

Plumbing

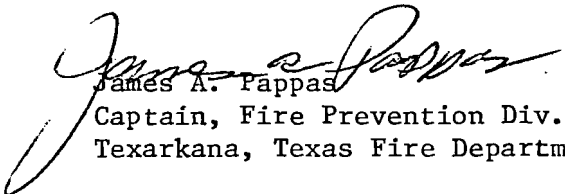
1. Remove existing gas meter to outside of building.
2. If existing hot water is used, bring it up to code or completely remove.
3. Check existing A/C system and repair or remove, which ever is feasible. Check sump pump, and all piping for repairs with pressure test.

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

Sincerely,



Tom Franklin
Building Official



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

TF/ry



CITY OF TEXARKANA, TEXAS

P.O. BOX 1967, 75504

PHONE 903-794-3434

FAX 903-792-9390

OFFICE OF: INSPECTION

October 29, 1992

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

RE: 116 W. Broad St.
Crafts Store

Dear Mr. Alexander:

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

Building

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

Electrical

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

Plumbing

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

Mr. Alexander
Page 2

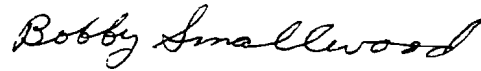
H/A

1. Install heaters in building if needed to code.

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

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

Very truly yours,



Bobby Smallwood
City Inspector

TEX-Jones, Denton

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

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

Dave

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

Called Owner 3-16-01

Owner agreed to clean up glass on sidewalk
and board up opening

MEMORANDUM

TO: Debbie Burk

FROM: Nina Walker, Combination Inspector *Nina*

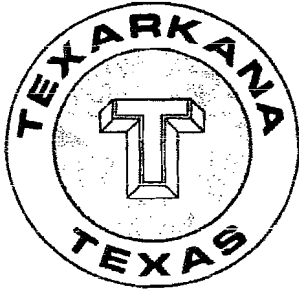
SUBJECT: 116 West Broad Street

DATE: October 03, 2002

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

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

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



CITY OF TEXARKANA, TEXAS

P. O. BOX 1967 75504

PHONE 903-798-3900

FAX 903-798-3933

Inspection Office
April 17, 2003

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

RE: 116 West Broad Street

To Whom It May Concern:

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

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

Sincerely,

Nina Walker
Combination Inspector



903-748-5222

COPY

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

DEED WITHOUT WARRANTY

STATE OF TEXAS
COUNTY OF BOWIE

§
§ KNOW ALL MEN BY THESE PRESENTS
§

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

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

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

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

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

CITY OF TEXARKANA, TEXAS

BY: *F. Larry Sullivan*
F. LARRY SULLIVAN
CITY MANAGER

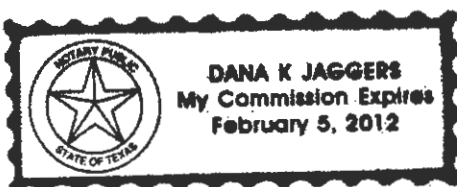
ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF BOWIE §

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

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

Dana K. Jaggers
Notary Public, State of Texas



330

Vol 6164 Page 279

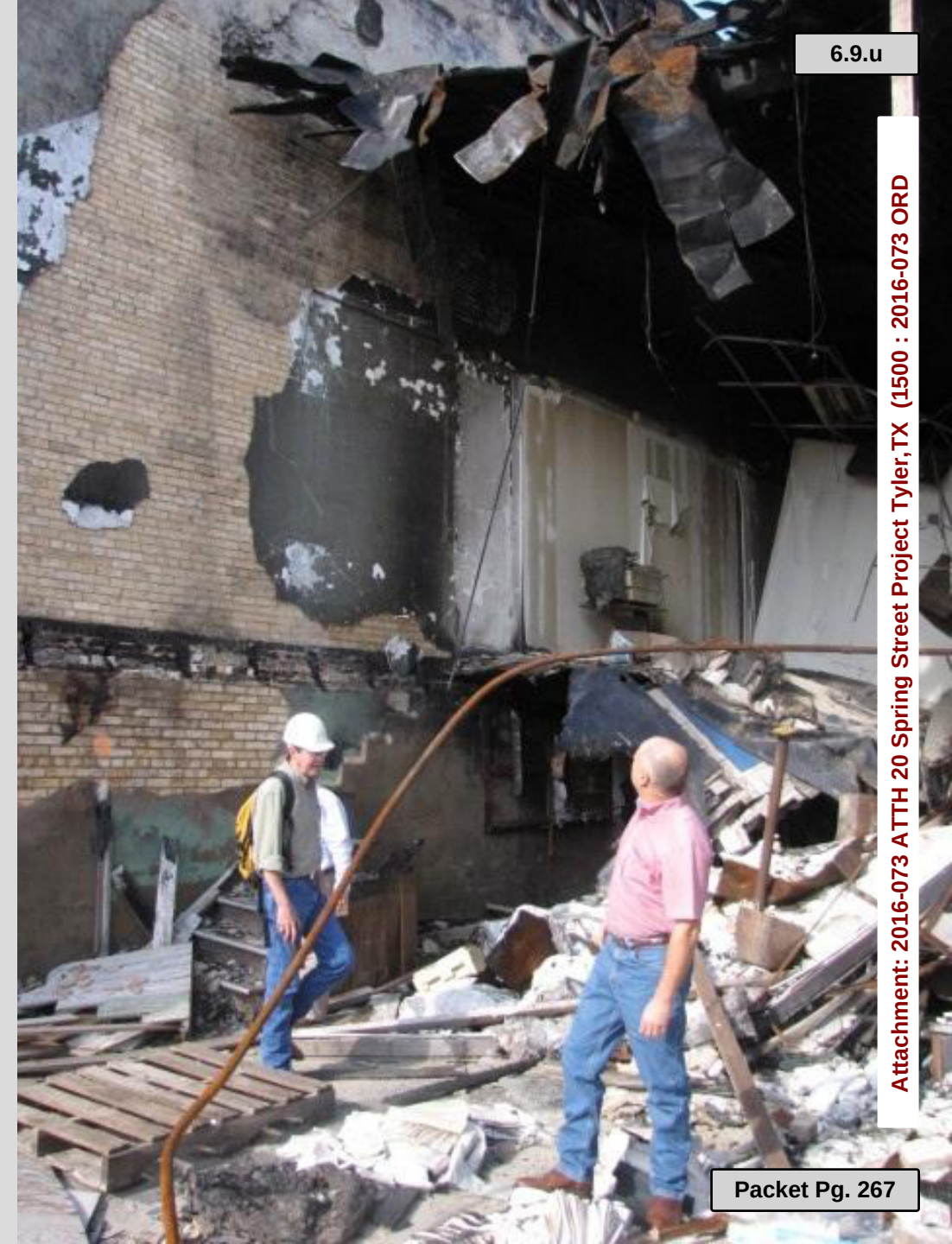
 City of Texarkana, Texas
West 3rd Street & Texas Blvd
P.O. Box 1467

Fire Restoration Project by Smith County
Spring Avenue Plaza









6.9.u

Attachment: 2016-073 ATTH 20 Spring Street Project Tyler, TX (1500 : 2016-073 ORD























Attachment: 2016-073 ATTH 20 Spring Street Project Tyler, TX (1500 : 2016-073 ORD

































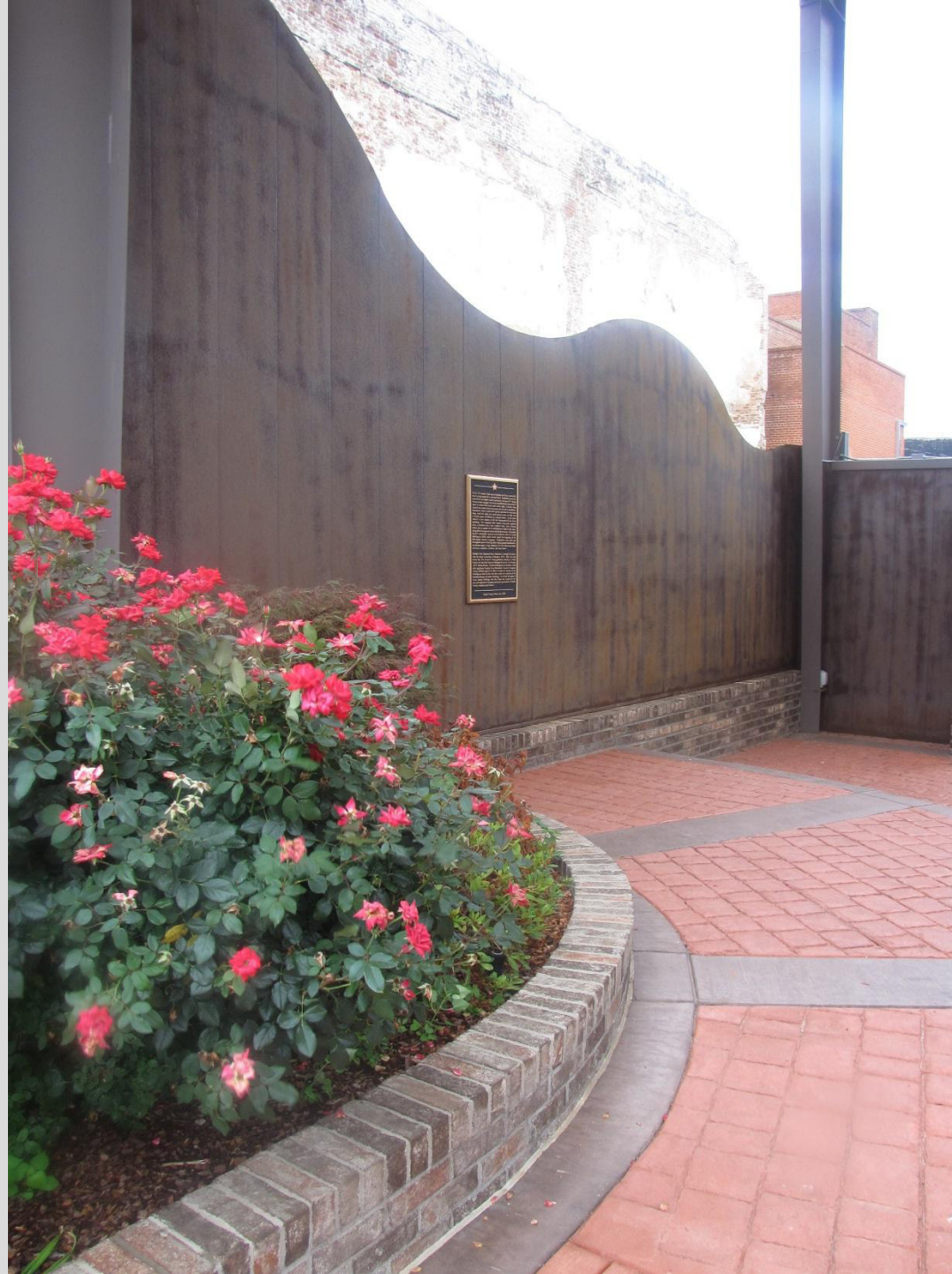


The Spirit of Progress

Smith County's *Spirit of Progress* is a cherished symbol of the rich tradition of a time of classical and more formal architecture. Known as a "relief sculpture" because of its raised design, this panel was prominently displayed over the front door of the original Montgomery Ward & Co. building in 1930 on S. College Street in Tyler until the company moved to a new location in the Bergfeld Shopping Center area in 1959. In 1960, the Alex Golenternek family moved the family business, Golenternek's Tyler House Furnishings, into the empty Montgomery Ward building and became resident caretakers of this beautiful art piece. The *Spirit of Progress* lovingly guarded the front doors of Golenternek's until the building was demolished in 1980. She was saved from demolition and was stored for years by the Smith County Historical Society who graciously donated the piece to Smith County citizens and visitors for their enjoyment. Because of their generosity, the *Spirit of Progress* once again takes her rightful place as the elegant guardian of downtown Tyler.

Smith County, Texas, est. 1846

















TEXAS HISTORICAL COMMISSION
real places telling real stories

June 23, 2015

David W. Orr
Planning and Community Development Director
City of Texarkana, Texas
PO Box 1967
Texarkana, TX 75504

RE: Kress Building, 116 West Broad Street, Texarkana, Bowie County, Texas

Dear Mr. Orr:

Thank you for submitting additional documentation of the Kress Building in Texarkana, Texas. The building is not eligible for individual listing in the National Register of Historic Places due to a lack of integrity, as the storefront has been lost, and the building no longer retains a roof or any floors. We have also determined that the block upon which the building is located is not eligible for listing in whole or in part as a historic district, also due to diminished integrity.

If you have any questions, don't hesitate to contact me at (512) 463-6013 or by email at greg.smith@thc.state.tx.us.

Sincerely,



Gregory W. Smith
National Register Coordinator



City of Texarkana, Texas

Lead Department: Water Utilities **Action Officer:** Pam White,
Resolution No. 2016-075 authorizing the City Manager to accept the bid and
enter into a contract with Belt Construction, Inc. of Texarkana, Arkansas, in an
amount not to exceed \$188,132 for the New Boston WTP 30" sludge main
Subject: relocation.

Briefing: 6/27/2016 **Public Hearing:** 7/11/2016 **Second Briefing:** July 25, 2016 **Council Vote:** 8/8/2016

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bids were received Tuesday, June 14, 2016 for the New Boston Road Water Treatment Plant 30" Sludge Main Relocation. Two (2) contractors picked up bid packages for the project and one (1) contractor bid on the project. Belt Construction, Inc. of Texarkana, Arkansas was the apparent low bidder with a low Bid of \$188,132.00. This project consists of installing three hundred ninety three feet (393') of thirty inch (30") PVC Sewer Pipe, sixty feet (60') of thirty inch (30") Ductile Iron Sewer Pipe, twenty seven feet (27') of twenty four inch (24") PVC Sewer Pipe, five (5) new concrete manholes. Belt Construction, Inc. has successfully completed several jobs for the Utility including Briarrose Drive Sewer Main Improvements. The Texas Commission on Environmental Quality is requiring the Utility to relocate this sludge line so it is not within fifty feet (50') of the clearwells. This project will relocate the existing thirty inch (30") sludge line well past the fifty foot (50') requirement.

Potential Options:

- None
-

Fiscal Implications:

Funds are available in the Texarkana Water Utilities 2015-2016 Budget from the Lake Texarkana Capital Improvement Fund.

Staff Recommendation:

Utility staff strongly recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

City of Texarkana, Texas

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2016-075 RES 30in. Sludge Main Relocation (DOCX)
- b. 2016-075 Briefing Sheet (DOC)
- c. 2016-075 ATTH01 Bid Tabulation (DOCX)
- d. 2016-075 ATTH02 Bid Tabulation (PDF)
- e. 2016-075 Goals & Perspectives (DOCX)

Staff Coordination

Water Utilities	Gary Smith	Department Head Review	Completed	
	06/16/2016 2:33 PM			
Water Utilities	Jim Cornelius	Review	Completed	06/16/2016
4:00 PM				
Water Utilities	JD Phillips	Review	Completed	06/17/2016
1:22 PM				
Public Information Officer		Lisa Thompson	PIO Review	Completed
	06/17/2016 1:25 PM			
City Manager	John Whitson	City Manager Review	Completed	06/19/2016
3:17 PM				
City Council	Vicky Coopwood	Meeting	Pending	06/27/2016
6:00 PM				

Meeting History

RESOLUTION NO. 2016-075

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND ENTER INTO A CONTRACT WITH BELT CONSTRUCTION, INC. OF TEXARKANA, ARKANSAS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY-EIGHT THOUSAND ONE HUNDRED THIRTY-TWO DOLLARS (\$188,132) FOR THE NEW BOSTON ROAD WTP 30" SLUDGE MAIN RELOCATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on June 14, 2016, one (1) bid was received by Texarkana Water Utilities for the New Boston Road WTP – 30" Sludge Main Relocation Project which will relocate an existing sludge main due to its proximity with the existing clearwells; and

WHEREAS, the project will consist of installing approximately three hundred ninety-three feet (393') of thirty inch (30") PVC sewer pipe, sixty feet (60') of thirty inch (30") Ductile Iron sewer pipe, twenty-seven feet (27') of twenty-four inch (24") PVC sewer pipe, and five (5) new concrete manholes and related appurtenances; and

WHEREAS, the only and best bid by a responsible vendor for this project was submitted by Belt Construction, Inc. of Texarkana, Arkansas, a copy of which is attached hereto as "**Attachment 01**" in an amount not to exceed ONE HUNDRED EIGHTY-EIGHT THOUSAND ONE HUNDRED THIRTY-TWO DOLLARS (\$188,132); and

WHEREAS, funds currently in the Texarkana Water Utilities 2015-2016 Budget in the Lake Texarkana Capital Improvement Fund are available in the amount of ONE HUNDRED EIGHTY-EIGHT THOUSAND ONE HUNDRED THIRTY-TWO DOLLARS (\$188,132).

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

SECTION 1: That the only and best bid by a responsible vendor, submitted by Belt Construction, Inc. of Texarkana, Arkansas, a copy of which is attached hereto as "**Attachment 01**" be and is hereby approved in an amount not to exceed ONE HUNDRED EIGHTY-EIGHT THOUSAND ONE HUNDRED THIRTY-TWO DOLLARS (\$188,132) for the installation of approximately three hundred ninety-three feet (393') of thirty inch (30") PVC sewer pipe, sixty feet (60') of thirty inch (30") Ductile Iron sewer pipe, twenty-seven feet (27') of twenty-four inch (24") PVC sewer pipe, and five (5) new concrete manholes and related appurtenances for the New Boston Road WTP – 30" Sludge Main Relocation Project.

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

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

PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bids were received Tuesday, June 14, 2016 for the New Boston Road Water Treatment Plant 30" Sludge Main Relocation. Two (2) contractors picked up bid packages for the project and one (1) contractor bid on the project. Belt Construction, Inc. of Texarkana, Arkansas was the apparent low bidder with a low Bid of \$188,132.00. This project consists of installing three hundred ninety three feet (393') of thirty inch (30") PVC Sewer Pipe, sixty feet (60') of thirty inch (30") Ductile Iron Sewer Pipe, twenty seven feet (27') of twenty four inch (24") PVC Sewer Pipe, five (5) new concrete manholes. Belt Construction, Inc. has successfully completed several jobs for the Utility including Briarrose Drive Sewer Main Improvements. The Texas Commission on Environmental Quality is requiring the Utility to relocate this sludge line so it is not within fifty feet (50') of the clearwells. This project will relocate the existing thirty inch (30") sludge line well past the fifty foot (50') requirement.

Potential Options:

- None
-

Fiscal Implications:

Funds are available in the Texarkana Water Utilities 2015-2016 Budget in the Lake Texarkana Capitol Improvement Fund.

Staff Recommendation:

Utility staff strongly recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

**New Boston Road WTP
30" Sludge Main Relocation**

2:00 P.M. Tuesday, June 14, 2016

	Base Bid
1. RBIS, LLC Texarkana, Arkansas	No Bid
2. Belt Construction Texarkana, Arkansas	\$188,132.00

Time First Bid Opened: 2:00 P.M

Number of Bidders: 1

Apparent Low Bidder: Belt Construction, Inc.

Bid Tabulation
 NEW BOSTON ROAD WTP
 30" SLUDGE MAIN RELOCATION
 Project No. 63-000-135111-L121635
 JUNE 14, 2016 @ 2:00

BASE BID:					
				BELT CONSTRUCTION	
				<i>Texarkana, TX</i>	
Item	Quantity	Unit	Description	Amount	Total
1	1	LS	Mobilization, Bonds & Submittals	\$25,190.00	\$25,190.00
2	393	LF	30" PVC C-905, DR25 Sewer Pipe by Open Cut	\$126.00	\$49,518.00
3	60	LF	30" DIP with Restrained Joints Sewer Pipe by Open Cut	\$413.00	\$24,780.00
4	27	LF	24" PVC SDR-26 Sewer Pipe by Open Cut	\$96.00	\$2,592.00
5	1	EA	Concrete Manhole #1	\$9,163.00	\$9,163.00
6	1	EA	Concrete Manhole #2	\$4,895.00	\$4,895.00
7	1	EA	Concrete Manhole #3	\$4,739.00	\$4,739.00
8	1	EA	Concrete Manhole #4	\$6,700.00	\$6,700.00
9	1	EA	Concrete Manhole #5	\$6,000.00	\$6,000.00
10	2	EA	Remove Existing Sewer Manhole	\$2,290.00	\$4,580.00
11	230	LF	Abandon Existing 30" Sewer Pipe	\$57.00	\$13,110.00
12	230	LF	Abandon Existing 24" Sewer Pipe	\$51.50	\$11,845.00
13	1	EA	Abandon Existing Manhole	\$1,489.00	\$1,489.00
14	2	EA	Cut, Plug, & Abandon Existing 30" Sewer Main	\$2,948.00	\$5,896.00
15	2	EA	Cut, Plug, & Abandon Existing 24" Sewer Main	\$2,634.00	\$5,268.00
16	1	LS	Clean & Test Manholes	\$1,489.00	\$1,489.00
17	1	LS	Clean & Test Sewer Mains	\$2,863.00	\$2,863.00
18	1	LS	Trench Protection	\$3,435.00	\$3,435.00
19	1	LS	Seeding	\$3,435.00	\$3,435.00
20	1	LS	Erosion Control Measures	\$1,145.00	\$1,145.00
			Total Base Bid:		\$188,132.00

Attachment: 2016-075 ATTH02 Bid Tabulation (1499 : 2016-075 RES New Boston Road WTP 30" sludge main relocation)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

City of Texarkana, Texas

Lead Department: Purchasing and Contracting **Action Officer:** Sharon Moore, Purchasing Manager
Ordinance No. 2016-060 finding and determining the individuals and families who qualify as low-income individuals and families under Sec. 253.010, Tex. Loc. Gov't Code to include in the Property Policy Manual for sale of city acquired land.

Subject: acquired land.

Briefing: 6/27/2016 **Public Hearing:** 6/27/2016 **Second Briefing:** July 11, 2016 **Council Vote:** 7/25/2016

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The Director of Planning and Community Development has asked that a change be made to the current policy for the sale of land or property. The City currently puts property out for bid as interested parties inquire to purchase. These procedures and our manual have been adopted by council.

The City was approached by two non-profit organizations who would like us to sell them a lot at a substantially reduced price to assist them in building homes for low income individuals and families. They would like us to by-pass the bidding requirements. This would be a win/win situation for all. The City would get a new tax paying property owner.

To assist, our current policy must be changed. According to Local Government Code Section 253.010 "Sale of Real Property to Certain Nonprofit or Religious Organizations", we must adopt the change by ordinance and establish what is low-income.

The Director of Planning and Community Development and the Purchasing Manager ask Council to approve an ordinance to allow the City to sell property at any amount that the City proposes to the non-profit organizations meeting the definition of low-income.

Potential Options:

- Keep the policy as is
-

Fiscal Implications:

NONE

Staff Recommendation:

Staff recommends passage of this ordinance

City of Texarkana, Texas

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2016-060 ORD Authorizing CM to sell to Nonprofit(DOCX)
- b. Goals and Perspectives (DOCX)

Staff Coordination

Purchasing and Contracting	Sharon Moore	Department Head Review	
Completed	06/07/2016 7:23 AM		
City Attorney	Jeffery C. Lewis	Review	Completed 06/07/2016
10:05 AM			
City Attorney	Sharon Moore	Review	Skipped 05/25/2016
11:00 AM			
Planning and Community Development	David Orr	Review	Completed
06/07/2016 11:06 AM			
Planning and Community Development	Sharon Moore	Review	Skipped
05/25/2016 11:00 AM			
Finance Department	Kristin Peebles	Finance Review	Completed 06/07/2016
11:50 AM			
Finance Department	Sharon Moore	Finance Review	Skipped 05/25/2016
11:00 AM			
Assistant City Manager	Shirley Jaster	Assistant City Manager	
Review	Completed	06/07/2016 11:55 AM	
Public Information Officer	Lisa Thompson	PIO Review	Completed
06/07/2016 11:59 AM			
City Manager	John Whitson	City Manager Review	Completed 06/07/2016
9:20 PM			
City Council	Jennifer Evans	Meeting	Completed 06/13/2016
6:00 PM			

Meeting History

06/13/16 City Council MOVED FORWARD Next: 06/27/16

ORDINANCE NO. 2016 - 060

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, FINDING AND DETERMINING THE INDIVIDUALS AND FAMILIES WHO QUALIFY AS LOW-INCOME INDIVIDUALS AND FAMILIES UNDER SECTION 253.010 OF THE TEXAS LOCAL GOVERNMENT CODE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 253.010 of the Texas Local Government Code authorizes the City Council to provide for the manner in which land acquired by the City may be sold to certain specified entities:

Sec. 253.010. SALE OF REAL PROPERTY TO CERTAIN NONPROFIT OR RELIGIOUS ORGANIZATIONS.

(a) Notwithstanding any other provision of law, the governing body of a municipality may provide for the manner in which any land acquired by the municipality may be sold if the land is sold to:

- (1) a nonprofit organization that develops housing for low-income individuals and families as a primary activity to promote community-based revitalization of the municipality;
- (2) a nonprofit corporation described by 26 U.S.C. Section 501(c)(3) that:
 - (A) has been incorporated in this state for at least one year;
 - (B) has a corporate purpose to develop affordable housing that is stated in its articles of incorporation, bylaws, or charter;
 - (C) has at least one-fourth of its board of directors residing in the municipality; and
 - (D) engages primarily in the building, repair, rental, or sale of housing for low-income individuals and families; or
- (3) a religious organization that:
 - (A) owns other property located in the municipality that is exempt from taxation under Section 11.20, Tax Code; and
 - (B) has entered into a written agreement with the municipality regarding the revitalization of the land.

(b) A municipality operating under this section may by ordinance determine the individuals and families who qualify as low-income individuals and families under Subsection (a)(1) or (2). In adopting an ordinance under this subsection, the municipality shall consider median income of individuals and median family income in the area.

WHEREAS, the City Council, by Resolution 2014-056, has approved and adopted a Property Policy Manual; and

WHEREAS, the City Council intends to adopt a new Resolution No. 2016-063 which will approve amendments to the Property Policy Manual for implementation of the provisions of Section 253.010 of the Texas Local Government Code; and

WHEREAS, pursuant to Section 253.010(b) of the Texas Local Government Code, a municipality operating under Section 253.010 may by ordinance determine the individuals and families who qualify as low-income individuals and families under Subsection (a)(1) or (2), and in adopting

such an ordinance shall consider median income of individuals and median family income in the area.

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

SECTION 1: The City Council finds and determines that the individuals and families who qualify as low-income individuals and families under Sections 253.010(a)(1) or (a)(2) of the Texas Local Government Code are those individuals and families whose household income does not exceed the Texarkana, TX - Texarkana, AR Fair Market Rent income limits published annually by the Department of Housing and Urban Development.

SECTION 2: 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 **25th day of July, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

City of Texarkana, Texas

Lead Department: Purchasing and Contracting **Action Officer:** Sharon Moore, Purchasing Manager
Subject: Resolution No. 2016-063 amending the Property Policy Manual to sell city acquired land to non-profit organizations that develop housing for low-income individuals and families and increase surplus/sale authorization for real property with an appraised value not to exceed \$10,000.

Briefing: 6/27/2016 **Public Hearing:** 6/27/2016 **Second Briefing:** July 11, 2016 **Council Vote:** 7/25/2016

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The Director of Planning and Community Development has asked that a change be made to the current policy for the sale of land or property. The City currently puts property out for bid as interested parties inquire to purchase. These procedures are in the current property manual that was adopted by council in 2014.

We ask that council pass Ordinance No. 2016-060 allowing the City to sell land to non-profit organizations that assist low-income individuals and families to build homes. Once Ordinance No. 2016-060 is passed, the property manual must be updated to include this revision.

At the same time, we also ask council to amend Section II H of the property manual to granting the City Manager to surplus and sell real property with an appraised value from \$5,000 to \$10,000. This would take into consideration inflation of appraised values in the future.

Potential Options:

- NONE
-

Fiscal Implications:

NONE

Staff Recommendation:

STAFF RECOMMENDS CHANGES TO THE CURRENT PROPERTY MANUAL.

City of Texarkana, Texas

Advisory Board/Committee Review:

NOT APPLICABLE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2016-063 RES Amend Property Man to sell to Non-Profits (DOCX)
- b. 2016-063 RES ATTH 01 Property Policy Manual (DOC)
- c. 2016-063 RES ATTH 02 REVISED Property Policy Manual (DOC)

Staff Coordination

Purchasing and Contracting	Sharon Moore	Department Head Review	
Completed	06/03/2016 3:34 PM		
City Attorney	Jeffery C. Lewis	Review	Completed 06/06/2016
7:23 AM			
Planning and Community Development	David Orr	Review	Completed
06/06/2016 2:12 PM			
Finance Department	Kristin Peebles	Finance Review	Completed 06/06/2016
5:14 PM			
Assistant City Manager	Shirley Jaster	Assistant City Manager	
Review	Completed	06/06/2016 5:29 PM	
Public Information Officer	Lisa Thompson	PIO Review	Completed
06/06/2016 5:30 PM			
City Manager	John Whitson	City Manager Review	Completed 06/07/2016
9:19 PM			
City Council	Jennifer Evans	Meeting	Completed 06/13/2016
6:00 PM			

Meeting History

06/13/16 City Council MOVED FORWARD Next: 06/27/16

RESOLUTION NO. 2016 - 063**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND ADOPTING AMENDMENTS TO THE PROPERTY POLICY MANUAL; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City Council, by Resolution 2014-056, has approved and adopted a Property Policy Manual to be used by the Property Manager appointed by the City Manager when buying and selling City property; and

WHEREAS, City staff recommends amendments to the manual, including amendments to implement the provisions of Section 253.010 of the Texas Local Government Code and the related finding and determination of the City Council in Ordinance No. 2016-060 pertaining to the individuals and families who qualify as low-income individuals and families under Section 253.010.

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

SECTION 1: The Property Policy Manual, as amended and set forth in the attached document, is hereby approved and adopted in its entirety.

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 **25th day of July, 2016.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Dated: July 02, 2014



PROPERTY POLICY MANUAL

The City's goals include reducing the number of idle properties held and maintained by the City and encouraging the development of an increased supply of single-family homes occupied by owners. The City strives to accomplish these goals by protecting and encouraging neighborhoods, by creating desirable parts of the City for economic development, while maximizing financial return and public good will and minimizing risks and liabilities for the City.

This policy is intended to address the following objectives:

1. Effectively and efficiently set out the guidelines for the sale of City-owned property;
2. Recognize and provide for the different categories of property held by the City;
3. Coordinate the sale of properties
4. Insure that the decisions to sell, hold or dispose of property reflect considered judgment with regard to both the short-term and long-term goals of the City.

II. GENERAL PROVISIONS

- A. City-owned properties are administered by the Property Manager and are separated into four categories:
 1. Property For Sale
 2. Housing Program Properties
 3. City Facility Properties
 4. Land Bank Properties
- B. A list of properties available for sale shall be created and maintained by the department as determined by the City Manager. Listed properties will fall into either the Properties for Sale (PFS) Program or Housing Program Properties.

Dated: July 02, 2014

- C. All City-owned real property will be sold in accordance with local policy and with any applicable State law including provisions of the Texas Local Government Code, Property Code and Tax Code.
- D. The list of available properties is determined by the City's Property Manager. No properties shall be added or removed from the City's overall inventory without prior approval of the Property Manager in consultation with the City Manager and in accordance with this policy.
- E. All sales are completed with the execution of a deed stating that the property is sold "AS IS", and sold subject to the prior owner's right of redemption, if any. The City makes no warranty concerning zoning or suitability for any specific purpose or use; and it is the buyer's responsibility to examine all applicable building codes and ordinances to determine if the property in question can be used for the buyer's intended purpose
- F. Offers to Purchase property will not be accepted from any Disqualified Buyer. A Disqualified Buyer is anyone with:
 - 1. A delinquent tax account for City, School, College or County Taxing Entities;
 - 2. Past due amounts owed to the City for mowing, water bills, library fines, hotel, sales tax, abatement of other nuisances by the City or demolition of substandard structures; or
 - 3. In current violation of any City code and/or ordinance related to real estate.
- G. The proposed purchase of property by a City employee will be disclosed to the City Council and notice will be provided to the public on the agenda published for the City Council meeting at which approval of the sale is sought.
- H. This policy grants the City Manager, or his/her designee, authority to surplus and sell real property with a selling price up to \$5,000.00. Any single transaction exceeding this amount shall be approved by City Council.
- I. The policy grants the City Manager, or his/her designee, authority to release liens on City owned property that would otherwise be unsellable.
- J. The City shall not accept any donation, gift, trade or purchase of a property which includes an existing structure without obtaining an environmental assessment, including asbestos sampling and obtaining City Council approval prior to acceptance.

Dated: July 02, 2014

III. DEFINITIONS

- A. Adjoining Landowners: Landowners whose property borders the property in question.
- B. City-Owned Facility Property: Property that is the site of a City facility or is planned for development as a City facility. This property is not for sale.
- C. Exempt Property that cannot be developed independently: Property that is characterized as a narrow strip of land, or land that because of its shape, lack of access to public roads or utilities, or small area, cannot be developed independently under its current zoning or under applicable subdivision or other development control ordinances.
- D. Housing Program Property: Property that has been transferred to the Planning and Community Development Department to be sold using one or more of the Housing Programs.
- E. PFS Program Properties: Include all sellable properties, which have not been transferred to Planning and Community Development or have been returned to Property Management to be sold.
- F. Land Bank Property: Properties that because of their physical characteristics and/or location have the potential to serve as a catalyst for economic development, protect an important resource, or contribute to the stabilization or revitalization of an area.
- G. Minimum Bid: It is the lowest acceptable price set for a specific property.
- H. Non-Tax Foreclosed Property: property acquired by the City through a method other than tax foreclosure (i.e. gift, bequest, purchase).

IV. RESPONSIBILITIES OF THE PROPERTY MANAGER

- A. The Property Manager shall perform or direct the performance of a variety of tasks associated with the sale, management and oversight of City-owned properties in order to further the City's goals of housing, economic and community development.
- B. The responsibilities of the Property Manager shall include the following:
 - 1. Manage and maintain the entire City-owned real property inventory;
 - 2. Determine the appropriate property category for each property;

Dated: July 02, 2014

3. Serve as the City representative by responding to any public inquiries concerning the available property list;
4. Monitor all public sale processes to ensure that City policies remain consistent;
5. Prepare proposed sale packets for City Council review after an offer of purchase or high bid has been received.

V. PROCEDURES FOR THE SALE OF CITY OWNED PROPERTY

1. The Property Manager will prepare an "Invitation to Bid" document that will specify the following:
 - the address of the property
 - a minimum bid price for the property
 - the date bids will be opened
 - deposit requirements and rules
 - any restrictions on the property
 - The Property Manager may establish a minimum bid amount at his/her discretion and may increase the minimum bid amount to allow for full or partial recovery of expenses incurred by the City, depending on the marketability of the property.
 - Any costs subject to being included in the minimum bid must be documented in the subject property file as a means of validating the actual expense incurred.
 - Notice of the opportunity to bid will be published in accordance with the requirements of Local Government Code Section 272.001, which requires publication of notice in a newspaper of general circulation on two separate occasions. The sale will not be executed until at least the 14th day after the second advertisement is published, unless the sale meets one of the exceptions of Local Government Code Section 272.001.
2. A deposit will be required to bid on the purchase of any City property. The deposit amount shall be equal to five percent (5%) of the bid amount. All deposits received will be retained until the sale is executed and full payment is received. Deposit refunds will be made to all non-winning bidders no later than the closest Friday within five business days after the City's receipt of payment on the transaction.
3. Once the bids are opened, and the best bid has been determined, unless the City chooses to follow the "upset bid" process described in Item 5 below, the bidder will be qualified or disqualified in accordance with the provisions of Item F, in

Dated: July 02, 2014

Section II, General Provisions, above. If the bidder is qualified, the City will send a reward letter, and the bidder must pay the total amount of the bid offered to the city within five business days following the award. Payment must be in the form of cash, personal check, certified check or cashier's check made payable to the City of Texarkana, Texas. Any checks returned to the City upon presentation for deposit will be subject to the City's usual collection procedures and fees.

4. If the bidder is disqualified, or if the payment terms of item 3 are not met, the first bid will be rejected and the second bid accepted, unless the City elects to use the "upset bid" process described below in Item 5, with that bidder having five days after notification of the award to tender payment.
5. After the opportunity to bid is published, bids are opened and the best bid is determined, the City may then, at its discretion, advertise the property for an "upset" bid. To begin the upset bid process, the City will publish notice of the offer on its website. Such notice will contain a general description of the property, the amount and terms of the offer, and a notice that within ten (10) days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars and five percent (5%) of the remainder of the advertised bid price. A bidder who makes an offer in response to this notice will be required to place on deposit with the City an amount that is not less than five percent (5%) of the new bid amount. The City will then re-advertise the offer on the City's website at the increased bid amount, and this process will continue until no further qualifying bids are received, at which time the City may accept the offer and sell the property to the highest bidder. The rules of deposit from Item 2 above apply to this process, as do the rules of payment in Item 3. The City may at any and all times reject all offers.
6. If the bidder is qualified, the City will send a reward letter, and the bidder must pay the total amount of the bid offered to the city within five business days following the award. Payment must be in the form of cash, personal check, certified check or cashier's check made payable to the City of Texarkana, Texas. Any checks returned to the City upon presentation for deposit will be subject to the City's usual collection procedures and fees.
7. If the bidder is disqualified, or if the payment terms of Item 4 are not met, the first bid will be rejected and the second bid accepted, with that bidder having five days after notification of the award to tender payment.
8. All deposits presented to the City as a result of the bid process will be retained until the final sale is executed and payment is received. Once the sale process is

Dated: July 02, 2014

complete all deposits placed by unsuccessful bidders will be returned no later than the closest Friday within five business days after the City's receipt of payment on the transaction.

VI. PLANNING AND COMMUNITY DEVELOPMENT

- A. Planning and Community Development Department administers programs for the construction of residences. The programs are designed to achieve the City of Texarkana's goals to stabilize and revitalize our neighborhoods' aging stock through high quality rehabilitation and reconstruction. In addition, there are new construction and acquisition assistance programs available for a variety of housing needs. These housing programs will create housing opportunities to address the entire spectrum of citywide needs including homelessness, special needs, affordable housing and upper scale developments.
- B. Returned Housing Properties: In the event a property cannot be sold through a Planning and Community Development program within a 6 month period, it may be returned to the City's available property list. The minimum sale price for these properties may be set by the Property Manager with approval from the City Manager. Properties may be sold for general ownership and neighborhood improvement requiring buyer to execute a Disclaimer and Conditions of Sale Agreement included in bid document.

Dated: July 02, 2014

SAMPLE BID DOCUMENT

SUBMIT TO: CITY OF , TEXARKANA GENERAL SERVICES DIVISION MAILING ADDRESS: P O BOX 1967 TEXARKANA, TEXAS 75504 EXPRESS MAIL ADDRESS: 220 TEXAS BLVD TEXARKANA, TEXAS 75501			
CONTACT PERSON: Sharon Moore			
TEL: 903-798-3976 FAX: 903-798-3922 moores@txkusa.org			
TITLE: Sale of City Owned Property 1234 Longhorn Way, Texarkana, Texas		NUMBER: 13-0000-14	SUBMITTAL DEADLINE: March 14, 2013 @ 2:00 PM CST
PRE BID DATE, TIME AND LOCATION: NONE			<i>SUBMITTALS RECEIVED AFTER ABOVE DATE AND TIME WILL NOT BE CONSIDERED</i>
Enter Respondent Name:			
Enter Mailing Address:			
Enter the following information: Telephone Number: () _____ - _____ Fax Number: () _____ - _____ Email Address: _____ Federal Tax ID Number or Social Security Number			

IN COMPLIANCE WITH THIS SOLICITATION, THE UNDERSIGNED BIDDER HAVING EXAMINED THE INVITATION TO BID AND SPECIFICATIONS, AND BEING FAMILIAR WITH THE CONDITIONS TO BE MET, HEREBY SUBMITS THE FOLLOWING BID FOR FURNISHING THE MATERIAL, EQUIPMENT, LABOR AND EVERYTHING NECESSARY FOR PROVIDING THE ITEMS LISTED ON THE ATTACHED BID FORM AND AGREES TO DELIVER SAID ITEMS AT THE LOCATIONS AND FOR THE PRICES SET FORTH ON THE BID FORM. AN INDIVIDUAL AUTHORIZED TO BIND THE COMPANY MUST SIGN THE FOLLOWING SECTION. FAILURE TO EXECUTE AND SIGN THIS PORTION MAY RESULT IN BID REJECTION.

 Authorized Signature

 Title

 Print/Type Name

 Date

THIS FORM MUST BE COMPLETED AND RETURNED WITH YOUR RESPONSE.

Attachment: 2016-063 RES ATTH 01 Property Policy Manual (1487 : 2016-063 RES Amending property manual for non profit)

Dated: July 02, 2014

BID FORM

	Description	Quantity	Unit	Bid Amount
1	Sale of City owned Property: Location: 1234 Longhorn Way Texarkana, TX. Legal: Ghios Addition, S60', Lots 7, 8, 5911/042 09/22/10 .14 Acres, PIDN: 19785, Account No. 08460006800 Minimum Bid Requirement: \$10,000.00 Bid shall comply with all attached requirements for submitting bid.	1	LOT	\$

THIS FORM MUST BE COMPLETED AND RETURNED WITH YOUR RESPONSE.

Dated: July 02, 2014

PART I GENERAL CONDITIONS

**** PLEASE READ CAREFULLY ****

THESE GENERAL CONDITIONS APPLY TO ALL BIDS AND BECOME A PART OF THE TERMS AND CONDITIONS OF ANY BID SUBMITTED AND SUBSEQUENT PURCHASE ORDER OR CONTRACT. THE CITY SHALL MEAN THE CITY OF TEXARKANA, TEXAS.

1. **REQUIRED INFORMATION:** The bid form section of the bid packet must be completed prior to the date and time set for the bid opening and included with the bid packet or the vendor will be found non-responsive.
 2. **INSTRUCTIONS:** These instructions apply to all quotations and become a part of terms and conditions of any bid packet submitted and subsequent purchase order or contract.
 3. **AWARD:** The City of Texarkana, Texas reserves the right to accept or reject any and all bids in whole or in part and waive any minor technicality and enter into contract deemed to provide the **best value** to the City.
 - 3.1 The contract may be awarded either to the highest responsible bidder or to the bidder who provides development services at the best value for the City. In determining the best value for the City, the City may consider:
 - (a) The purchase price;
 - (b) The reputation and development experience of the bidder;
 - (c) The quality of the bidder's development and/or construction;
 - (d) The extent to which the development and/or construction meet the City's community and economic development needs;
 - (e) The bidder's past relationship with the City; including zoning and code compliance related to construction, livability, and maintenance (property owners whose current inventory of properties includes condemned, abandoned, red-tagged, or, in the assessment of the City substandard properties, and/or holding property with liens are not eligible to bid, until or unless all properties are brought into compliance with relevant building and property maintenance codes and all liens are cleared;
 - (f) The impact on the ability of the City to comply with laws and rules relating to contracting with Historically Underutilized Businesses and non-profit organizations employing persons with disabilities;
 - (g) The total long-term cost for the City, and
 - (h) Any relevant criteria specifically listed in the Invitation to Bid.
 - 3.2 All bids are evaluated for compliance with specifications before the bid price is considered. Failure to comply with the listed General Conditions may result in disqualification of bid.
 - 3.3 In case of tie bids, preference will be given to local bidders that meet all other established criteria.
- Responsible Bidder Criteria:** The City shall consider only responsible Bidders. Responsible Bidders are those that have, in the sole judgment of the City, the financial ability, experience, resources, skills, capability, reliability and business integrity necessary to perform the requirements of the contract. The City may also consider references, tenant complaints and financial stability in determining a responsible Bidder.

Attachment: 2016-063 RES ATTH 01 Property Policy Manual (1487 : 2016-063 RES Amending property manual for non profit)

Dated: July 02, 2014

4. **ASSIGNMENT:** The successful bidder shall not sell, assign, transfer or convey this contract in whole, or part, without the prior written consent of the City Manager or his/her designee.
5. **LATE BIDS:** Bid packets received after submission deadline shall be returned unopened and will be considered void and unacceptable. The City is not responsible for the lateness of mail carrier, weather conditions, etc.
6. **ALTERING BIDS:** Bid prices cannot be altered or amended after submission deadline. Any interlineation alteration or erasure made before opening time must be initialed by the signer of the bid, guaranteeing authenticity.
7. **WITHDRAWAL OF BIDS:** A bid price may not be withdrawn or canceled by the bidder for a period of ninety (90) days following the date designated for the receipt of bids without written approval of the City Manager or his/her designee, and bidder so agrees upon submittal of bid.
8. **CHANGE ORDERS:** No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract. All change orders to the contract will be made in writing by the City of Texarkana, Texas.
9. **ADDENDA:** Any interpretations, corrections or changes to this bid packet will be made by addenda. Sole issuing authority shall be vested in the City of Texarkana, Texas City Manager or his/her designee. Addenda will be sent to all who are known to have received a copy of this bid packet. If the addenda contain changes to the "specification" or "bid form", bidders shall acknowledge receipt of all addenda or they will be declared non-responsive.
10. **INDEMNIFICATION AGREEMENT:** Contractor, for itself and its agents, employees and subcontractors, shall defend, indemnify, and hold the City, its officers, agents, employees, contractors, elected officials, legal representatives, successors and assigns (collectively the "City"), harmless from all liability, suits, causes of action, lawsuits, judgments, claims, damages, penalties, fines, costs, fees or expenses, including attorney's fees and costs of defense, for any environmental issues contained within or on the property, injury to or the death of any person or damage to or destruction of any property arising out of or resulting from or based upon, in whole or part, any act or omission of contractor, its officers, employees, contractors, subcontractors and agents under this contract.
11. Property is sold "AS IS" and bidder assumes all responsibility for condition of property including but not limited to environmental issues, liens, removal or eviction of occupants and their possessions, and materials, fixtures, vehicles, debris, and rubbish, on property at time of bid.
12. **TERMINATION FOR DEFAULT:** The City reserves the right to enforce the performance of this contract in any manner prescribed by law or deemed to be in the best interest of the City in the event of breach or default of this contract. The City reserves the right to terminate the contract immediately in the event the successful bidder fails to perform in accordance with these specifications.
13. **VENUE:** This agreement will be governed and constructed according to the laws of the State of Texas. This agreement is performable in Bowie County, Texas.
14. **NO PROHIBITED INTEREST:** Bidder acknowledges and represents that they are aware of the laws, City charter, and City code of conduct regarding conflicts of interest. The City charter states that "no officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, nor shall be financially interested, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service".
15. **PREPARATION COST:** The City will not be liable for any costs associated with the preparation, transmittal, or presentation of any proposals or materials submitted in response to any bid, quotation,

Dated: July 02, 2014

or proposal. Bidder assumes all cost associated with the transfer of property, including but not limited to surveys. Any desired property studies or reports, title searches and closing costs.

16. **MINOR DEFECT:** The City reserves the right to waive any minor defect, irregularity, or informality in any bid. The City may also reject any or all bids without cause prior to award.
17. **BID OPENINGS:** All bids submitted will be read at the City's regularly scheduled bid opening for the designated project. However, the reading of a bid at bid opening should not be construed as a comment on the responsiveness of such bid or as any indication that the City accepts such bid as responsive. The City will make a determination as to the responsiveness of bids submitted based upon compliance with all applicable laws, City of Texarkana, Texas project documents, including but not limited to the project specifications and contract documents. The City will notify the successful bidder upon award of the contract and, according to state law; all bids received will be available for inspection at that time.
18. **FORCE MAJEURE:** Neither party shall be held responsible for losses or damages hereunder, if the fulfillment of any terms of provisions of the contract is delayed or prevented by strike, walkouts, acts of god, or public enemy, fire, or flood.
19. **CONFLICT OF INTEREST:** The bidder shall not offer or accept gifts or anything of value nor enter into any business arrangement with any employee, official or agent of the City of Texarkana, Texas. By signing and executing this bid, the bidder certifies and represents to the City the bidder has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value for the receipt of special treatment, advantage, information, recipient's decision, opinion, recommendation, vote or any other exercise of discretion concerning this bid.
20. **PERMITS:** Successful bidder is responsible for obtaining any and all City permits the construction or renovation/remolding job requires within 90 days of property acquisition. Bidder agrees to keep all permits current through construction period. Bidder agrees to complete construction within 365 days of property acquisition. Bidder agrees property will not be occupied until the City issues a Certificate of Occupancy. Renovation and new construction will be conducted in accordance with City specifications, code, ordinances, and applicable State and Federal laws.
21. **DEMOLITION:** If demolition is required or to be performed on the property the successful bidder agrees to obtain a demolition permit within 90 days of property acquisition and to maintain the permit until completion project. Bidder agrees to demolish the property and remove all debris from the site within 180 days of property acquisition. Demolition will be conducted in accordance with City specifications, code, ordinances, and applicable State and Federal laws.
22. **TRANSFER OF PROPERTY:** Owner agrees to hold property for minimum of 12 months. Exception: If the property is issued a Certificate of Occupancy prior to the expiration of the 12 month ownership requirement, the owner may sell the property to another buyer. The City at its discretion may accept the property back from the owner should the owner believe they would not be able to complete the project within the specified time frames. All costs associated with the transfer of the property back to the City will be borne by the owner.
23. **ZONING:** All modifications to property or new construction on property must comply with City of Texarkana Texas neighborhood design and zoning requirements and guidelines.

Dated: July 02, 2014

Part II
ADDITIONAL CONDITIONS

The following are additional conditions to the award of any bid:

- A. The successful bidder will provide the full name of the purchaser as it should appear in an instrument of conveyance
- B. The property shall be sold **“AS IS”**.
- C. The successful bidder shall pay for all costs associated with conveyance of title including, but not limited to, attorney’s fees, title insurance, filling fees, etc.
- D. The attached “Deed Without Warranty” is the instrument the City will use to convey the tract of land.
- E. No City employee shall have a direct or indirect financial interest in any contract with the City, or be directly or indirectly financially interested in the sale of land, materials, supplies or services to the City.
- F. Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person’s affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of the City of Texarkana not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. Chapter 176 and the questionnaire may be found at <http://www.ci.texarkana.tx.us/departments/purchasing/conflict-of-interest.html>. By submitting a response to this request, vendor represents that it is in compliance with the requirements of Chapter 176 of the Texas Local Government Code.

Dated: July 02, 2014

Disclaimers and Conditions of Sale Agreement

RETURN THIS FORM WITH BID

I, _____, as bidder and potential buyer of the property located at _____, do hereby agree and accept that this transaction is contingent upon the following terms and conditions:

Disclaimers

- a. the property is being sold on an "AS IS" basis;
- b. the City of Texarkana makes no warranty concerning zoning or suitability of the property for any specific purpose or use;
- c. Property is sold "**AS IS**" bidder assumes all responsibility for condition of property including but not limited to environmental issues, liens, removal or eviction of occupants and their possessions, and materials, fixtures, vehicles, debris, and rubbish, on property at time of bid;
- d. it is buyer's responsibility to examine all applicable building codes and ordinances to determine if the property in question can be used for buyer's intended purpose. All modifications to property or new construction on property must comply with City of Texarkana Texas neighborhood design and zoning requirements and guidelines
- e. if the property being purchased includes a structure and the condition of that structure is in violation of any construction and building codes, all violations and deficiencies must be repaired/renovated in strict adherence with the procedures and timelines specified in the related Code Inspection Condition Report. **No work can begin until the property has been legally conveyed to the Buyer and appropriate permits are issued.**

Conditions

- a. the buyer must, at all times, maintain the property at or above all City Code Standards;
- b. the buyer may not sell this property until the property has been demolished and cleared, renovation, or new construction has been completed in accordance with City specifications, code, ordinances, and applicable State and Federal laws. Failure of the buyer to fully comply may, at the city's sole discretion, result in additional compensation to be paid by buyer to the city equal to 50% of the initial purchase price and any profit realized from the prohibited re-sale shall be paid to the city as a penalty for breach of terms and conditions of the initial sale.
- c. in the event, at any time, the buyer elects to build a structure on the purchased property, the buyer acknowledges that such structure must be compatible with the neighborhood character and style of other structures located in the same block and must be formally approved in advance by the related City of Texarkana inspections and/or plan review departments in accordance with city ordinances.

Agreed and Accepted:

Bidder's Name

Date

Dated: July 02, 2014

This document will be executed by the successful bidder.

DEED WITHOUT WARRANTY

STATE OF TEXAS

§

§ **KNOW ALL BY THESE PRESENTS: COUNTY OF**

BOWIE

§

That the City of Texarkana, Texas, a Texas home-rule municipality ("Grantor"), for and in consideration of _____ dollars and _____ cents **(\$0.00)** and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by the _____, ("Grantee"), has **GRANTED, SOLD AND CONVEYED**, and by these presents does **GRANT, SELL AND CONVEY** unto Grantee all that certain lot, tract, or parcel of land situated in the County of Bowie, State of Texas, and more particularly described in bid documents xx-xxxx-xx attached hereto and incorporated herein by reference (the "Land");

Location: 1234 Longhorn Way, Texarkana, TX.

Legal: Ghios Addition, S60', Lots 7, 8, 5911/042 09/22/10
.14 Acres, PIDN: 19785, Account No. 08460006800

City of Texarkana, Bowie County, Texas

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING - WITHOUT LIMITATION - ANY WARRANTIES ARISING UNDER COMMON LAW OR UNDER SECTION 5.023 OF THE TEXAS PROPERTY CODE OR OTHER STATUTE. BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES THAT THE LAND IS CONVEYED "AS IS - WHERE IS, WITH ALL FAULTS".

TO HAVE AND TO HOLD the Land, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED this the _____ day of _____, 20____

GRANTOR:

CITY OF TEXARKANA, TEXAS

CITY MANAGER

Attachment: 2016-063 RES ATTH 01 Property Policy Manual (1487 : 2016-063 RES Amending property manual for non profit)

Dated: July 02, 2014

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF BOWIE

§ §
 §

This instrument was acknowledged before me on the _____ day of _____, 20_____, by _____, City Manager of the City of Texarkana, Texas, on behalf of the City.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20____.

Notary Public in and for the State of Texas

Dated: _____, 2016



PROPERTY POLICY MANUAL

The City's goals include reducing the number of idle properties held and maintained by the City and encouraging the development of an increased supply of single-family homes occupied by owners. The City strives to accomplish these goals by protecting and encouraging neighborhoods, by creating desirable parts of the City for economic development, while maximizing financial return and public good will and minimizing risks and liabilities for the City.

This policy is intended to address the following objectives:

1. Effectively and efficiently set out the guidelines for the sale of City-owned property;
2. Recognize and provide for the different categories of property held by the City;
3. Coordinate the sale of properties
4. Insure that the decisions to sell, hold or dispose of property reflect considered judgment with regard to both the short-term and long-term goals of the City.

II. GENERAL PROVISIONS

- A. City-owned properties are administered by the Property Manager and are separated into four categories:
 1. Property For Sale
 2. Housing Program Properties
 3. City Facility Properties
 4. Land Bank Properties
- B. A list of properties available for sale shall be created and maintained by the department as determined by the City Manager. Listed properties will fall into either the Properties for Sale (PFS) Program or Housing Program Properties.

Dated: _____, 2016

- C. All City-owned real property will be sold in accordance with local policy and with any applicable State law including provisions of the Texas Local Government Code, Property Code and Tax Code.
- D. The list of available properties is determined by the City's Property Manager. No properties shall be added or removed from the City's overall inventory without prior approval of the Property Manager in consultation with the City Manager and in accordance with this policy.
- E. All sales are completed with the execution of a deed stating that the property is sold "AS IS", and sold subject to the prior owner's right of redemption, if any. The City makes no warranty concerning zoning or suitability for any specific purpose or use; and it is the buyer's responsibility to examine all applicable building codes and ordinances to determine if the property in question can be used for the buyer's intended purpose
- F. Offers to Purchase property will not be accepted from any Disqualified Buyer. A Disqualified Buyer is anyone with:
 - 1. A delinquent tax account for City, School, College or County Taxing Entities;
 - 2. Past due amounts owed to the City for mowing, water bills, library fines, hotel, sales tax, abatement of other nuisances by the City or demolition of substandard structures; or
 - 3. In current violation of any City code and/or ordinance related to real estate.
- G. The proposed purchase of property by a City employee will be disclosed to the City Council and notice will be provided to the public on the agenda published for the City Council meeting at which approval of the sale is sought.
- H. This policy grants the City Manager, or his/her designee, authority to surplus and sell real property with an appraised value per Bowie Central Appraisal District not to exceed **\$10,000.00**. Any single transaction exceeding this amount shall be approved by City Council.
- I. The policy grants the City Manager, or his/her designee, authority to release liens on City owned property that would otherwise be unsellable.
- J. The City shall not accept any donation, gift, trade or purchase of a property which includes an existing structure without obtaining an environmental assessment, including asbestos sampling and obtaining City Council approval prior to acceptance.

Dated: _____, 2016

III. DEFINITIONS

- A. Adjoining Landowners: Landowners whose property borders the property in question.
- B. City-Owned Facility Property: Property that is the site of a City facility or is planned for development as a City facility. This property is not for sale.
- C. Exempt Property that cannot be developed independently: Property that is characterized as a narrow strip of land, or land that because of its shape, lack of access to public roads or utilities, or small area, cannot be developed independently under its current zoning or under applicable subdivision or other development control ordinances.
- D. Housing Program Property: Property that has been transferred to the Planning and Community Development Department to be sold using one or more of the Housing Programs.
- E. PFS Program Properties: Include all sellable properties, which have not been transferred to Planning and Community Development or have been returned to Property Management to be sold.
- F. Land Bank Property: Properties that because of their physical characteristics and/or location have the potential to serve as a catalyst for economic development, protect an important resource, or contribute to the stabilization or revitalization of an area.
- G. Minimum Bid: It is the lowest acceptable price set for a specific property.
- H. Non-Tax Foreclosed Property: property acquired by the City through a method other than tax foreclosure (i.e. gift, bequest, purchase).

IV. RESPONSIBILITIES OF THE PROPERTY MANAGER

- A. The Property Manager shall perform or direct the performance of a variety of tasks associated with the sale, management and oversight of City-owned properties in order to further the City's goals of housing, economic and community development.
- B. The responsibilities of the Property Manager shall include the following:
 - 1. Manage and maintain the entire City-owned real property inventory;
 - 2. Determine the appropriate property category for each property;

Dated: _____, 2016

3. Serve as the City representative by responding to any public inquiries concerning the available property list;
4. Monitor all public sale processes to ensure that City policies remain consistent;
5. Prepare proposed sale packets for City Council review after an offer of purchase or high bid has been received.

V. PROCEDURES FOR THE SALE OF CITY OWNED PROPERTY

1. The Property Manager will prepare an "Invitation to Bid" document that will specify the following:
 - the address of the property
 - a minimum bid price for the property
 - the date bids will be opened
 - deposit requirements and rules
 - any restrictions on the property
 - The Property Manager may establish a minimum bid amount at his/her discretion and may increase the minimum bid amount to allow for full or partial recovery of expenses incurred by the City, depending on the marketability of the property.
 - Any costs subject to being included in the minimum bid must be documented in the subject property file as a means of validating the actual expense incurred.
 - Notice of the opportunity to bid will be published in accordance with the requirements of Local Government Code Section 272.001, which requires publication of notice in a newspaper of general circulation on two separate occasions. The sale will not be executed until at least the 14th day after the second advertisement is published, unless the sale meets one of the exceptions of Local Government Code Section 272.001.
2. A deposit will be required to bid on the purchase of any City property. The deposit amount shall be equal to five percent (5%) of the bid amount. All deposits received will be retained until the sale is executed and full payment is received. Deposit refunds will be made to all non-winning bidders no later than the closest Friday within five business days after the City's receipt of payment on the transaction.
3. Once the bids are opened, and the best bid has been determined, unless the City chooses to follow the "upset bid" process described in Item 5 below, the bidder will be qualified or disqualified in accordance with the provisions of Item F, in

Dated: _____, 2016

Section II, General Provisions, above. If the bidder is qualified, the City will send a reward letter, and the bidder must pay the total amount of the bid offered to the city within five business days following the award. Payment must be in the form of cash, personal check, certified check or cashier's check made payable to the City of Texarkana, Texas. Any checks returned to the City upon presentation for deposit will be subject to the City's usual collection procedures and fees.

4. If the bidder is disqualified, or if the payment terms of item 3 are not met, the first bid will be rejected and the second bid accepted, unless the City elects to use the "upset bid" process described below in Item 5, with that bidder having five days after notification of the award to tender payment.
5. After the opportunity to bid is published, bids are opened and the best bid is determined, the City may then, at its discretion, advertise the property for an "upset" bid. To begin the upset bid process, the City will publish notice of the offer on its website. Such notice will contain a general description of the property, the amount and terms of the offer, and a notice that within ten (10) days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars and five percent (5%) of the remainder of the advertised bid price. A bidder who makes an offer in response to this notice will be required to place on deposit with the City an amount that is not less than five percent (5%) of the new bid amount. The City will then re-advertise the offer on the City's website at the increased bid amount, and this process will continue until no further qualifying bids are received, at which time the City may accept the offer and sell the property to the highest bidder. The rules of deposit from Item 2 above apply to this process, as do the rules of payment in Item 3. The City may at any and all times reject all offers.
6. If the bidder is qualified, the City will send a reward letter, and the bidder must pay the total amount of the bid offered to the city within five business days following the award. Payment must be in the form of cash, personal check, certified check or cashier's check made payable to the City of Texarkana, Texas. Any checks returned to the City upon presentation for deposit will be subject to the City's usual collection procedures and fees.
7. If the bidder is disqualified, or if the payment terms of Item 4 are not met, the first bid will be rejected and the second bid accepted, with that bidder having five days after notification of the award to tender payment.
8. All deposits presented to the City as a result of the bid process will be retained until the final sale is executed and payment is received. Once the sale process is

Dated: _____, 2016

complete all deposits placed by unsuccessful bidders will be returned no later than the closest Friday within five business days after the City's receipt of payment on the transaction.

VI. PLANNING AND COMMUNITY DEVELOPMENT

- A. Planning and Community Development Department administers programs for the construction of residences. The programs are designed to achieve the City of Texarkana's goals to stabilize and revitalize our neighborhoods' aging stock through high quality rehabilitation and reconstruction. In addition, there are new construction and acquisition assistance programs available for a variety of housing needs. These housing programs will create housing opportunities to address the entire spectrum of citywide needs including homelessness, special needs, affordable housing and upper scale developments.
- B. Returned Housing Properties: In the event a property cannot be sold through a Planning and Community Development program within a 6 month period, it may be returned to the City's available property list. The minimum sale price for these properties may be set by the Property Manager with approval from the City Manager. Properties may be sold for general ownership and neighborhood improvement requiring buyer to execute a Disclaimer and Conditions of Sale Agreement included in bid document.

VII. SALE OF REAL PROPERTY TO CERTAIN NONPROFIT OR RELIGIOUS ORGANIZATIONS

The City Council finds and determines that the individuals and families who qualify as low-income individuals and families under Sections 253.010(a)(1) or (a)(2) of the Texas Local Government Code are those individuals and families whose household income does not exceed the Texarkana, TX - Texarkana, AR Fair Market Rent income limits published annually by the Department of Housing and Urban Development. [Ord. 2016-060.] The City Manager or designee is authorized to sell land acquired by the City to certain nonprofit or religious organizations as specifically authorized and defined by Section 253.010 of the Texas Local Government Code, provided:

- A. The sale must either fairly compensate the City for the value of the land or obviate the cost of City maintenance of the land, or a combination of both.
- B. The contract of sale must provide for or be conditioned upon the following:
 1. a redevelopment plan submitted by the purchaser and approved by the Director of Planning and Community Development (or designee or successor), which must establish a land use that complies with this Code, including zoning requirements contained in the Land Development Code, and a process and time

Dated: _____, 2016

- period for converting the land into a use for housing for low-income individuals and families; and
2. the Purchaser paying the City all costs and expenses incurred in and arising from the sale.
- C. For a period of one year prior to the closing of the sale, the purchaser must not be indebted to the City or otherwise in violation of any provision of this Code.
 - D. The purchaser must demonstrate, to the satisfaction of the Director of Planning and Community Development (or designee or successor) and City Manager, successful redevelopment of land within Texarkana's city limits into a use for housing for low-income individuals and families over the three-year period preceding the sale.
 - E. The deed for the land sold to the purchaser must contain a reverter clause returning fee simple title and possession to the City if, within the period of time specified in the redevelopment plan approved under subsection B of this Section or one year following the closing of the sale, whichever is greater, the land has not been redeveloped into a use for housing for low-income individuals and families or the purchaser has failed to comply with any aspect of the redevelopment plan approved under subsection B of this Section.
 - F. The sale must comply with all federal and Texas laws, City ordinances, and this manual except that the provisions of Section V of this manual shall not apply to sales pursuant to this Section.

Dated: _____, 2016

SAMPLE BID DOCUMENT

SUBMIT TO: CITY OF , TEXARKANA GENERAL SERVICES DIVISION MAILING ADDRESS: P O BOX 1967 TEXARKANA, TEXAS 75504 EXPRESS MAIL ADDRESS: 220 TEXAS BLVD TEXARKANA, TEXAS 75501			
CONTACT PERSON: Sharon Moore			
TEL: 903-798-3976 FAX: 903-798-3922 moores@txkusa.org			
TITLE: Sale of City Owned Property 1234 Longhorn Way, Texarkana, Texas		NUMBER: 13-0000-14	SUBMITTAL DEADLINE: March 14, 2013 @ 2:00 PM CST
PRE BID DATE, TIME AND LOCATION: NONE			SUBMITTALS RECEIVED AFTER ABOVE DATE AND TIME WILL NOT BE CONSIDERED
Enter Respondent Name:			
Enter Mailing Address:			
Enter the following information: Telephone Number: () _____ - _____ Fax Number: () _____ - _____ Email Address: _____ Federal Tax ID Number or Social Security Number			

IN COMPLIANCE WITH THIS SOLICITATION, THE UNDERSIGNED BIDDER HAVING EXAMINED THE INVITATION TO BID AND SPECIFICATIONS, AND BEING FAMILIAR WITH THE CONDITIONS TO BE MET, HEREBY SUBMITS THE FOLLOWING BID FOR FURNISHING THE MATERIAL, EQUIPMENT, LABOR AND EVERYTHING NECESSARY FOR PROVIDING THE ITEMS LISTED ON THE ATTACHED BID FORM AND AGREES TO DELIVER SAID ITEMS AT THE LOCATIONS AND FOR THE PRICES SET FORTH ON THE BID FORM. AN INDIVIDUAL AUTHORIZED TO BIND THE COMPANY MUST SIGN THE FOLLOWING SECTION. FAILURE TO EXECUTE AND SIGN THIS PORTION MAY RESULT IN BID REJECTION.

 Authorized Signature

 Title

 Print/Type Name

 Date

THIS FORM MUST BE COMPLETED AND RETURNED WITH YOUR RESPONSE.

Attachment: 2016-063 RES ATTH 02 REVISED Property Policy Manual (1487 : 2016-063 RES Amending property manual for non profit)

Dated: _____, 2016

BID FORM

	Description	Quantity	Unit	Bid Amount
1	Sale of City owned Property: Location: 1234 Longhorn Way Texarkana, TX. Legal: Ghios Addition, S60', Lots 7, 8, 5911/042 09/22/10 .14 Acres, PIDN: 19785, Account No. 08460006800 Minimum Bid Requirement: \$10,000.00 Bid shall comply with all attached requirements for submitting bid.	1	LOT	\$

THIS FORM MUST BE COMPLETED AND RETURNED WITH YOUR RESPONSE.

Dated: _____, 2016

PART I GENERAL CONDITIONS

**** PLEASE READ CAREFULLY ****

THESE GENERAL CONDITIONS APPLY TO ALL BIDS AND BECOME A PART OF THE TERMS AND CONDITIONS OF ANY BID SUBMITTED AND SUBSEQUENT PURCHASE ORDER OR CONTRACT. THE CITY SHALL MEAN THE CITY OF TEXARKANA, TEXAS.

1. **REQUIRED INFORMATION:** The bid form section of the bid packet must be completed prior to the date and time set for the bid opening and included with the bid packet or the vendor will be found non-responsive.
2. **INSTRUCTIONS:** These instructions apply to all quotations and become a part of terms and conditions of any bid packet submitted and subsequent purchase order or contract.
3. **AWARD:** The City of Texarkana, Texas reserves the right to accept or reject any and all bids in whole or in part and waive any minor technicality and enter into contract deemed to provide the **best value** to the City.
 - 3.1 The contract may be awarded either to the highest responsible bidder or to the bidder who provides development services at the best value for the City. In determining the best value for the City, the City may consider:
 - (a) The purchase price;
 - (b) The reputation and development experience of the bidder;
 - (c) The quality of the bidder's development and/or construction;
 - (d) The extent to which the development and/or construction meet the City's community and economic development needs;
 - (e) The bidder's past relationship with the City; including zoning and code compliance related to construction, livability, and maintenance (property owners whose current inventory of properties includes condemned, abandoned, red-tagged, or, in the assessment of the City substandard properties, and/or holding property with liens are not eligible to bid, until or unless all properties are brought into compliance with relevant building and property maintenance codes and all liens are cleared;
 - (f) The impact on the ability of the City to comply with laws and rules relating to contracting with Historically Underutilized Businesses and non-profit organizations employing persons with disabilities;
 - (g) The total long-term cost for the City, and
 - (h) Any relevant criteria specifically listed in the Invitation to Bid.
 - 3.2 All bids are evaluated for compliance with specifications before the bid price is considered. Failure to comply with the listed General Conditions may result in disqualification of bid.
 - 3.3 In case of tie bids, preference will be given to local bidders that meet all other established criteria.

Responsible Bidder Criteria: The City shall consider only responsible Bidders. Responsible Bidders are those that have, in the sole judgment of the City, the financial ability, experience, resources, skills, capability, reliability and business integrity necessary to perform the requirements of the contract. The City may also consider references, tenant complaints and financial stability in determining a responsible Bidder.

Dated: _____, 2016

4. **ASSIGNMENT:** The successful bidder shall not sell, assign, transfer or convey this contract in whole, or part, without the prior written consent of the City Manager or his/her designee.
5. **LATE BIDS:** Bid packets received after submission deadline shall be returned unopened and will be considered void and unacceptable. The City is not responsible for the lateness of mail carrier, weather conditions, etc.
6. **ALTERING BIDS:** Bid prices cannot be altered or amended after submission deadline. Any interlineation alteration or erasure made before opening time must be initialed by the signer of the bid, guaranteeing authenticity.
7. **WITHDRAWAL OF BIDS:** A bid price may not be withdrawn or canceled by the bidder for a period of ninety (90) days following the date designated for the receipt of bids without written approval of the City Manager or his/her designee, and bidder so agrees upon submittal of bid.
8. **CHANGE ORDERS:** No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract. All change orders to the contract will be made in writing by the City of Texarkana, Texas.
9. **ADDENDA:** Any interpretations, corrections or changes to this bid packet will be made by addenda. Sole issuing authority shall be vested in the City of Texarkana, Texas City Manager or his/her designee. Addenda will be sent to all who are known to have received a copy of this bid packet. If the addenda contain changes to the "specification" or "bid form", bidders shall acknowledge receipt of all addenda or they will be declared non-responsive.
10. **INDEMNIFICATION AGREEMENT:** Contractor, for itself and its agents, employees and subcontractors, shall defend, indemnify, and hold the City, its officers, agents, employees, contractors, elected officials, legal representatives, successors and assigns (collectively the "City"), harmless from all liability, suits, causes of action, lawsuits, judgments, claims, damages, penalties, fines, costs, fees or expenses, including attorney's fees and costs of defense, for any environmental issues contained within or on the property, injury to or the death of any person or damage to or destruction of any property arising out of or resulting from or based upon, in whole or part, any act or omission of contractor, its officers, employees, contractors, subcontractors and agents under this contract.
11. Property is sold "AS IS" and bidder assumes all responsibility for condition of property including but not limited to environmental issues, liens, removal or eviction of occupants and their possessions, and materials, fixtures, vehicles, debris, and rubbish, on property at time of bid.
12. **TERMINATION FOR DEFAULT:** The City reserves the right to enforce the performance of this contract in any manner prescribed by law or deemed to be in the best interest of the City in the event of breach or default of this contract. The City reserves the right to terminate the contract immediately in the event the successful bidder fails to perform in accordance with these specifications.
13. **VENUE:** This agreement will be governed and constructed according to the laws of the State of Texas. This agreement is performable in Bowie County, Texas.
14. **NO PROHIBITED INTEREST:** Bidder acknowledges and represents that they are aware of the laws, City charter, and City code of conduct regarding conflicts of interest. The City charter states that "no officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, nor shall be financially interested, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies or service".
15. **PREPARATION COST:** The City will not be liable for any costs associated with the preparation, transmittal, or presentation of any proposals or materials submitted in response to any bid, quotation,

Dated: _____, 2016

or proposal. Bidder assumes all cost associated with the transfer of property, including but not limited to surveys. Any desired property studies or reports, title searches and closing costs.

16. **MINOR DEFECT:** The City reserves the right to waive any minor defect, irregularity, or informality in any bid. The City may also reject any or all bids without cause prior to award.
17. **BID OPENINGS:** All bids submitted will be read at the City's regularly scheduled bid opening for the designated project. However, the reading of a bid at bid opening should not be construed as a comment on the responsiveness of such bid or as any indication that the City accepts such bid as responsive. The City will make a determination as to the responsiveness of bids submitted based upon compliance with all applicable laws, City of Texarkana, Texas project documents, including but not limited to the project specifications and contract documents. The City will notify the successful bidder upon award of the contract and, according to state law; all bids received will be available for inspection at that time.
18. **FORCE MAJEURE:** Neither party shall be held responsible for losses or damages hereunder, if the fulfillment of any terms of provisions of the contract is delayed or prevented by strike, walkouts, acts of god, or public enemy, fire, or flood.
19. **CONFLICT OF INTEREST:** The bidder shall not offer or accept gifts or anything of value nor enter into any business arrangement with any employee, official or agent of the City of Texarkana, Texas. By signing and executing this bid, the bidder certifies and represents to the City the bidder has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value for the receipt of special treatment, advantage, information, recipient's decision, opinion, recommendation, vote or any other exercise of discretion concerning this bid.
20. **PERMITS:** Successful bidder is responsible for obtaining any and all City permits the construction or renovation/remolding job requires within 90 days of property acquisition. Bidder agrees to keep all permits current through construction period. Bidder agrees to complete construction within 365 days of property acquisition. Bidder agrees property will not be occupied until the City issues a Certificate of Occupancy. Renovation and new construction will be conducted in accordance with City specifications, code, ordinances, and applicable State and Federal laws.
21. **DEMOLITION:** If demolition is required or to be performed on the property the successful bidder agrees to obtain a demolition permit within 90 days of property acquisition and to maintain the permit until completion project. Bidder agrees to demolish the property and remove all debris from the site within 180 days of property acquisition. Demolition will be conducted in accordance with City specifications, code, ordinances, and applicable State and Federal laws.
22. **TRANSFER OF PROPERTY:** Owner agrees to hold property for minimum of 12 months. Exception: If the property is issued a Certificate of Occupancy prior to the expiration of the 12 month ownership requirement, the owner may sell the property to another buyer. The City at its discretion may accept the property back from the owner should the owner believe they would not be able to complete the project within the specified time frames. All costs associated with the transfer of the property back to the City will be borne by the owner.
23. **ZONING:** All modifications to property or new construction on property must comply with City of Texarkana Texas neighborhood design and zoning requirements and guidelines.

Dated: _____, 2016

Part II
ADDITIONAL CONDITIONS

The following are additional conditions to the award of any bid:

- A. The successful bidder will provide the full name of the purchaser as it should appear in an instrument of conveyance
- B. The property shall be sold **“AS IS”**.
- C. The successful bidder shall pay for all costs associated with conveyance of title including, but not limited to, attorney’s fees, title insurance, filling fees, etc.
- D. The attached “Deed Without Warranty” is the instrument the City will use to convey the tract of land.
- E. No City employee shall have a direct or indirect financial interest in any contract with the City, or be directly or indirectly financially interested in the sale of land, materials, supplies or services to the City.
- F. Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person’s affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of the City of Texarkana not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. Chapter 176 and the questionnaire may be found at <http://www.ci.texarkana.tx.us/departments/purchasing/conflict-of-interest.html>. By submitting a response to this request, vendor represents that it is in compliance with the requirements of Chapter 176 of the Texas Local Government Code.

Dated: _____, 2016

Disclaimers and Conditions of Sale Agreement

RETURN THIS FORM WITH BID

I, _____, as bidder and potential buyer of the property located at _____, do hereby agree and accept that this transaction is contingent upon the following terms and conditions:

Disclaimers

- a. the property is being sold on an "AS IS" basis;
- b. the City of Texarkana makes no warranty concerning zoning or suitability of the property for any specific purpose or use;
- c. Property is sold "**AS IS**" bidder assumes all responsibility for condition of property including but not limited to environmental issues, liens, removal or eviction of occupants and their possessions, and materials, fixtures, vehicles, debris, and rubbish, on property at time of bid;
- d. it is buyer's responsibility to examine all applicable building codes and ordinances to determine if the property in question can be used for buyer's intended purpose. All modifications to property or new construction on property must comply with City of Texarkana Texas neighborhood design and zoning requirements and guidelines
- e. if the property being purchased includes a structure and the condition of that structure is in violation of any construction and building codes, all violations and deficiencies must be repaired/renovated in strict adherence with the procedures and timelines specified in the related Code Inspection Condition Report. **No work can begin until the property has been legally conveyed to the Buyer and appropriate permits are issued.**

Conditions

- a. the buyer must, at all times, maintain the property at or above all City Code Standards;
- b. the buyer may not sell this property until the property has been demolished and cleared, renovation, or new construction has been completed in accordance with City specifications, code, ordinances, and applicable State and Federal laws. Failure of the buyer to fully comply may, at the city's sole discretion, result in additional compensation to be paid by buyer to the city equal to 50% of the initial purchase price and any profit realized from the prohibited re-sale shall be paid to the city as a penalty for breach of terms and conditions of the initial sale.
- c. in the event, at any time, the buyer elects to build a structure on the purchased property, the buyer acknowledges that such structure must be compatible with the neighborhood character and style of other structures located in the same block and must be formally approved in advance by the related City of Texarkana inspections and/or plan review departments in accordance with city ordinances.

Agreed and Accepted:

Bidder's Name

Date

Dated: _____, 2016

This document will be executed by the successful bidder.

DEED WITHOUT WARRANTY

STATE OF TEXAS

§

§ **KNOW ALL BY THESE PRESENTS: COUNTY OF**

BOWIE

§

That the City of Texarkana, Texas, a Texas home-rule municipality ("Grantor"), for and in consideration of _____ dollars and _____ cents **(\$0.00)** and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by the _____, ("Grantee"), has **GRANTED, SOLD AND CONVEYED**, and by these presents does **GRANT, SELL AND CONVEY** unto Grantee all that certain lot, tract, or parcel of land situated in the County of Bowie, State of Texas, and more particularly described in bid documents xx-xxxx-xx attached hereto and incorporated herein by reference (the "Land");

Location: 1234 Longhorn Way, Texarkana, TX.

Legal: Ghios Addition, S60', Lots 7, 8, 5911/042 09/22/10
.14 Acres, PIDN: 19785, Account No. 08460006800

City of Texarkana, Bowie County, Texas

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING - WITHOUT LIMITATION - ANY WARRANTIES ARISING UNDER COMMON LAW OR UNDER SECTION 5.023 OF THE TEXAS PROPERTY CODE OR OTHER STATUTE. BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES THAT THE LAND IS CONVEYED "AS IS - WHERE IS, WITH ALL FAULTS".

TO HAVE AND TO HOLD the Land, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED this the _____ day of _____, 20____

GRANTOR:

CITY OF TEXARKANA, TEXAS

CITY MANAGER

Dated: _____, 2016

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF BOWIE

§ §
§

This instrument was acknowledged before me on the _____ day of _____, 20_____, by _____, City Manager of the City of Texarkana, Texas, on behalf of the City.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20____.

Notary Public in and for the State of Texas

City of Texarkana, Texas

Lead Department: Planning and Community Development **Action Officer:** David Orr, Planning & Community Development Director
Subject: Resolution No. 2016-061 supporting the submission of a Small Business Assistance grant.
Briefing: 6/27/2016 **Public Hearing:** 6/27/2016 **Second Briefing:** July 11, 2016 **Council Vote:** 7/25/2016

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

NOT APPLICABLE

Executive Summary and Background Information:

The State of Texas Office of Small Business Assistance Grant application is for \$10,000 to be used for small business promotion and development of an innovation center concept plan. The proposed innovation center would be located at 203/205 W. Broad as part of a reuse plan for the \$400,000 EPA Multi-Purpose Cleanup Grant.

The preliminary grant application has been submitted and the Council must approve a resolution of support to the Office of the Governor prior to final approval.

Potential Options:

- None
-

Fiscal Implications:

\$3,000 in staff time matching funds

Staff Recommendation:

Staff recommends for approval

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

City of Texarkana, Texas

Attachments

- a. 2016-061 RES Support for the submission of Small Business Assistance Grant (DOC)
- b. 2016-061 Goals & Perspectives (DOCX)
- c. 2016-061 ATTH Grant Application (PDF)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	06/08/2016 1:51 PM		
Assistant City Manager	Shirley Jaster	Assistant City Manager	
Review	Completed	06/08/2016 2:49 PM	
Public Information Officer	Lisa Thompson	PIO Review	Completed
	06/08/2016 2:50 PM		
City Manager	John Whitson	City Manager Review	Completed 06/09/2016
7:58 AM			
City Council	Jennifer Evans	Meeting	Completed 06/13/2016
6:00 PM			

Meeting History

06/13/16 City Council MOVED FORWARD Next: 06/27/16

RESOLUTION NO. 2016 - 061**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, IN SUPPORT OF A STATE OF TEXAS OFFICE OF SMALL BUSINESS ASSISTANCE GRANT; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Texarkana, Texas, finds it in the best interest of the citizens of Texarkana, Texas and Bowie County, to submit a State of Texas Office of Small Business Assistance Grant; and

WHEREAS, the City of Texarkana, Texas, makes the commitment to provide any applicable matching funds, though no matching funds were required for this application; and

WHEREAS, the City of Texarkana, Texas, agrees that in the event of loss or misuse of the Office of the Governor funds the City of Texarkana, Texas, assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, the City of Texarkana, Texas, designates City Manager John A. Whitson to execute a Memorandum of Understanding or other contract with the Governor's Office, the City of Texarkana, Texas, also designates Kristin Peeples as the Financial Officer, David Orr as the Project Manager, Adra Hallford as the Grant Writer and Authorized Official as the grantee's authorized official for the purposes of applying for, accepting, rejecting, altering or terminating this grant on behalf of and under the direction of the Program Manager and/or City Manager.

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

SECTION 1: That the City of Texarkana, Texas supports the grant application to the Office of the Governor and official notification of the resolution will be sent upon completion of the transparency requirements as designated by Council.

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

PASSED AND APPROVED in Regular Council Session on this the 25th day of July, 2016.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Grant Number: Grant/App:3185201_CDFA #: 17.278

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Snapshot Description: Application - Submitted by Applicant
Created: 6/2/2016 6:30:51 PM

Agency Name: City of Texarkana, Texas
Grant/App: 3185201 **Start Date:** 7/1/2016 **End Date:** 10/15/2016

Project Title: Broad Street Regional Innovation Center
Status: Application Pending AO Certification

Eligibility Information

Your organization's Texas Payee/Taxpayer ID Number:
17560006896006

Application Eligibility Certify:

Created on:5/23/2016 10:29:09 AM By:David Orr

Profile Information

Applicant Agency Name: City of Texarkana, Texas
Project Title: Broad Street Regional Innovation Center
Division or Unit to Administer the Project: Planning & Community Development
Address Line 1: 220 Texas Blvd
Address Line 2:
City/State/Zip: Texarkana Texas 75501-0000
Start Date: 7/1/2016
End Date: 10/15/2016

Regional Council of Governments(COG) within the Project's Impact Area: Ark-Tex Council of Governments
Headquarter County: Bowie
Counties within Project's Impact Area: Camp,Cass,Marion,Morris,Red River,Titus,Upshur

Grant Officials:

Authorized Official

User Name: Adra Hallford
Email: adra.hallford@txkusa.org
Address 1: 220 Texas Blvd
Address 1:
City: Texarkana, Texas 75501
Phone: 903-798-3903 Other Phone: 903-277-7968
Fax: 903-798-3913
Title: Ms.
Salutation: Ms.
Position: Grants Developer

Project Director

User Name: David Orr
Email: david.orr@txkusa.org
Address 1: 220 Texas
Address 1:
City: Texarkana, Texas 75501
Phone: 903-798-3902 Other Phone:
Fax:
Title: Mr.
Salutation: Constable
Position: Director of Planning

Financial Official

User Name: Kristin Peebles
Email: kristin.peeples@txkusa.org
Address 1: 220 Texas Boulevard
Address 1:

City: Texarkana, Texas 75501
Phone: 903-798-3997 **Other Phone:**
Fax: 903-798-3933
Title: Ms.
Salutation: Ms.
Position: Chief Financial Officer

Grant Writer

User Name: Adra Hallford
Email: adra.hallford@txkusa.org
Address 1: 220 Texas Blvd
Address 1:
City: Texarkana, Texas 75501
Phone: 903-798-3903 **Other Phone:** 903-277-7968
Fax: 903-798-3913
Title: Ms.
Salutation: Ms.
Position: Grants Developer

Grant Vendor Information

Organization Type: Unit of Local Government (City, Town, or Village)
Organization Option: applying to provide small business assistance
Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID): 17560006896006
Data Universal Numbering System (DUNS): 062929187

Narrative Information**Introduction**

Information related to this program is in the OSBA funding announcement for the Small Business Service Provider Grant.

Section 1: Program-Specific Questions**A. Community Type**

Grant applicants who will positively impact small business owners and HUBs in rural areas of Texas will receive preference under this program. Indicate if the community to be served is "Urban" or "Rural" according to the definition from the U.S. Department of Commerce Bureau of the Census:

To qualify as an urban area, the territory identified according to criteria must encompass at least 2,500 people, at least 1,500 of which reside outside institutional group quarters. The Census Bureau identifies two types of urban areas:

- Urbanized Areas (UAs) of 50,000 or more people;
- Urban Clusters (UCs) of at least 2,500 and less than 50,000 people.

"Rural" encompasses all population, housing units, and territory located outside of UAs and UCs.

According to the definition from the U.S. Department of Commerce Bureau of the Census, is the community to be served classified as "Urban" or "Rural"?

☐ Rural

☒ Urban

B. Unique Small Business Service Providers

Grant applicants must indicate the number of Unique Small Business Service Providers (USBSPs) involved in the implementation of this project. The definition of the unique small business service providers is the unduplicated count of the number of small businesses service provider organizations whose mission is to assist small businesses and HUBs. OSBA encourages collaborating or partnering with other small business service providers to implement this project.

How many Unique Small Business Service Providers (USBSPs) will be involved in the implementation of the proposed project?

5

For each USBSP represented in the total count, provide the organization's name and website address:

City of Texarkana, Texas ci.texarkana.tx.us Texas A&M University - Texarkana www.tamut.edu/ Small Business Administration - Texarkana https://www.sba.gov/ Main Street Texarkana www.mainstreettexarkana.org Northeast Texas Workforce Solutions www.netxworkforce.org

C. Regional Unemployment Rate

Grant applicant must indicate the percentage (%) of region's unemployment rate. OSBA values projects that will be located in communities with high unemployment rates. Regional unemployment rates can be found on the Texas Workforce Commission's [Labor Market Information](#) website.

Indicate the percentage (%) of region's unemployment rate of the economy in the coverage area (over the past year):
6

D. Natural Disaster or Adverse Economic Events

Grant applicants must indicate if their region has experienced natural disaster or an adverse economic event within the past three years (on or after January 1, 2013). If so, applicants must describe the impact these events have had on their community. OSBA wants to support communities that have been negatively affected by natural disasters or adverse economic events.

Has your region experienced a natural disaster or an adverse economic event within the past three years (on or after January 1, 2013)?

☒ Yes

☐ No

If you answered **Yes** above, please describe that/those natural disaster/adverse economic event(s):

Red River Flooding Natural Disaster Declarations Twice in 2015

E. Number of Small Business Initiatives Awarded

Grant applicants must indicate the number of Office of the Governor Small Business Initiatives, including Governor's Small Business Forums and Governor's Small Business Workshops, awarded to their organization within the past five years (on or after January 1, 2011). To ensure that OSBA initiatives are most widely distributed throughout the state and to encourage the development and capacity of service providers, OSBA wants to make grants to applicants who have not previously received an award from OSBA.

How many Office of the Governor Small Business Initiatives, including Governor's Small Business Forums and Governor's Small Business Workshops, have been awarded to your organization within the past five years (on or after January 1, 2011)?

0

If you answered **one or more** to the question above, indicate which initiatives were received and in what years:

N/A

F. Project Probability

Applicant must indicate whether they will complete the project execution and spending on or before October 31, 2016. Applicants should submit strong proof of project planning, including budgets and other supplemental information.

What is the likelihood of completing all project execution and spending on or before October 31, 2016?

☐ Not at all likely

☐ Slightly likely

☐ Moderately likely

☐ Very likely

☒ Completely likely

Section 2: Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

A. DUNS Number

Applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency. To request a DUNS number, visit [DUNS](#).

B. SAM Registration

Applicants must be registered in the federal System for Award Management (SAM) database located at [SAM.gov](#) and maintain an active registration throughout the grant period.

NOTE: Both the DUNS number and SAM registration expiration dates must be entered on the Profile/Grant Vendor Tab in eGrants.

C. Civil Rights Liaison

A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with OSBA and with the U.S. Department of Labor Civil Rights Center (CRC).

Enter the Name of the Civil Rights Liaison:

David Orr

Enter the Address for the Civil Rights Liaison:

Attn: David Orr 220 Texas Blvd Texarkana, Texas 75501

Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999 x9999]:

(903) 798-3902

D. Overall Certification

Each applicant agency must certify to the specific requirements detailed above as well as all requirements within the OSBA Funding Announcement, TWC-OSBA Program-Specific Certifications and Assurances, and the Uniform State Grant Assurances to be eligible for this program.

☒ I certify to all of the above requirements.

Project Summary :

The Broad Street Regional Innovation Center is a proposed small business incubator space for startup and existing businesses. The space will include a commercial kitchen, retail and office space for entrepreneurs. The site is located in historic downtown Texarkana along the city's original commercial corridor. The innovation center is the proposed reuse for a site that has over \$400,000 committed to the Brownfields cleanup and building restoration. Additionally, funds will be used to market existing economic incentive programs including a facade loan program, Community Development Revolving Loan Fund and a Brownfields Revolving Loan Fund. This funding will help raise awareness regarding existing programs that can provide opportunities for individuals seeking equity capital and other forms of financial assistance.

Problem Statement :

For the Broad Street Regional Innovation Center, funding is needed for site planning and to determine the building layout. Also, the funding will be used to determine space allocation and potential services to provide entrepreneurs. For marketing existing economic incentive programs, this funding will help raise awareness regarding existing programs that can provide opportunities for individuals seeking equity capital and other forms of financial assistance.

Supporting Data :

The demographic profile and income distribution maps for the proposed project areas show higher rates of poverty, lower median household incomes and lower rates of college graduates than Texas or national rates, according to the U.S. Census Bureau. The population of the City of Texarkana now stands at 36,411, consisting of 44.6% minority residents. Conversely, in contrast to these figures, in the state of Texas, the percentage of the population reporting as minorities at 29.6%. Similarly, the area household income of \$38,037 is only 73% of the median national household income of \$51,425. Target Area State National Population(1) 36,411 25,145,561 311,536,594 Unemployment(2) 5.3% 4.2% 5.3%(2) Poverty Rate(3) 20.40% 16.80% 11.3%(2) Percent Minority(3) 44.60% 29.60% 36.7%1 Median Household Income(3) \$38,037 \$48,199 \$53,046 Per Capita Income(3) \$22,618 \$24,318 \$26,530 3 % Households w Pub Assist.(3) N/A 1.9% 2.9% % Below Poverty Level(3) 17.7% 17.7% 22.4% Homeownership Rate(3) 59% 64.7% 66.9% No High School Diploma(3) 21% 20.7% 15.4% College Degree or Higher(3) 20% 25.4% 27.5%

Project Approach:

The project approach includes a collaborative venture with agencies that are reliable small business service providers. The agencies include the City of Texarkana, Texas, Texas A&M University - Texarkana, Small Business Administration - Texarkana, Main Street Texarkana and Northeast Texas Workforce Solutions. Our approach will also employ a best practices model to build on existing innovation centers across Texas.

Goal Statement :**Target Group :**

Our target group will include minority populations, low to moderate income individuals and young entrepreneurs. Based on research data, these groups tend to face the greatest barriers for individuals seeking equity capital and other forms of financial assistance.

Project Activities Information

Reserved

This section left intentionally blank.

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
Planning related to a Innovation Center and to distribute resources for small businesses and HUBs	70.00	Planning & design documents related to the Broad Street Regional Innovation Center.
Develop, Publish And Distribute Resources Useful to Small Businesses and HUBs	30.00	Brochures and other marketing materials for economic incentive programs.

Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
Percentage of content that is Procurement-specific.	10
Percentage of content that is Exporting-specific.	10
Percentage of content that is Workforce-specific.	30
Percentage of content that is Funding-specific.	20
Percentage of recipients of the email who opened it (Open Rate).	40
Percentage of recipients of the email who clicked on the content's link in the email (Click Through Rate).	15
Number of Unique Visitors on page (Web Traffic).	4700
Average duration of page visits (measured in minutes).	2
Total number of copies printed.	1500
Total number of distribution locations (places where items are available for pickup).	25
Percentage of content that is specific to Historically Underutilized Businesses (HUBs).	15

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
Number of Unique Small Business Entities (USBEs) expected to be positively impacted.	30
Percentage of small business owners/HUBs /prospective small business owners who thought the training program or workshop was useful or beneficial.	30
Total number of printed items mailed, passed out and left at distribution locations (Circulation #).	1500
Number of content downloads (if applicable).	400

Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL
Total number of Innovation Center Space Plan Options	2

Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL
Number of Unique Small Business Entities (USBEs) or prospective USBEs expected to contribute to the final Innovation Center Space Plan Option selected for implementation	10

Section 1: Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a resolution that contains the following:

1. Authorization by your governing body for the submission of the application to OSBA that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update OSBA should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to OSBA.

Upon approval from your agency's governing body, upload the approved resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

Section 2: Contract Compliance

Will OSBA grant funds be used to support any contracts for professional services?

☒ Yes

☐ No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

City will monitor sub-contractor based on current purchasing policy procedures including equipment purchases, deliverables, and all applicable statutes including rules, regulations, and guidelines governing this project.

Section 3: Lobbying

For applicant agencies requesting grant funds in excess of \$100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?

☐ Yes

☐ No

☒ N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

☐ Yes

☒ No

☐ N/A

Section 4: Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:

10/1/2016

Enter the End Date [mm/dd/yyyy]:

9/30/2017

Section 5: Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:

Enter the amount (\$) of Federal Grant Funds:

3600000

Enter the amount (\$) of State Grant Funds:

400000

Section 6: Single Audit

Select the appropriate response below based on the Fiscal Year Begin Date as entered above.

For Fiscal Years Beginning Before December 26, 2014

Applicants who expend less than \$500,000 in federal grant funding or less than \$500,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a OSBA grant. However, OSBA may require a limited scope audit as defined in OMB Circular A-133.

Has the applicant agency expended federal grant funding of \$500,000 or more, or state grant funding of \$500,000 or more during the most recently completed fiscal year?

OR

For Fiscal Years Beginning On or After December 26, 2014

Applicants who expend less than \$750,000 in federal grant funding or less than \$750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a OSBA grant. However, OSBA may require a limited scope audit as defined in CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of \$750,000 or more, or state grant funding of \$750,000 or more during the most recently completed fiscal year?

☒ Yes

☐ No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit [mm/dd/yyyy]:

9/30/2015

Section 7: Equal Employment Opportunity Plan

Type I Entity

Defined as an applicant that meets one or more of the following criteria:

- the applicant has less than 50 employees;
- the applicant is a non-profit organization;
- the applicant is a medical institution;
- the applicant is an Indian tribe;
- the applicant is an educational institution, or
- the applicant is receiving a single award of less than \$25,000.

Requirements for a Type I Entity

- The applicant is exempt from the EEOP requirements required to prepare an EEOP because it is a Type I Entity as defined above, pursuant to 28 CFR 42.302;
- the applicant must complete Section A of the Certification Form and send it to the U.S. Department of Labor Civil Rights Center (CRC) to claim the exemption from developing an EEOP; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Type II Entity

Defined as an applicant that meets the following criteria:

- the applicant has 50 or more employees, and
- the applicant is receiving a single award of \$25,000 or more, but less than \$500,000.

Requirements for a Type II Entity - Federal law requires a Type II Entity to formulate an EEOP and keep it on file.

- The applicant agency is required to formulate an EEOP in accordance with 28 CFR 42.301, et seq., subpart E;
- the EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP is available for review by the public and employees or for review or audit by officials of OSBA, OSBA's designee, or the U.S. Department of Labor Civil Rights Center (CRC), as required by relevant laws and regulations;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the EEOP is required to be on file in the office of (enter the name and address where the EEOP is filed below):

Enter the name of the person responsible for the EEOP and the address of the office where the EEOP is filed:

Betsy Freeman 220 Texas Blvd Texarkana, Texas 75501

Type III Entity

Defined as an applicant that is NOT a Type I or Type II Entity.

Requirements for a Type III Entity - Federal law requires a Type III Entity to formulate an EEOP and submit it for approval to the United States Department of Labor Civil Rights Center.

- The EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP has been submitted to the U.S. Department of Labor Civil Rights Center (CRC) and has been approved by the CRC, or it will be submitted to the CRC for approval upon award of the grant, as required by relevant laws and regulations; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Based on the definitions and requirements above, the applicant agency certifies to the following entity type:

- ☐ Type I Entity
☐ Type II Entity
☒ Type III Entity

Section 8: Debarment

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:

- ☒ I Certify
☐ Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

Homeland Security Information**Fiscal Capability Information****Section 1: Organizational Information**

Enter the Year in which the Corporation was Founded:

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status:

Enter the Employer Identification Number Assigned by the IRS:

Enter the Charter Number assigned by the Texas Secretary of State:

Section 2: Accounting System

The grantee organization must incorporate an accounting system that will track direct and indirect costs for the organization (general ledger) as well as direct and indirect costs by project (project ledger). The grantee must establish a time and effort system to track personnel costs by project. This should be reported on an hourly basis, or in increments of an hour.

Is there a list of your organization's accounts identified by a specific number (i.e., a general ledger of accounts).

Select the appropriate response:

- ☐ Yes
☐ No

Does the accounting system include a project ledger to record expenditures for each Program by required budget cost categories?

Select the appropriate response:

- ☐ Yes
☐ No

Is there a timekeeping system that allows for grant personnel to identify activity and requires signatures by the employee and his or her supervisor?

Select the appropriate response:

- ☐ Yes
☐ No

If you answered 'No' to any question above in the Accounting System section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 3: Financial Capability

Grant agencies should prepare annual financial statements. At a minimum, current internal balance sheet and income statements are required. A balance sheet is a statement of financial position for a grant agency disclosing assets, liabilities, and retained earnings at a given point in time. An income statement is a summary of revenue and expenses for a grant agency during a fiscal year.

Has the grant agency undergone an independent audit?

Select the appropriate response:

- ☐ Yes
☐ No

Does the organization prepare financial statements at least annually?

Select the appropriate response:

- ☐ Yes
☐ No

According to the organization's most recent Audit or Balance Sheet, are the current total assets greater than the liabilities?

Select the appropriate response:

- ☐ Yes
☐ No

If you selected 'No' to any question above under the Financial Capability section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 4: Budgetary Controls

Grant agencies should establish a system to track expenditures against budget and / or funded amounts.

Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:

a) Total funds authorized on the Statement of Grant Award?

- ☐ Yes
☐ No

b) Total funds available for any budget category as stipulated on the Statement of Grant Award?

- ☐ Yes
☐ No

If you selected 'No' to any question above under the Budgetary Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Section 5: Internal Controls

Grant agencies must safeguard cash receipts, disbursements, and ensure a segregation of duties exist. For example, one person should not have authorization to sign checks and make deposits.

Are accounting entries supported by appropriate documentation (e.g., purchase orders, vouchers, receipts, invoices)?

Select the appropriate response:

- ☐ Yes
☐ No

Is there separation of responsibility in the receipt, payment, and recording of costs?

City of Texarkana, Texas

Lead Department: City Manager **Action Officer:** Jennifer Evans, City Secretary
Resolution No. 2016-062 accepting a petition regarding adoption of the Fire and
Police Employee Relations Act to be placed on the November 2016 General
Subject: Election ballot for the Texarkana Fire Department.

Briefing: 6/27/2016 **Public Hearing:** 6/27/2016 **Second Briefing:** July 11, 2016 **Council Vote:** 7/25/2016

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

A petition was submitted to propose to voters of Texarkana, Texas the adoption of the Fire and Police Employee Relations Act, Texas Local Government Code Chapter 174 for the Texarkana Fire Department. This resolution will accept the certified petition for placement on the November 2016 General Election ballot.

Potential Options:

- None
-

Fiscal Implications:

Contract costs with Bowie County Elections Office.

Staff Recommendation:

The City Council accepts the petition.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- 2016-062 RES Firefighter Collective Bargaining Petition (jcl rev) (002) (DOC)

City of Texarkana, Texas

- b. 2016-062 RES ATTH A Fire Employee Relations Act Petition Face Sheet 052616 (PDF)
- c. 2016-062 RES ATTH B City Secretary Certification Page (PDF)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed	
	06/07/2016 9:21 PM			
City Attorney	Jeffery C. Lewis	Review	Completed	06/08/2016
2:49 PM				
Assistant City Manager		Shirley Jaster	Assistant City Manager	
Review	Completed	06/08/2016 2:52 PM		
Public Information Officer		Lisa Thompson	PIO Review	Completed
	06/08/2016 2:55 PM			
City Manager	John Whitson	City Manager Review	Completed	06/09/2016
8:00 AM				
City Council	Jennifer Evans	Meeting	Completed	06/13/2016
6:00 PM				

Meeting History

06/13/16	City Council	MOVED FORWARD	Next: 06/27/16
----------	--------------	---------------	----------------

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ACCEPTING A PETITION REGARDING ADOPTION OF THE FIRE AND POLICE EMPLOYEE RELATIONS ACT, TEXAS LOCAL GOVERNMENT CODE CHAPTER 174, FOR THE TEXARKANA FIRE DEPARTMENT TO BE PLACED ON THE NOVEMBER 2016 GENERAL ELECTION BALLOT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on May 26, 2016 a petition was presented to the Office of the City Secretary by voters of Texarkana, Texas to petition the City Council of Texarkana, Texas to order an election for the adoption of the Fire and Police Employee Relations Act, Texas Local Government Code Chapter 174, for the Texarkana Fire Department as outlined in **Attachment “A”**; and

WHEREAS, in accordance with Texas Local Government Code §174.051(c), Texarkana, Texas voters request that the ballot in said election be printed to provide for voting for or against the proposition; and

WHEREAS, the proposition for the ballot reads as follows: “Adoption of the state law applicable to fire fighters that establishes collective bargaining if a majority of the affected employees favor representation by an employee association, preserves the prohibition against strikes and lockouts, and provides penalties for strikes and lockouts.”; and

WHEREAS, said petition meets the requirements of Texas Local Government Code §174.051(2) and the City’s Citizen Petition Policy and is certified by the City Secretary as outlined in **Attachment “B”**.

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

SECTION 1: That the City Council accepts the petition, as outlined in **Attachment “A”**, regarding adoption of the Fire and Police Employee Relations Act, Texas Local Government Code Chapter 174, for the Texarkana Fire Department.

SECTION 2: That the City Council accepts the certification of the petition by the City Secretary, as outlined in **Attachment “B”**.

SECTION 3: That the City Council directs the City Secretary to submit the proposition for placement on the November 2016 General Election ballot.

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

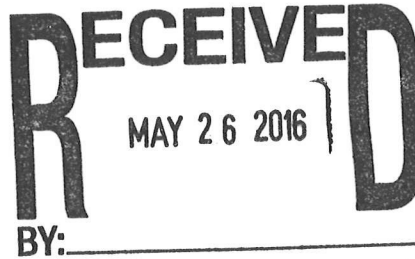
PASSED AND APPROVED in Regular Council Session on this the 25th day of July, 2016.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

STATE OF TEXAS §
COUNTY OF BOWIE §



Petition No. _____

Date _____

City Secretary _____

Petition to Adopt the FIRE AND POLICE EMPLOYEE RELATIONS ACT

We, the duly qualified voters of Texarkana, Texas, whose signatures appear below, hereby petition Texarkana's governing body to order an election for the adoption of the Fire and Police Employee Relations Act, TEXAS LOCAL GOVERNMENT CODE Chapter 174, for the Texarkana Fire Department. In accordance with TEXAS LOCAL GOVERNMENT CODE § 174.051(c), we request that the ballot in said election be printed to provide for voting for or against the proposition:

Adoption of the state law applicable to fire fighters that establishes collective bargaining if a majority of the affected employees favor representation by an employee association, preserves the prohibition against strikes and lockouts, and provides penalties for strikes and lockouts.

The full text of the ordinance proposed is attached hereto.

The names and addresses of the five (5) registered voters of the City of Texarkana, Texas, who shall be responsible for the circulation and filing of the petition, and who shall constitute the Committee of Petitioners for the purposes described in the City Charter of the City of Texarkana, Texas, are printed below.

- | | | |
|----|------------------------------|--|
| 1. | <u>Douglas Wayne Moore</u> | <u>36 Briarwood Circle</u>
<u>Texarkana, TX 75503</u> |
| | Name | Address |
| 2. | <u>Paul Lauck</u> | <u>6312 Turtle Creek Dr.</u>
<u>Texarkana, TX 75503</u> |
| | Name | Address |
| 3. | <u>Alan Campbell</u> | <u>6 Canadian Circle</u>
<u>Texarkana, TX 75503</u> |
| | Name | Address |
| 4. | <u>Jamie Annette Moore</u> | <u>36 Briarwood Circle</u>
<u>Texarkana, TX 75503</u> |
| | Name | Address |
| 5. | <u>Stephanie Ellen Moore</u> | <u>36 Briarwood Circle</u>
<u>Texarkana, TX 75503</u> |
| | Name | Address |



CERTIFICATION OF PETITION

I, Jennifer Evans, City Secretary of the City of Texarkana, Texas, do hereby certify, to the best of my ability using all the resources and technology available to me, the attached list of **546** Texarkana residents (Attachment B) as being registered voters and who have signed the petition titled,

"PETITION FOR FIRE AND POLICE EMPLOYEE RELATIONS ACT"

and further identified as, "Adoption of the state law applicable to fire fighters that establishes collective bargaining if a majority of the affected employees favor representation by an employee association, preserves the prohibition against strikes and lockouts, and provides penalties for strikes and lockouts.", as submitted to my office on May 26, 2016.

Jennifer Evans
City Secretary

Date

546						
VUID	Name	Petition Number	Page Number	Count	DOB	Residence Address
1019338615	ABERCROMBIE, JENNIFER COCKREL	5	10	1	3/4/1983	3304 COOPER LANE TEXARKANA TX 75503
1194802450	ABNER JR, LARRY CHARLES	3	9	1	9/11/1982	4201 OLIVE STREET TEXARKANA TX 75503
1141823571	ABNER, NIKETA SHERNELL	18	5	1	2/28/1975	4201 OLIVE STREET TEXARKANA TX 75503
1202476487	ACKLEN, DALTON GARRETT	15	7	1	9/2/1995	2 CLAY AVENUE TEXARKANA TX 75503
1177614251	ACKLEN, MARY DAWN	15	6	1	10/15/1971	2 CLAY AVENUE TEXARKANA TX 75503
1019829202	ADAMS, DOROTHY MAE	5	10	1	4/20/1943	3535 S LAKE DRIVE APT 3602 TEXARKANA TX 75501
1151843332	ADAMS, STANLEY L	22	7	1	6/21/1949	6203 TURTLE CREEK DRIVE TEXARKANA TX 75503
1138703140	ADAMS, TIMOTHY ALLEN	20	10	1	5/14/1979	7413 PALISADES DRIVE TEXARKANA TX 75503-0841
1020749437	AKIN, ANGELA MICHELLE	21	10	1	10/19/1977	5107 HIGH DRIVE TEXARKANA TX 75503
1020749428	AKIN, ERIC WAYNE	10	11	1	10/11/1973	5107 HIGH DRIVE TEXARKANA TX 75503
1170765997	ALFORD, SUSAN DIANE	19	10	1	9/29/1966	9 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019325621	ALLEN, BRANDON LASHAWN	16	2	1	7/12/1981	3 N WATLINGTON DRIVE TEXARKANA TX 75501
1019322567	ALLEN, BRENDA CAROL	4	6	1	10/29/1954	3535 S LAKE DRIVE APT 402 TEXARKANA TX 75501
1019456138	ALLEN, LINDA	29	11	1	12/13/1939	57 LANSHIRE DRIVE TEXARKANA TX 75503
1019669855	ALVES, JOSEPH B	34	6	1	2/28/1941	4011 CANADIAN STREET TEXARKANA TX 75503
1019449363	ANDERSON, ANTHONY WILLIAM	27	10	1	11/16/1956	4101 MONROE DRIVE TEXARKANA TX 75503
1167363479	ANDERSON, CHRISTINE	27	11	1	2/9/1961	4101 MONROE DRIVE TEXARKANA TX 75503
1138631709	ANDERSON JR, JIMMY LYNN	14	6	1	7/6/1973	216 NEW CASTLE STREET TEXARKANA TX 75503
2124093000	ANTHONY, ELIZABETH ANN	11	3	1	6/29/1934	3535 S LAKE DRIVE 3004 TEXARKANA TX 75501
1019504729	ARMSTRONG, ROBERT BENNY	1	4	1	6/25/1956	215 TERRACE LANE TEXARKANA TX 75503
1019842304	ARRINGTON, MARGIE A	28	8	1	12/8/1930	6102 DEERFIELD DRIVE TEXARKANA TX 75503
1019714284	ARVIZU, ERICK MICHAEL	21	3	1	2/16/1980	5911 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1164653072	ARVIZU, JOYCE ARLEEN	10	7	1	6/28/1955	5911 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1162709713	BABER, RUSTIN BLAKE	17	4	1	10/2/1974	6407 SPRINGWOOD CIRCLE TEXARKANA TX 75503
1195222121	BAKER, GARRETT CAMERON	32	8	1	9/23/1988	4619 VERBENA STREET TEXARKANA TX 75503
1209554450	BANKS, STACY LAMOND	5	6	1	12/11/1975	2903 SUNSET ROAD TEXARKANA TX 75501
1166040810	BARTON, DANIEL SCOTT	26	4	1	4/14/1961	3111 KELLER AVENUE TEXARKANA TX 75503
1019415849	BARTON, KIMBERLY R	26	4	1	4/1/1969	3111 KELLER AVENUE TEXARKANA TX 75503
1022187676	BASSETT, JUDITH SMITH	5	11	1	1/8/1934	3535 S LAKE DRIVE TEXARKANA TX 75501
1020629211	BAXTER, BRIDGET BUJNOCH	6	5	1	6/1/1961	5908 TURTLE CREEK DRIVE TEXARKANA TX 75503
1020683865	BAXTER, THOMAS GRAHAM	6	4	1	8/30/1960	5908 TURTLE CREEK DRIVE TEXARKANA TX 75503
1019343665	BEARDEN, JENNIFER JILL	24	8	1	3/24/1974	7111 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1019719373	BEASLEY, EVELYN SUE	30	9	1	4/1/1962	4016 PINE STREET TEXARKANA TX 75501
1019510764	BEASLEY, MARTHA MUSE	29	10	1	2/3/1938	42 LANSHIRE DRIVE TEXARKANA TX 75503
1115352467	BECHTOLD, ROBERT MELVIN	34	10	1	10/31/1944	3 DESOTO CIRCLE TEXARKANA TX 75503
1171368702	BECHTOLD, SHIRLEY ANN	34	10	1	11/20/1943	3 DESOTO CIRCLE TEXARKANA TX 75503
2001561553	BECK, JONATHAN WILLIAM	9	7	1	2/11/1976	9 SWEETBRUSH AVENUE TEXARKANA TX 75503

1019481323	BENNETT, LESLIE	25	7	1	8/19/1951	3006 KEVIN AVENUE TEXARKANA TX 75503
1037513215	BERRIOS, JAN ALEJANDRO	19	3	1	10/21/1980	38 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019499531	BETH, MICHAEL WAYNE	17	3	1	2/22/1965	3506 ROBIN LANE TEXARKANA TX 75503
1019332769	BETHEL, JAMES ONEAL	33	4	1	10/14/1950	5709 MEADOWLANDS DRIVE TEXARKANA TX 75503
1184883232	BETHEL, TERESA L	33	4	1	1/31/1955	5709 MEADOWLAND DRIVE TEXARKANA TX 75503
1217374947	BOLTON, WILLIAM GARTH	33	11	1	1/31/1985	5812 MEADOWLAND DRIVE TEXARKANA TX 75503
1051007344	BOOKER, CAROLYN RENE	14	2	1	10/30/1978	113 SAN SABA LANE TEXARKANA TX 75503
1175449222	BOONE, JOHNATHAN NEIL	13	10	1	1/22/1992	111 MEDINA DRIVE TEXARKANA TX 75503
1205102162	BOSTWICK II, FRED LARUE	13	9	1	10/28/1979	112 MEDINA DRIVE TEXARKANA TX 75503
1019609623	BOSWELL, THOMAS GLEN	16	11	1	1/28/1940	22 BIG OAK LANE TEXARKANA TX 75503
1019567852	BOUNDS, DONALD L	25	8	1	2/15/1931	2901 NORTHVIEW STREET TEXARKANA TX 75503
1177310223	BOWERS, AMANDA MICHELLE	29	3	1	12/1/1983	6310 TURTLE CREEK DRIVE TEXARKANA TX 75503
1213186737	BOWMAN, OLGA RENAE	19	2	1	6/22/1982	25 BRIARWOOD CIRCLE TEXARKANA TX 75503
1171113932	BOYD, ROBERT ALLEN	20	6	1	3/28/1969	6705 CAMERON LANE TEXARKANA TX 75503
1058088020	BOYETTE, HOLLIS RAE	3	2	1	6/7/1979	6907 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1019739121	BOYETTE, JAMES DANIEL	15	10	1	10/5/1954	5709 FOREST GROVE ROAD TEXARKANA TX 75503
1202001590	BRANNAN, BOBBY WAYNE	23	9	1	2/4/1971	4803 DAVID DRIVE TEXARKANA TX 75503
1165496547	BRANTLEY, JACK FREDRICK	13	6	1	12/31/1956	6401 ELLEN CIRCLE TEXARKANA TX 75503
1019750499	BRASSETT, JEANA MARIE	31	8	1	11/26/1964	4302 AMESDALE DRIVE TEXARKANA TX 75503
1019792101	BROWN, MARJORIE	5	11	1	10/27/1950	3535 S LAKE DRIVE TEXARKANA TX 75501
1019471538	BUCHANAN, DWIGHT DEAN	21	8	1	11/22/1948	4103 CONCORD PLACE TEXARKANA TX 75503
1019492037	BUCHANAN, LISA ANN	21	8	1	2/10/1956	4103 CONCORD PLACE TEXARKANA TX 75503
1019473849	BUDZIOWSKI, MARK ALAN	2	5	1	3/13/1957	36 BIG OAK LANE TEXARKANA TX 75503
1019665709	BUDZIOWSKI, MINA	6	9	1	10/2/1938	3224 OLIVE STREET TEXARKANA TX 75503
1019473854	BUDZIOWSKI, TONI ANN	2	6	1	7/21/1957	36 BIG OAK LANE TEXARKANA TX 75503
1209216340	BURKETT, AARON GLENN	34	3	1	9/30/1984	816 N KENWOOD ROAD TEXARKANA TX 75501
1019785764	BURKS, LAMOYA NICOLE	32	7	1	12/4/1982	4612 VERBENA STREET TEXARKANA TX 75503
1019628279	BURNS, MARY RUTH	16	9	1	1/14/1932	10 BIG OAK LANE TEXARKANA TX 75503
2000802854	BURRELL, CHARLES OMAR	3	8	1	8/27/1972	9010 HOLMES LANE 8 TEXARKANA TX 75503
1019832791	BURROUGHS, LANITA CLARK	22	4	1	2/14/1964	6403 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
1019354519	CALHOUN, RAYMOND OLIVER	16	7	1	5/7/1946	5704 LARRY DRIVE TEXARKANA TX 75503
1023995323	CAMPANINI, AUGUST MICHAEL	34	2	1	5/23/1969	700 SOWELL LANE APT 1115 TEXARKANA TX 75501
1019954958	CAMPANINI, SHERRI DENISE	8	8	1	7/8/1970	3702 SYLVIA DRIVE TEXARKANA TX 75503
1197872221	CAMPBELL, MARGIE LEE	34	11	1	4/15/1971	6 CANADIAN CIRCLE TEXARKANA TX 75503
1019578498	CAMPISI, DAWN MARIE	1	6	1	10/30/1964	3002 BRITTNEY LANE TEXARKANA TX 75503
1019696014	CAMPISI, MARA GRAHAM	1	5	1	6/20/1941	12 PARK LANE TEXARKANA TX 75503
1019517942	CARLSON, MARY PATRICIA	26	7	1	6/24/1943	6109 BEN BURROUGH ROAD TEXARKANA TX 75503
1019695890	CARPENTER, ROBERT M	1	5	1	7/22/1942	1019 FAIR OAKS DRIVE TEXARKANA TX 75503
1026879219	CARTER, ALVIN LEE	16	6	1	11/14/1946	5610 LARRY DRIVE TEXARKANA TX 75503
1019328046	CARY, FRANCES ANN	20	2	1	11/28/1948	6713 LAWSON CIRCLE TEXARKANA TX 75503
1019387570	CEARLEY, DONALD DAVID	5	7	1	12/25/1952	5710 WILSHIRE DRIVE TEXARKANA TX 75503

1019724739	CEARLEY, ROWENA TERRELL RIE	5	7	1	4/25/1957	5710 WILSHIRE DRIVE TEXARKANA TX 75503
1019613061	CLARK, DOYLE DEAN	15	5	1	10/4/1944	16 CLAY AVENUE TEXARKANA TX 75503
1019613074	CLARK, JANNIE	15	5	1	7/1/1947	16 CLAY AVENUE TEXARKANA TX 75503
1216213238	CLEMENTZ, AMANDA NICOLE	33	7	1	9/19/1979	5902 SUNNY STREET TEXARKANA TX 75503
1019340165	CLINTON, MARTHA ANNETTE	10	3	1	12/6/1957	4013 CONSTITUTION DRIVE TEXARKANA TX 75503
1019693947	CLINTON, MICHAEL DON	21	2	1	7/15/1951	4013 CONSTITUTION DRIVE TEXARKANA TX 75503
1019755642	COBB, ARNITA MICHELLE	5	6	1	6/12/1973	5103 GALLOPING WAY TEXARKANA TX 75503-0105
1172146622	COLE, ZANE ALEXANDER	22	9	1	7/28/1992	1422 MAIN STREET TEXARKANA TX 75503
1208940332	COLLINS, KOUNTISS CORONA ARTRECE	8	4	1	6/13/1995	207 OAKHILL ROAD TEXARKANA TX 75501
1019432137	COLLINSWORTH, ANDREW K	25	9	1	11/5/1976	5805 KEVIN AVENUE TEXARKANA TX 75503
1019693232	CONNOR, LOIS	18	7	1	5/3/1931	3535 S LAKE DRIVE UNIT 1102 TEXARKANA TX 75501
1019453095	COOK, DEBORAH ANN	19	11	1	11/21/1956	10 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019453105	COOK JR, JAMES LEVI	19	10	1	9/17/1957	10 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019537291	COOK, JOYCE MARIE	22	8	1	11/18/1953	6004 OAK FLAT AVENUE TEXARKANA TX 75503
1043123863	COOK, JUDITH ANN	11	10	1	7/30/1946	3535 S LAKE DRIVE UNIT 3404 TEXARKANA TX 75501
1176549701	COOPER, AMY ELIZABETH	26	7	1	2/12/1977	6107 BEN BURROUGH ROAD TEXARKANA TX 75503-1553
1200853174	COOPER, BRADY MICHAEL	31	6	1	6/1/1995	7402 PALISADES DRIVE TEXARKANA TX 75503
1019366286	COOPER, DAVID	33	2	1	6/2/1953	4021 HONEYSUCKLE LANE TEXARKANA TX 75503
1019515441	COOPER, RICHARD ANDREW	31	6	1	3/10/1971	7402 PALISADES DRIVE TEXARKANA TX 75503
1019515456	COOPER, TRACIE YVETTE	31	5	1	12/2/1970	7402 PALISADES DRIVE TEXARKANA TX 75503
1051085379	COOPER III, WILLIAM ALFRED	26	6	1	3/26/1976	6107 BEN BURROUGH ROAD TEXARKANA TX 75503
1179061523	CORK, NOE CHRISTIAN	24	2	1	8/3/1993	7213 SHILLING CIRCLE TEXARKANA TX 75503
1019516897	COSTON, BEVERLY JEAN	2	11	1	1/29/1945	1 BIG OAK LANE TEXARKANA TX 75503
1019517024	COSTON, JOHN DAVID	15	2	1	9/13/1947	1 BIG OAK LANE TEXARKANA TX 75503
1136923250	COWAN, TAMMY ANN	13	7	1	6/4/1967	115 SIERRA MADRE LANE TEXARKANA TX 75503-2338
1019849834	COZART, JOHN EDWARD	7	7	1	2/2/1947	5106 GALLOPING WAY TEXARKANA TX 75503
1023502537	CRITTENDEN, MARCIA LYNN	3	9	1	10/14/1967	2815 RICHMOND ROAD TEXARKANA TX 75503
1019691419	CROWE, PAUL W	12	2	1	4/24/1935	43 LANSHIRE DRIVE TEXARKANA TX 75503
1019621890	CRUMPTON, PATSY	7	6	1	7/15/1938	105 CRUMPTON DRIVE TEXARKANA TX 75503
1200598427	CUMMINGS, CHRISTINA HOPE	9	4	1	6/16/1995	1023 COLLEGE DRIVE TEXARKANA TX 75503-3239
1060655641	CUMMINGS, JEFFERY EDWARD	27	9	1	10/12/1965	4105 MONROE DRIVE TEXARKANA TX 75503
1081639942	CUMMINGS, SANDRA K	27	9	1	1/14/1968	4105 MONROE DRIVE TEXARKANA TX 75503
2122064321	CUNNINGHAM, BRADLEY ALLEN	24	5	1	6/27/1985	6912 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1059839657	CURRIE, DAVID MCLEAN	20	9	1	5/30/1979	7505 PALISADES DRIVE TEXARKANA TX 75503
1019542365	DANCER JR, CLAUDIE JAMES	18	5	1	3/12/1958	1718 NOLTHENIUS STREET TEXARKANA TX 75501
1019775031	DAVIDSON, CYNTHIA	2	8	1	3/17/1963	17 BIG OAK LANE TEXARKANA TX 75503
1019775049	DAVIDSON, JEFFREY C	2	8	1	10/18/1970	17 BIG OAK LANE TEXARKANA TX 75503
1019689936	DAVIS, GARY JACK	9	3	1	4/14/1945	19 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019361214	DAVIS, ROY LEE	11	8	1	5/12/1937	3535 S LAKE DRIVE TEXARKANA TX 75501
1019525577	DAVIS, RUBY SUSAN	9	3	1	4/26/1946	19 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019479866	DAWSON, CAROL YVONNE	6	5	1	8/18/1957	5903 TURTLE CREEK DRIVE TEXARKANA TX 75503

1019689666	DAY, JOANN RUCKS	32	11	1	9/19/1940	4020 HONEYSUCKLE LANE TEXARKANA TX 75503
1137775842	DEBENPORT, SANDRA THOMAS	2	2	1	10/18/1942	1731 MEADOWBROOK LANE TEXARKANA TX 75501
1042420744	DELGIORNO, MEGHAN HUDDLESTON	24	10	1	2/13/1963	7005 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1039830929	DELGIORNO JR, ROBERT ANTHONY	24	10	1	11/26/1962	7005 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1019818578	DELORD, LORETTA ROSE	18	7	1	8/17/1938	3535 S LAKE DRIVE TEXARKANA TX 75501
1191282140	DESJARLAIS, TRAVIS GENE	5	5	1	2/17/1963	18 N FERNWOOD DRIVE TEXARKANA TX 75501
1019766408	DEW, FRANCES J	29	9	1	10/2/1929	20 LANSHIRE DRIVE TEXARKANA TX 75503
1019537301	DICKENS, LARRY RAY	30	10	1	4/12/1950	3905 ELIZABETH STREET TEXARKANA TX 75503
1144131484	DIGGS, HELEN THERESE	9	11	1	5/16/1966	5810 WILSHIRE DRIVE TEXARKANA TX 75503
1019505509	DIXON, DENNIS H	2	6	1	8/26/1957	31 BIG OAK LANE TEXARKANA TX 75503
1059993875	DORRIS, JANICE AGNES	29	6	1	8/10/1950	3 HEATHERWOOD DRIVE TEXARKANA TX 75503
1019405175	DOUGLAS, GARY DON	15	9	1	9/1/1957	6009 SHADYSIDE LANE TEXARKANA TX 75503
1019688501	DOWDLE, VIRGIE MARY	11	8	1	4/15/1936	3535 S LAKE DRIVE 3802 TEXARKANA TX 75501
1019608136	DRUMMOND, LALLA	22	10	1	9/12/1946	6010 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
1187159949	DUCH, GARY OSBORNE	27	2	1	6/30/1959	4301 JAN CIRCLE TEXARKANA TX 75503
1019524405	DURKEE, CAROL JEAN	19	5	1	7/4/1952	21 TREASURE HILL DRIVE TEXARKANA TX 75503
1019725258	DYER, FERIBA EARLENE	26	5	1	11/30/1942	6104 BEN BURROUGH ROAD TEXARKANA TX 75503
1215254374	EASLEY, JUSTIN L	16	5	1	8/18/1982	6003 WILSHIRE DRIVE TEXARKANA TX 75503
1019517069	EASTRIDGE, CARL WILLIAM	33	7	1	4/25/1948	5903 SUNNY STREET TEXARKANA TX 75503
1019749944	EDDY, DIANE MCCARTHY	32	5	1	8/20/1943	4204 LOTUS STREET TEXARKANA TX 75503
1019783382	ELMORE, MICHAEL	16	8	1	10/26/1947	4413 WALNUT STREET TEXARKANA TX 75501
1019716457	ENGLEDOWL, HARRELL THOMAS	19	2	1	12/16/1955	2723 MAGNOLIA STREET TEXARKANA TX 75501
1184521475	ERWIN, CARROLL ARTHUR	24	2	1	2/18/1950	7201 SHILLING CIRCLE TEXARKANA TX 75503
1138630689	EVANS, ALEXANDER	23	11	1	1/15/1949	3609 CONNIE LANE TEXARKANA TX 75503
1023437781	EVERETT, PENNY KAY	21	9	1	7/26/1964	4120 CONSTITUTION DRIVE TEXARKANA TX 75503
1019598752	FALLS, MICHAEL EUGENE	13	7	1	3/8/1953	107 SIERRA MADRE LANE TEXARKANA TX 75503
1215494272	FASOLINO, ANNA ELIZABETH	12	8	1	5/9/1989	35 HEATHERWOOD DRIVE TEXARKANA TX 75503
1156771224	FASOLINO, DAVID EDWARD	12	7	1	10/27/1990	35 HEATHERWOOD DRIVE TEXARKANA TX 75503
1022263574	FAULKINBURY, ROYCE ANN	11	6	1	11/24/1944	3535 S LAKE DRIVE TEXARKANA TX 75501
1151338921	FISHER, ERICA ALINE	8	7	1	3/19/1984	3806 SYLVIA DRIVE TEXARKANA TX 75503-0878
1019321275	FITZGERALD, WILLIAM DAVID	30	7	1	10/6/1965	3910 PINE STREET TEXARKANA TX 75501
1024127773	FOMBY, SHERRI ANN	33	8	1	8/21/1967	5905 SUNNY STREET TEXARKANA TX 75503
1019684515	FOREMAN, GERRY E	6	3	1	3/8/1937	6001 WILSHIRE DRIVE TEXARKANA TX 75503
1019602489	FORRESTER JR, BILLY CLAUDE	28	9	1	11/9/1961	3813 WYATT LANE TEXARKANA TX 75503
1019611029	FRAZIOR, ROGER FRANCIS	7	2	1	12/31/1943	145 SKYLARK DRIVE TEXARKANA TX 75503
1019467515	FRENCH, PEGGY JEAN	31	10	1	9/26/1957	4202 E JAN CIRCLE TEXARKANA TX 75503
1163750656	GANJIZADEH, JENNA SUZSANNE	29	2	1	4/8/1987	6302 TURTLE CREEK DRIVE TEXARKANA TX 75503
1019682795	GARY, CLARICE V	6	10	1	9/17/1935	9 FOREST BROOK LN TEXARKANA TX 75503
1058511036	GASTON, VAUGHN EARL	22	4	1	4/11/1948	6212 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
1058422503	GATHRIGHT, GARY GENE	1	10	1	8/3/1972	6704 LAWSON CIRCLE TEXARKANA TX 75503
1019322408	GATHRIGHT, NANCY MAE	1	10	1	12/28/1974	6704 LAWSON CIRCLE TEXARKANA TX 75503

1163774950	GATLIN-DEAL, MELISSA	14	4	1	7/12/1979	506 ROBBINS STREET TEXARKANA TX 75501
1215018721	GAUL, MARK EDWARD	24	3	1	12/27/1978	7302 SHILLING CIRCLE TEXARKANA TX 75503
1019808754	GAY, JILL MARIE	2	5	1	7/22/1958	5803 TURTLE CREEK DRIVE TEXARKANA TX 75503
1019777085	GAY, SANFORD WHATLEY	2	2	1	1/27/1950	5803 TURTLE CREEK DRIVE TEXARKANA TX 75503
1019708124	GEORGE, JEFFREY	12	6	1	1/4/1957	37 LANSHIRE DRIVE TEXARKANA TX 75503
1019708130	GEORGE, KATHERINE	12	7	1	8/15/1963	37 LANSHIRE DRIVE TEXARKANA TX 75503
1043491290	GIBBONS, DONNA GAY	6	2	1	5/22/1959	5910 WILSHIRE DRIVE TEXARKANA TX 75503
1019486902	GIBSON, SUZANNE	21	7	1	6/18/1961	4101 CONCORD PLACE TEXARKANA TX 75503
1209938322	GILDON, MEGHAN LEA	32	8	1	5/27/1988	4619 VERBENA STREET TEXARKANA TX 75503
1019435745	GILL, RUTH MAXWELL	30	4	1	11/16/1942	4227 PINE STREET TEXARKANA TX 75501
2000350406	GILLETTE, CARLEY MCKENZIE	26	8	1	8/10/1989	3019 NEWPORT AVENUE TEXARKANA TX 75503
1019475202	GOLLWITZER, JOHN FRANK	30	2	1	6/7/1948	4208 PINE STREET TEXARKANA TX 75501
1019567689	GRAVES, MARCUS JEAN	15	2	1	1/14/1966	1 CLAY AVENUE TEXARKANA TX 75503
1022024847	GRAY, ROBERT STEPHEN	18	3	1	2/26/1956	3515 ARISTA BOULEVARD APT 418 TEXARKANA TX 75503-1235
1019313509	GREENE, HAROLD EUGENE	7	5	1	11/21/1944	122 CRUMPTON DRIVE TEXARKANA TX 75503
1019313513	GREENE, MERIDA JANICE	7	5	1	7/14/1949	122 CRUMPTON DRIVE TEXARKANA TX 75503
1164189411	GREENLEE, WENDY DAWN	13	5	1	8/2/1970	5001 WOODGATE DRIVE TEXARKANA TX 75503
1184703370	GUSTAFSON, KATIE LYNN	7	3	1	8/9/1982	155 SKYLARK DRIVE TEXARKANA TX 75503
1019680011	HAGEN, JOE R	15	8	1	1/3/1935	20 TAMAR DRIVE TEXARKANA TX 75503
1019680024	HAGEN, MARIE C	15	8	1	12/30/1935	20 TAMAR DRIVE TEXARKANA TX 75503
1218670689	HALE, CALEB JOSPEH	3	8	1	7/5/1974	11 BRIARWOOD CIRCLE TEXARKANA TX 75503
1155745239	HALEY, ALYSSA BROOKE	23	3	1	5/26/1976	3512 TROTTER LANE TEXARKANA TX 75503
1013625873	HALEY, ROBERT JESSIE	23	3	1	9/3/1969	3512 TROTTER LANE TEXARKANA TX 75503
1024090089	HALL, JACOB THOMAS	27	3	1	6/11/1982	4325 JAN CIRCLE TEXARKANA TX 75503
1019603742	HALLMARK, JANIS POPE	31	11	1	10/6/1939	4207 JAN CIRCLE TEXARKANA TX 75503
1177012950	HAMILTON, TONI MARIE	23	8	1	12/18/1970	4705 DAVID DRIVE TEXARKANA TX 75503-1165
1019506892	HAMMETT, JENNIFER MARCELLA	9	6	1	8/15/1963	15 STONERIDGE CIRCLE TEXARKANA TX 75503
1019511728	HARMON, CHRISTOPHER PAUL	3	6	1	1/26/1972	5313 GALLOPING WAY TEXARKANA TX 75503
1034212815	HARRIS, JOHN JASON	20	10	1	5/11/1977	7411 PALISADES DRIVE TEXARKANA TX 75503
1215989428	HATHOOT, BENJAMIN CONNOR	29	8	1	11/19/1996	4 LANSHIRE DRIVE TEXARKANA TX 75503
1170627638	HATHOOT, CAROLINE E	29	7	1	6/16/1965	4 LANSHIRE DRIVE TEXARKANA TX 75503
1155495992	HAWKINS, KENNETH ROBERT	28	11	1	4/20/1978	5109 WOODGATE DRIVE TEXARKANA TX 75503
1213628864	HAWKS, RUTH HELEN	4	7	1	10/27/1940	3535 S LAKE DRIVE APT 401 TEXARKANA TX 75501
1030091663	HAZLEWOOD, RICHARD LEE	11	2	1	8/17/1938	3535 S LAKE DRIVE UNIT 2602 TEXARKANA TX 75501
1171885905	HEATH, EUGENIA JO	18	10	1	8/20/1951	3535 S LAKE DRIVE TEXARKANA TX 75501
1088378034	HENDERSON, LISA NASH	18	11	1	6/16/1958	3535 S LAKE DRIVE TEXARKANA TX 75501
1021176102	HENDERSON, ROBERT LYNN	8	3	1	6/9/1953	3804 CONNIE LANE TEXARKANA TX 75503
1180875141	HENDRICKSON, KEYNA ELIZABETH	33	10	1	10/28/1974	5816 MEADOWLAND DRIVE TEXARKANA TX 75503
1019676330	HENRY, LEO PATRICK	24	9	1	1/4/1938	7009 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1019367043	HICKINGBOTTOM, BOBBY RAY	20	7	1	9/2/1969	6609 PALISADES DRIVE TEXARKANA TX 75503
1021159062	HIGGINS, ANNE DURKEE	19	4	1	3/22/1986	40 BRIARWOOD CIRCLE TEXARKANA TX 75503

1208083893	HIGGINS, BRANDON JAMES	19	4	1	11/3/1985	40 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019815374	HILTON, RANDY MACK	10	6	1	7/16/1963	3912 CONCORD PLACE TEXARKANA TX 75503
1019786183	HINES, MELODY ANN	9	4	1	12/31/1970	6604 SPRINGWOOD CIRCLE TEXARKANA TX 75503
1019356295	HODDE, RICHARD EUGENE	4	4	1	9/14/1960	11 HOLLY RIDGE DRIVE TEXARKANA TX 75503
1019522631	HOOPER, BERTHA L	32	10	1	12/4/1953	1629 W 18TH STREET TEXARKANA TX 75501
1019827611	HORTON, WILLIAM LYNWOOD	21	9	1	9/28/1953	4110 LOTUS STREET TEXARKANA TX 75503
1019541226	HOWARD, WILLIAM KEN	27	4	1	7/26/1946	4212 IDALOU DRIVE TEXARKANA TX 75503
1019323093	HUDSON, MAURY ALAN	29	7	1	12/30/1960	3 LANSHIRE DRIVE TEXARKANA TX 75503
1019846200	HUGHES, CAROLYN GLASGOW	11	2	1	2/16/1948	40 LANSHIRE DRIVE TEXARKANA TX 75503-1658
1019603761	HUGHES, DAVID STANLEY	11	3	1	10/6/1946	40 LANSHIRE DRIVE TEXARKANA TX 75503-1658
1189255958	HUHE, MICHAEL ALLAN	18	2	1	10/2/1976	702 OLD BOSTON ROAD TEXARKANA TX 75501
1019399652	HURT, REGINA LYNNE	8	11	1	4/2/1962	3606 MELODY LANE TEXARKANA TX 75503-0884
1019609411	JACKSON, GARY LYNN	7	9	1	8/13/1948	5104 HIGH DRIVE TEXARKANA TX 75503
1019578860	JAMES, STEPHEN FRANK	25	5	1	10/12/1946	3004 FORTUNE AVENUE TEXARKANA TX 75503
1019428512	JAMISON, LATOYA SHAMESE	8	4	1	2/11/1975	3813 SYLVIA DRIVE TEXARKANA TX 75503-0845
1200853142	JOHNSON, JOSHUA MICHAEL	4	4	1	7/15/1979	3112 FORTUNE AVENUE TEXARKANA TX 75503
1019610670	JOHNSON, MERIDA	13	3	1	8/11/1943	5105 WOODGATE DRIVE TEXARKANA TX 75503
1019769384	JOHNSON, RAYMOND ALLEN	18	6	1	1/21/1964	4010 HAZEL STREET TEXARKANA TX 75503
1079081409	JOHNSTON, JERRI LYNN	17	10	1	9/26/1963	86 BELLA VISTA CIRCLE TEXARKANA TX 75503
1019607325	JONES, BRENDA GAYLE	21	4	1	7/20/1951	5909 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1019781435	JONES, CHESTER EDWARD	17	10	1	3/20/1945	2409 ELINOR DRIVE TEXARKANA TX 75501
1019607341	JONES, DANNY RAY	21	4	1	10/14/1945	5909 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1019560486	JONES, DEBRA ANN	15	9	1	5/1/1962	6005 SHADYSIDE LANE TEXARKANA TX 75503
1019593105	JONES, GARY DEAN	5	4	1	9/7/1961	6005 SHADYSIDE LANE TEXARKANA TX 75503
1019347818	JONES, JOE MICHAEL	13	2	1	5/28/1956	5107 WOODGATE DRIVE TEXARKANA TX 75503
1019347825	JONES, PATRICIA LYNN	13	2	1	2/12/1955	5107 WOODGATE DRIVE TEXARKANA TX 75503
1036334114	JONES, RICHARD ARLEN	22	7	1	11/15/1936	6209 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
1019404961	JOYNER JR, ROBERT R	7	6	1	8/7/1954	112 CRUMPTON DRIVE TEXARKANA TX 75503
1019482818	KEENER JR, WILLIE CONNWAY	1	3	1	12/30/1956	3311 PLEASANT GROVE ROAD TEXARKANA TX 75503
1208440645	KEITH, MICHAEL KENNETH	4	5	1	11/16/1978	6001 RUSTON ROAD TEXARKANA TX 75503
1020488965	KELLEY JR, DONNIE VON	1	2	1	12/23/1981	3604 MELODY LANE TEXARKANA TX 75503-0884
1019759993	KELLEY, MONICA DEANN	8	10	1	1/20/1982	3604 MELODY LANE TEXARKANA TX 75503
1207309626	KELLY, OPERINE	4	8	1	3/28/1929	3535 S LAKE DRIVE TEXARKANA TX 75501
1023670275	KENNEDY, DAVID ROBERT	10	9	1	4/21/1982	4105 ARBOR DRIVE TEXARKANA TX 75503
1019465006	KENNEMER, ROSA LEE	6	9	1	1/31/1938	3608 SKYLINE BOULEVARD TEXARKANA TX 75503
1019617820	KERBY, ARLIE V	22	2	1	1/6/1949	6532 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
1019568033	KERBY, JONI LEIGH	22	2	1	3/24/1960	6532 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
1161747264	KINCAID, RAEANNA LOYCE	27	6	1	6/7/1973	4303 IDALOU DRIVE TEXARKANA TX 75503
1167262283	KINCAID, RICHARD SCOTT	27	6	1	8/27/1962	4303 IDALOU DRIVE TEXARKANA TX 75503
1019669677	KINNEY SR, DAVID CARROLL	28	11	1	6/15/1942	4206 LOTUS STREET TEXARKANA TX 75503
1019669696	KINNEY, MARY TYSON	5	9	1	5/31/1942	4206 LOTUS STREET TEXARKANA TX 75503

1183306792	KIRK, JOANN	14	4	1	3/29/1971	120 ROYALE DRIVE TEXARKANA TX 75503
1189090700	KLIEWER, ERNESTINA DELCARMEN	16	10	1	11/11/1966	20 BIG OAK LANE TEXARKANA TX 75503
1190348867	KLIEWER, WILLIAM DEAN	16	11	1	12/17/1958	20 BIG OAK LANE TEXARKANA TX 75503
1197872039	KUCH, NY BUN	19	11	1	3/13/1950	14 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019751326	LANIER, JOHN CARLTON	2	11	1	10/3/1948	7 BIG OAK LANE TEXARKANA TX 75503
1019799388	LAUCK, KRISTINA RENEE	30	11	1	2/28/1974	6409 PRESTIGE LANE TEXARKANA TX 75503
1019474569	LAUCK, PAUL ANTHONY	30	2	1	12/1/1968	6312 TURTLE CREEK DRIVE TEXARKANA TX 75503
1147234813	LAVIELLE, ALLISON DENAE	1	11	1	11/8/1989	6715 LAWSON CIRCLE TEXARKANA TX 75503
1078621210	LAVIELLE, WILLIAM MATTHEW	1	11	1	12/9/1983	6715 LAWSON CIRCLE TEXARKANA TX 75503
1019818469	LAWRENCE, AMY M	28	8	1	7/8/1979	6108 DEERFIELD DRIVE TEXARKANA TX 75503
1144079369	LENOIR, LATUNJI JUAN	26	11	1	6/19/1964	6003 SANDLIN AVENUE TEXARKANA TX 75503
1209157815	LILLIS, SCOTT ELIJAH	29	11	1	3/28/1979	56 LANSHIRE DRIVE TEXARKANA TX 75503
1019609858	LOE, ARLIS WAYNE	28	6	1	10/6/1941	6110 SHADYSIDE LANE TEXARKANA TX 75503
1019491547	LOHSE, CHRISTOPHER KIRK	30	6	1	3/31/1960	4101 PINE STREET TEXARKANA TX 75501
1022059044	LONG, LISA HALL	24	6	1	4/4/1978	7006 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1019415278	LOTKOWSKI, MARK STEPHEN	27	10	1	7/13/1965	4104 MONROE DRIVE TEXARKANA TX 75503
1019315354	LUCAS, BETTY L	11	5	1	8/12/1931	3535 S LAKE DRIVE UNIT 3101 TEXARKANA TX 75501
1019783191	LUEBBERT, MARLAINA ADRIAN	19	6	1	2/15/1957	50 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019783221	LUEBBERT, STEPHEN PAUL	19	6	1	11/24/1946	50 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019612785	LYNCH, MARY	13	11	1	11/16/1943	110 MEDINA DRIVE TEXARKANA TX 75503
1019389564	MADDOX, STEPHANIE GAY	3	2	1	12/13/1959	7309 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1058090928	MAGGIO, AMERICA	2	9	1	1/7/1941	16 BIG OAK LANE TEXARKANA TX 75503
1019606660	MALONE, DONALD DAVID	22	5	1	11/13/1943	6208 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
1181311766	MANGHAM, JEAN LYNN	11	7	1	12/2/1951	3535 S LAKE DRIVE APT 3804 TEXARKANA TX 75501
1023501902	MARCHESANI, CINDY ELLEN	8	7	1	5/30/1969	3703 SYLVIA DRIVE TEXARKANA TX 75503
1159037949	MARCHETTA, JUDE MICHAEL	34	6	1	10/1/1988	410 S LAKE DRIVE TEXARKANA TX 75501
1201671346	MARLEY, BRITT FRANKLIN	28	10	1	11/1/1958	3807 WYATT LANE TEXARKANA TX 75503
1019661014	MARLEY, LOU ETTA	28	10	1	10/5/1934	3807 WYATT LANE TEXARKANA TX 75503
1168278093	MARSHALL, NANCY ANN	28	3	1	6/10/1965	9 TAMAR DRIVE TEXARKANA TX 75503
1148358997	MARSHALL, YARSHEKA DONYELL	32	6	1	7/29/1977	4610 VERBENA STREET TEXARKANA TX 75503
1027457586	MARTIN, AMANDA ELAINE	33	2	1	8/21/1984	4023 HONEYSUCKLE LANE TEXARKANA TX 75503
1019661120	MARTIN, JAMES AUSTIN	29	8	1	12/20/1938	8 LANSHIRE DRIVE TEXARKANA TX 75503
1019660892	MARTIN, VIRGINIA MAE	6	6	1	12/26/1935	5815 TURTLE CREEK DRIVE TEXARKANA TX 75503
1019386903	MAYO, ALISON MARIE	24	11	1	3/26/1976	7001 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1019830814	MAYO, KELLI ANNETTE	25	8	1	7/18/1974	2902 NORTHVIEW STREET TEXARKANA TX 75503
1019402676	MCCLURE, MARY KATHLEEN	30	3	1	4/5/1955	4224 PINE STREET TEXARKANA TX 75501
1019659745	MCCOLLUM, WANDA L	6	8	1	3/10/1938	5703 TURTLE CREEK DRIVE TEXARKANA TX 75503
1019450681	MCCORKLE, VICKI JEAN	25	2	1	2/3/1964	3111 FORTUNE AVENUE TEXARKANA TX 75503
1019829937	MCCOWN, DOROTHY	17	9	1	4/11/1944	3535 S LAKE DRIVE TEXARKANA TX 75501
1040445781	MCDANIEL, AARON LEE	20	7	1	11/6/1972	6701 CAMERON LANE TEXARKANA TX 75503
1019567102	MCDONALD, BOBBY JOE	27	7	1	7/3/1941	4613 YUCCA STREET TEXARKANA TX 75503

1019475605	MCDONALD, KELLIE JOANN	21	6	1	3/5/1970	5806 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1026839525	MCDONALD II, WILLIAM A	21	7	1	1/20/1966	5806 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1019659347	MCDOWELL, DORIS LYNN	7	11	1	2/16/1945	3701 HILLSIDE DRIVE TEXARKANA TX 75503
1019556732	MCDOWELL, PATRICIA ELAINE	10	4	1	5/16/1948	4012 CONSTITUTION DRIVE TEXARKANA TX 75503
1019788994	MCDOWELL, POLLY	6	7	1	12/29/1932	5709 TURTLE CREEK DRIVE TEXARKANA TX 75503
1019658888	MCDOWELL, TERRELL B	7	11	1	3/1/1944	3701 HILLSIDE DRIVE TEXARKANA TX 75503
1019507906	MCDOWELL, WILLIAM BRUCE	10	4	1	7/11/1948	4012 CONSTITUTION DRIVE TEXARKANA TX 75503
1019842890	MCELROY, JOHN HANSELL	10	9	1	9/14/1939	4008 CONSTITUTION DRIVE TEXARKANA TX 75503
1019659126	MCGEE, CAROLYN	14	5	1	8/7/1935	215 NEW CASTLE STREET TEXARKANA TX 75503
1013565670	MCGEE, DELINDA GERTRUDE	11	3	1	7/18/1949	3535 S LAKE DRIVE APT 2801 TEXARKANA TX 75501
1019658651	MCGEE III, JOEL R	14	5	1	3/14/1935	215 NEW CASTLE STREET TEXARKANA TX 75503
1185997439	MCINNIS, JOHN M	26	10	1	5/23/1962	3013 NEWPORT AVENUE TEXARKANA TX 75503
1019620274	MCMELLON, JAMES DARRELL	6	11	1	8/21/1940	5702 TURTLE CREEK DRIVE TEXARKANA TX 75503
1019657516	MEANS, CAROL ROBERT	8	3	1	11/17/1944	3704 CONNIE LANE TEXARKANA TX 75503
1154607121	MILLER, ANNE MARIE	9	2	1	2/6/1967	15 BRIARWOOD CIRCLE TEXARKANA TX 75503
1218652159	MILLER, BRIAN LEE	9	2	1	3/18/1966	15 BRIARWOOD CIRCLE TEXARKANA TX 75503
1190917474	MILLS, NATALIE	31	5	1	8/25/1979	7404 PALISADES DRIVE TEXARKANA TX 75503
1019347632	MINTON, BRYAN ONEAL	12	4	1	10/5/1984	41 LANSHIRE DRIVE TEXARKANA TX 75503
2000321136	MINTON, LUCY HART LYMAN	11	3	1	7/12/1973	41 LANSHIRE DRIVE TEXARKANA TX 75503
1019484764	MINTON, MICHEAL LANE	12	5	1	12/3/1972	5906 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
1020749588	MINTON, SEAN RYAN	12	5	1	12/16/1982	41 LANSHIRE DRIVE TEXARKANA TX 75503
1019484772	MINTON, WILLIAM LANE	12	6	1	2/9/1951	5906 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
1019657043	MIOT, CHARLES C	34	4	1	11/5/1946	3106 CRESTRIDGE DRIVE TEXARKANA TX 75503
1019417183	MIOT, DENISE KAY	34	3	1	3/6/1951	3106 CRESTRIDGE DRIVE TEXARKANA TX 75503
1019350465	MITCHELL, BEULAH LEE	13	3	1	8/22/1935	5103 WOODGATE DRIVE TEXARKANA TX 75503
1020119735	MIXON, KATHY	14	2	1	6/4/1955	117 SAN SABA LANE TEXARKANA TX 75503
1170765984	MOHUNDRO, SHERYL KAY	19	9	1	3/6/1963	9 BRIARWOOD CIRCLE TEXARKANA TX 75503
1020470413	MONROE, BETTY A	6	8	1	8/7/1936	3701 HOLLOWAY DRIVE TEXARKANA TX 75503
1019593506	MONTE, ALEC VIRGIL	13	11	1	7/28/1947	102 SAN SABA LANE TEXARKANA TX 75503
1020179188	MOORE, DOUGLAS WAYNE	10	3	1	11/27/1962	36 BRIARWOOD CIRCLE TEXARKANA TX 75503
2122600683	MOORE, JAMIE ANNETTE	10	2	1	1/17/1963	36 BRIARWOOD CIRCLE TEXARKANA TX 75503
2121504646	MOORE, STEPHANIE ELLEN	10	2	1	11/2/1997	36 BRIARWOOD CIRCLE TEXARKANA TX 75503
1147849090	MOORE, TYLER ANTHONY	27	3	1	12/6/1989	4311 JAN CIRCLE TEXARKANA TX 75503
2124131883	MORANIEC, MITZI G	18	8	1	2/7/1964	3535 S LAKE DRIVE APT 1103 TEXARKANA TX 75501
1019789205	MORRIS II, ROBERT FULTON	23	7	1	8/4/1970	3522 CONNIE LANE TEXARKANA TX 75503
1019850564	MOSER, SHAWNA ELAINE	23	8	1	12/21/1977	4703 DAVID DRIVE TEXARKANA TX 75503
1206951408	MOTHERSHED, MICHEAL DAYTON	3	5	1	12/27/1960	107 WADE LANE TEXARKANA TX 75501
1019732170	MUHAMMAD, JUDY ANN	4	9	1	7/12/1951	3535 S LAKE DRIVE TEXARKANA TX 75501
1019506386	MUIRHEAD, CHARLOTTE LORENE	9	10	1	2/16/1941	5711 WILSHIRE DRIVE TEXARKANA TX 75503
1178746339	MULLINS, AIMEE DENISE	27	8	1	7/14/1987	4106 MONROE DRIVE TEXARKANA TX 75503
1143059441	MULLINS, COLTON QUIN	27	8	1	4/3/1989	4106 MONROE DRIVE TEXARKANA TX 75503

1019579966	MURDOCK, SHEILA KAY	5	8	1	10/15/1954	4614 VERBENA STREET TEXARKANA TX 75503
1019520321	MURPHY, BETH MARGARET	2	3	1	12/7/1947	14 STONERIDGE CIRCLE TEXARKANA TX 75503
1019564903	NANTZE, MONTA ARNOLD	13	9	1	8/15/1952	104 MEDINA DRIVE TEXARKANA TX 75503
1206173913	NEAL, BIANCA LAVERNE	9	10	1	2/4/1955	5704 WILSHIRE DRIVE TEXARKANA TX 75503
1164114431	NEAL, JEFFERY SCOTT	2	10	1	12/3/1963	11 BIG OAK LANE TEXARKANA TX 75503
1019376081	NEAL, KELLY BROOKS	23	5	1	6/1/1975	4116 CONSTITUTION DRIVE TEXARKANA TX 75503
1019796671	NEAL, THOMAS EARL	23	5	1	5/4/1977	4116 CONSTITUTION DRIVE TEXARKANA TX 75503
1204226278	NOBLE, CHRISTOPHER SCOTT	26	10	1	7/10/1970	3011 NEWPORT AVENUE TEXARKANA TX 75503
2122088808	NOBLE, LETASHA DIYALE	30	6	1	8/7/1980	4017 PINE STREET TEXARKANA TX 75501
1019705325	NORMENT, KATHRYN LYNETT	10	5	1	3/30/1954	5707 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1019710068	NORMENT JR, PHYINIZE OWEN	10	6	1	9/15/1954	5707 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1173256633	NORTON, KRYSTAL LYNN	9	5	1	5/18/1983	2404 STEVENSON STREET TEXARKANA TX 75501
1019419697	NORTON, TOMMY WAYNE	16	7	1	5/5/1946	2 HOLIDAY LANE TEXARKANA TX 75503
1019562340	NUTT, DEBORAH ANN	27	7	1	5/23/1957	4204 MONROE DRIVE TEXARKANA TX 75503
1184692162	OCORR, CHARLES STEWART	22	6	1	4/5/1962	6217 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
1138985455	OCORR, LENNIE RUTH	22	6	1	2/17/1959	6217 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
2000903236	OLIVER, JAMIE SHOOK	1	8	1	4/16/1971	6614 PALISADES DRIVE TEXARKANA TX 75503
2000903243	OLIVER, JEFFREY LYNN	1	6	1	7/18/1969	6614 PALISADES DRIVE TEXARKANA TX 75503
1059995974	OLLER, FRANK T	5	5	1	1/5/1977	5808 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1023505087	OSBORNE, KRYSTAL KAYE	25	10	1	8/27/1977	3004 KEVIN AVENUE TEXARKANA TX 75503
2000436377	OTOOLE, GINA CHIP	7	8	1	10/18/1963	5102 HIGH DRIVE TEXARKANA TX 75503
1019628137	OUBRE, DAVID WHITNEY	11	11	1	7/16/1947	6114 SHADYSIDE LANE TEXARKANA TX 75503
1018876757	PADRON, BARBARA ALLEN	5	9	1	6/11/1985	5608 LARRY DRIVE TEXARKANA TX 75503-1403
1213631405	PADRON, JOHN WILLIAM	5	8	1	11/6/1986	5608 LARRY DRIVE TEXARKANA TX 75503
1019458171	PARSONS, THOMAS HENRY	19	8	1	2/26/1969	17 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019458185	PARSONS, TOBI RICKETTS	19	9	1	6/13/1970	17 BRIARWOOD CIRCLE TEXARKANA TX 75503
1170594793	PATE, BRITTANY MICHELLE	13	8	1	9/18/1985	118 SIERRA MADRE LANE TEXARKANA TX 75503
1019419147	PATMAN, MARY F	28	5	1	4/5/1938	6008 SHADYSIDE LANE TEXARKANA TX 75503
1019563208	PATTERSON JR, MARTIN JORDAN	29	10	1	11/21/1940	44 LANSHIRE DRIVE TEXARKANA TX 75503
1166268304	PAUL, VIRGINIA LOUISE	18	9	1	10/1/1950	3535 S LAKE DRIVE 692 TEXARKANA TX 75501
1019369208	PAYNE, JOHN MICHAEL	21	6	1	1/15/1952	5813 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1165630433	PEARCY, VICTORIA MICHELLE	32	2	1	3/24/1987	4107 MONROE DRIVE TEXARKANA TX 75503
1019490152	PEGUE, DEMARCUS EUGENE	3	5	1	5/21/1971	1801 CHELF ROAD TEXARKANA TX 75501
1019705179	PENINGER, VIRGINIA RUTH	12	4	1	2/26/1951	41 LANSHIRE DRIVE TEXARKANA TX 75503
1019525447	PENNINGTON, ALVIS LEE	31	3	1	11/29/1947	7510 PALISADES DRIVE TEXARKANA TX 75503
1019539434	PENNINGTON, LISBETH	31	3	1	4/21/1950	7510 PALISADES DRIVE TEXARKANA TX 75503
1019666731	PENTURF, LOIS MARIE	32	3	1	12/22/1951	4607 YUCCA STREET TEXARKANA TX 75503
1019332898	PETERS, ANTOINETTE ANDREA	26	3	1	5/16/1956	3103 KELLER AVENUE TEXARKANA TX 75503
1019809785	PETERS, CONOR MARY	26	3	1	2/11/1954	3103 KELLER AVENUE TEXARKANA TX 75503
1150639729	PHELPS, ARTHUR WAYNE	33	9	1	8/16/1939	5906 SUNNY STREET TEXARKANA TX 75503
1021163289	PHELPS, JOHNA KAY	33	6	1	5/14/1952	5906 SUNNY STREET TEXARKANA TX 75503

2003634484	PHILLIPS, CHEYENNE KAITLYN	30	4	1	10/20/1992	4221 PINE STREET TEXARKANA TX 75501
1019794527	PICKENS, EMMA LOU	8	2	1	12/23/1934	3705 CONNIE LANE TEXARKANA TX 75503
1019534657	PICKENS, WILLIAM ROBERT	8	2	1	5/13/1935	3702 CONNIE LANE TEXARKANA TX 75503
1019412776	PIER, CAROL ANNE	16	10	1	7/8/1965	15 BIG OAK LANE TEXARKANA TX 75503
1019439007	PIERCE, RUSSELL LYNN	16	3	1	8/24/1958	6203 POLLY DRIVE TEXARKANA TX 75503
1205480984	PIERSON, ELAINE C	18	11	1	12/16/1947	3535 S LAKE DRIVE APT 1402 TEXARKANA TX 75501
2119811162	POLLOCK, TOMMY LEE	26	5	1	4/22/1974	3114 KELLER AVENUE TEXARKANA TX 75503
1019604379	PONDER, GEORGE RICKY	17	6	1	11/18/1952	7 HOLLY RIDGE DRIVE TEXARKANA TX 75503
1149008081	PONDER, LUCAS AARON	28	5	1	1/16/1980	6004 SHADYSIDE LANE TEXARKANA TX 75503
1019368842	POPE, NANNETTE	33	5	1	6/30/1952	5713 MEADOWLANDS DRIVE TEXARKANA TX 75503
1028335479	POWELL, KIM DEREK	33	9	1	1/25/1967	1 VALLEY VIEW CIRCLE TEXARKANA TX 75501
2001766368	POWELL, VEDA THOMPSON	4	9	1	9/30/1925	3535 S LAKE DRIVE 601 TEXARKANA TX 75501
1021855990	POWERS, BRUCE CHARLES	34	2	1	5/18/1959	3811 HUNTERS RIDGE TEXARKANA TX 75503
1019382389	POWERS, SHANNON LYNN	10	11	1	5/16/1964	1721 N ANN STREET TEXARKANA TX 75501
1019400982	PREE, CORY JAMAR	2	4	1	5/28/1977	3910 IVY LANE TEXARKANA TX 75503-2239
1019394419	PRESLEY, MARK WAYMON	9	9	1	4/9/1961	5610 WILSHIRE DRIVE TEXARKANA TX 75503
1019321908	PRICE, KAREN ANN	4	11	1	6/16/1946	3535 S LAKE DRIVE TEXARKANA TX 75501
1213057893	PURDY JR, ROGER ALAN	30	9	1	7/15/1979	4024 PINE STREET TEXARKANA TX 75501
1020488908	QUINN, CHELSEA NICOLE	10	10	1	12/2/1985	5811 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1155667832	QUINN, FLORA DELL	10	10	1	12/24/1938	4109 ARBOR DRIVE TEXARKANA TX 75503
1215773184	QUINN, JOHN ALEXANDER	10	7	1	11/24/1996	5811 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1031198384	QUINN, JOHN KENNEDY	10	8	1	9/27/1960	5811 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1145939711	QUINN, PATRICIA DAWN	10	8	1	1/28/1965	5811 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1025056588	RAFFAELLI, JOSEPH WRIGHT	9	8	1	8/28/1964	5611 WILSHIRE DRIVE TEXARKANA TX 75503
1019360733	RAFFAELLI, MICHELLE	9	8	1	4/9/1965	5611 WILSHIRE DRIVE TEXARKANA TX 75503
1019605058	RANKIN, LINDA JANE	25	4	1	12/26/1955	3006 FORTUNE AVENUE TEXARKANA TX 75503
1019412043	RANKIN, ROBERT JAYSON	25	4	1	10/15/1965	3006 FORTUNE AVENUE TEXARKANA TX 75503
1019606246	REED, BARBARA FRANCES	3	3	1	10/12/1946	7307 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1081531783	REID, JAMES VERNON	7	9	1	12/5/1946	3703 HILLSIDE DRIVE TEXARKANA TX 75503
1081827436	REID, LINDA SMITH	7	10	1	5/11/1944	3703 HILLSIDE DRIVE TEXARKANA TX 75503
1182368967	RILES, MARION CHARLES	18	2	1	1/21/1965	1417 S LAKE DRIVE TEXARKANA TX 75501
1019743606	ROBERTS, LINDA FAYE	17	7	1	6/22/1942	3535 S LAKE DRIVE TEXARKANA TX 75501
1019463585	ROBERTS, MARK STEPHEN	16	8	1	6/3/1957	5703 LARRY DRIVE TEXARKANA TX 75503
1019611616	ROBERTSON, REBECCA M	15	4	1	9/14/1945	7 CLAY AVENUE TEXARKANA TX 75503
1156161450	ROBINSON, CLINT MICHAEL	17	6	1	2/21/1972	6201 BEL AIR DRIVE TEXARKANA TX 75503
1019573912	ROBINSON, TOMMY LEE	22	3	1	10/16/1965	6402 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
2000230228	RODRIGUEZ, SHELLEY BETH	6	11	1	4/4/1974	5603 TURTLE CREEK DRIVE TEXARKANA TX 75503
1219284772	ROEDER, SUZANNE MARIE	15	11	1	10/27/1976	6113 SHADYSIDE LANE TEXARKANA TX 75503-1449
1171480573	ROGERS, JOE WALTON	32	5	1	3/2/1945	4204 LOTUS STREET TEXARKANA TX 75503
1141733485	ROMINE, CAROLYN SMITH	7	10	1	10/20/1951	3706 HILLSIDE DRIVE TEXARKANA TX 75503
2120182679	ROOKS, JOHN GRAY	24	7	1	1/9/1951	7104 SHADOW BROOKE DRIVE TEXARKANA TX 75503

1187731317	ROSAR, JOSEPH THOMAS	16	6	1	7/22/1952	5201 SUMMERHILL ROAD TEXARKANA TX 75503
1137824295	ROSS, AMANDA KAY	9	7	1	4/7/1979	4212 AMESDALE DRIVE TEXARKANA TX 75503
1019531095	ROWDEN, DARRELL DALE	4	5	1	8/29/1958	3701 MELODY LANE TEXARKANA TX 75503
1019557392	ROY, DORA FAYE	11	6	1	2/18/1938	3535 S LAKE DRIVE TEXARKANA TX 75501
1019333239	ROYSTON, MAXINE	25	11	1	4/4/1939	3005 KEVIN AVENUE TEXARKANA TX 75503
1130405329	RUFF, AMY WEBER	8	5	1	10/17/1975	3809 SYLVIA DRIVE TEXARKANA TX 75503-0845
1019846198	SAMS, GRACY C	9	11	1	8/16/1917	5717 WILSHIRE DRIVE TEXARKANA TX 75503
1175732258	SANDEFUR, BENJAMIN RAY	2	10	1	10/6/1992	12 BIG OAK LANE TEXARKANA TX 75503
1019474319	SANDERS, JERRY DONALD	25	6	1	6/18/1943	5721 KEVIN AVENUE TEXARKANA TX 75503
2119678544	SAVEALL, JOSEPH REESE	34	8	1	8/7/1978	4021 COLORADO STREET TEXARKANA TX 75503
2121508285	SAVEALL, TABITHA LORALI	34	8	1	8/15/1980	4021 COLORADO STREET TEXARKANA TX 75503
1187764034	SCHUMACHER, JOHN PAUL	31	4	1	8/17/1970	7410 PALISADES DRIVE TEXARKANA TX 75503
1141933530	SCRIVNER, MARTY LEE	17	5	1	3/8/1967	4325 MARCELL CIRCLE TEXARKANA TX 75503
2002666890	SEAGRAVES, ERICA COLLEEN	11	11	1	4/3/1972	7311 SHILLING CIRCLE TEXARKANA TX 75503
1019392323	SELLERS, LUELLA	27	4	1	12/12/1946	4200 IDALOU DRIVE TEXARKANA TX 75503
1182224644	SEXSON, COURTNEY ALAIRE	3	4	1	2/10/1980	7310 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1191686391	SEXSON, MICAH LEE	3	3	1	1/21/1979	7310 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1019372524	SEXTON, SHIRLEY	4	10	1	3/27/1943	3535 S LAKE DRIVE UNIT 804 TEXARKANA TX 75501
1135638650	SEYMORE, LISA GAIL	29	9	1	6/24/1959	34 LANSHIRE DRIVE TEXARKANA TX 75503
1019331567	SHADDIX, BILLIE JUSTICE	3	11	1	1/1/1944	3535 S LAKE DRIVE 1804 TEXARKANA TX 75501
1156528654	SHARMA, SHIVALI	19	3	1	6/5/1981	38 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019644450	SHIPP, CLYDE W	13	4	1	1/30/1926	5010 WOODGATE DRIVE TEXARKANA TX 75503
1081089899	SHIRLEY, MARK E	21	5	1	1/30/1959	5903 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1062594868	SHIRLEY, VALERIE ANNE	21	5	1	5/14/1963	5903 INDEPENDENCE CIRCLE TEXARKANA TX 75503
1176485450	SIDWELL, CHRISTINE DIANNE	5	2	1	2/1/1982	108 CRUMPTON DRIVE TEXARKANA TX 75503
1019729092	SIMS, MALCOLM LAMON	32	7	1	8/15/1973	2507 FINDLEY STREET TEXARKANA TX 75501
1034546076	SIMS, SHERRY MAE	3	10	1	10/20/1957	3535 S LAKE DRIVE APT 2003 TEXARKANA TX 75501
1019601943	SINGLETON, MICHAEL JON	31	8	1	12/28/1960	4304 AMESDALE DRIVE TEXARKANA TX 75503
1150683380	SKELTON, CANDIS ROSE	27	5	1	5/5/1966	4110 IDALOU DRIVE TEXARKANA TX 75503
1157748843	SKELTON, JOHN ALLEN	27	5	1	10/9/1961	4110 IDALOU DRIVE TEXARKANA TX 75503
1022074267	SKINNER, CHARLOTTE	18	4	1	7/18/1944	3535 S LAKE DRIVE TEXARKANA TX 75501
1019643778	SKINNER, DENNIS	1	2	1	2/25/1928	3607 MELODY LANE TEXARKANA TX 75503-0885
1187159908	SKINNER, ROSE MARIE	8	11	1	2/16/1953	3607 MELODY LANE TEXARKANA TX 75503-0885
1019531180	SMITH, BRIAN PAUL	28	2	1	8/26/1964	7 TAMAR DRIVE TEXARKANA TX 75503
1019406701	SMITH, CYNTHIA	28	2	1	1/19/1969	7 TAMAR DRIVE TEXARKANA TX 75503
1019474096	SMITH, JERRY WAYNE	4	2	1	4/28/1959	19 SPRINGCREEK ROAD TEXARKANA TX 75503
1019473382	SMITH, JULIE ANN	31	11	1	12/5/1962	4207 JAN CIRCLE TEXARKANA TX 75503
1153311625	SMITH, LESLIE ANN	21	11	1	9/12/1978	5207 HIGH DRIVE TEXARKANA TX 75503
1020178985	SMITH, RACINE EDWARDS	3	11	1	3/28/1937	3535 S LAKE DRIVE UNIT 1802 TEXARKANA TX 75501
1019570721	SMITH, ROBERT ALLEN	25	5	1	8/22/1963	5615 KEVIN AVENUE TEXARKANA TX 75503
1177883419	SMITH, TODD JOSEPH	21	11	1	11/23/1978	5207 HIGH DRIVE TEXARKANA TX 75503

1019844014	SMITH, VERNICE H	32	6	1	9/20/1924	4606 VERBENA STREET TEXARKANA TX 75503
1019382755	SMITH, WILLIAM SCOTT	33	10	1	11/21/1977	5911 SUNNY STREET TEXARKANA TX 75503
1197372704	SNOW, JUSTIN PETER	25	10	1	7/3/1974	3002 KEVIN AVENUE TEXARKANA TX 75503
1197893058	SOBAK, JARITA KAY	17	8	1	1/10/1960	2505 BENDER ROAD LOT 15 TEXARKANA TX 75501
1060256991	SPENCER, CLEOTIS	17	8	1	10/1/1988	37 S WATLINGTON DRIVE TEXARKANA TX 75501
1186162530	STANFILL, DAVID QUINN	24	4	1	6/21/1967	6903 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1191176736	STANFILL, IRENE JANETTE	24	4	1	8/27/1967	6903 SHADOW BROOKE DRIVE TEXARKANA TX 75503
2003322700	STANFILL, MEGAN RENEE	24	5	1	12/4/1997	6903 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1019642184	STANLEY, LINDA WARREN	6	10	1	10/2/1934	5021 N PARK ROAD TEXARKANA TX 75503
1019449290	STARLING, PAULA LEIGH	17	11	1	10/20/1939	3535 S LAKE DRIVE UNIT 303 TEXARKANA TX 75501
1197627654	STEEGER, MARTHA SUSAN	2	3	1	12/2/1943	6405 PRESTIGE LANE TEXARKANA TX 75503
1019370194	STEVENS, MICHAEL	24	8	1	12/8/1950	7011 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1019553107	STEVENS, SHARON MATTIX	24	9	1	11/29/1952	7011 SHADOW BROOKE DRIVE TEXARKANA TX 75503
1019604435	STEWART, DONNA IONE	2	4	1	11/16/1942	7 SPACE DRIVE TEXARKANA TX 75503
1019323713	STONE, BRITTANIE RENEE	20	11	1	1/12/1981	7309 PALISADES DRIVE TEXARKANA TX 75503
1019367206	STONE, JAMES MURRY	25	7	1	11/9/1949	3504 TROTTER LANE TEXARKANA TX 75503
1019780036	STONE, KEITH JEREMY	20	11	1	7/13/1982	7309 PALISADES DRIVE TEXARKANA TX 75503
1177898809	STONE, LAURIE MCDOWELL	6	6	1	6/21/1965	5709 TURTLE CREEK DRIVE TEXARKANA TX 75503
1159092077	STRATTON, JASON CLARK	31	9	1	11/5/1979	4206 AMESDALE DRIVE TEXARKANA TX 75503
1158186598	STRATTON, MISTY DAWN	31	9	1	5/9/1973	4206 AMESDALE DRIVE TEXARKANA TX 75503
1019524388	SURPRISE, MARIETTA ZOFCIN	27	2	1	5/28/1955	4303 JAN CIRCLE TEXARKANA TX 75503-0514
1019457106	SUTTON, DOUGLAS WAYNE	3	10	1	7/11/1942	3535 S LAKE DRIVE UNIT 1901 TEXARKANA TX 75501
1167160277	SZYMANSKA, WIOLETTA	14	6	1	7/4/1984	142 ROYALE DRIVE TEXARKANA TX 75503
1019811626	TALLEY, ALYSSA ASHLEY	26	11	1	12/19/1983	3015 NEWPORT AVENUE TEXARKANA TX 75503
2121513184	TALLEY, ASHLEY MICHELLE	23	4	1	1/9/1987	3508 TROTTER LANE TEXARKANA TX 75503
1019755058	TALLEY, ERIC DAVID	26	9	1	11/17/1981	3015 NEWPORT AVENUE TEXARKANA TX 75503
2123212841	TALLEY, JOSHUA NELSON	23	4	1	5/19/1986	3508 TROTTER LANE TEXARKANA TX 75503
1019640349	TAYLOR, BILLY ELZY	21	2	1	9/15/1930	3711 HILLSIDE DRIVE TEXARKANA TX 75503
1019385885	TAYLOR III, JAMES DUETTE	26	2	1	5/19/1966	5810 MEADOWLANDS DRIVE TEXARKANA TX 75503
1144163040	TAYLOR JR, JAMES DUETTE	19	8	1	12/15/1945	7 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019578666	TAYLOR, PATRICIA ANNE	22	9	1	8/28/1941	6102 SAGEBRUSH AVENUE TEXARKANA TX 75503
1019385892	TAYLOR, SHERI JEAN	33	11	1	2/26/1969	5810 MEADOWLANDS DRIVE TEXARKANA TX 75503
1019316664	TERRAL JR, WILLIAM THOMAS	4	3	1	9/24/1964	2107 FLOWER ACRE ROAD TEXARKANA TX 75501
1019754604	TERRELL, JAMES WALTER	24	3	1	1/15/1960	7204 SHILLING CIRCLE TEXARKANA TX 75503
1031549782	THOMAS, BARRY J	33	3	1	6/15/1970	5707 MEADOWLANDS DRIVE TEXARKANA TX 75503
1019799569	THOMAS, JENIFER JEAN	33	3	1	4/9/1975	5707 MEADOWLAND DRIVE TEXARKANA TX 75503
1170705429	THOMAS, ROBERT GARRET	22	8	1	3/13/1992	3905 RIO GRANDE AVENUE TEXARKANA TX 75503
2000200559	THOMASON, JAIMEE BETH	21	10	1	7/16/1997	5105 HIGH DRIVE TEXARKANA TX 75503
1004611681	THOMPSON, GAY ASHBY	19	7	1	7/1/1938	52 BRIARWOOD CIRCLE TEXARKANA TX 75503
1175119645	THOMPSON, SCOTT RICHARD	33	6	1	5/16/1966	5805 MEADOWLAND DRIVE TEXARKANA TX 75503
1019819311	THORNBERRY, MELISSA BRUNT	9	9	1	8/14/1984	5616 WILSHIRE DRIVE TEXARKANA TX 75503

1019504937	TUCKER, FRANKLIN DELLENO	11	9	1	11/4/1938	3535 S LAKE DRIVE APT 3504 TEXARKANA TX 75501
1019504944	TUCKER, MARY LOU	11	9	1	7/12/1939	3535 S LAKE DRIVE TEXARKANA TX 75501
1019527296	TUCKER, RANDY SCOTT	16	4	1	5/8/1962	307 N KENWOOD ROAD TEXARKANA TX 75501
1019372759	TURCHI, CAROLYN ALLINE	19	5	1	12/9/1938	44 BRIARWOOD CIRCLE TEXARKANA TX 75503
1019312230	TURNER, MICHAEL ARTHUR	4	3	1	10/3/1961	6202 POLLY DRIVE TEXARKANA TX 75503
2001799657	TURNER, PAMELA LYNN	26	9	1	6/26/1965	6008 YORKTOWN PLACE TEXARKANA TX 75503
1157213748	UPP, GARY DAVID	31	2	1	10/3/1952	7516 PALISADES DRIVE TEXARKANA TX 75503
1059435693	UPSON, ALAN EDWARD	23	7	1	12/28/1958	3601 CONNIE LANE TEXARKANA TX 75503
1220517848	VANDERWERKEN, CURTIS M	33	5	1	6/29/1973	5711 MEADOWLAND DRIVE TEXARKANA TX 75503-1001
1019605456	VANZANDT, CECILE JUNE	28	7	1	2/22/1953	6110 DEERFIELD DRIVE TEXARKANA TX 75503
1019637558	VANZANDT, WILLIAM ARTHUR	15	11	1	6/9/1952	6110 DEERFIELD DRIVE TEXARKANA TX 75503
1019400752	VASHER, MONICA JOHNSON	11	4	1	4/5/1955	3535 S LAKE DRIVE TEXARKANA TX 75501
1058076676	VAUGHN, CLARA MAE	1	9	1	9/26/1960	6704 CAMERON LANE TEXARKANA TX 75503
1058076757	VAUGHN, LARRY DARNELL	1	8	1	2/16/1958	6704 CAMERON LANE TEXARKANA TX 75503
1019761811	VELEZ, ADAM	32	2	1	2/24/1949	4610 YUCCA STREET TEXARKANA TX 75503
1019576961	VICK, MARY KATHERINE	30	7	1	6/2/1960	4012 PINE STREET TEXARKANA TX 75501
1019576988	VICK, SOPHRONIA ELNORA	30	8	1	8/22/1949	4012 PINE STREET TEXARKANA TX 75501
1022145327	WALKER, JENNIFER LYNN	31	2	1	5/11/1981	7514 PALISADES DRIVE TEXARKANA TX 75503
1019752093	WALL JR, JAMES LEE	22	10	1	10/7/1954	5803 SLEEPY HOLLOW AVENUE TEXARKANA TX 75503
1208593184	WALL, MICHAEL BLAKE	2	9	1	5/28/1984	11 BIG OAK LANE TEXARKANA TX 75503
1178885985	WALLACE, AMMIE ANN	23	2	1	12/23/1979	5301 HIGH DRIVE TEXARKANA TX 75503
1178885963	WALLACE, WILLIAM SHAWN	23	2	1	9/25/1975	5301 HIGH DRIVE TEXARKANA TX 75503
1219475726	WALTERS, WINDA LEE	11	4	1	6/26/1954	3535 S LAKE DRIVE APT 3001 TEXARKANA TX 75501
1019323381	WATSON, LYLE WESLEY	21	3	1	1/22/1981	4015 CONSTITUTION DRIVE TEXARKANA TX 75503
1019795060	WATTS, KEVIN DEWAYNE	16	3	1	12/24/1962	2904 PAGE STREET TEXARKANA TX 75501
1019635790	WEAVER, ALICE	25	2	1	4/21/1940	3111 FORTUNE AVENUE TEXARKANA TX 75503
1216292711	WEAVER, GERALDINE STEWART	28	6	1	1/7/1939	6106 SHADYSIDE LANE TEXARKANA TX 75503
1019550534	WEED, STEPHEN RAY	3	4	1	1/18/1959	14 LYNDIA AVENUE TEXARKANA TX 75503
1147466862	WEINSTEIN, CHRISTOPHER THOMAS	5	2	1	2/20/1979	7403 PALISADES DRIVE TEXARKANA TX 75503-0841
1019787190	WELLS, JAMES DAVID	8	5	1	8/27/1978	3811 SYLVIA DRIVE TEXARKANA TX 75503
1019561091	WELLS, MYRA JEAN	13	5	1	5/29/1962	6303 WILLOWCREEK CIRCLE TEXARKANA TX 75503
1019452733	WERST, JENNIFER ANN	2	7	1	10/8/1971	21 BIG OAK LANE TEXARKANA TX 75503
1019422033	WEST, JACLYN BOYCE	8	6	1	4/6/1977	3808 SYLVIA DRIVE TEXARKANA TX 75503-0878
1172794714	WEST, JERRY WESLEY	8	6	1	7/31/1972	3808 SYLVIA DRIVE TEXARKANA TX 75503-0878
1019635258	WESTBROOK, RITA	28	4	1	9/26/1932	17 TAMAR DRIVE TEXARKANA TX 75503
1019549356	WESTMORELAND, REBECCA LYNNE	16	9	1	2/6/1954	8 BIG OAK LANE TEXARKANA TX 75503
1059706045	WHITE, GLENDA FAE	15	6	1	7/21/1945	4 CLAY AVENUE TEXARKANA TX 75503
1019780281	WILBUR, FLETCHER MASON	7	3	1	7/9/1941	170 SKYLARK DRIVE TEXARKANA TX 75503
1019466988	WILDER, TIMOTHY PAUL	4	2	1	5/8/1956	3405 BEECHWOOD LANE TEXARKANA TX 75501
1180001757	WILEY, BRANDON MICHAEL	31	7	1	7/18/1981	7305 PALISADES DRIVE TEXARKANA TX 75503
1137835022	WILLIAMS, BREJON ERVIN	14	3	1	3/21/1988	122 ROYALE DRIVE TEXARKANA TX 75503

1019433255	WILLIAMS, CASANDRA	1	4	1	2/14/1967	1021 COLLEGE DRIVE TEXARKANA TX 75503
1189938980	WILLIAMS, CHARLES EDWARD	32	9	1	11/18/1962	4618 VERBENA STREET TEXARKANA TX 75503
1189938914	WILLIAMS, DAVEEDA GAILES	32	9	1	6/15/1971	4618 VERBENA STREET TEXARKANA TX 75503
1019424355	WILLIAMS, TOIYA SHERRELL	14	7	1	11/13/1972	141 ROYALE DRIVE TEXARKANA TX 75503
1019795311	WILLIS, ALICIA ANNETTE	34	9	1	1/7/1958	16 DESOTO CIRCLE TEXARKANA TX 75503
1019774271	WILLIS, RAY ANTHONY	34	9	1	5/6/1953	16 DESOTO CIRCLE TEXARKANA TX 75503
1019633494	WILSON, MICHAEL ROY	25	6	1	7/21/1944	2903 NORTHVIEW STREET TEXARKANA TX 75503
1019546899	WILSON, PATRICIA ANN	2	7	1	9/23/1939	21 BIG OAK LANE TEXARKANA TX 75503
1021941809	WOOD, BETTY	8	9	1	2/24/1943	3601 SYLVIA DRIVE TEXARKANA TX 75503
1216564152	WOOD, CHRISTOPHER LYNN	8	9	1	1/15/1962	3601 SYLVIA DRIVE TEXARKANA TX 75503-0880
1019748766	WOODS JR, WILLIAM DAVID	5	4	1	9/17/1965	7 TULIP DRIVE TEXARKANA TX 75503
1182360498	WORKS, KENNETH WAYNE	8	10	1	3/7/1966	3601 MELODY LANE TEXARKANA TX 75503-0885
1217149569	WRIGHT, ALLISON COURTNE	14	3	1	1/8/1997	126 ROYALE DRIVE TEXARKANA TX 75503
1019760092	WRIGHT, CHRISTINE	11	2	1	12/29/1932	3535 S LAKE DRIVE 2802 TEXARKANA TX 75501
1019365263	WRIGHT, DOW GILHAM	26	8	1	7/4/1955	6108 BEN BURROUGH ROAD TEXARKANA TX 75503
1019830559	WRIGHT, JEFFREY FRANKLIN	20	8	1	10/16/1970	6607 PALISADES DRIVE TEXARKANA TX 75503
1019436224	WRIGHT, OLLIE PEARL	17	11	1	7/21/1934	3535 S LAKE DRIVE UNIT 301 TEXARKANA TX 75501