CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● JULY 11, 2022

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

220 TEXAS BLVD., TEXARKANA, TX 75501

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

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

Staff Present: City Manager David Orr, Jennifer Evans, Kristin Peeples, Vashil Fernandez, Mashell Daniel, J.W. Bramlett, Karey Parker, Sherry Jackson Hawkins, Dusty Henslee, Brandon Uselton, Lisa Thompson, and Gary Smith.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER BETTY WILLIAMS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, August 8, 2022 at 6:00 p.m. (regular schedule resumes)
Monday, August 22, 2022 at 6:00 p.m.
Monday, September 12, 2022 at 6:00 p.m.
Monday, September 26, 2022 at 6:00 p.m.

Parks & Recreation Events:

July Events
July 18th Co-ed Softball League Begins Wallace Park

Additional Parks & Recreation information can be found on the city's website at <http://www.ci.texarkana.tx.us> or by contacting staff at (903) 798-3978.

The Collom & Carney Clinic will be celebrating it's 75th anniversary this Friday, July 15th. Congratulations to Collom & Carney Clinic for serving this community for so many years!

IV. SPECIAL PRESENTATION - THE NOVEMBER GENERAL ELECTION

Countywide Voting Centers - by Pat McCoy

Mr. McCoy shared a presentation outlining the county's application to the Secretary of State's office and the process for conducting countywide voting on Election Day during the November 8, 2022 general election.

Vote Center Program Presentation

RESULT:	**CLOSE ACTION**

V. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

There were no public comments made at Open Forum.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Council Member Harp recommended the reappointment of Jonathan Wade to the MPO Technical Committee.

Council Member Williams recommended the reappointment of David Holder to the Historic Landmark Preservation Committee.

Council Member Page recommended the reappointment of Carolyn Moore to the Building & Standards Commission.

Council Member Matlock recommended the reappointment of James Larkins to the Planning and Zoning Commission.

The Mayor reminded everyone the deadline for applying for volunteer service on a board, commission, or committee is Friday, July 15th.

Interested citizens can apply online at the city's website or contact City Secretary Jennifer Evans for assistance.

Motion to approve recommendations to various boards, commissions, or committees.

(6:27 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Betty Williams, Ward 3
AYES:	Bruggeman, Matlock, Williams, Page, Harp, Davis
ABSENT:	Hart

VII. ITEMS FOR CONSIDERATION

Consent Items

(6:30 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on June 13, 2022 at 6:00 PM.

2. Order of Election for the City's November 8, 2022, General Election for the purpose of electing a Council Member for Ward Four (4) and a Council Member for Ward Six (6).

3. Ordinance No. 2022-068 closing and abandoning a portion of right-of-way north of Gibson Lane, east of Pleasant Grove Road, and South of Block/Tract 195 of the George Brinlee A-18 Headright Survey.

   Public Hearing:
   Council Vote: July 11, 2022

4. Resolution No. 2022-072 approving the application for the Texas Motor Vehicle Crime Prevention Authority Grant providing a total grant in the amount of $20,000, where the City will provide a $4,000 match.

   Public Hearing:
   Council Vote: July 11, 2022

5. Ordinance No. 2022-074 assigning duties and delegating authority to the City Manager to implement, within budgeted parameters, the City Council's strategy of evaluating the reasonableness of SWEPCO's applications before the Texas Public Utility Commission.

Public Hearing:
Council Vote: July 11, 2022

Action Items

6. Ordinance No. 2022-051 approving the fiscal and personnel management agreement with the Texarkana Urban Transportation Study Policy Advisory Board.

   Public Hearing:
   Council Vote: July 11, 2022

   (6:31 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Betty Williams, Ward 3
SECONDER:	Jay Davis, Ward 6
AYES:	Bruggeman, Matlock, Williams, Page, Harp, Davis
ABSENT:	Hart

7. Joint Resolution No. 2022-058 authorizing the City Manager, in conjunction with Texarkana, Arkansas, to reach an agreement with Bird Rides, Inc., to launch a pilot scooter program in Texarkana, USA.

   Public Hearing:
   Council Vote: July 11, 2022

   The Mayor asked the City Secretary for a roll call vote.
   (6:33 p.m.)

RESULT:	**ADOPTED [4 TO 1]**
MOVER:	Bill Harp, Ward 5
SECONDER:	Jay Davis, Ward 6
AYES:	Bruggeman, Williams, Harp, Davis
NAYS:	Page
ABSTAIN:	Matlock
ABSENT:	Hart

8. Resolution No. 2022-064 approving and authorizing publication of notice of intention to issue certificates of obligation in an amount not to exceed $20,475,000 and declaring expectation to reimburse expenditures with proceeds of future debt.

   Public Hearing:
   Council Vote: July 11, 2022

   Kristin Peeples briefed this agenda item.

(6:36 p.m.)

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

9. Resolution No. 2022-065 authorizing the City Manager to execute an Information Technology Mutual Aid Agreement with the City of Allen, Texas, serving as the host City.

   Public Hearing:
   Council Vote: July 11, 2022

   Brandon Uselton briefed this agenda item.
   (6:40 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Betty Williams, Ward 3
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Bruggeman, Matlock, Williams, Page, Harp, Davis
ABSENT:	Hart

10. Resolution No. 2022-066 authorizing the City Manager to purchase one (1) John Deere 644 P Wheel Loader through the Sourcewell Buy Board in an amount not to exceed the Texas portion, $168,453.82, and the total amount not to exceed $274,892.00.

    Public Hearing:
    Council Vote: July 11, 2022

    Gary Smith briefed this agenda item.
    (6:42 p.m.)

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

11. Resolution No. 2022-067 authorizing the City Manager to enter into a contract for the St. Michael Drive, at Kings Highway, sewer extension project in an amount not to exceed $131,327.60.

    Public Hearing:
    Council Vote: July 11, 2022

Gary Smith briefed this agenda item.
(6:43 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Betty Williams, Ward 3
SECONDER:	Christie Page, Ward 4
AYES:	Bruggeman, Matlock, Williams, Page, Harp, Davis
ABSENT:	Hart

VIII. FIRST BRIEFINGS

1. Ordinance No. 2022-069 approving an amendment to PD-20-1 for site plan approval on an approximate 2.518-acre tract of land (being Tract 1B), Marriott Subdivision, located at the northwest corner of Saint Michael Drive and North Cowhorn Creek Loop.

   Public Hearing: August 8, 2022
   Council Vote: August 8, 2022

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 8/8/2022 6:00 PM**

2. Ordinance No. 2022-070 granting a Specific Use Permit to allow the location of a daycare on Block 28, Highland Park Addition, located at 2401 Hazel Street. Nelda Shavers, owner.

   Public Hearing: August 8, 2022
   Council Vote: August 8, 2022

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 8/8/2022 6:00 PM**

3. Ordinance No. 2022-071 rezoning Lots 9, 10, 11, and 12, Block 1, Estes & Heilbron Addition, located in the 2600 block of Spruce Street. Single Family-1 to Industrial-1. James Brower representing NS Land Company LLC, owners.

   Public Hearing: August 8, 2022
   Council Vote: August 8, 2022

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 8/8/2022 6:00 PM**

4. Ordinance No. 2022-073 granting an amendment to PD-88-4 for site plan approval on Lot 5, Parcel 2, Block 3, Galleria Oaks #1, located at 1710 Moores Lane. Sandy Varner, Temple Memorial Pediatric Center, owner.

   Public Hearing: August 8, 2022
   Council Vote: August 8, 2022

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 8/8/2022 6:00 PM**

IX. PUBLIC HEARINGS

1. Resolution No. 2022-054 adopting the Community Development Block Grant 2022 Program Year Annual Action Plan and authorizing the City Manager to submit said action plan to the U.S. Department of Housing and Urban Development.

   Public Hearing: July 11, 2022
   Council Vote: July 11, 2022

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

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Page, Ward 4
SECONDER:	Bill Harp, Ward 5
AYES:	Bruggeman, Matlock, Williams, Page, Harp, Davis
ABSENT:	Hart

2. Ordinance No. 2022-059 granting an amendment to PD-32 (Office) for site plan approval on a 0.1469-acre tract of land on the west portion of a 0.9-acre tract of land, Lot 5, Wellsford Subdivision, located at 3118 Norton Street. David Boudreaux, owner and Joe Gordy, agent.

   Public Hearing: July 11, 2022
   Council Vote: July 11, 2022

   Charles Stokes addressed council in opposition to adopting this ordinance. Joe Gordy addressed council in favor of adopting this ordinance.

   The Mayor asked the City Secretary for a roll call vote.
   (7:21 p.m.)

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	Jay Davis, Ward 6
SECONDER:	Bill Harp, Ward 5
AYES:	Bruggeman, Williams, Page, Harp, Davis
NAYS:	Matlock
ABSENT:	Hart

3. Ordinance No. 2022-060 granting a Specific Use Permit to allow the location of a telecommunications tower on a 0.1469-acre tract of land on the west portion of a 0.9-acre tract of land, Lot 5, Wellsford Subdivision, located at 3118 Norton Street. David Boudreaux, owner, and Joe Gordy, agent.

   Public Hearing: July 11, 2022
   Council Vote: July 11, 2022

   Joe Gordy addressed council in favor of adopting this ordinance. The Mayor asked the City Secretary for a roll call vote.
   (7:23 p.m.)

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	Bill Harp, Ward 5
SECONDER:	Jay Davis, Ward 6
AYES:	Bruggeman, Williams, Page, Harp, Davis
NAYS:	Matlock
ABSENT:	Hart

4. Ordinance No. 2022-061 approving an amendment to PD-02-13 (General Retail) for site plan approval on Lots 7, and 8, Block 5, Richmond Subdivision 4th, located on the two lots north of 4414 Galleria Oaks Drive. Jennifer Carrillo, owner, and Kayla Wood, MTG Engineers and Surveyors, agent.

   Public Hearing: July 11, 2022
   Council Vote: July 11, 2022

   There were no public comments made at this hearing.
   (7:25 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Betty Williams, Ward 3
SECONDER:	Bill Harp, Ward 5
AYES:	Bruggeman, Matlock, Williams, Page, Harp, Davis
ABSENT:	Hart

5. Ordinance No. 2022-062 approving an amendment to PD-86-3 (General Retail) for site plan approval on Lot 1 Richmond-Kwik Addition, located at 2903 Richmond Road. Paige Hobbs with American Goods, LLC, owners, and Greg Ryden, Ryden Architecture, agent.

Public Hearing: July 11, 2022
Council Vote: July 11, 2022

There were no public comments made at this hearing.
(7:26 p.m.)

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

X. CITY MANAGER'S REPORT

Riverbend & TWU True Up Meeting - July 13th
The True-up report will be presented on Wednesday, July 13 at 10:00 a.m at the Riverbend offices. The proposed water production rate is projected to increase from $1.0043 per thousand gallons to $1.4092 per thousand gallons which is a 40.31% increase. The increase can be attributed to higher production costs primarily due to increasing chemical costs and overall inflation.

RRAD Change of Command RESCHEDULED
Due to unforeseen circumstances, the Red River Army Depot Change of Command ceremony has been rescheduled to Thursday, July 14 at 9:00 a.m. Council Members interested in attending can confirm with the City Manager.

Hazard Mitigation Plan Update & Survey
The hazard mitigation plan is currently ongoing. This plan is how the city receives funds from FEMA. Therefore, it is very important the city has an updated plan. The survey is for citizens to give input related to the plan.

Save-the-Date: 2024 Solar Eclipse in Texarkana USA - viewing the Eclipse in TWO States at Once.
The next total solar eclipse is set to happen on **April 8, 2024**, and Texarkana is in the path of totality. This occasion will be a weekend long "Solarbration" with Texarkana, Arkansas. An ad hoc committee will be appointed soon to plan for this big event in the community.

Employee Appreciation - July 14th
The City will host an employee appreciation on July 14 at the downtown Post Office and U.S. Courthouse from 12:00 to 4:00 p.m. This event is to show appreciation to employees for their continued commitment and service to the community.

XI. ADMINISTRATIVE COMMENTS

1. City Council

In Council Member Hart's absence, the Mayor shared she held a meeting last month at the Southwest Center for residents of the Rosehill community and the Rosehill Neighborhood Association.

It was well attended and much enthusiasm was shown in discussion to partner with the city for potential neighborhood clean-up operations in the future. He thanked Ms. Hart for hosting and the citizens who came to support the meeting.

2. City Staff

Staff had no administrative comments for council.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:30 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bill Harp, Ward 5
SECONDER:	Christie Page, Ward 4
AYES:	Bruggeman, Matlock, Williams, Page, Harp, Davis
ABSENT:	Hart

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Briefing Sheet

Version:
Update Date: 7/12/2022 5:42 PM

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

Subject: Vote Center Program Presentation

Attachments

a. Bowie County Vote Center Program 071122 (PDF)

BOWIE COUNTY
VOTE CENTER PROGRAM



Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

Traditional Election Day Polling Sites vs. Vote Centers

- **Traditional**:
- Each Polling location accommodates one or a minimum number of precincts.
- Voters have only one site where they are eligible to vote

- **Vote Centers**
- Polling sites accommodate all precincts-just like Early Voting
- Voters can vote at any site of their choice

Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

Vote Center Background

- Pilot program began 2006 in Lubbock County
- Program has been expanded in each Legislative Session since 2006 and is now permanent
- 2013 Legislation expanded availability to all elections administered by Counties
- Once a successful election is administered by a county no further application is required

Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

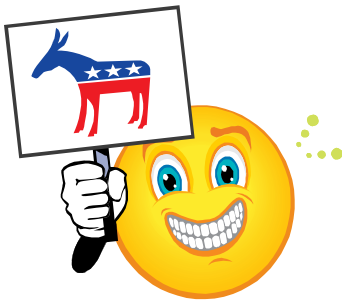
Vote Center Requirements

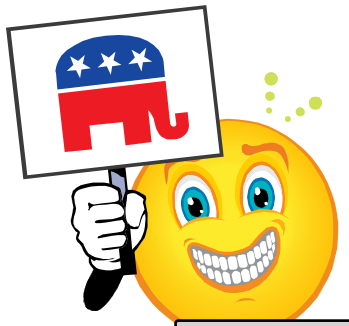
- Exclusive use of direct recording electronic (DRE) voting systems at polling locations (Accomplished)
- Computerized voter registration list that allows instantaneous verification that a voter has not already voted (Accomplished)
- Public hearings must be held to inform and solicit opinions from voters, minority organizations and other interested parties before and after the first election where vote centers are used (Scheduling)

Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

Requirements Continued.

- Commissioner's Court Approval
- A transcript or recording of all public hearings must be submitted to the Secretary of State
- Detailed communication plan to inform voters
- Methodology for placement of sites
- Post-election report filed with legislature





Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program



Communication Plan

- Direct mail to County households with registered voters
- Direct mail to schools, city offices, city libraries, Chambers of Commerce
- Notices distributed to local civic groups and community organizations
- Phone lines staffed for voter registration and election worker questions

Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

Communication Plan Contd.

- Notice on County website
- Notice published in local newspapers
- Post vote center locations at previous election day sites that will not be used
- Post large banners at all vote centers
- Radio/TV-Public service announcements
- Social Media Presence

* All notifications will be in English and Spanish

Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

Criteria for Locations

- Familiarity to voters
  - Prior use of polling location
  - Familiarity within community
- Ease of Access
  - Ground level entrance
  - Adequate parking
  - ADA Compliant
  - Visibility
- Space Requirements
  - Supports voter turnout
  - Supports equipment
  - Supports staffing



Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

Site Recommendations

- Current-34 Polling Locations
  - Voters have the choice of only one site on Election Day
- Proposed-22 Voting Centers
  - Voters will have the choice of 22 sites to choose from on Election Day
- Location Examples
  - Churches,
  - Schools
  - Municipal Buildings
  - Public Buildings



Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

Initial Staffing for Vote Centers

- Presiding Judge
- Alternate Judge or Co-Judge depending on type of election
- Check-in clerks to verify voter
- Balanced party affiliation
- Additional clerks based on turnout estimates



Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

Timeline

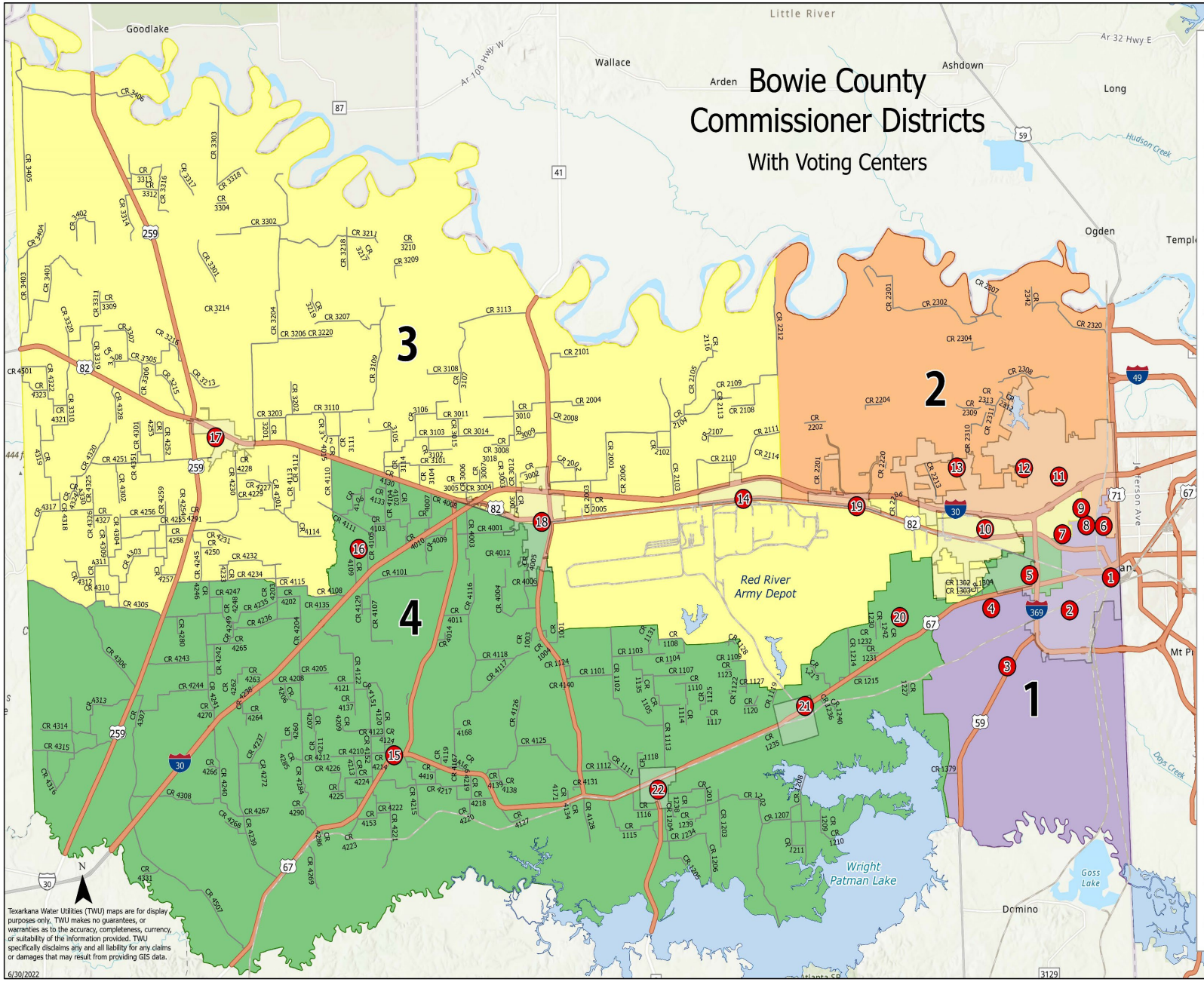
- Initial Notice of Intent to Participate to SOS
- June 9-Advisory Committee Meeting
- June & July City/School Board Meetings
- July 11- Commissioner's Court Proposal and Public Hearing
- August 1-Secretary of State submission deadline
- Mid-September-Final approval by Secretary of State
- November 8-Utilize Vote Centers for Gubernatorial Election

Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

VOTING CENTER HOST

LOC #	Name of Building	Address Of Building/City	COM PCT	JUDGE
1	TEXARKANA PUBLIC LIBRARY	604 W THIRD ST TEXARKANA TX	1	Dem
2	ST PAUL'S MISSIONARY BPST CHC	2921 NORRIS COOLEY DR TEXARKANA TX	1	Dem
3	LIBERTY EYLAU BAPTIST CHURCH	5492 US HWY 59S TEXARKANA TX	1	Rep
4	LIBERTY EYLAU SCHOOL OF SUCCESS	766 MACEDONIA RD TEXARKANA TX	1	Dem
5	WAKE VILLAGE 1ST BAPTIST	820 WAKE AVE WAKE VILLAGE TX	4	Rep
6	COLLINS SENIOR CENTER	3000 TEXAS BLVD TEXARKANA TX	2	Dem
7	TEXARKANA COLLEGE	2500 N ROBISON RD TEXARKANA TX	3	Dem
8	GOREE ACADEMIC LEARNING CENTER	3201 LINCOLN ST TEXARKANA TX	1	Dem
9	SULLIVAN PERFORMING ARTS CTR	3941 SUMMERHILL RD TEXARKANA TX	3	Dem
10	NASH ELEMENTARY SCHOOL	100 BURTON ST NASH TX	3	Rep
11	TEXARKANA 1ST BAPTIST CHURCH	3015 MOORES LN TEXARKANA TX	2	Rep
12	RICHMOND RD BAPTIST CHURCH	5805 RICHMOND ROAD TEXARKANA TX	2	Rep
13	HARDY MEMORIAL METHODIST	6203 N KINGS HIGHWAY TEXARKANA TX	2	Rep
14	HOOKS HIGH SCHOOL	401 E AVE A HOOKS TX	3	Rep
15	SIMMS BAPTIST CHURCH	105 CR 4216 SIMMS TX	4	Rep
16	OLD SALEM BAPTIST CHURCH	6199 FM 1840 NEW BOSTON TX	4	Rep
17	DEKALB HIGH SCHOOL	101 SW MAPLE ST DEKALB TX	3	Rep
18	NEW BOSTON CITY HALL	301 NE FRONT ST NEW BOSTON TX	1	Rep
19	LEARY CITY HALL	9530 W NEW BOSTON RD TEXARKANA TX	2	Rep
20	RED SPRINGS BAPTIST CHURCH	1101 FM 991 TEXARKANA TX	4	Rep
21	REDWATER 1ST BAPTIST	105 REDWATER BLVD E REDWATER TX	4	Rep
22	MAUD 1st BAPTIST	362 HOUSTON ST MAUD TX	4	Rep

Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program



1. **Texarkana Public Library**
   604 W 3rd St
   Texarkana TX
   Commissioner District 1
2. **St. Paul's Missionary Baptist Church**
   2921 Norris Cooley Dr
   Texarkana TX
   Commissioner District 1
3. **Liberty Eylau Baptist Church**
   5492 US Hwy 59S
   Texarkana TX
   Commissioner District 1
4. **Liberty Eylau School of Success**
   766 Macedonia Rd
   Texarkana TX
   Commissioner District 1
5. **Wake Village First Baptist Church**
   820 Wake Ave
   Wake Village TX
   Commissioner District 4
6. **Collins Senior Center**
   3000 Texas Blvd
   Texarkana TX
   Commissioner District 1
7. **Texarkana College**
   2500 N Robinson Rd
   Texarkana TX
   Commissioner District 3
8. **GOREE Academic Learning Center**
   3201 Lincoln Street
   Texarkana TX
   Commissioner District 1
9. **Sullivan Performing Arts Center**
   3941 Summerhill Rd
   Texarkana TX
   Commissioner District 3
10. **Nash Elementary School**
    100 W Burton St
    Nash TX
    Commissioner District 3
11. **Texarkana First Baptist Church**
    3015 Moores Ln
    Texarkana TX
    Commissioner District 2
12. **Richmond Road Baptist Church**
    5805 Richmond Rd
    Texarkana TX
    Commissioner District 2
13. **Hardy Memorial Methodist Church**
    6203 N Kings Hwy
    Texarkana TX
    Commissioner District 2
14. **Hooks High School**
    401 E Ave A
    Hooks TX
    Commissioner District 3
15. **Simms Baptist Church**
    105 CR 4216
    Simms TX
    Commissioner District 4
16. **Old Salem Baptist Church**
    6199 FM 1840
    New Boston TX
    Commissioner District 4
17. **De Kalb High School**
    152 SW Maple St
    De Kalb TX
    Commissioner District 3
18. **New Boston City Hall**
    301 NE Front St
    New Boston TX
    Commissioner District 3
19. **Leary City Hall**
    9530 W New Boston Rd
    Texarkana TX
    Commissioner District 2
20. **Red Springs Baptist Church**
    1101 FM 991
    Redwater TX
    Commissioner District 4
21. **Redwater First Baptist Church**
    105 Redwater Blvd E
    Redwater TX
    Commissioner District 4
22. **Maud First Baptist Church**
    362 Houston St
    Maud TX
    Commissioner District 4

Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

Thank you!!



Attachment: Bowie County Vote Center Program 071122 (3744 : BC Vote Center Program

CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● JUNE 13, 2022

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

220 TEXAS BLVD., TEXARKANA, TX 75501

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

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

Staff Present: City Manager David Orr, Jennifer Evans, Gary Smith, Brandon Uselton, Dusty Henslee, Robby Robertson, Karey Parker, Kristin Peeples, J.W. Bramlett, Sherry Jackson Hawkins, Vashil Fernandez, and Mashell Daniel.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY MAYOR BOB BRUGGEMAN

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, July 11, 2022 at 6:00 p.m. (summer schedule)
Monday, August 8, 2022 at 6:00 p.m. (regular schedule resumes)
Monday, August 22, 2022 at 6:00 p.m.

Parks & Recreation Events:

June Events

June 13th	Summer Camp Begins	Southwest Center
June 13th	High School Softball League Begins	Karrh Park
June 25th - 26th	FASA Softball Tournament	Karrh Park

July Events

July 1st - 4th	Dixie State Ozone Baseball Tournament	Spring Lake Park

Minutes Acceptance: Minutes of Jun 13, 2022 6:00 PM (Consent Items)

July 2nd - 5th	Dixie State 10U Baseball Tournament	Spring Lake Park

Additional Parks & Recreation information can be found on the city's website at <http://www.ci.texarkana.tx.us> or by contacting staff at (903) 798-3978.

After two joint meetings with the City Council on May 25th and June 7th, Mayor Bruggeman thanked the Budget Advisory Committee for its work on the city's annual budget along with city staff. Much effort and time has been spent on the budget and getting it ready for council's consideration before October 1st.

The annual American Legion Baseball Tournament will be co-hosted by the Texarkana Texas Bulldogs and Texarkana Arkansas Razorbacks. The tournament begins Thursday, June 16th and continues through Sunday, June 19th.

Games will be played in both junior and senior divisions, at the H.E. Markham Field and the George Dobson Field, respectively.

IV. SPECIAL PRESENTATIONS

Wine Festival Report - by Gary Gathwright

Mr. Gathwright, Operations Director of the Alzheimer's Alliance, said this year's Wine Fest had an attendance of over 15,000 people from all over Texas and neighboring states. Since the first wine festival held in 2015, all proceeds have stayed in Texarkana benefiting the community. Texarkana's Wine Fest has been voted "Best Charity Event".

He said the event could not be held without the wonderful support and hard work of the city's Parks and Recreation staff. He is already looking forward to the 8th annual Wine Fest scheduled for **May 6, 2023**!

Salvation Army of Texarkana - by Mayor Bruggeman and Capt. Juan Gomez

The Mayor provided some interesting background facts about the Salvation Army's first National Donut Day celebrated in Chicago in 1938 to commemorate the work of the "Donut Lassies" who served donuts to soldiers during World War I.

Capt. Juan Gomez said Texarkana USA is a visual representation of how close knit a community can be across the state line. The Salvation Army has been in Texarkana for more than 125 years.

He said staff was happy to present the Mayor donuts on National Donut Day, Friday, June 1st. On the last Monday in June, the Salvation Army will hold a training for emergency disaster services and volunteers are welcomed to attend. He was also happy to share that the Boys & Girls Club in Texarkana, Arkansas, will open in September.

Acousticon Audiology & Hearing Aid Center - (feat) Dr. Tom Burns, Norma Broomfield, Betty Waldrep

The Mayor recognized Dr. Tom Burns, Norma Broomfield, and Betty Waldrep who are soon to retire from a long-time career at their office located at 214 W. 3rd Street in downtown Texarkana. Collectively, they have been serving the community for over 165 years.

Minutes Acceptance: Minutes of Jun 13, 2022 6:00 PM (Consent Items)

All three expressed their gratitude and appreciation for being able to serve the residents of the community as they made many friends and "family" along the way throughout the years. Mayor Bruggeman honored each of them with a city lapel pin on behalf of the council.

Men's Health Month Proclamation

The Mayor read the proclamation as a reminder to encourage men to be aware of the importance of maintaining their health.

RESULT:	**CLOSE ACTION**

Texarkana Regional Airport Update - by Paul Mehrlich

Mr.Mehrlich reported on the positive increase in passengers using Texarkana's newest carrier, United Airlines, as summer travel continues. Flights normally are lower in the month of August as schools resume classes and summer vacationing ends. Historically around October, passenger count seems to show a boost in travel as people are attending business conferences or fiscal year related meetings.

He shared updated designs of the inside of the proposed terminal and pictures of the current phase in progress for the building structure and foundation. Costs have risen with each phase of the project due to inflation, COVID crisis, and supply chain issues. However, funding is being carefully managed to offset these costs.

A recent grant allowed for a 20-year plan project to include lengthening the runway, installing an instrument-approached landing system, and strengthening the runway to accommodate cargo aircraft.

It is hoped to one day add a third airline carrier. Airport Real Estate Manager, Tyler Brown, also attended the meeting.

RESULT:	**CLOSE ACTION**

V. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

Ann Nicholas asked council to consider naming a ball field at Spring Lake Park in honor of her late umpire father Bill Atchison.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Mayor Bruggeman reminded everyone that the city is actively seeking citizen participation and volunteerism for boards, commissions, and committees.

Minutes Acceptance: Minutes of Jun 13, 2022 6:00 PM (Consent Items)

Service on a city board, commission, or committee is the perfect way to focus on community needs, serve fellow citizens, support the city council, and stay informed about key issues affecting the community.

For more information on how to apply for a position, visit the city's website.

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

VII. ITEMS FOR CONSIDERATION

Consent Items

(6:55 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bill Harp, Ward 5
SECONDER:	Christie Page, Ward 4
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on May 9, 2022 at 6:00 PM.

2. Consider approval of the minutes of the Budget Workshop Meeting of the City Council held on May 25, 2022 at 10:00 AM.

3. Consider approval of the minutes of the Budget Workshop Meeting of the City Council held on June 7, 2022 at 10:00 AM.

4. Resolution No. 2022-047 approving an interlocal fiber optic network agreement with Texarkana College.

   Public Hearing:
   Council Vote: June 13, 2022

5. Resolution No. 2022-049 approving recommended revisions to the Employee Handbook involving the use of technology.

   Public Hearing:
   Council Vote: June 13, 2022

Minutes Acceptance: Minutes of Jun 13, 2022 6:00 PM (Consent Items)

6. Resolution No. 2022-050 authorizing the City Manager to execute a five (5) year contract with Axon Enterprise Inc. of Scottsdale, Arizona, in a total amount not to exceed $497,879.20 and an annual amount not to exceed $99,575.84, with funds budgeted in the Public Safety Equipment Fund (Fund 108) and the Fleet Capital Replacement Fund (Fund 704), to provide fleet and body camera hardware and software.

   Public Hearing:
   Council Vote: June 13, 2022

7. Resolution No. 2022-052 authorizing the City Manager to execute a contract with Smith Ready Mix, Inc., of Texarkana, Texas, in an amount not to exceed $474,251.70 with funds available in the fiscal year 2022 street maintenance general fund, to supply concrete materials used in the construction and maintenance of streets, alleys, bridges, and storm drains.

   Public Hearing:
   Council Vote: June 13, 2022

8. Resolution No. 2022-057 ratifying the memorandum of understanding with the Caddo Nation.

   Public Hearing:
   Council Vote: June 13, 2022

9. Ordinance No. 2022-063 amending Chapter 12, Section 12-3, Subdivision 4, of the Code of Ordinances, to establish the Sullivan Performing Arts Center, located at 3941 Summerhill Road, as the single polling location for City Election Precinct 4 (Ward 4).

   Public Hearing:
   Council Vote: June 13, 2022

Action Items

10. Resolution No. 2022-043 naming the new bridge over Wagner Creek on Gibson Lane as the "Officer Jason Sprague Memorial Bridge".

    Public Hearing:
    Council Vote: June 13, 2022

Minutes Acceptance: Minutes of Jun 13, 2022 6:00 PM (Consent Items)

(6:56 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Betty Williams, Ward 3
SECONDER:	Bill Harp, Ward 5
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

11. Resolution No. 2022-055 approving the request of the Texarkana Airport Authority to purchase eight (8) acres of land adjoining current airport property and authorizing the City Manager to execute any documents necessary for the purchase.

    Public Hearing:
    Council Vote: June 13, 2022

(6:57 p.m.)

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

12. Resolution No. 2022-056 authorizing the City Manager to enter into a contract for the Looping Dead-end Water Mains Phase III project in an amount not to exceed $817,912.29, with funds currently budgeted in the Texas Capital Improvement Fund in the Texarkana Water Utilities 2021-22 budget.

    Public Hearing:
    Council Vote: June 13, 2022

    Gary Smith briefed this agenda item.
    (7:00 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bill Harp, Ward 5
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

VIII. FIRST BRIEFINGS

1. Ordinance No. 2022-051 approving the fiscal and personnel management agreement with the Texarkana Urban Transportation Study Policy Advisory Board.

Minutes Acceptance: Minutes of Jun 13, 2022 6:00 PM (Consent Items)

Public Hearing:
Council Vote: July 11, 2022

Vashil Fernandez briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 7/11/2022 6:00 PM

2. Resolution No. 2022-054 adopting the Community Development Block Grant 2022 Program Year Annual Action Plan and authorizing the City Manager to submit said action plan to the U.S. Department of Housing and Urban Development.

Public Hearing: July 11, 2022
Council Vote: July 11, 2022

Vashil Fernandez briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 7/11/2022 6:00 PM

3. Joint Resolution No. 2022-058 authorizing the City Manager, in conjunction with Texarkana, Arkansas, to reach an agreement with Bird Rides, Inc., to launch a pilot scooter program in Texarkana, USA.

Public Hearing:
Council Vote: July 11, 2022

City Manager Orr briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 7/11/2022 6:00 PM

4. Ordinance No. 2022-059 granting an amendment to PD-32 (Office) for site plan approval on a 0.1469-acre tract of land on the west portion of a 0.9-acre tract of land, Lot 5, Wellsford Subdivision, located at 3118 Norton Street. David Boudreaux, owner and Joe Gordy, agent.

Public Hearing: July 11, 2022
Council Vote: July 11, 2022

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 7/11/2022 6:00 PM

5. Ordinance No. 2022-060 granting a Specific Use Permit to allow the location of a telecommunications tower on a 0.1469-acre tract of land on the west portion of a 0.9-acre tract of land, Lot 5, Wellsford Subdivision, located at 3118 Norton Street. David Boudreaux, owner, and Joe Gordy, agent.

Minutes Acceptance: Minutes of Jun 13, 2022 6:00 PM (Consent Items)

Public Hearing: July 11, 2022
Council Vote: July 11, 2022

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 7/11/2022 6:00 PM

6. Ordinance No. 2022-061 approving an amendment to PD-02-13 (General Retail) for site plan approval on Lots 7, and 8, Block 5, Richmond Subdivision 4th, located on the two lots north of 4414 Galleria Oaks Drive. Jennifer Carrillo, owner, and Kayla Wood, MTG Engineers and Surveyors, agent.

Public Hearing: July 11, 2022
Council Vote: July 11, 2022

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 7/11/2022 6:00 PM

7. Ordinance No. 2022-062 approving an amendment to PD-86-3 (General Retail) for site plan approval on Lot 1 Richmond-Kwik Addition, located at 2903 Richmond Road. Paige Hobbs with American Goods, LLC, owners, and Greg Ryden, Ryden Architecture, agent.

Public Hearing: July 11, 2022
Council Vote: July 11, 2022

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 7/11/2022 6:00 PM

IX. PUBLIC HEARINGS

There were no public hearings scheduled for this agenda.

X. CITY MANAGER'S REPORT

Budget Advisory Committee Meetings Recap
After the last BAC meeting that took place jointly with the City Council on Tuesday, June 7th, staff is working to finalize the committee's recommendations which so far include: 1) Bond debt issuance of approximately $20 million (CO process to begin in July), 2) Implementation of TWU Water Rate Study (smaller workgroup meeting to be held on Thursday, June 16th), 3) Three percent (3%) raises for non-civil service employees, 4) Insurance changes to better align percentages between employer/employee paid contributions.

Minutes Acceptance: Minutes of Jun 13, 2022 6:00 PM (Consent Items)

Pine Bluff, Arkansas Thank You Letter
The city received a thank you letter from Mayor Shirley Washington regarding the recent visit by her along with city staff. It was a great opportunity to show the progress Texarkana has made as a community especially in the downtown area. A thank you was passed along to everyone who helped make their visit a success.

State Mandated Cyber Security Report
The city received confirmation showing compliance with the state's cyber security training law for FY22, with 100% of users having completed the required training. A big thank you went to Brandon Uselton and the entire IT team for building a training program that far exceeds the state requirements and includes monthly training for all users in the city's system.

Cabinet Level Promotions
Dustin Henslee and Chief Kevin Schutte have been promoted to Assistant City Managers. Each will retain their current role in addition to the ACM duties. Vashil Fernandez and J.W. Bramlett have been promoted to permanent positions within Planning & Community Development and Administrative Services respectively.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Council Member Davis said there was a good vendor turnout at the employee health fair held on June 9th.

   Mayor Bruggeman said staff had a great visit with Mayor Shirley Washington, of Pine Bluff, Arkansas, and her city staff. They were very interested in what Texarkana is doing on both sides of state line.

   They toured the Hotel Grim and left excited with some good ideas for their city's downtown area. Mayor Washington said she is looking forward to returning for the Hotel Grim grand opening in the future.

2. City Staff

   Staff had no administrative comments for council.

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters).

XIII. RECONVENED INTO OPEN SESSION

XIV. ADJOURNMENT

Minutes Acceptance: Minutes of Jun 13, 2022 6:00 PM (Consent Items)

A motion was made to adjourn the meeting.
(7:39 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Jun 13, 2022 6:00 PM (Consent Items)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 6/16/2022 10:47 AM

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

Subject: Order of Election for the City's November 8, 2022, General Election for the purpose of electing a Council Member for Ward Four (4) and a Council Member for Ward Six (6).

Attachments

a. Order of Election (AW1-2) je 8.5X10REV071122 (DOCX)

1-2
Prescribed by Secretary of State
Sections 3.004, 3.005, 3.006, 85.004, 85.006, 85.007 Texas Election Code
11/2021

ORDER OF ELECTION

An election is hereby ordered to be held in the City of Texarkana, Texas, at the respective voting places determined and set by Bowie County, Texas, on the **8th day of November, 2022**, for the purpose of electing a Councilmember for Ward Four (4) and a Councilmember for Ward Six (6) of the City of Texarkana, Texas.

Candidates for ward councilmember of Ward Four (4) and Ward Six (6), respectively, shall be voted on only by the qualified voters residing in the ward from which the candidate seeks election.

Early voting by personal appearance will be conducted as follows: each **weekday** between the hours of 8:00 a.m. to 6:00 p.m. beginning on **October 24, 2022**, through **October 28, 2022**, AND between the hours of 7:00 a.m. to 7:00 p.m. beginning **October 31, 2022,** through **November 4, 2022,** at Bowie County Courthouse – Mail Room [main location], 710 James Bowie Drive, New Boston, Texas, Southwest Center – Rooms A-C, 3222 West 7th Street, Texarkana, Texas, and Walnut Church of Christ – Meeting Room, 2720 Moores Lane, Texarkana, Texas; or as otherwise determined and set by Bowie County, Texas.

Early voting by personal appearance will be conducted on the **weekend** as follows: between the hours of 7:00 a.m. to 7:00 p.m. on Saturday, **October 29, 2022**, at Bowie County Courthouse – Mail Room [main location], 710 James Bowie Drive, New Boston, Texas, Southwest Center – Rooms A-C, 3222 West 7th Street, Texarkana, Texas, and Walnut Church of Christ – Meeting Room, 2720 Moores Lane, Texarkana, Texas; AND between the hours of 10:00 a.m. to 4:00 p.m. on Sunday, **October 30, 2022**, at Bowie County Courthouse – Mail Room [**main and only polling location**], 710 James Bowie Drive, New Boston, Texas; or as otherwise determined and set by Bowie County, Texas.

Applications for ballot by mail shall be mailed, faxed, or emailed to:

Bowie County Elections Administrator
Pat McCoy
710 James Bowie Drive
New Boston, TX 75570
Fax: (903) 628.6811
Email: dmoreland@txkusa.org

Attachment: Order of Election (AW1-2) je 8.5X10REV071122 (3698 : Election Order for November 8, 2022 Gen.Elect.)

The deadline for receipt of applications for mail ballot shall be at 5:00 p.m. on **October 28, 2022,** in the Bowie County Elections Office in accordance with Section 84.007 of the Texas Election Code.

This ORDER was approved by the City Council of the City of Texarkana, Texas, during its regular meeting held on the 11th day of July, 2022.

Jennifer Evans, TRMC, City Secretary

Bob Bruggeman, Mayor

Attachment: Order of Election (AW1-2) je 8.5X10REV071122 (3698 : Election Order for November 8, 2022 Gen.Elect.)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 7/8/2022 8:56 AM

Lead Department: Public Works Department **Action Officer:** Jonathan Wade,

Subject: Ordinance No. 2022-068 closing and abandoning a portion of right-of-way north of Gibson Lane, east of Pleasant Grove Road, and South of Block/Tract 195 of the George Brinlee A-18 Headright Survey.

Briefing: 7/11/2022 **Public Hearing:** **Council Vote:** 7/11/2022

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The City, upon substantial completion of the Gibson Lane Extension Project, is requesting to abandon a portion of Right-of-Way dedicated to the City as it did not become necessary to use all of the property during construction. This Right-of-Way is north of Gibson Lane, east of Pleasant Grove Road, and south of Block/Tract 195 of the George Brinlee A-18 Headright Survey in the City of Texarkana, Texas.

If this portion is abandoned, then by policy the Right-Of-Way will be delivered to the original deeded owners, Ray Walsh and Larry Crutcher.

Potential Options:

- Approve abandonment
- Not approve abandonment

Fiscal Implications:

No fiscal implications

Staff Recommendation:

Staff recommends approval of abandonment

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-068 ORD ROW Abandonment for Gibson Lane (DOCX)
b. 2022-068 EXH 'A' - Property Description (PDF)
c. 2022-068 Goals and Perspectives
d. 2022-068 ORD Cl&Ab a Portion Gibson Ln ROW signed (PDF)

Staff Coordination

Public Works Department	Jonathan Wade	Review	Completed	07/05/2022 9:33 AM
Public Works Department	Dusty Henslee	Department Head Review	Completed	07/05/2022 12:35 PM
Fire Department	Eric Schlotter	Review	Completed	07/05/2022 12:40 PM
Police	Kevin Schutte	Review	Completed	07/05/2022 12:42 PM
City Manager	David Orr	City Manager Review	Completed	07/08/2022 9:01 AM
City Council	Jennifer Evans	Meeting	Completed	07/11/2022 6:00 PM

Meeting History

ORDINANCE NO. 2022-068

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CLOSING AND ABANDONING A PORTION OF RIGHT-OF-WAY NOT NEEDED FOR PUBLIC USE — NORTH OF GIBSON LANE EAST OF PLEASANT GROVE ROAD, AND SOUTH OF BLOCK/TRACT 195 OF THE GEORGE BRINLEE A-18 HEADRIGHT SURVEY IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS — AND RETURNING OWNERSHIP OF THE ABANDONED RIGHT-OF-WAY TO THE ORIGINAL GRANTOR; PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, upon completion of the Gibson Lane Extension Project, a portion of private property conveyed to the City as Right-of-Way for the construction was not needed, and the City Council finds and determines that the best interests of the City would be served by returning the portion of the Right-of-Way not needed for public purposes to the original grantor; and

WHEREAS, by this Ordinance, the City Council closes and abandons the portion of Right-Of-Way North of Gibson Lane, East of Pleasant Grove Road, and South of Block/Tract 195 of the George Brinlee A-18 Headright Survey, and restores and transfers ownership of the Twenty-Five Foot (25') of Right-Of-Way to the original Grantor of the Right-of-Way, Walsh and Crutcher, as shown on the attached **Exhibit "A",** incorporated herein by reference for all purposes.

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

SECTION 1: A portion of Right-Of-Way North of Gibson Lane, East of Pleasant Grove Road, and South of Block/Tract 195 of the George Brinlee A-18 Headright Survey in the City of Texarkana, Bowie County, Texas, as shown on the map and described in the ROW Abandonment Request attached hereto and incorporated herein as **Exhibit "A"**, be and is hereby abandoned as a street or public thoroughfare of any kind or character.

SECTION 2: The above described property is hereby declared not needed for a public purpose, surplus, and abandoned; and the responsibility of the City to maintain said property is hereby terminated.

SECTION 3: The City shall execute such documents as are necessary to transfer the abandoned property to Walsh and Crutcher, the original Grantor of the Right-of-Way.

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

Attachment: 2022-068 ORD ROW Abandonment for Gibson Lane (3736 : 2022-068 ORD Closing and Abandoning a Portion of Gibson Lane

SECTION 6: This ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2022-068 ORD ROW Abandonment for Gibson Lane (3736 : 2022-068 ORD Closing and Abandoning a Portion of Gibson Lane

Property Description - Tract 1 - Right-of-way Abandonment
0.364 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the George Brinlee Headright Survey, Abstract 18, Bowie County, Texas, being part of that certain tract of land described as 1.563 acres in the deed from Rayfield W. Walsh, JR. and Larry Crutcher to the City of Texarkana, Texas, dated November 6, 2019, recorded in Document No. 2019-00013251 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod, found for a corner, the westerly northwest corner of the said 1.563 acre tract, lying in the South line of that certain tract of land described as 2.37 acres in the deed from Charles R. Pierce, et ux to Dwight M. Duncan, et ux, dated July 15, 1991, recorded in Volume 1639, Page 335 of the Real Property Records of Bowie County, Texas, and the East right-of-way line of Pleasant Grove Road;

THENCE North 86 degrees 50 minutes 14 seconds East a distance of 474.42 feet along the North line of the said 1.563 acre tract and the South line of the said 2.37 acre tract, to a point for a corner, lying in the North line of the said 1.563 acre tract, the South line of the said 2.37 acre tract, and the Southwesterly corner of that certain tract of land described as 0.556 acres in the deed from Dwight M. Duncan, et ux to the City of Texarkana, Texas, dated November 12, 2019, recorded in Document No. 2019-00013252 of the Real Property Records of Bowie County, Texas;

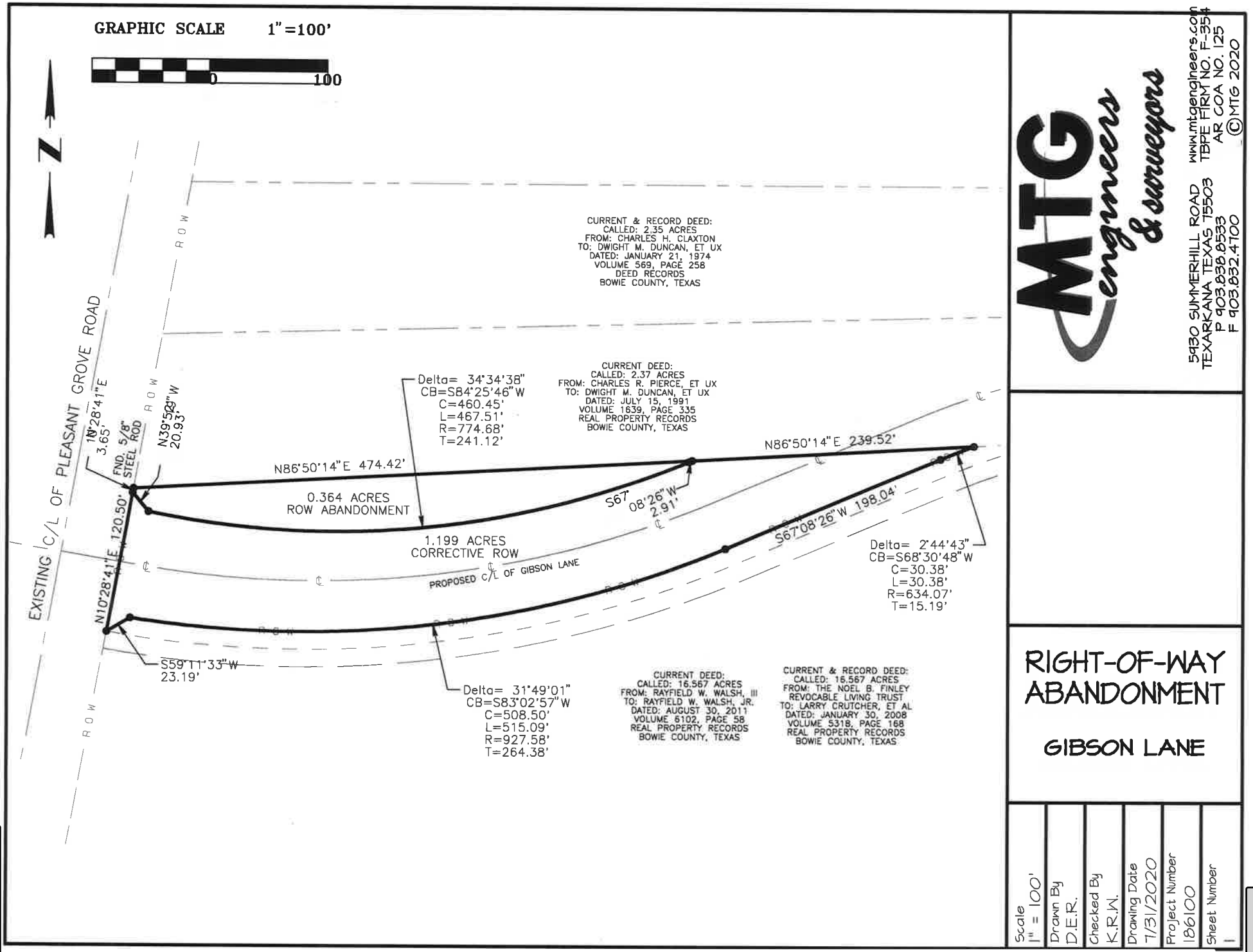
THENCE South 67 degrees 08 minutes 26 seconds West a distance of 2.91 feet, to a point for a corner, at the beginning of a circular curve to the right;

THENCE in a Southwesterly direction along the arc of the said circular curve a distance of 467.51 feet, with a delta angle of 34 degrees 34 minutes 38 seconds, a radius of 774.68 feet, a chord bearing of South 84 degrees 25 minutes 46 seconds West, and a chord distance of 460.45 feet to a point for a corner, at the end of the said circular curve;

THENCE North 39 degrees 52 minutes 19 seconds West a distance of 20.93 feet, to a point for a corner, lying in the West line of the said 1.563 acre tract and the East right-of-way line of the said Pleasant Grove Road;

THENCE North 10 degrees 28 minutes 41 seconds East a distance of 3.65 feet along the West line of the said 1.563 acre tract and the East right-of-way line of the said Pleasant Grove Road, to the point of beginning and containing 0.364 acres of land.

Attachment: 2022-068 EXH 'A' - Property Description (3736 : 2022-068 ORD Closing and Abandoning a Portion of Gibson Lane Right-Of-Way)



MTG engineers & surveyors
5430 SUMMERHILL ROAD
TEXARKANA TEXAS 75503
P 903.838.8533
F 903.832.4100
www.mtgengineers.com
TBPE FIRM NO. F-35#
AR COA NO. 125
©MTG 2020

RIGHT-OF-WAY ABANDONMENT

GIBSON LANE

Scale	Drawn By	Checked By	Drawing Date	Project Number	Sheet Number
1" = 100'	D.E.R.	K.R.W.	7/31/2020	186100	—

ORDINANCE NO. 2022-068

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CLOSING AND ABANDONING A PORTION OF RIGHT-OF-WAY NOT NEEDED FOR PUBLIC USE — NORTH OF GIBSON LANE EAST OF PLEASANT GROVE ROAD, AND SOUTH OF BLOCK/TRACT 195 OF THE GEORGE BRINLEE A-18 HEADRIGHT SURVEY IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS — AND RETURNING OWNERSHIP OF THE ABANDONED RIGHT-OF-WAY TO THE ORIGINAL GRANTOR; PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.

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SECTION 3: The City shall execute such documents as are necessary to transfer the abandoned property to Walsh and Crutcher, the original Grantor of the Right-of-Way.

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

Attachment: 2022-068 ORD Cl&Ab a Portion Gibson Ln ROW signed (3736 : 2022-068 ORD Closing and Abandoning a Portion of Gibson Lane

SECTION 6: This ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:30p.m.

Attachment: 2022-068 ORD Cl&Ab a Portion Gibson Ln ROW signed (3736 : 2022-068 ORD Closing and Abandoning a Portion of Gibson Lane

Property Description - Tract 1 - Right-of-way Abandonment
0.364 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the George Brinlee Headright Survey, Abstract 18, Bowie County, Texas, being part of that certain tract of land described as 1.563 acres in the deed from Rayfield W. Walsh, JR. and Larry Crutcher to the City of Texarkana, Texas, dated November 6, 2019, recorded in Document No. 2019-00013251 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod, found for a corner, the westerly northwest corner of the said 1.563 acre tract, lying in the South line of that certain tract of land described as 2.37 acres in the deed from Charles R. Pierce, et ux to Dwight M. Duncan, et ux, dated July 15, 1991, recorded in Volume 1639, Page 335 of the Real Property Records of Bowie County, Texas, and the East right-of-way line of Pleasant Grove Road;

THENCE North 86 degrees 50 minutes 14 seconds East a distance of 474.42 feet along the North line of the said 1.563 acre tract and the South line of the said 2.37 acre tract, to a point for a corner, lying in the North line of the said 1.563 acre tract, the South line of the said 2.37 acre tract, and the Southwesterly corner of that certain tract of land described as 0.556 acres in the deed from Dwight M. Duncan, et ux to the City of Texarkana, Texas, dated November 12, 2019, recorded in Document No. 2019-00013252 of the Real Property Records of Bowie County, Texas;

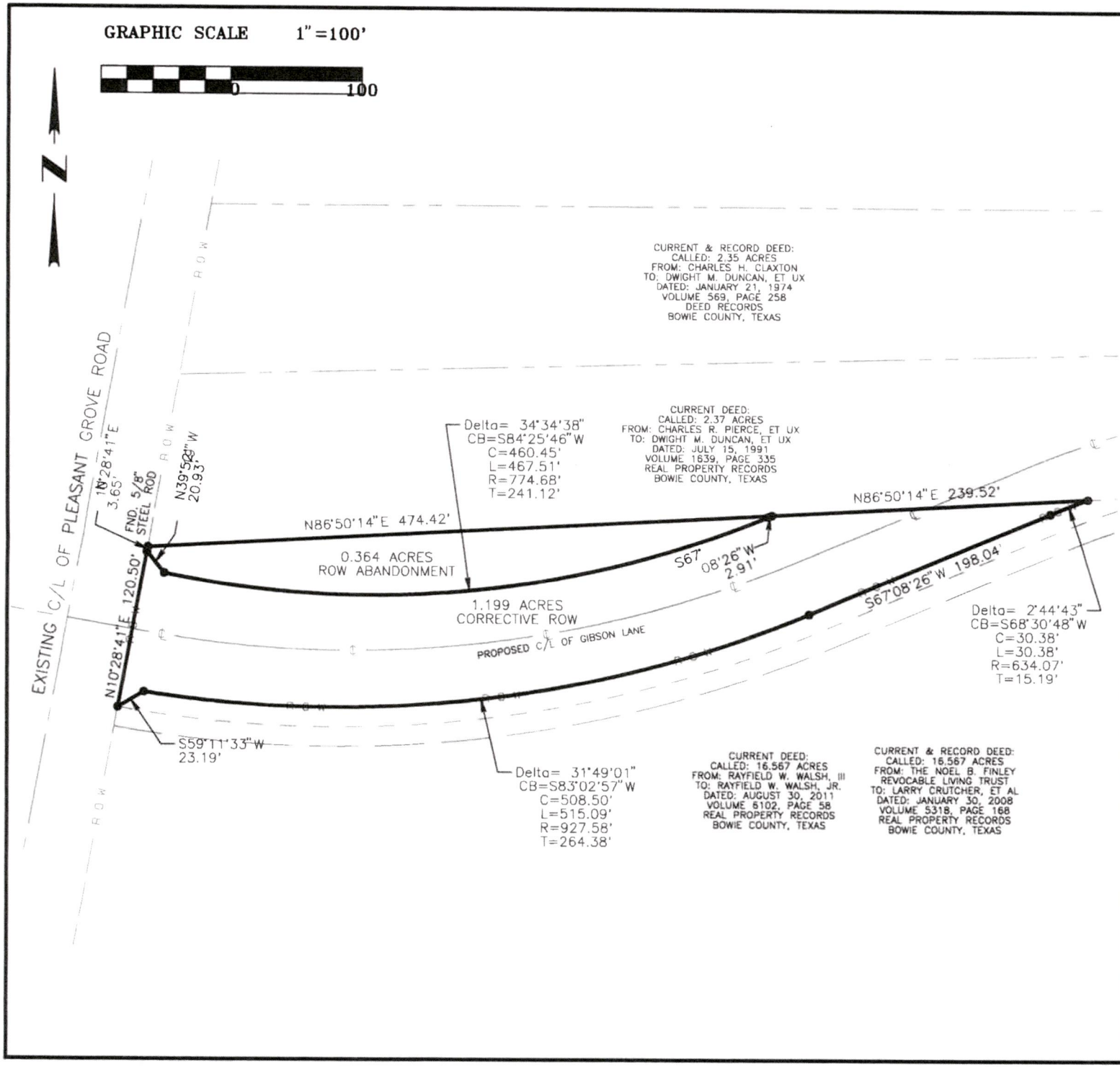
THENCE South 67 degrees 08 minutes 26 seconds West a distance of 2.91 feet, to a point for a corner, at the beginning of a circular curve to the right;

THENCE in a Southwesterly direction along the arc of the said circular curve a distance of 467.51 feet, with a delta angle of 34 degrees 34 minutes 38 seconds, a radius of 774.68 feet, a chord bearing of South 84 degrees 25 minutes 46 seconds West, and a chord distance of 460.45 feet to a point for a corner, at the end of the said circular curve;

THENCE North 39 degrees 52 minutes 19 seconds West a distance of 20.93 feet, to a point for a corner, lying in the West line of the said 1.563 acre tract and the East right-of-way line of the said Pleasant Grove Road;

THENCE North 10 degrees 28 minutes 41 seconds East a distance of 3.65 feet along the West line of the said 1.563 acre tract and the East right-of-way line of the said Pleasant Grove Road, to the point of beginning and containing 0.364 acres of land.

Attachment: 2022-068 ORD Cl&Ab a Portion Gibson Ln ROW signed (3736 : 2022-068 ORD Closing and Abandoning a Portion of Gibson Lane



MTG engineers & surveyors
5930 SUMMERHILL ROAD
TEXARKANA TEXAS 75503
P 903.838.8533
F 903.832.4100
www.mtgengineers.com
TBPE FIRM NO. F-354
AR COA NO. 125
©MTG 2020

RIGHT-OF-WAY ABANDONMENT

GIBSON LANE

Scale	Drawn By	Checked By	Drawing Date	Project Number	Sheet Number
1" = 100'	D.E.R.	K.R.W.	7/31/2020	186100	1

X:\2018 Projects\186100 Gibson Middle\02 Surveyin

Attachment: 2022-068 ORD CI&Ab a Portion Gibson Ln ROW signed (3736 : 2022-068 ORD Closing and

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 7/7/2022 1:27 PM

Lead Department: Police **Action Officer:** Michael Henry, Captain

Subject: Resolution No. 2022-072 approving the application for the Texas Motor Vehicle Crime Prevention Authority Grant providing a total grant in the amount of $20,000, where the City will provide a $4,000 match.

Briefing: 7/11/2022 **Public Hearing:** **Council Vote:** 7/11/2022

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

For consideration is the 2022 Texas Motor Vehicle Crime Prevention Authority Grant. MVCPA is

authorized in statute to provide grants to local law enforcement agencies to combat motor vehicle theft, burglary from a motor vehicle and/or fraud-related motor vehicle crime. The purpose of the MVCPA Auxiliary Grant or "MAG" grant is to provide law enforcement agencies with one-time funding for specific interdiction equipment used to combat motor vehicle theft, theft from motor vehicles, and fraud-related motor vehicle crime. This grant opportunity is only for Automatic License Plate Readers (ALPR). This grant is for $20,000 and requires a cash match of 20% ($4,000). MVCPA requests that the grantee will commit to funding not less than one year following the end of the first year subject to their legal authority and availability of local funds allocated to this purpose.

Potential Options:

- None
-

Fiscal Implications:

This is a reimbursement grant, so the City will complete all payments to the vendor before requesting reimbursement. The City will be required to provide a $4,000 match. Also, the grantee requests that the City continue the program the following year, which will cost an estimated $24,000.

Staff Recommendation:

Staff recommends approval of the grant.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-072 RES Police MAG Grant (DOCX)
b. 2022-072 ATTH 01 FY22 Motor Vehicle Crime Prevention Authority (PDF)
c. 2022-072 Goals & Perspectives (DOCX)
d. 2022-072 RES Police MAG Grant signed (PDF)

Staff Coordination

Police	Kevin Schutte	Department Head Review	Completed	07/07/2022 11:22 AM
Police	Kevin Schutte	Supervisor Review	Completed	07/07/2022 11:22 AM
Finance Department	Kristin Peeples	Finance Review	Completed	07/07/2022 11:27 AM
City Manager	David Orr	City Manager Review	Completed	07/08/2022 9:03 AM
City Council	Jennifer Evans	Meeting	Completed	07/11/2022 6:00 PM

Meeting History

RESOLUTION NO. 2022–072

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE APPLICATION FOR THE 2022 TEXAS MOTOR VEHICLE CRIME PREVENTION AUTHORITY GRANT PROVIDING A TOTAL GRANT IN THE AMOUNT OF TWENTY THOUSAND DOLLARS ($20,000), WHERE THE CITY OF TEXARKANA, TEXAS, WILL PROVIDE A FOUR THOUSAND DOLLAR ($4,000) MATCH; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 571 , entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement agencies for economic motor vehicle theft and fraud related motor vehicle crime enforcement teams; and

WHEREAS, this grant program will assist this jurisdiction to combat motor vehicle theft, motor vehicle burglary and fraud-related motor vehicle crime; and

WHEREAS, the City of Texarkana, Texas, has agreed that in the event of loss or misuse of the grant funds, the City of Texarkana, Texas, assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority.

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

SECTION 1: Chief Kevin Schutte is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Crime Prevention Authority Grant Program and all other necessary documents to accept said grant.

SECTION 2: Captain Michael Henry is designated as the Program Director and Jennifer Jones is designated as the Financial Officer for this grant.

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-072 RES Police MAG Grant (3740 : 2022-072 RES Police MAG Grant)

FY22 Motor Vehicle Crime Prevention Authority
Statement of MVCPA Auxiliary Grant Award and Grantee Acceptance Notice

Grant Number:	**608-22-0190500**
Grantee:	**City of Texarkana**
Program Title:	**Automatic License Plate Reader (ALPR) system**
Maximum Grant Award Amount:	**$20,000**
Total Cash Match Amount:	**Minimum 20% (estimated to be $4,000)**
Grant Term:	**June 14, 2022 to August 31, 2023**

Whereas, **City of Texarkana** (hereinafter referred to as Grantee), has heretofore submitted a grant application in response to the Request for Application issued on March 2, 2022, to the Motor Vehicle Crime Prevention Authority, State of Texas, **MVCPA Auxiliary (MAG) Grant Award** for an automatic license plate reader (ALPR) system (Lease or Buy), and further identified by grant number 608-22-0190500; and

WHEREAS, the Motor Vehicle Crime Prevention Authority has approved the grant application as evidenced by this FY22 Statement of Grant Award and certain special requirements from the Motor Vehicle Crime Prevention Authority dated **June 14, 2022**; and

WHEREAS, the Grantee desires to accept the FY22 grant award and use all funds for purposes and in compliance with the following requirements that are adopted in their entirety by reference:

- Texas Transportation Code Chapter 1006;
- Texas Administrative Code: Title 43; Part 3; Chapter 57;
- **Texas Grant Management Standards** (TxGMS) as promulgated by the Texas Comptroller of Public Accounts including TxGMS Standard Assurances by Local Governments and Standards for Financial and Program Management;
- The MVCPA Request for Applications issued on May 3, 2021;
- The current Motor Vehicle Crime Prevention Authority Grant Administrative Manual and forms and subsequently adopted grantee instruction manuals and forms;
- The Final Adopted Application attached to this Statement of Grant Award; and
- The Approved Grant Budget Summary:

Budget Category	MVCPA Expenditures	Cash Match	Total Expenditures
ALPR - Buy or Lease	$20,000	$4,000	$24,000
Lease requires good-faith commitment by grantee to lease the system for one year beyond grant funded period			

Attachment: 2022-072 ATTH 01 FY22 Motor Vehicle Crime Prevention Authority (3740 : 2022-072 RES Police MAG Grant)

Standard Law Enforcement Conditions
The grantee is required to ensure that any opportunity to share intelligence provided by the purchase or lease of Automatic License Plate Reader (ALPR) assets under this grant is afforded if opportunity is provided by vendor/product to share read data with other law enforcement agencies.

The grantee is required to ensure that at least one law enforcement officer monitors and participates in the Law Enforcement intelligence sharing webinars and Motor Vehicle Crime Investigator Virtual Command Centers organized and operated on behalf of the MVCPA program operation and statewide collaboration.

WHEREAS, the Grantee accepts the FY22 Statement of Grant Award under the conditions above including the special requirements in the grant application and the Statement of Grant Award as evidenced by this agreement, executed by the official authorized to sign the original grant application, or the official's designated successor, as presiding officer of and on behalf of the governing body of this grantee; and

NOW THEREFORE, the Motor Vehicle Crime Prevention Authority has awarded the above-referenced grant subject to the availability of state funds. The approved budget is reflected in the above Approved Grant Budget Summary. This grant is subject to and conditioned upon the acceptance of the MVCPA Grant Administrative Guide promulgated for this specific program fund (referenced above) by the Motor Vehicle Crime Prevention Authority. Applicable special conditions are listed below.

Special Conditions and Requirements (MVCPA indicates by an "X" in the following spaces below if a condition applies):

_____**Border Security Report Requirement –** This Grantee is designated as a MVCPA Border Security Grant which is located along the United States of America border with the United States of Mexico and those that are adjacent to the Gulf Intracoastal Waterway. This designation requires grantee to provide additional report information required by the General Appropriations Act of the 87th Texas Legislature, Regular Session. The Governor or Legislative Budget Board may request additional information regarding the report data during the term of the grant.

__X___ **Resolution Required –** Upload the required Resolution authorizing this MAG grant before any activity can commence. If you have not already done so, please upload a valid Resolution in the MAG application page located at https://mvcpa.tamu.edu.

APPROVED AND ACCEPTED BY:

_____
Authorized Official

_____
Printed Name and Title

_____
Date Signed

Attachment: 2022-072 ATTH 01 FY22 Motor Vehicle Crime Prevention Authority (3740 : 2022-072 RES Police MAG Grant)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	Medium

Other Potential Impacts:

Public Information Plan:

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

Other:

Attachment: 2022-072 Goals & Perspectives (3740 : 2022-072 RES Police MAG Grant)

RESOLUTION NO. 2022–072

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE APPLICATION FOR THE 2022 TEXAS MOTOR VEHICLE CRIME PREVENTION AUTHORITY GRANT PROVIDING A TOTAL GRANT IN THE AMOUNT OF TWENTY THOUSAND DOLLARS ($20,000), WHERE THE CITY OF TEXARKANA, TEXAS, WILL PROVIDE A FOUR THOUSAND DOLLAR ($4,000) MATCH; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 571 , entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement agencies for economic motor vehicle theft and fraud related motor vehicle crime enforcement teams; and

WHEREAS, this grant program will assist this jurisdiction to combat motor vehicle theft, motor vehicle burglary and fraud-related motor vehicle crime; and

WHEREAS, the City of Texarkana, Texas, has agreed that in the event of loss or misuse of the grant funds, the City of Texarkana, Texas, assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority.

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

SECTION 1: Chief Kevin Schutte is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Crime Prevention Authority Grant Program and all other necessary documents to accept said grant.

SECTION 2: Captain Michael Henry is designated as the Program Director and Jennifer Jones is designated as the Financial Officer for this grant.

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:30p.m.

Attachment: 2022-072 RES Police MAG Grant signed (3740 : 2022-072 RES Police MAG Grant)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 7/7/2022 10:32 AM

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

Subject: Ordinance No. 2022-074 assigning duties and delegating authority to the City Manager to implement, within budgeted parameters, the City Council's strategy of evaluating the reasonableness of SWEPCO's applications before the Texas Public Utility Commission.

Briefing: 7/11/2022 **Public Hearing:** **Council Vote:** 7/11/2022

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

In matters regarding applications by SWEPCO to change rates or services, the City Council has acted to further a legislative purpose and strategy of evaluating the reasonableness of such applications to protect the interests of both the City's residents and business customers of the utility who conduct business within the City's municipal limits. As part of this strategy, the City Council has authorized cooperative and coordinated efforts with a coalition of other municipalities served by SWEPCO — the Cities Advocating Reasonable Deregulation ("CARD") — for the retention of special legal counsel to appear or intervene in regulatory proceedings before the Texas Public Utility Commission or any court of law, to investigate matters pertinent to SWEPCO's applications including jurisdiction, reasonableness, evidentiary support, and consistency or compliance with Texas law, and to retain such experts as may be reasonably necessary for review of SWEPCO's applications. The law firm of Herrera Law & Associates, PLLC (through Mr. Alfred R. Herrera) has previously represented the City and its participation in the CARD coalition in matters involving SWEPCO, including SWEPCO's most recent rate and fuel cases.

From time to time, CARD legal counsel brings to the City's attention certain proceedings at the Public Utility Commission of Texas (PUCT) which are crucial to CARD's interests both in terms of reliable service and cost to ratepayers. Historically, the City Council has addressed Texarkana's involvement only be means of discrete resolutions (*see*, *e.g.*, Res. 2017-006, Res. 2017-044, Res. 2018-110, Res. 2020-128, and Res. 2021-007).

SWEPCO has filed a proceeding at the Public Utility Commission of Texas (PUCT) that is crucial to CARD's interests both in terms of reliable service and cost to ratepayers. It is important for CARD to monitor these proceedings and undertake a preliminary review of SWEPCO's application to determine whether CARD should submit testimony to the PUCT regarding SWEPCO's planned acquisition of certain generating facilities. Unlike a ratemaking proceeding, CARD's expenses to participate in the proceeding are not reimbursable by SWEPCO. However, it should be noted that CARD's participation

in SWEPCO's two previous "CCN" cases, where SWEPCO sought permission to acquire wind energy *not needed for capacity*, saved the CARD cities and its collective citizens millions of dollars in rates. The more recent project would have added about $1 billion in profit to SWEPCO but save the ratepayers only nominal amounts in energy costs. As for the earlier wind project, CARD's participation avoided expenditures of about $450 million in profits and with no firm benefits to ratepayers. The PUCT rejected both of SWEPCO's prior wind-energy projects. This is not to suggest that SWEPCO's new project is like its prior ventures/requests. In its pending application SWEPCO intends to acquire wind and solar power to meet capacity needs. Its prior applications were simply "opportunity" purchases to provide energy, but without a need for capacity.

In SWEPCO's pending application SWEPCO seeks PUCT approval to acquire three generation facilities. These facilities include one wind facility located in Texas, one wind facility located in Oklahoma, and one solar facility located in Louisiana (collectively the Selected Facilities). Table 1 below summarizes the Selected Facilities that SWEPCO is pursuing, their size, and projected in-service dates:

Table 1: SELECTED FACILITIES OVERVIEW

	Wind		**Solar**
	Wagon Wheel	**Diversion**	**Mooringsport**
Size (Nameplate)	598.4 MW	200.6 MW	200 MW
Developer	Invenergy	Invenergy	Invenergy
Planned COD	12/2025	12/2024	12/2025
State	OK	TX	LA
County / Parish	Multiple	Baylor	Caddo
Location (RTO)	SPP	SPP	SPP

SWEPCO estimates the cost of these facilities to be about $2.17 Billion. SWEPCO contends it has a capacity need beginning in 2023, driven by the retirement of aging SWEPCO generation units, including the retirement of five natural gas-fired units in 2019 and 2020 (Knox Lee Unit 4, January 1, 2019; Knox Lee Units 2 and 3; Lone Star Unit 1 and Lieberman Unit 2, May 1, 2020), the 2021 retirement of the Dolet Hills lignite-fired generation plant, and the announced 2023 retirement of the Pirkey lignite-fired generation plant. SWEPCO alleges that with these retirements, it is facing a capacity deficit beginning in 2023 that grows to 1,574 MW in 2028 after the retirement of other generating units.

SWEPCO contends its analysis shows that the least-cost solution to meet this emerging capacity need was the acquisition of wind and solar resources along with short-term Capacity Purchase Agreements (CPAs) to bridge the gap between the 2023 capacity need and the expected in-service date of the newly acquired resources.

CARD special legal counsel recommends that CARD intervene in SWEPCO's CCN case. Beyond the cost implications, and the issues of how wind and solar power will affect SWEPCO's ability to provide reliable service, there is also the issue of how those costs are allocated not only as between Texas, Arkansas, and Louisiana, but also among the customer classes. It would be reasonable to expect the large industrial customers will argue that the lion's share of the costs should be paid for by residential and small commercial ratepayers.

SWEPCO's web page --- https://www.swepco.com/company/news/view?releaseID=8533 --- describing the plans to add 999 megawatts (MW) of wind and solar energy.

Potential Options:

- Approve the resolution as presented.
- Deny the resolution as presented.

Fiscal Implications:

CARD Legal Counsel asks permission from CARD to intervene at a minimum to monitor the case. The City's share of the cost would be $5,300 per the following cost breakdown:

PHASE I - Dkt. 53625 - SWEPCO Acquisition of Wind/Solar Gen.

City	Population Per State Directory	Percent of Total	Phase I Fees	Strict Popl'n Allocation	Modified Allocation
Henderson	13,124	7%	$25,000.00	$1,776.02	$2,200.00
Kilgore	14,962	8%	$25,000.00	$2,024.75	$2,500.00
Longview	82,511	45%	$25,000.00	$11,165.89	$7,800.00
Marshall	22,589	12%	$25,000.00	$3,056.88	$4,600.00
Mt. Pleasant	15,924	9%	$25,000.00	$2,154.93	$2,600.00
Texarkana	35,629	19%	$25,000.00	$4,821.53	$5,300.00
	184,739	100%		$25,000.00	$25,000.00

Staff Recommendation:

As with this latest request, from time to time, CARD cities are asked to make decisions regarding intervention or monitoring of PUCT proceedings within requested time frames that make securing the City Council's consideration logistically impractical. And, unlike a ratemaking proceeding, this latest request pertains to expenditure of costs that would not be reimbursable by SWEPCO.

To address the immediate request by CARD Legal Counsel and also proactively address future requests, the staff recommendation is for the City Council to consider prescribing by ordinance certain additional duties for the City Manager, consistent with article III, section 4, subsection (j) of the City Charter, to take any and all action within budgeted parameters in coordination with CARD to implement the City Council's strategy of evaluating the reasonableness of SWEPCO's applications before the Texas Public Utility Commission in order to protect the interests of both the City's residents and business customers of the utility who conduct business within the City's municipal limits, such powers and duties to include authorizing CARD special legal counsel to monitor or intervene in

proceedings before the Texas Public Utility Commission which are crucial to the City's interests and CARD's interests both in terms of reliable service and cost to ratepayers. The draft ordinance presented is patterned after Ord. No. 2019-032 which assigned to the City Manager the duty and responsibility of implementing within budgeted parameters the Ultimate Rule Curve Contract for Wright Patman Lake.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-074 ORD delegate authority CM SWEPCO (DOCX)
b. 2022-074 ATTH 01 SWEPCO notice gazette 2022_07_07 (PDF)
c. 2022-074 Goals & Perspectives (DOCX)
d. 2022-074 ORD delegate auth CM SWEPCO signed (PDF)

Staff Coordination

City Manager	Jennifer Evans	Department Head Review	Completed	07/07/2022 8:49 AM
City Manager	David Orr	City Manager Review	Completed	07/08/2022 9:04 AM
City Council	Jennifer Evans	Meeting	Completed	07/11/2022 6:00 PM

Meeting History

ORDINANCE NO. 2022-074

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ASSIGNING DUTIES AND DELEGATING AUTHORITY TO THE CITY MANAGER TO IMPLEMENT, WITHIN BUDGETED PARAMETERS, THE CITY COUNCIL'S STRATEGY OF EVALUATING THE REASONABLENESS OF SWEPCO'S APPLICATIONS BEFORE THE TEXAS PUBLIC UTILITY COMMISSION; CONTAINING A SUPERSEDING CLAUSE; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

Recitals

WHEREAS, the City of Texarkana, Texas, is a regulatory authority under the Public Utility Regulatory Act, with exclusive original jurisdiction over the rates, operations, and services of Southwestern Electric Power Company, a unit of American Electric Power ("SWEPCO"), within the City [*see* Tex. Util. Code Ch. 33]; and

WHEREAS, in matters regarding applications by SWEPCO to change rates or services, the City Council has acted to further a legislative purpose and strategy of evaluating the reasonableness of such applications in order to protect the interests of both the City's residents and business customers of the utility who conduct business within the City's municipal limits (*see*, *e.g.*, Res. 2017-006, Res. 2017-044, Res. 2018-110, Res. 2020-128, and Res. 2021-007); and

WHEREAS, as part of the City Council's strategy of evaluating the reasonableness of SWEPCO's applications, the City Council has authorized cooperative and coordinated efforts with a coalition of other municipalities served by SWEPCO — the Cities Advocating Reasonable Deregulation ("CARD") — for the retention of special legal counsel to appear or intervene in regulatory proceedings before the Texas Public Utility Commission or any court of law, to investigate matters pertinent to SWEPCO's applications including jurisdiction, reasonableness, evidentiary support, and consistency or compliance with Texas law, and to retain such experts as may be reasonably necessary for review of SWEPCO's applications; and

WHEREAS, Texas law authorizes municipalities to recover their reasonable rate-case expenses from a utility, but from time to time SWEPCO files other applications before the Texas Public Utility Commission that, while crucial to the City's interests both in terms of reliable service and cost to ratepayers, are not rate-case proceedings and therefore a municipality's expenses are not reimbursable; and

WHEREAS, the City Council finds and determines that its strategy with respect to SWEPCO's applications properly includes monitoring or intervention in proceedings before the Texas Public Utility Commission that are crucial to the City's interests both in terms of reliable service and cost to ratepayers, whether or not Texas law authorizes reimbursement of the City's expenses from the utility; and

Attachment: 2022-074 ORD delegate authority CM SWEPCO (3742 : 2022-074 ORD Swepco's PUC application & CM auth)

WHEREAS, article III, section 4, subsection (j) of the City Charter of the City of Texarkana, Texas, provides that the powers and duties of the City Manager shall include performing such other duties as may be prescribed by ordinance or resolution of the Council, and Ordinance No. 087-08 authorizes the City Manager "to make and execute Interlocal Agreements between the City of Texarkana, Texas and other governmental entities when such Interlocal Agreements are in the best interest of the City of Texarkana, Texas"; and

WHEREAS, the City Council desires to assign additional powers and duties of the City Manager to take any and all action within budgeted parameters in coordination with CARD to implement the City Council's strategy of evaluating the reasonableness of SWEPCO's applications before the Texas Public Utility Commission in order to protect the interests of both the City's residents and business customers of the utility who conduct business within the City's municipal limits, such powers and duties to include authorizing CARD special legal counsel to monitor or intervene in proceedings before the Texas Public Utility Commission which are crucial to the City's interests and CARD's interests both in terms of reliable service and cost to ratepayers, and to delegate authority to the City Manager to accomplish such duties.

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

SECTION 1. Pursuant to article III, section 4, subsection (j) of the City Charter of the City of Texarkana, Texas, the powers and duties of the City Manager shall include taking any and all action within budgeted parameters to implement the City Council's strategy of evaluating the reasonableness of SWEPCO's applications before the Texas Public Utility Commission in order to protect the interests of both the City's residents and business customers of the utility who conduct business within the City's municipal limits. By way of example and not limitation, such powers and duties shall include coordinating with CARD and authorizing CARD special legal counsel to monitor or intervene in proceedings before the Texas Public Utility Commission which are crucial to the City's interests and CARD's interests both in terms of reliable electricity service and cost to ratepayers.

SECTION 2. In the event of any conflict, in whole or in part, between this Ordinance and any other ordinances, resolutions, or policies, this Ordinance shall supersede and control.

SECTION 3. The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

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

PASSED AND APPROVED in Regular Council Session on this **the 11th day of July, 2022**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-074 ORD delegate authority CM SWEPCO (3742 : 2022-074 ORD Swepco's PUC application & CM auth)

PUBLIC NOTICE

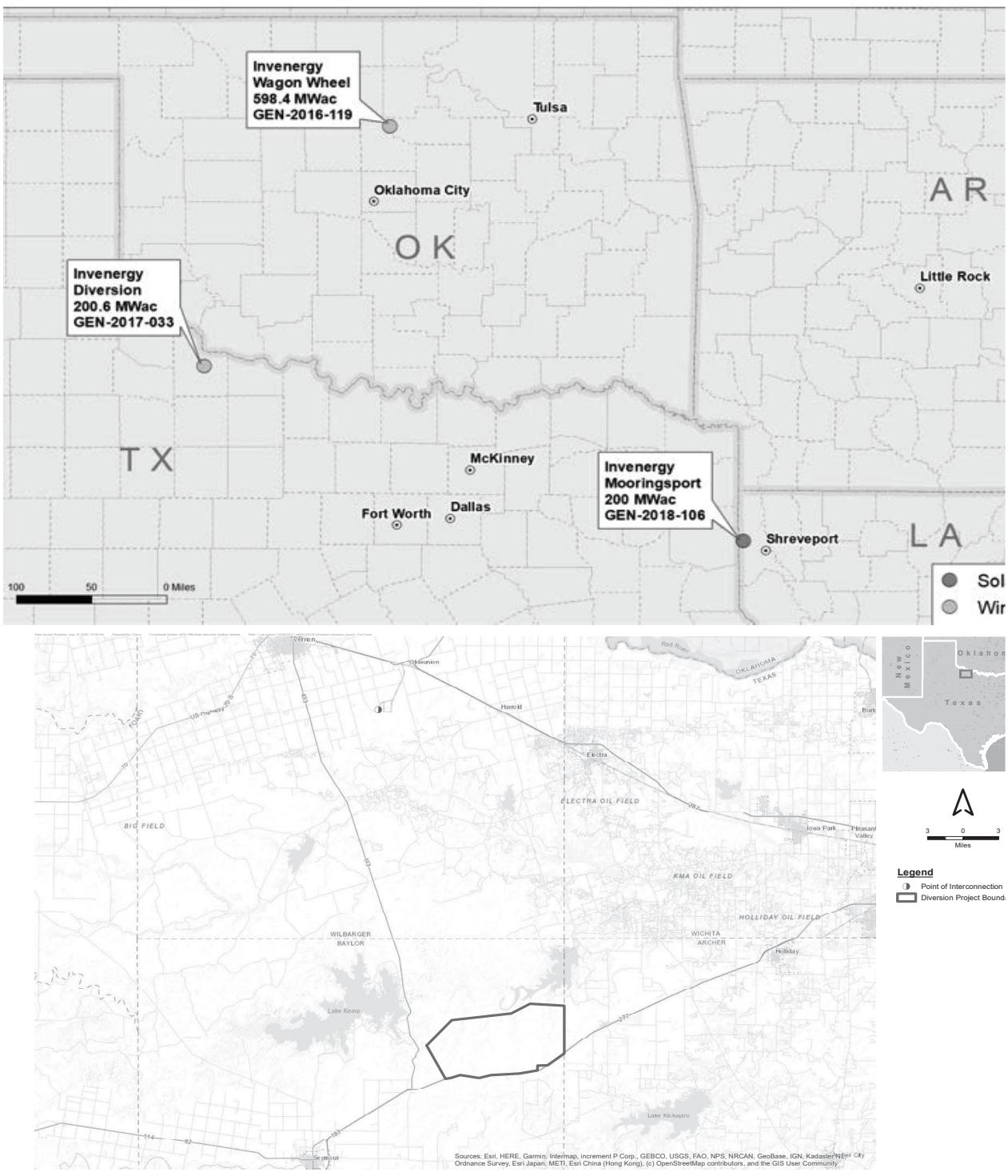
On May 27, 2022, Southwestern Electric Power Company (SWEPCO) filed a petition with the Public Utility Commission of Texas (Commission) requesting Certificate of Convenience and Necessity (CCN) authorizati to acquire three generation facilities (the Selected Facilities), located in Oklahoma, Texas, and Louisiana. T docket number and style of the case are PUC Docket No. 53625, *Application of Southwestern Electric Pov Company for Certificate of Convenience and Necessity Authorization and Related Relief for the Acquisition Generation Facilities*. SWEPCO has approximately 187,400 Texas retail customers, all of whom are affec by this Application. SWEPCO has filed separate applications for certification of the Selected Facilities with Arkansas Public Service Commission and the Louisiana Public Service Commission.

Through a competitive Request for Proposals (RFP) process, SWEPCO has contracted to acquire the proj companies owning the following three Selected Facilities, subject to receipt of regulatory approvals and satisfacti of other conditions:

SELECTED FACILITIES

Facility	Size – Megawatts (MW)	State	County / Parish
Wagon Wheel	598.4 MW	OK	Multiple[1]
Diversion	200.6 MW	TX	Baylor
Mooringsport	200 MW	LA	Caddo
Total	999 MW		

Maps showing the locations of the Selected Facilities as well as the location of the Diversion facility within Bay County, Texas, are provided below.



Each of the Selected Facilities is owned by an affiliate of Invenergy LLC. SWEPCO has contracted to acqu 100% of each facility, for a total of 999 MW. In the event that approval is not received from all state regulat commissions, SWEPCO requests approval in this application to acquire a larger share of the Selected Facilit for the benefit of Texas customers.

The total project capital costs for the Selected Facilities, including all owner's costs, is approximately $2.1 billion. Closing is subject to regulatory approvals and other conditions, and there are no pre-closing progress other payments.

Persons with questions about this Application should contact SWEPCO at 428 Travis Street, Shreveport, Louisia 71101 or call toll-free at (888) 216-3523 during normal business hours. Persons who wish to intervene in proceeding or comment upon action sought, should contact the Public Utility Commission of Texas (PUCT), P Box 13326, Austin, Texas 78711-3326, or call the PUCT at (512) 936-7120 or (888) 782-8477. Hearing- a speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. communications should refer to Docket No. 53625, and any request to intervene in that docket should inclu an email address and fax number (if available) as contact information. The deadline for intervention in proceeding is September 9, 2022 and you must send a letter requesting intervention to the Commission whic received by that date.

A copy of SWEPCO's petition may be viewed on the Commission's webpage at https://www.puc.texas.gov. T Commission maintains an electronic copy of all filings on the "Filings/Filings Search" section of its webpage. T control number for this proceeding is Docket No. 53625.

1 Wagon Wheel is located in the following counties in Oklahoma: Garfield, Kingfisher, Logan, and Noble.

Attachment: 2022-074 ATTH 01 SWEPCO notice gazette 2022_07_07 (3742 : 2022-074 ORD Swepco's PUC application & CM auth)

City of Texarkana, Texas

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

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

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

Attachment: 2022-074 Goals & Perspectives (3742 : 2022-074 ORD Swepco's PUC application & CM auth)

ORDINANCE NO. 2022-074

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ASSIGNING DUTIES AND DELEGATING AUTHORITY TO THE CITY MANAGER TO IMPLEMENT, WITHIN BUDGETED PARAMETERS, THE CITY COUNCIL'S STRATEGY OF EVALUATING THE REASONABLENESS OF SWEPCO'S APPLICATIONS BEFORE THE TEXAS PUBLIC UTILITY COMMISSION; CONTAINING A SUPERSEDING CLAUSE; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

Recitals

WHEREAS, the City of Texarkana, Texas, is a regulatory authority under the Public Utility Regulatory Act, with exclusive original jurisdiction over the rates, operations, and services of Southwestern Electric Power Company, a unit of American Electric Power ("SWEPCO"), within the City [*see* Tex. Util. Code Ch. 33]; and

WHEREAS, in matters regarding applications by SWEPCO to change rates or services, the City Council has acted to further a legislative purpose and strategy of evaluating the reasonableness of such applications in order to protect the interests of both the City's residents and business customers of the utility who conduct business within the City's municipal limits (*see*, *e.g.*, Res. 2017-006, Res. 2017-044, Res. 2018-110, Res. 2020-128, and Res. 2021-007); and

WHEREAS, as part of the City Council's strategy of evaluating the reasonableness of SWEPCO's applications, the City Council has authorized cooperative and coordinated efforts with a coalition of other municipalities served by SWEPCO — the Cities Advocating Reasonable Deregulation ("CARD") — for the retention of special legal counsel to appear or intervene in regulatory proceedings before the Texas Public Utility Commission or any court of law, to investigate matters pertinent to SWEPCO's applications including jurisdiction, reasonableness, evidentiary support, and consistency or compliance with Texas law, and to retain such experts as may be reasonably necessary for review of SWEPCO's applications; and

WHEREAS, Texas law authorizes municipalities to recover their reasonable rate-case expenses from a utility, but from time to time SWEPCO files other applications before the Texas Public Utility Commission that, while crucial to the City's interests both in terms of reliable service and cost to ratepayers, are not rate-case proceedings and therefore a municipality's expenses are not reimbursable; and

WHEREAS, the City Council finds and determines that its strategy with respect to SWEPCO's applications properly includes monitoring or intervention in proceedings before the Texas Public Utility Commission that are crucial to the City's interests both in terms of reliable service and cost to ratepayers, whether or not Texas law authorizes reimbursement of the City's expenses from the utility; and

Attachment: 2022-074 ORD delegate auth CM SWEPCO signed (3742 : 2022-074 ORD Swepco's PUC application & CM auth)

WHEREAS, article III, section 4, subsection (j) of the City Charter of the City of Texarkana, Texas, provides that the powers and duties of the City Manager shall include performing such other duties as may be prescribed by ordinance or resolution of the Council, and Ordinance No. 087-08 authorizes the City Manager "to make and execute Interlocal Agreements between the City of Texarkana, Texas and other governmental entities when such Interlocal Agreements are in the best interest of the City of Texarkana, Texas"; and

WHEREAS, the City Council desires to assign additional powers and duties of the City Manager to take any and all action within budgeted parameters in coordination with CARD to implement the City Council's strategy of evaluating the reasonableness of SWEPCO's applications before the Texas Public Utility Commission in order to protect the interests of both the City's residents and business customers of the utility who conduct business within the City's municipal limits, such powers and duties to include authorizing CARD special legal counsel to monitor or intervene in proceedings before the Texas Public Utility Commission which are crucial to the City's interests and CARD's interests both in terms of reliable service and cost to ratepayers, and to delegate authority to the City Manager to accomplish such duties.

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

SECTION 1. Pursuant to article III, section 4, subsection (j) of the City Charter of the City of Texarkana, Texas, the powers and duties of the City Manager shall include taking any and all action within budgeted parameters to implement the City Council's strategy of evaluating the reasonableness of SWEPCO's applications before the Texas Public Utility Commission in order to protect the interests of both the City's residents and business customers of the utility who conduct business within the City's municipal limits. By way of example and not limitation, such powers and duties shall include coordinating with CARD and authorizing CARD special legal counsel to monitor or intervene in proceedings before the Texas Public Utility Commission which are crucial to the City's interests and CARD's interests both in terms of reliable electricity service and cost to ratepayers.

SECTION 2. In the event of any conflict, in whole or in part, between this Ordinance and any other ordinances, resolutions, or policies, this Ordinance shall supersede and control.

SECTION 3. The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

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

PASSED AND APPROVED in Regular Council Session on this **the 11th day of July, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:30p.m.

Attachment: 2022-074 ORD delegate auth CM SWEPCO signed (3742 : 2022-074 ORD Swepco's PUC application & CM auth)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 6/24/2022 4:51 PM

Lead Department: Planning and Community Development **Action Officer:** Vashil Fernandez, PCD Director

Subject: Ordinance No. 2022-051 approving the fiscal and personnel management agreement with the Texarkana Urban Transportation Study Policy Advisory Board.

Briefing: 7/11/2022 **Public Hearing:** **Council Vote:** 7/11/2022

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

The Texarkana Urban Transportation Study TUTS, as the designated Metropolitan Planning Organization (MPO) for the Texarkana Metropolitan Planning Area (MPA), is responsible for performing transportation planning activities within the Texarkana Study Area Boundary.

Executive Summary and Background Information:

The Fiscal and Personnel Management Agreement between the MPO and the City establishes the City as the financial disbursing agent of all MPO funds received.

The City, as one of eight parties to an interlocal agreement creating MPO, has determined it is in the public interest to assist MPO in securing and managing funds for transportation planning purposes in the local area.

The current Fiscal and Personnel Management Agreement between MPO and the City, is set to expire on June 30, 2022. This new agreement will end **December 30, 2026,** or sooner by mutual agreement of both parties.

Potential Options:

- Approve
- Deny

Fiscal Implications:

(Insert Text Here)

Staff Recommendation:

Recommends for 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. 2022-051 ORD Fiscal and Personnel Management agreement (DOCX)
b. 2022-051 EXH 'A' 2022-2026 Fiscal Personnel Agreement (DOCX)
c. 2022-051 ATTH 01 MPO Policy Board Aproval of Fiscal Agreement (PDF)
d. 2022-051 Goals & Perspectives (DOCX)
e. 2022-051 ORD Appr. Fiscal Personnel Mgmt. Agr. with MPO signed (PDF)

Staff Coordination

Planning and Community Development	Vashil Fernandez	Department Head Review	Completed	06/09/2022 11:02 AM
Finance Department	Vicky Coopwood	Finance Review	Skipped	06/09/2022 12:18 PM
City Manager	Vicky Coopwood	City Manager Review	Skipped	06/09/2022 12:19 PM
City Council	Jennifer Evans	Meeting	Completed	06/13/2022 6:00 PM

Meeting History

06/13/22	City Council	MOVED FORWARD	Next: 07/11/22

Attachment: 2022-051 ORD Fiscal and Personnel Management agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/ MPO)

ORDINANCE NO. 2022 – 051

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE FISCAL AND PERSONNEL MANAGEMENT AGREEMENT WITH THE TEXARKANA URBAN TRANSPORTATION (TUTS) STUDY POLICY ADVISORY BOARD; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Federal Statute 23 USC 134 and Federal Transit Act Section 5303 (MPO Planning), as amended by the Fixing America's Surface Transportation (FAST) Act, requires that Metropolitan Planning Organizations, in cooperation with the State, shall develop transportation plans and programs for urbanized areas of the State; and

WHEREAS, Federal Statute 23 USC 104(f), as amended by FAST Act, authorizes Metropolitan Planning funds and Federal Transit Act Section 5303 MPO Planning funds be made available to Metropolitan Planning Organizations (MPO) duly designated by the Governor of each state to support the urban transportation planning process; and

WHEREAS, the Governor of Texas and the Governor of Arkansas have designated TUTS as the MPO for the Texarkana Metropolitan Area; and

WHEREAS, the City of Texarkana, Texas, ("City") has been designated to act as the financial disbursing agent for all Texarkana Urban Transportation Study Policy Advisory Board ("TUTS") funds; and

WHEREAS, the City and TUTS desire to extend the Fiscal and Personnel Management Agreement, a copy of which is attached hereto as **Exhibit "A"**; and

WHEREAS, the Fiscal and Personnel Management Agreement between the City and TUTS, will expire on December 30, 2026.

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

SECTION 1: The City Manager be and is hereby authorized to sign and make changes to the Fiscal and Personnel Management Agreement between the City, and the Texarkana Urban Transportation Study Policy Advisory Board (TUTS), subject to the MPO's approval, as set forth hereinabove and in the amendment of the Fiscal and Personnel Management Agreement, a copy of which is attached hereto as **Exhibit "A".**

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 **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-051 EXH 'A' 2022-2026 Fiscal Personnel Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/ MPO)

FISCAL AND PERSONNEL MANAGEMENT AGREEMENT

This agreement entered into, by and between the City of Texarkana, a political subdivision of the State of Texas, hereinafter referred to as the "CITY" and the Texarkana Urban Transportation Study Policy Board, hereinafter referred to as the "MPO", the designated Metropolitan Planning Organization for the Texarkana area, as authorized by 23 United States Code 134 (West Supp. 1992).

WITNESSETH

WHEREAS, 23 USC 134 and 49 USC Section 5303, as amended by the Infrastructure Investment and Jobs Act (IIJA) Pub. L. 117-58 (November 15, 2021), requires that Metropolitan Planning Organizations, in cooperation with State, shall develop transportation plans and programs for urbanized areas of the State; and

WHEREAS, 23 USC 104, as amended by IIJA, authorizes Metropolitan Planning (PL) funds and Section 5303 funds be made available to Metropolitan Planning Organizations duly designated by the Governor of each State to support the urban transportation planning process; and

WHEREAS, the Governor of Texas and the Governor of Arkansas have designated the MPO as the Metropolitan Planning Organization for the Texarkana Metropolitan Area; and

WHEREAS, the MPO requests that the CITY act as the financial disbursing agent for MPO funds; and

WHEREAS, the CITY, as one of eight parties to an interlocal agreement creating the MPO, has determined it is in the public interest to assist the MPO in securing and managing funds for transportation planning purposes in the local area;

NOW, THEREFORE, the parties hereby agree as follows:

ARTICLE 1. PURPOSE. The purpose of this Agreement is to define the fiscal and personnel management roles and responsibilities between the MPO and the CITY.

ARTICLE 2. TERM. The term of this Agreement begins upon execution by both parties and ends ***December 30, 2026,*** or sooner by mutual agreement of both parties.

ARTICLE 3. DESCRIPTION OF SERVICES. The CITY agrees to provide fiscal and personnel management assistance to the MPO by acting as the financial disbursing agent for the MPO funds.

ARTICLE 4. FISCAL MANAGEMENT AND DISBURSEMENT.

A. The CITY shall maintain one or more separate trust accounts under the supervision of the Chief Financial Officer (CFO). The CFO, in carrying out the requirements of this Agreement, is responsible only in the capacity of a trust officer for the funds involved. The CFO shall use generally accepted accounting procedures to satisfy their duties pursuant to this Agreement. The CITY shall pay all invoices on a timely basis on behalfof the MPO.

B. All warrants issued to the CITY or the MPO by the State of Texas, the State of Arkansas, federal, county, or local agencies for work performed by any agency or consultant under contract to MPO shall be properly endorsed and deposited in the trust account.

C. The MPO shall make contracts and commitments in its own name. (Ordinance No. 2021-019).

The MPO shall forward invoices and payment obligations to the CITY Finance Department for processing and payment. The budget for all activities on behalf of the MPO program will be set by the MPO.

D. The disbursement of funds to agencies or consultants under contract to the MPO will be made by the CITY in the amounts specified by the MPO, so long as the MPO budget has sufficient funds to accommodate all payment requests. The MPO, however, is fully responsible for all such contracts and releases the CITY from any liability which may arise as a result of the CITY performing any non-negligent task pursuant to this Agreement. The CITY is under no obligation to process payment requests unless sufficient funds for such purposes are present in the MPO budget.

E. The MPO hereby agrees to seek reimbursement from the State of Texas, State of Arkansas, City of Texarkana, Arkansas, any applicable federal, county, local agency, or any other entity required to reimburse funds expended by the MPO. The MPO staff shall prepare and submit all requests for reimbursement within thirty (30) days of receipt of a monthly accounting statement from the CITY. All reimbursements shall be transmitted to the CITY immediately upon their receipt. The MPO is solely responsible for the accuracy of the records of funds expended by the MPO and those agencies or consultants who contract with the MPO. Any unreimbursed balance will be determined after all end of year reporting based on the CITY fiscal year end (September 30) is complete, and all federal, state, and other reimbursements have been requested and received for September. Reimbursement is due within thirty (30) days.

F. The MPO assumes responsibility for the legal and proper expenditures of PL, 5303 AND 5307 monies received by the MPO. All monies are budgeted and expended according to the latest approved Unified Planning Work Program.

G. The CITY will provide the following support services to the MPO staff: public information services including graphics services; human resource services and purchasing/contract services.

The CITY will provide information technology services including a webpage hosted on the City's website editable by MPO staff. The MPO staff will follow CITY established Technology Use Policy. Failure to follow CITY policy will result in removal of MPO staff and computer equipment from CITY owned network. Information technology services will include:

- Microsoft 365 for Government Licensing
- Internet access and associated security protections
- Advanced Firewall Protections
- Intrusion Detection and Protection
- State mandated cyber security training
- Endpoint Detection and Response
- Enterprise Services which included
- File and Print services
- User authentication and identity management
- Management of externally hosted website
- GIS mapping services
- 8 hours of full spectrum IT and GIS support/services for hardware, software, and end users per month
- Any IT or GIS support above 8 hours monthly will be charged at the rate of $100 dollars per hour.
- Additional services may be provided by the CITY to the MPO if mutually agreed by the CITY and the MPO.

Attachment: 2022-051 EXH 'A' 2022-2026 Fiscal Personnel Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/ MPO)

H. All employees hired by the MPO or through its staff, shall be considered CITY employees for the purposes of payroll disbursement, indemnification, and all fringe benefits, including retirement, medical and life insurance, vacations, sick leave, holidays, and any other benefit normally extended to CITY employees. Hiring and termination of MPO employees shall follow CITY established personnel policies and procedures, excepting that the MPO shall have final approval authority for both hiring and terminations. Additionally, the MPO shall establish the salary and salary range for each position it authorizes. The MPO shall be responsible for annual or more frequent personnel performance reviews and the decision as to whether performance or cost of living based salary increases are approved.

I. The CITY will provide office space to the MPO staff, including office support services (utilities, maintenance, and janitorial), as well as, access to internet, telephone, and data lines.

J. The CITY Finance Department is hereby authorized to make payment for the MPO personnel costs, to be reimbursed on a regular basis from MPO funds, as described in Article 4(E).

K. In consideration of services performed under this contract for Article 4(A) through 4(F), the MPO shall pay to the CITY the sum of ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($1,500.00) per month, for as long as the Agreement is in force. The MPO shall pay all costs associated with the MPO employees as described in Article 4(H). In consideration of services performed under this contract for Article 4(G), the MPO shall pay to the CITY the sum of FIVE HUNDRED AND NO/100 DOLLARS ($500.00) per month for as long as the Agreement is in force. In consideration of office space and services performed under this contract for Article 4(I), the MPO shall pay to the CITY the sum of FIVE HUNDRED AND NO/100 DOLLARS ($500.00) per month for as long as the Agreement is in force.

L. The amounts paid to CITY in this Article 4 (K) are exclusive of, and shall not be construed as, reimbursements of expenses payable to CITY under Article 4 (E).

ARTICLE 5. AMENDMENT/TERMINATION. This agreement may be amended or terminated in whole or in part by either party hereto whenever such amendment or termination is found to be in the best interest of either party. Amendment or termination shall be affected by the conveyance of a written notification thereof to the other party at least sixty (60) days in advance of the effective date of the amendment or termination. All notices pursuant to this Agreement shall be deemed given when, either delivered in person or deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed to the appropriate party at the following address:

If to CITY: City Manager
220 Texas Blvd.
Texarkana, TX 75501

If to MPO: Texarkana Metropolitan Planning Organization Policy Board
220 Texas Blvd
Texarkana, TX 75501

ARTICLE 6. NON-DISCRIMINATION. It is mutually agreed that all parties hereto shall be bound by the provisions of title 49, Code of Federal Regulations (CFR), Part 21, which was promulgated to effectuate Title VI of the Civil Rights Act of 1964, title 23, C F R , Part 710.405(b), and Executive Order (EO) 11246 titled "Equal Employment Opportunity" as amended by EO 11375 and as supplemented in

Attachment: 2022-051 EXH 'A' 2022-2026 Fiscal Personnel Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/ MPO)

Department of Labor Regulations (41 CFR Part 60).

ARTICLE 7. **GOVERNING LAW.** This Agreement shall be governed by the laws of the State of Texas and all obligations hereunder of the parties are performable in Bowie County, Texas.

ARTICLE 8. NON-ASSIGNMENT. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives' successors and assigns. Neither the CITY nor the MPO shall assign or sublet any duty of this Agreement, excepting those already identified herein, without the written consent of the other.

ARTICLE 9. SEVERABILITY. Should any provisions of this Agreement for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

ARTICLE 10. ENTIRETY OF AGREEMENT. This is the entire Agreement between the parties and no modification of this Agreement shall be of any force or effect, unless it is in writing signed by both parties. NO OFFICIAL, EMPLOYEE, AGENT, OR REPRESENTATIVE OF THE CITY OF TEXARKANA, TEXAS HAS ANY AUTHORITY, EITHER EXPRESS OR IMPLIED, TO AMEND THIS AGREEMENT, EXCEPT PURSUANT TO SUCH EXPRESS AUTHORITY AS MAY BE GRANTED BY THE CITY OF TEXARKANA, TEXAS CITY COUNCIL

Approved to be effective on the date of the last party to sign.

CITY OF TEXARKANA, TEXAS

BY _____

DATE _____

TEXARKANA METROPOLITAN PLANNING ORGANIZATION (MPO) POLICY BOARD

BY_____

DATE _____

Attachment: 2022-051 EXH 'A' 2022-2026 Fiscal Personnel Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/ MPO)

Texarkana Metropolitan Planning Organization

Cities of Texarkana, AR ◆ Texarkana, TX ◆ Wake Village, TX ◆ Nash, TX
Miller County, AR ◆ Bowie County, TX

POLICY BOARD

Wednesday, June 22, 2022 @ 10:30AM
City Hall – 220 Texas Blvd – 2nd Floor Conference Room
Texarkana, TX

AGENDA

1. Call to order – Quorum Determination

2. Consider approval of Minutes from April 22, 2022.
   Action required: Vote to adopt Resolution.

3. Consider approval of Minutes from April 6, 2022.
   Action required: Vote to adopt Resolution.

4. Consider adoption of Resolution 19-2022: Fiscal and Personnel Management Agreement.
   Action required: Vote to adopt Resolution.

5. Remarks and/or items of interest from the MPO Director and/or Committee Member(s).

6. Adjournment.

This open meeting of a governmental entity is subject to the Texas Open Meetings Act (Chapter 551, government Code). 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. Request for sign interpretive services is available upon requests received at least 5 days prior to the meeting. To make arrangements for these services, please call 903-798-3959, Personnel or (TDD) 1.800.RELAY.TX (1.800.735.2989)

Public notice of public involvement activities and time established for public review and comments will satisfy the Program of Projects (POP) requirements.

220 Texas Blvd. ◆ P.O. Box 1967 ◆ Texarkana, Texas 75504 ◆ www.texarkanampo.org

Phone (903) 798-3927 ◆ Fax (903) 798-3773 ◆ E-mail txkmpo@txkusa.org

Attachment: 2022-051 ATTH 01 MPO Policy Board Aproval of Fiscal Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/

Texarkana Metropolitan Planning Organization

POLICY BOARD MINUTES

Wednesday – April 6, 2022 – 10:30 AM
City Hall – Conference Room, 2nd Floor
220 Texas Blvd– Texarkana, TX

Agenda Item #1 – Call to order – Quorum Determination.

Chairman Whitten called the meeting to order at 10:33 AM.

Members in attendance: Chris Brown, Bob Bruggeman, Doug Bowers for Robert Bunch, William Cheatham, Chris Dillaha for Sunny Farmahan, Mary Hart, Dusty Henslee for David Orr, Deanne Simmons, and Buddy Williams.

A quorum was established.

Agenda Item #2 – Consider approval of Minutes from March 23, 2022.

Vice-Chairman Bruggeman asked for comments or questions on the minutes. There were none.

Ms. Hart made a motion to accept minutes. Mr. Cheatham seconded the motion. There were no opposing votes. Motion passed.

CLOSED MEETING

1. A closed meeting is being conducted in accordance with the Texas Open Meetings Law, V.T.C.A., Government Code, Section 551.074, Personnel Matters:
    a. Personnel matter for MPO Director
    b. Personnel matter for MPO Planner

OPEN MEETING

Agenda Item #3 – Closed meeting remarks.
See below.

Agenda Item #4 - Consider adoption of Resolution #17-2022: MPO Policy Board Chairman Authority to Conduct Personnel Matters in the Absence of the MPO Director.
Vice-Chairman Bruggeman stated in regard to the adoption of Resolution #17 there is to be a change in the wording. Bullet point #1, first word is to be changed from 'extend' to 'implement and modify.'

Mr. Brown made a motion to adopt resolution #17 with noted change in wording and to extend pay increase of MPO Planner. Mr. Cheatham second the motion. There were no opposing votes. Motion passed.

It was the consensus of the Policy Board that the MPO Director be on unpaid leave due to medical issues.

Attachment: 2022-051 ATTH 01 MPO Policy Board Aproval of Fiscal Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/

Texarkana Metropolitan Planning Organization

POLICY BOARD MINUTES

Friday, April 22, 2022 – 10:30 AM
City Hall – Conference Room, 2nd Floor
220 Texas Blvd– Texarkana, TX

Agenda Item #1 – Call to order – Quorum Determination.

Chairman Whitten called the meeting to order.

Members in attendance: Chris Brown, Bob Bruggeman, Steven Hollibush, Sunny Farmahan, Dusty Henslee for Mary Hart, David Orr, Deanne Simmons, Tom Whitten, and Buddy Williams.

A quorum was established.

Agenda Item #2 – Consider adoption of Resolution #18 – FY 2023-2026 Transportation Improvement Program (TIP) – Texas portion.

Ms. Gray explained this is the new TIP for the Texas side for the next 4-years. This document has been reviewed by the MPO Technical Committee earlier this month.

Noted sections of the TIP:
Page 15 – Individual Projects – FM 989 and Frontage Roads. These projects are listed in the new TIP and also the FY2019-2022 TIP. The reason for these projects being listed in both the current and new TIP is to ensure that the projects can Let this summer or at least Let in the fall, after FHWA have approved the FY2023-2026 TIP.
Pages 17-22 – Group Projects are listed for informational purposes only.
Page 23 – Local Projects – No local projects are listed at this time.
Pages 25-32 – Transit projects were obtained from Texarkana Urban Transit District (TUTD) staff.
Pages 35 – Appendices began.

Ms. Simmons stated the listing of the projects in both TIPs is a safety net to make sure the projects will Let. Stateline Avenue is listed as in the Group Project section.

Mr. Orr asked the definition of Regionally Significant Project. Ms. Gray stated it is any project that has federal funding.

Mr. Whitten asked for a motion to adopt Resolution #18. Mr. Bruggeman made a motion to adopt resolution. Mr. Williams second the motion. Motion passed.

Agenda Item #3 – Remarks and/or items of interest from the MPO Director and/or Committee Member(s).

Mr. Farmahan asked if a MPO staff member could ask as a proxy for a Policy Board Member. Ms. Gray stated there is no provision for a MPO staff member to serve as a proxy in the Bylaws at this time.

Attachment: 2022-051 ATTH 01 MPO Policy Board Aproval of Fiscal Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/

Updates/History of Briefing:

Fiscal and Personnel Agreement

The Fiscal And Personnel Agreement is an agreement between the MPO and the City of Texarkana, Texas. The agreement is a five-year agreement which describes the duties of each entity.

Executive Summary and Background Information:

In 1999, the MPO signed an agreement with the City of Texarkana, Texas (CITY). The agreement made the 'City' the fiscal agent for the MPO. At the time the first agreement was signed the MPO paid to the 'City' $1,000 per month. In 2005, there was an increase to $1,500 per month.

This agreement date is set to expire (for this five-year term) at the end of June 2022.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Increase is monthly fee from $1,500 to $2,500 per month. This breakdown is seen in Section K of the agreement.

- Article 4(A) through 4(F), the MPO shall pay to the CITY the sum of ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($1,500.00) per month.
- In consideration of services performed under this contract for Article 4(G), the MPO shall pay to the CITY the sum of FIVE HUNDRED AND NO/100 DOLLARS ($500.00) per month for as long as the Agreement is in force.
    - Article 4 (G) states:
      The CITY will provide the following support services to the MPO staff: public information services including graphics services; human resource services and purchasing/contract services.

      The CITY will provide information technology services including a webpage hosted on the City's website editable by MPO staff. The MPO staff will follow CITY established Technology Use Policy. Failure to follow CITY policy will result in removal of MPO staff and computer equipment from CITY owned network. Information technology services will include:

        - Microsoft 365 for Government Licensing
        - Internet access and associated security protections
        - Advanced Firewall Protections
        - Intrusion Detection and Protection
        - State mandated cyber security training
        - Endpoint Detection and Response
        - Enterprise Services which included
        - File and Print services
        - User authentication and identity management
        - Management of externally hosted website

Attachment: 2022-051 ATTH 01 MPO Policy Board Aproval of Fiscal Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/

TEXARKANA METROPOLITAN PLANNING ORGANIZATION

RESOLUTION # 19-2022

A RESOLUTION BY THE POLICY BOARD OF THE TEXARKANA METROPOLITAN PLANNING ORGANIZATION (MPO) ADOPTING THE FISCAL AND PERSONNEL MANAGEMENT AGREEMENT.

WHEREAS, the Texarkana Urban Transportation Study, as the designated Metropolitan Planning Organization (MPO) for the Texarkana Metropolitan Planning Area (MPA), is responsible for performing transportation planning activities within the Texarkana Study Area Boundary; and

WHEREAS, the current Fiscal and Personnel Management Agreement between the Texarkana Metropolitan Planning Organization, hereinafter referred to as the "MPO" and the City of Texarkana, Texas, hereinafter referred to as the "City", will expires on June 30, 2022; and

WHEREAS, the Fiscal and Personnel Management Agreement between the MPO and the City establishes the City as the financial disbursing agent of all TUTS funds received by the MPO; and

WHEREAS, the City, as one of eight parties to an interlocal agreement creating TUTS, has determined it is in the public interest to assist MPO in securing and managing funds for transportation planning purposes in the local area.

NOW, THEREFORE, BE IT RESOLVED by the Policy Board of the Texarkana MPO that:

SECTION 1: the Fiscal and Personnel Management Agreement is hereby adopted; and

SECTION 2: the Chair of the Texarkana MPO is hereby authorized to sign the new Fiscal and Personnel Management Agreement on behalf of the Policy Board; and

SECTION 3: the Study Director of the Texarkana MPO is hereby authorized to transmit the signed Fiscal and Personnel management Agreement to the City of Texarkana, Texas and TXDOT for execution along with Resolution 19-2022.

ADOPTED in Regular Session on the 22nd day of June 2022.

_____

Tom Whitten, Bowie County Commissioner
Policy Board Chairman
Texarkana MPO

I hereby certify the above is a true copy of Resolution #19-2022: Fiscal and Personnel Management Agreement. This resolution was:
Motioned by:
Seconded by:
Resolution #19 passed unanimously in regular session on June 22, 2022.

_____

Rea Donna Jones, Director
Texarkana MPO

Attachment: 2022-051 ATTH 01 MPO Policy Board Aproval of Fiscal Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/

STATE OF TEXAS §

CITY OF TEXARKANA §

FISCAL AND PERSONNEL MANAGEMENT AGREEMENT

This agreement entered into, by and between the City of Texarkana, a political subdivision of the State of Texas, hereinafter referred to as the "CITY" and the Texarkana Urban Transportation Study Policy Board, hereinafter referred to as the "MPO", the designated Metropolitan Planning Organization for the Texarkana area, as authorized by 23 United States Code 134 (West Supp. 1992).

WITNESSETH

WHEREAS, 23 USC 134 and 49 USC Section 5303, as amended by the Infrastructure Investment and Jobs Act (IIJA) Pub. L. 117-58 (November 15, 2021), requires that Metropolitan Planning Organizations, in cooperation with State, shall develop transportation plans and programs for urbanized areas of the State; and

WHEREAS, 23 USC 104, as amended by IIJA, authorizes Metropolitan Planning (PL) funds and Section 5303 funds be made available to Metropolitan Planning Organizations duly designated by the Governor of each State to support the urban transportation planning process; and

WHEREAS, the Governor of Texas and the Governor of Arkansas have designated the MPO as the Metropolitan Planning Organization for the Texarkana Metropolitan Area; and

WHEREAS, the MPO requests that the CITY act as the financial disbursing agent for MPO funds; and

WHEREAS, the CITY, as one of eight parties to an interlocal agreement creating the MPO, has determined it is in the public interest to assist the MPO in securing and managing funds for transportation planning purposes in the local area;

NOW, THEREFORE, the parties hereby agree as follows:

ARTICLE 1. PURPOSE. The purpose of this Agreement is to define the fiscal and personnel management roles and responsibilities between the MPO and the CITY.

ARTICLE 2. TERM. The term of this Agreement begins upon execution by both parties and ends ***December 30, 2026***, or sooner by mutual agreement of both parties.

ARTICLE 3. DESCRIPTION OF SERVICES. The CITY agrees to provide fiscal and personnel management assistance to the MPO by acting as the financial disbursing agent for the MPO funds.

ARTICLE 4. FISCAL MANAGEMENT AND DISBURSEMENT.

A. The CITY shall maintain one or more separate trust accounts under the supervision of the Chief Financial Officer (CFO). The CFO, in carrying out the requirements of this Agreement, is responsible only in the capacity of a trust officer for the funds involved. The CFO shall use generally accepted accounting procedures to satisfy their duties pursuant to this Agreement. The CITY shall pay all invoices on a timely basis on behalfof the MPO.

B. All warrants issued to the CITY or the MPO by the State of Texas, the State of Arkansas, federal, county, or local agencies for work performed by any agency or consultant under contract to MPO shall be properly endorsed and deposited in the trust account.

Attachment: 2022-051 ATTH 01 MPO Policy Board Aproval of Fiscal Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/

the CITY and the MPO.

H. All employees hired by the MPO or through its staff, shall be considered CITY employees for the purposes of payroll disbursement, indemnification, and all fringe benefits, including retirement, medical and life insurance, vacations, sick leave, holidays, and any other benefit normally extended to CITY employees. Hiring and termination of MPO employees shall follow CITY established personnel policies and procedures, excepting that the MPO shall have final approval authority for both hiring and terminations. Additionally, the MPO shall establish the salary and salary range for each position it authorizes. The MPO shall be responsible for annual or more frequent personnel performance reviews and the decision as to whether performance or cost of living based salary increases are approved.

I. The CITY will provide office space to the MPO staff, including office support services (utilities, maintenance, and janitorial), as well as, access to internet, telephone, and data lines.

J. The CITY Finance Department is hereby authorized to make payment for the MPO personnel costs, to be reimbursed on a regular basis from MPO funds, as described in Article 4(E).

K. In consideration of services performed under this contract for Article 4(A) through 4(F), the MPO shall pay to the CITY the sum of ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($1,500.00) per month, for as long as the Agreement is in force. The MPO shall pay all costs associated with the MPO employees as described in Article 4(H). In consideration of services performed under this contract for Article 4(G), the MPO shall pay to the CITY the sum of FIVE HUNDRED AND NO/100 DOLLARS ($500.00) per month for as long as the Agreement is in force. In consideration of office space and services performed under this contract for Article 4(I), the MPO shall pay to the CITY the sum of FIVE HUNDRED AND NO/100 DOLLARS ($500.00) per month for as long as the Agreement is in force.

L. The amounts paid to CITY in this Article 4 (K) are exclusive of, and shall not be construed as, reimbursements of expenses payable to CITY under Article 4 (E).

ARTICLE 5. AMENDMENT/TERMINATION. This agreement may be amended or terminated in whole or in part by either party hereto whenever such amendment or termination is found to be in the best interest of either party. Amendment or termination shall be affected by the conveyance of a written notification thereof to the other party at least sixty (60) days in advance of the effective date of the amendment or termination. All notices pursuant to this Agreement shall be deemed given when, either delivered in person or deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed to the appropriate party at the following address:

If to CITY:
City Manager
220 Texas Blvd
Texarkana, TX
7 5501

If to MPO:
Texarkana Metropolitan Planning Organization Policy Board
220 Texas Blvd
Texarkana, TX 75501

ARTICLE 6. NON-DISCRIMINATION. It is mutually agreed that all parties hereto shall be bound by the provisions of title 49, Code of Federal Regulations (CFR), Part 21, which was promulgated to

Attachment: 2022-051 ATTH 01 MPO Policy Board Aproval of Fiscal Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/

Estimate for hourly time related MPO Fiscal Management

Employee	Average Hrs Per Month		Average Monthly Cost
Beel	2.50	$	65.00
Jaggers	2.50	$	70.34
Lee	2.50	$	125.69
McKague	2.50	$	67.69
Peeples	2.50	$	144.69
Taylor	2.50	$	97.66
Bramlett	2.50	$	114.25
Sartor	2.50	$	70.25
McAnally	2.50	$	75.50
Brown	2.50	$	41.78
Freeland	2.50	$	68.06
Henslee	2.50	$	144.69
Orr	2.50	$	249.41
Thompson	2.50	$	116.19
Uselton			
	35.00	$	1,451.19

Attachment: 2022-051 ATTH 01 MPO Policy Board Aproval of Fiscal Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/

MPO Total sq ft 927 @ $19/sf
= $17,613 annually or $1,467. month

REYNOLDS REALTY MANAGEMENT INCORPORATED

February 20, 2018

Mr. David Orr, City Planner
220 Texas Boulevard
Texarkana, Texas

RE: COMPARATIVE MARKET ANALYSIS
UNIVERSITY AVE., TEXARKANA, TEXAS

Mr. Orr,

In accordance with your request for a Comparative Market Analysis of the above reference property: This is a comparable market analysis and should not be considered an appraisal.

In making any decision that relies upon my work, you should know that I have not followed the guidelines for development of an appraisal or analysis contained in the uniform standards of professional appraisal practice of the appraisal foundation.

The subject property above is legally described as a portion of the City Triggs Addition, Block 163, a portion of Lots 3-4 and all of Lots 5-11, per the attached tax card.

Approximately 1.51 acres

The purpose of this opinion is to give my assessment of leasable market value of the land and any improvements.

An inspection was made of the site and information considered pertinent was gathered which included matters as to location and comparable sales in the general area.

It is my opinion that the estimated market value of the subject property as per current market conditions existing as of February 20, 2018 is as follows:

TOTAL ***$9.00-19.00 per square foot per year, gross***

Respectfully,

Richard H. Reynolds, Jr.
President

6,098 sf Dedicated Building & Subrecipient Lease Space @ $19/sf = $115,862.00/Yr or $ $9,655.16/Month

Does Not Include Shared Building Space Including Restrooms, Meeting Spaces, Welcome and Reception Space.

Brokerage

Leasing

Management

Development

Consulting

5502 Cowhorn Creek Road
Suite C
Texarkana, TX 75503

tel: 903.832.3700
fax: 903.832.3701

Attachment: 2022-051 ATTH 01 MPO Policy Board Aproval of Fiscal Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/

Attachment: 2022-051 ATTH 01 MPO Policy Board Aproval of Fiscal Agreement (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/

Improved Lease No. 2



Property Identification

Record ID	576
Property Type	Medical office, Medical Office
Property Name	Starling Healthcare
Address	5503 North Stateline Avenue, Texarkana, Bowie County, Texas 75503
Location	Stateline
Tax ID	06900000100

Physical Data

SF	11,826
SF	11,826

Area Breakdown	medical clinic	11,826

Construction Type	STONE & BRICK VENEER
Roof Type	composition
Foundation	concrete
HVAC	central
Stories	1
Office	100%
Year Built	2007 5 years effective
Condition	good

General Lease Data

Tenant	Starling Healthcare
Lease Type	NNN
Tenant Size	11,826 to 11,826

General Tenant Summary

Owner	Rush Partners, LTD
Management Co.	Curt Green and Company
Verification	Broker; Curt Green and Company, Phil Bishop
Office Area	100

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
	X	Deliver Quality Services
	☐	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	X	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☐	Model a Positive City Image
	X	Deliver Efficient Services
	☐	Cultivate Community Involvement & Access
Manage the Resources	☐	Maintain Fiscal Strength
	☐	Maximize Utilization & Resources
	X	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
X	None Required	☐	

Other:

Attachment: 2022-051 Goals & Perspectives (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt w/ MPO)

Attachment: 2022-051 ORD Appr. Fiscal Personnel Mgmt. Agr. with MPO signed (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt

ORDINANCE NO. 2022 – 051

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE FISCAL AND PERSONNEL MANAGEMENT AGREEMENT WITH THE TEXARKANA URBAN TRANSPORTATION (TUTS) STUDY POLICY ADVISORY BOARD; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Federal Statute 23 USC 134 and Federal Transit Act Section 5303 (MPO Planning), as amended by the Fixing America's Surface Transportation (FAST) Act, requires that Metropolitan Planning Organizations, in cooperation with the State, shall develop transportation plans and programs for urbanized areas of the State; and

WHEREAS, Federal Statute 23 USC 104(f), as amended by FAST Act, authorizes Metropolitan Planning funds and Federal Transit Act Section 5303 MPO Planning funds be made available to Metropolitan Planning Organizations (MPO) duly designated by the Governor of each state to support the urban transportation planning process; and

WHEREAS, the Governor of Texas and the Governor of Arkansas have designated TUTS as the MPO for the Texarkana Metropolitan Area; and

WHEREAS, the City of Texarkana, Texas, ("City") has been designated to act as the financial disbursing agent for all Texarkana Urban Transportation Study Policy Advisory Board ("TUTS") funds; and

WHEREAS, the City and TUTS desire to extend the Fiscal and Personnel Management Agreement, a copy of which is attached hereto as **Exhibit "A"**; and

WHEREAS, the Fiscal and Personnel Management Agreement between the City and TUTS, will expire on December 30, 2026.

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

SECTION 1: The City Manager be and is hereby authorized to sign and make changes to the Fiscal and Personnel Management Agreement between the City, and the Texarkana Urban Transportation Study Policy Advisory Board (TUTS), subject to the MPO's approval, as set forth hereinabove and in the amendment of the Fiscal and Personnel Management Agreement, a copy of which is attached hereto as **Exhibit "A".**

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 **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:31 p.m.

FISCAL AND PERSONNEL MANAGEMENT AGREEMENT

This agreement entered into, by and between the City of Texarkana, a political subdivision of the State of Texas, hereinafter referred to as the "CITY" and the Texarkana Urban Transportation Study Policy Board, hereinafter referred to as the "MPO", the designated Metropolitan Planning Organization for the Texarkana area, as authorized by 23 United States Code 134 (West Supp. 1992).

WITNESSETH

WHEREAS, 23 USC 134 and 49 USC Section 5303, as amended by the Infrastructure Investment and Jobs Act (IIJA) Pub. L. 117-58 (November 15, 2021), requires that Metropolitan Planning Organizations, in cooperation with State, shall develop transportation plans and programs for urbanized areas of the State; and

WHEREAS, 23 USC 104, as amended by IIJA, authorizes Metropolitan Planning (PL) funds and Section 5303 funds be made available to Metropolitan Planning Organizations duly designated by the Governor of each State to support the urban transportation planning process; and

WHEREAS, the Governor of Texas and the Governor of Arkansas have designated the MPO as the Metropolitan Planning Organization for the Texarkana Metropolitan Area; and

WHEREAS, the MPO requests that the CITY act as the financial disbursing agent for MPO funds; and

WHEREAS, the CITY, as one of eight parties to an interlocal agreement creating the MPO, has determined it is in the public interest to assist the MPO in securing and managing funds for transportation planning purposes in the local area;

NOW, THEREFORE, the parties hereby agree as follows:

ARTICLE 1. PURPOSE. The purpose of this Agreement is to define the fiscal and personnel management roles and responsibilities between the MPO and the CITY.

ARTICLE 2. TERM. The term of this Agreement begins upon execution by both parties and ends ***December 30, 2026***, or sooner by mutual agreement of both parties.

ARTICLE 3. DESCRIPTION OF SERVICES. The CITY agrees to provide fiscal and personnel management assistance to the MPO by acting as the financial disbursing agent for the MPO funds.

ARTICLE 4. FISCAL MANAGEMENT AND DISBURSEMENT.

A. The CITY shall maintain one or more separate trust accounts under the supervision of the Chief Financial Officer (CFO). The CFO, in carrying out the requirements of this Agreement, is responsible only in the capacity of a trust officer for the funds involved. The CFO shall use generally accepted accounting procedures to satisfy their duties pursuant to this Agreement. The CITY shall pay all invoices on a timely basis on behalfof the MPO.

B. All warrants issued to the CITY or the MPO by the State of Texas, the State of Arkansas, federal, county, or local agencies for work performed by any agency or consultant under contract to MPO shall be properly endorsed and deposited in the trust account.

C. The MPO shall make contracts and commitments in its own name. (Ordinance No. 2021-019).

Attachment: 2022-051 ORD Appr. Fiscal Personnel Mgmt. Agr. with MPO signed (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt

The MPO shall forward invoices and payment obligations to the CITY Finance Department for processing and payment. The budget for all activities on behalf of the MPO program will be set by the MPO.

D. The disbursement of funds to agencies or consultants under contract to the MPO will be made by the CITY in the amounts specified by the MPO, so long as the MPO budget has sufficient funds to accommodate all payment requests. The MPO, however, is fully responsible for all such contracts and releases the CITY from any liability which may arise as a result of the CITY performing any non-negligent task pursuant to this Agreement. The CITY is under no obligation to process payment requests unless sufficient funds for such purposes are present in the MPO budget.

E. The MPO hereby agrees to seek reimbursement from the State of Texas, State of Arkansas, City of Texarkana, Arkansas, any applicable federal, county, local agency, or any other entity required to reimburse funds expended by the MPO. The MPO staff shall prepare and submit all requests for reimbursement within thirty (30) days of receipt of a monthly accounting statement from the CITY. All reimbursements shall be transmitted to the CITY immediately upon their receipt. The MPO is solely responsible for the accuracy of the records of funds expended by the MPO and those agencies or consultants who contract with the MPO. Any unreimbursed balance will be determined after all end of year reporting based on the CITY fiscal year end (September 30) is complete, and all federal, state, and other reimbursements have been requested and received for September. Reimbursement is due within thirty (30) days.

F. The MPO assumes responsibility for the legal and proper expenditures of PL, 5303 AND 5307 monies received by the MPO. All monies are budgeted and expended according to the latest approved Unified Planning Work Program.

G. The CITY will provide the following support services to the MPO staff: public information services including graphics services; human resource services and purchasing/contract services.

The CITY will provide information technology services including a webpage hosted on the City's website editable by MPO staff. The MPO staff will follow CITY established Technology Use Policy. Failure to follow CITY policy will result in removal of MPO staff and computer equipment from CITY owned network. Information technology services will include:

- Microsoft 365 for Government Licensing
- Internet access and associated security protections
- Advanced Firewall Protections
- Intrusion Detection and Protection
- State mandated cyber security training
- Endpoint Detection and Response
- Enterprise Services which included
- File and Print services
- User authentication and identity management
- Management of externally hosted website
- GIS mapping services
- 8 hours of full spectrum IT and GIS support/services for hardware, software, and end users per month
- Any IT or GIS support above 8 hours monthly will be charged at the rate of $100 dollars per hour.
- Additional services may be provided by the CITY to the MPO if mutually agreed by the CITY and the MPO.

Attachment: 2022-051 ORD Appr. Fiscal Personnel Mgmt. Agr. with MPO signed (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt

H. All employees hired by the MPO or through its staff, shall be considered CITY employees for the purposes of payroll disbursement, indemnification, and all fringe benefits, including retirement, medical and life insurance, vacations, sick leave, holidays, and any other benefit normally extended to CITY employees. Hiring and termination of MPO employees shall follow CITY established personnel policies and procedures, excepting that the MPO shall have final approval authority for both hiring and terminations. Additionally, the MPO shall establish the salary and salary range for each position it authorizes. The MPO shall be responsible for annual or more frequent personnel performance reviews and the decision as to whether performance or cost of living based salary increases are approved.

I. The CITY will provide office space to the MPO staff, including office support services (utilities, maintenance, and janitorial), as well as, access to internet, telephone, and data lines.

J. The CITY Finance Department is hereby authorized to make payment for the MPO personnel costs, to be reimbursed on a regular basis from MPO funds, as described in Article 4(E).

K. In consideration of services performed under this contract for Article 4(A) through 4(F), the MPO shall pay to the CITY the sum of ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($1,500.00) per month, for as long as the Agreement is in force. The MPO shall pay all costs associated with the MPO employees as described in Article 4(H). In consideration of services performed under this contract for Article 4(G), the MPO shall pay to the CITY the sum of FIVE HUNDRED AND NO/100 DOLLARS ($500.00) per month for as long as the Agreement is in force. In consideration of office space and services performed under this contract for Article 4(I), the MPO shall pay to the CITY the sum of FIVE HUNDRED AND NO/100 DOLLARS ($500.00) per month for as long as the Agreement is in force.

L. The amounts paid to CITY in this Article 4 (K) are exclusive of, and shall not be construed as, reimbursements of expenses payable to CITY under Article 4 (E).

ARTICLE 5. AMENDMENT/TERMINATION. This agreement may be amended or terminated in whole or in part by either party hereto whenever such amendment or termination is found to be in the best interest of either party. Amendment or termination shall be affected by the conveyance of a written notification thereof to the other party at least sixty (60) days in advance of the effective date of the amendment or termination. All notices pursuant to this Agreement shall be deemed given when, either delivered in person or deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed to the appropriate party at the following address:

If to CITY: City Manager
220 Texas Blvd.
Texarkana, TX 75501

If to MPO: Texarkana Metropolitan Planning Organization Policy Board
220 Texas Blvd
Texarkana, TX 75501

ARTICLE 6. NON-DISCRIMINATION. It is mutually agreed that all parties hereto shall be bound by the provisions of title 49, Code of Federal Regulations (CFR), Part 21, which was promulgated to effectuate Title VI of the Civil Rights Act of 1964, title 23, C F R , Part 710.405(b), and Executive Order (EO) 11246 titled "Equal Employment Opportunity" as amended by EO 11375 and as supplemented in

Attachment: 2022-051 ORD Appr. Fiscal Personnel Mgmt. Agr. with MPO signed (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt

Department of Labor Regulations (41 CFR Part 60).

ARTICLE 7. **GOVERNING LAW.** This Agreement shall be governed by the laws of the State of Texas and all obligations hereunder of the parties are performable in Bowie County, Texas.

ARTICLE 8. NON-ASSIGNMENT. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives' successors and assigns. Neither the CITY nor the MPO shall assign or sublet any duty of this Agreement, excepting those already identified herein, without the written consent of the other.

ARTICLE 9. SEVERABILITY. Should any provisions of this Agreement for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

ARTICLE 10. ENTIRETY OF AGREEMENT. This is the entire Agreement between the parties and no modification of this Agreement shall be of any force or effect, unless it is in writing signed by both parties. NO OFFICIAL, EMPLOYEE, AGENT, OR REPRESENTATIVE OF THE CITY OF TEXARKANA, TEXAS HAS ANY AUTHORITY, EITHER EXPRESS OR IMPLIED, TO AMEND THIS AGREEMENT, EXCEPT PURSUANT TO SUCH EXPRESS AUTHORITY AS MAY BE GRANTED BY THE CITY OF TEXARKANA, TEXAS CITY COUNCIL

Approved to be effective on the date of the last party to sign.

CITY OF TEXARKANA, TEXAS

BY _____

DATE 7/12/22

TEXARKANA METROPOLITAN PLANNING ORGANIZATION (MPO) POLICY BOARD

BY _____

DATE 7/15/22

Attachment: 2022-051 ORD Appr. Fiscal Personnel Mgmt. Agr. with MPO signed (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt

TEXARKANA METROPOLITAN PLANNING ORGANIZATION

RESOLUTION # 19-2022

A RESOLUTION BY THE POLICY BOARD OF THE TEXARKANA METROPOLITAN PLANNIN ORGANIZATION (MPO) ADOPTING THE FISCAL AND PERSONNEL MANAGEMENT AGREEMENT.

WHEREAS, the Texarkana Urban Transportation Study, as the designated Metropolitan Planning Organization (MPO for the Texarkana Metropolitan Planning Area (MPA), is responsible for performing transportation plannir activities within the Texarkana Study Area Boundary; and

WHEREAS, the current Fiscal and Personnel Management Agreement between the Texarkana Metropolitan Plannir Organization, hereinafter referred to as the "MPO" and the City of Texarkana, Texas, hereinafter referred as the "City", will expires on June 30, 2022; and

WHEREAS, the Fiscal and Personnel Management Agreement between the MPO and the City establishes the City as tl financial disbursing agent of all TUTS funds received by the MPO; and

WHEREAS, the City, as one of eight parties to an interlocal agreement creating TUTS, has determined it is in the publ interest to assist MPO in securing and managing funds for transportation planning purposes in the local are

NOW, THEREFORE, BE IT RESOLVED by the Policy Board of the Texarkana MPO that:

SECTION 1: the Fiscal and Personnel Management Agreement is hereby adopted; and

SECTION 2: the Chair of the Texarkana MPO is hereby authorized to sign the new Fiscal and Personnel Manageme Agreement on behalf of the Policy Board; and

SECTION 3: the Study Director of the Texarkana MPO is hereby authorized to transmit the signed Fiscal ar Personnel management Agreement to the City of Texarkana, Texas and TXDOT for execution alor with Resolution #19-2022.

ADOPTED in Regular Session on the 22nd day of June 2022.

Tom Whitten, Bowie County Commissioner
Policy Board Chairman
Texarkana MPO

I hereby certify the above is a true copy of Resolution #19-2022: Fiscal and Personnel Management Agreement. Th resolution was:

Motioned by: Mary Hart, Councilmember, City of Texarkana, TX
Seconded by: Sunny Farmahan, ARDOT
Resolution #19 passed unanimously in regular session on June 22, 2022.

for Rea Donna Jones, Director
Texarkana MPO

Attachment: 2022-051 ORD Appr. Fiscal Personnel Mgmt. Agr. with MPO signed (3700 : 2022-051 ORD Approv. Fiscal/Personnel Mgmt Agrmt

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 6/23/2022 11:55 AM

Lead Department: Economic Development **Action Officer:** Lisa Thompson, Economic Development/PIO

Subject: Joint Resolution No. 2022-058 authorizing the City Manager, in conjunction with Texarkana, Arkansas, to reach an agreement with Bird Rides, Inc., to launch a pilot scooter program in Texarkana, USA.

Briefing: 7/11/2022 **Public Hearing:** **Council Vote:** 7/11/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bird Scooters was founded in 2017; a micromobility company focused on shared electric vehicles. Since then, they have expanded their services to five continents, 25 countries, and 400 cities, including cities such as Little Rock, Arkansas, McAlester, OK, Canyon, TX, Little Elm, TX, Russellville, AR and Beaumont, TX.

The scooters will be operated from an app that users will download on their mobile device. Each ride costs at least $7, and is charged by the minute with a initial $1 fee. Users must be 18 or older to ride, and complete a safety tutorial before beginning. There are discounts available to those in government assistance programs, veterans, senior citizens, healthcare workers, students with pell grants, etc.

The scooters are tracked with GPS, and are geo-fenced, so the scooter will not operate if taken out of the designated area. There are also slow zones, depending on the geo-fence technology set up before the program is launched. Recommended parking areas will be set up throughout the community.

Bird is proposing to launch between 100-200 scooters in Texarkana beginning in late July or early August. For each ride, the City will receive $0.10 from Bird. The pilot program will last for 12 months.

Potential Options:

- Approve
- Deny

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-058 RES Joint Resolution Agreement with Bird Scootersjtrvsdclean (DOCX)
b. 2022-058 ATTH 01 Texarkana TX Pilot Operating Agreementjtrvsdclean0623 (DOCX)
c. 2022-058 ATTH 02 Bird Economic Impact Study (PDF)
d. 2022-058 ATTH 03 Bird FAQ (PDF)
e. 2022-058 ATTH 04 Texarkana E-scooter Program '22 (PDF)
f. 2022-058 Goals & Perspectives (DOCX)

Staff Coordination

Economic Development	Completed	Lisa Thompson 06/02/2022 12:56 PM	Department Head Review	
City Manager	David Orr	City Manager Review	Completed	06/02/2022 1:44 PM
City Council	Jennifer Evans	Meeting	Completed	06/13/2022 6:00 PM

Meeting History

06/13/22	City Council	MOVED FORWARD	Next: 07/11/22

Short Title: Joint Resolution No. 2022-058 authorizing the City Managers of Texarkana, Arkansas, and Texarkana, Texas, to enter into an agreement with Bird Rides, Inc.

Texarkana, Texas: Resolution No. 2022-058

Texarkana, Arkansas: Resolution No. _____

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AND THE BOARD OF DIRECTORS OF THE CITY OF TEXARKANA, ARKANSAS, LAUNCHING A PILOT SCOOTER PROGRAM IN TEXARKANA, USA; AUTHORIZING EACH CITY'S RESPECTIVE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BIRD RIDES, INC; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Cities of Texarkana, Texas, and Texarkana, Arkansas, (the "Cities"), have shared interests in the success of Texarkana, USA; and

WHEREAS, the two Cities have a shared interest in the revitalization in downtown Texarkana, USA; and

WHEREAS, mobility around downtown and between the two Cities will increase consumer spending and tourism in downtown Texarkana, Texas, and Texarkana, Arkansas; and

WHEREAS, accessibility to scooters across Texarkana, USA, will increase mobility for residents, and benefit the community; and

WHEREAS, the two Cities are working together to establish a Pilot Program (the "Program") and reach a mutually beneficial agreement with Bird Rides, Inc.; and

WHEREAS, the term of the Program agreement shall be July 11, 2022, through June 30, 2023, with the potential for renewals, and is at no cost to the Cities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AND THE BOARD OF DIRECTORS OF THE CITY OF TEXARKANA, ARKANSAS:

SECTION 1: City Manager Jay Ellington for Texarkana, Arkansas, and City Manager David Orr for Texarkana, Texas, are authorized to enter into an agreement with Bird Rides, Inc. to establish the terms and conditions of a Pilot Program for the provision of scooters within the Cities, and to execute any and all documents necessary to effectuate such agreement and Program.

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

Attachment: 2022-058 RES Joint Resolution Agreement with Bird Scootersjtrvsdclean (3709 : 2022-058 RES (Joint) Agreement with Bird

Texarkana, Texas: PASSED AND APPROVED in Regular Council Session on this the __ day of _____, 2022.

Texarkana, Arkansas: PASSED AND APPROVED this _____ day of _____, 2022.

TEXARKANA, TEXAS:

_____
Bob Bruggeman, Mayor

ATTEST:

_____
Jennifer Evans, City Secretary

TEXARKANA, ARKANSAS:

_____
Allen L. Brown, Mayor

ATTEST:

_____
Heather Soyars, City Clerk

Attachment: 2022-058 RES Joint Resolution Agreement with Bird Scootersjtrvsdclean (3709 : 2022-058 RES (Joint) Agreement with Bird

PILOT OPERATING AGREEMENT

This Pilot Operating Agreement (the "Agreement") is entered into by and between Bird Rides, Inc., located at 406 Broadway #369 Santa Monica, CA 90401 ("Company"), and Texarkana located at _____ (the "City ") as of [ ] __, 2022.

1. **Statement and Purpose**

The purpose of this Agreement is to establish rules and regulations governing the pilot operation of a Stand-up Electric Scooter sharing system within the City while this Agreement is in effect (the "Pilot"), and to ensure that the Pilot is consistent with the safety and well-being of bicyclists, pedestrians, and other users of the public rights-of-way.

2. **Scope**

This Agreement and its terms apply to any proposed deployment of Stand-up Electric Scooter sharing systems within City's jurisdictional boundaries. No person shall deploy a Stand-up Electric Scooter sharing system in the City in violation of this Agreement. This Agreement and the Pilot shall remain in effect for a period of twelve months and shall automatically renew for successive twelve month periods unless either party provides written notice to the other of its intention not to renew at least thirty (30) days prior to the end of the then-current term.

3. **Procedures**

During the initial twelve month term, Company shall be the sole provider of Stand-up Electric Scooter sharing systems within City's jurisdictional boundaries for the Pilot, contingent upon compliance with the terms of this Agreement. Upon completion of the initial twelve months, the City shall reassess the exclusivity provision of this Agreement. Upon effectiveness of this Agreement, Company shall provide an affidavit of compliance with the terms of this Agreement and provide appropriate indemnification.

4. **Operating Regulations**

a. Company, and/or its service providers, agents or assigns, shall be responsible for operating a Stand-up Electric Scooter program in the City with the below requirements.
b. "Stand-up Electric Scooter" shall mean a device weighing less than 150 pounds, that (i) has handlebars and an electric motor, (ii) is solely powered by the electric motor and/or human power, and (iii) has a maximum speed of no more than 20 mph on a paved level surface when powered solely by the electric motor.
c. While this Agreement and Pilot are in effect, Company shall pay the City a revenue-share of $0.10 per ride. Company shall pay the revenue-share to the City on a quarterly basis, in arrears within 30 days from the end of the preceding month.

Attachment: 2022-058 ATTH 01 Texarkana TX Pilot Operating Agreementjtrvsdclean0623 (3709 : 2022-058 RES (Joint) Agreement with Bird

d. Stand-up Electric Scooters are to be ridden on streets, and where available, in bike lanes and bike paths. Stand-up Electric Scooters are to stay to the right of street lanes and to offer the right of way to bicycles in bike lanes and on bike paths. Users of Stand-up Electric Scooters shall be 18 or older. Users of Stand-up Electric Scooters who violate these provisions may be fined by City consistent with fines for cyclists.
e. Company shall provide easily visible contact information, including toll-free phone number and/or e-mail address on each Stand-up Electric Scooter for members of the public to make relocation requests or to report other issues with devices.
f. Hours of operation when Company's Stand-up Electric Scooters will be made available to rent in C are 4 a.m. to midnight (local time).

5. **Parking**

a. Users of Stand-up Electric Scooters shall park devices in authorized areas of the sidewalk, beside a bicycle rack or in another area specifically designated for bicycle parking, or on the street next to an unmarked curb.
b. Users shall not park Stand-up Electric Scooters in such a manner as to block the pedestrian clear zone area of the sidewalk; any fire hydrant, call box, or other emergency facility; bus bench; or utility pole or box.
c. Users shall not park Stand-up Electric Scooters in such a manner as to impede or interfere with the reasonable use of any commercial window display or access to or from any building.
d. Users shall not park Stand-up Electric Scooters in such a manner as to impede or interfere with the reasonable use of any bicycle rack or news rack.
e. Users may park Stand-up Electric Scooters in on-street parking spaces in the following circumstances:
    i. When marked parking spaces are officially designated stations for such devices in business districts;
    ii. Where there is no furniture zone;
    iii. In neighborhoods with rolled curbs, or with inadequate sidewalk space;
    iv. In marked parking spaces designated for motorcycles.
f. Users may park Stand-up Electric Scooters on blocks without sidewalks only if the travel lane(s) and 6-foot pedestrian clear zone are not impeded.
g. Users shall not park Stand-up Electric Scooters in the landscape zone directly adjacent to or within the following areas, such that access is impeded:
    i. Transit zones, including bus stops, shelters, passenger waiting areas and bus layover and staging zones, except at existing bicycle racks;
    ii. Loading zones;
    iii. Disabled parking zone;
    iv. Street furniture that requires pedestrian access (e.g., benches, parking pay stations, bus shelters, transit information signs, etc.);
    v. Curb ramps;
    vi. Entryways; and

Attachment: 2022-058 ATTH 01 Texarkana TX Pilot Operating Agreementjtrvsdclean0623 (3709 : 2022-058 RES (Joint) Agreement with Bird

vii. Driveways.

h. The City reserves the right to determine certain areas where scooter parking is prohibited.

i. Users of Stand-up Electric Scooters who violate these provisions may be fined by City consistent with fines for cyclists.

j. City and Company will collaboratively identify designated scooter parking zones ("Scooter Housing Zones") where Company may stage its Stand-up Electric Scooters in permitted parking areas as described in this section. To the extent Company desires to stage Stand-up Electric Scooters in areas other than approved public right-of-way areas, Company must first obtain the right to do so from the appropriate City department, property owner, or public agency.

6. **Operations/Maintenance**

a. Company shall maintain 24-hour customer service for customers to report safety concerns, complaints, or to ask questions. Company shall maintain a multilingual website, call center, and/or mobile app customer interface that is available twenty-four hours a day, seven days a week. The aforementioned shall be compliant with the Americans with Disabilities Act.

b. In the event a safety or maintenance issue is reported for a specific device, that Stand-up Electric Scooter shall be made unavailable to users and shall be removed within the timeframes provided herein. Any inoperable or unsafe device shall be repaired before it is put back into service.

c. Company shall be responsible for maintaining all scooters in the Pilot, and shall be responsible for all maintenance and service costs in order to maintain the scooters.

d. Company shall respond to reports of incorrectly parked Stand-up Electric Scooters, Stand-up Electric Scooters continuously parked in one location for more than 72 hours, or unsafe/inoperable Stand-up Electric Scooters, by relocating, re-parking, or removing the Stand-up Electric Scooters, as appropriate, within 24 hours of receiving notice that must include the location of the Stand-up Electric Scooter.

e. Company shall give City access to immediately be able to unlock or remove scooters that are blocking access to City's Right-of-Way and that are creating a safety hazard.

f. Company shall provide notice to all users that:
   i. Stand-up Electric Scooters are to be ridden on streets, and where available, in bike lanes and bike paths;
   ii. Stand-up Electric Scooters are to stay to the right of street lanes and to offer the right of way to bicycles on bike lanes and bike paths;
   iii. Helmets are encouraged for all users;
   iv. Parking must be done in the designated areas; and
   v. Riding responsibly is encouraged.

g. Stand-up Electric Scooter riders are required to take a photo whenever they park their scooter at the end of a ride.

h. Company shall provide education to Stand-up Electric Scooter riders on the City's existing rules and regulations, safe and courteous riding, and proper parking.

Attachment: 2022-058 ATTH 01 Texarkana TX Pilot Operating Agreementjtrvsdclean0623 (3709 : 2022-058 RES (Joint) Agreement with Bird

7. **Data Sharing**

City may require Company to provide anonymized fleet and ride activity data for all trips starting or ending within the jurisdiction of City on any vehicle of Company or of any person or company controlled by, controlling, or under common control with Company, provided that, to ensure individual privacy:

a. such data is provided via an application programming interface, subject to Company's license agreement for such interface, in compliance with a national data format specification such as the Mobility Data Specification;
b. any such data provided shall be treated as trade secret and proprietary business information, shall not be shared to third parties without Company's consent, and shall not be treated as owned by the local authority; and
c. such data shall be considered personally identifiable information, and shall under no circumstances be disclosed pursuant to public records requests received by the local authority without prior aggregation or obfuscation to protect individual privacy, unless required by the Attorney General's Office or by court order.

8. **Condition of City Right-of-Ways/No Liability**

a. Company and City agree and acknowledge that City is making its Right-of-Way available to Company in an "AS IS" and "WITH ALL FAULTS" condition. City is making no representations or warranties concerning the condition of any Right-of-Way or City Property or its suitability for use by Company, its customers, or invitees, and assumes no duty to warn Company or its customers, or invitees concerning any condition that may exist now or that may arise in the future.

b. City assumes no liability for loss or damage to Company's scooters or any other property, whether real or personal. Company agrees that City is not responsible for providing security at any location where Company's scooters are stored or located, or where they are used. Company hereby waives any claim against City in the event of damage to Company scooters or any other lost or damaged property.

c. Company agrees to repair, replace or otherwise restore any part or item of real or personal property that is damaged, lost or destroyed as a result of the Company's use of Right-of-Way or City Property. Should Company fail to repair, replace or otherwise restore such real or personal property, Company agrees to pay City's cost in making such repairs, replacements or restorations.

Attachment: 2022-058 ATTH 01 Texarkana TX Pilot Operating Agreementjtrvsdclean0623 (3709 : 2022-058 RES (Joint) Agreement with Bird

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9. **Indemnification**

Company agrees to indemnify, defend and hold harmless City (and City's employees, agents and affiliates) from and against all actions, damages or claims brought against City arising out of Company's negligence or willful misconduct. City expressly acknowledges that in no event shall Company be liable for any special, indirect, consequential or punitive damages. Company's indemnification obligations shall survive for a period of two (2) years after expiration of this Agreement. Company shall have sole control of any defense; City shall not consent to the entry of a judgment or enter into any settlement without the prior written consent of Company.

10. **Insurance**

Company shall provide City with proof of insurance coverage exclusively for the operation of Stand-up Electric Scooters including: (a) Commercial General Liability insurance coverage with a limit of no less than $1,000,000.00 each occurrence and $2,000,000.00 aggregate; (b) Automobile Insurance coverage with a limit of no less than $1,000,000.00 each occurrence and $1,000,000.00 aggregate; (c) Umbrella or Excess Liability coverage with a limit of no less than $5,000,000.00 each occurrence/aggregate; and (d) where Company employs persons within the City , Workers' Compensation coverage of no less than the statutory requirement.

11. **Default**

In the event Company is in default in any of the terms and conditions in this Agreement, and such default continues for a period of ten (10) calendar days after City notifies Company of such default, City may, at its election, terminate this Agreement. Upon such termination all rights of Company hereunder shall cease.

12. **Termination**

This Agreement may be terminated upon an event of Default, or for convenience by either party upon giving sixty (60) days' written notice to the other party. Upon termination of this Agreement due to default or upon proper notice, Company will immediately vacate City's right-of-way and property, removing all improvements and personal property within thirty (30) calendar days so as to return City's right-of-way and property to the condition in which it existed on the date this Agreement was executed. All personal property not removed within thirty (30) days of City's request shall become City's property at no cost or expense to City.

13. Miscellaneous

a. **Notices.** All notices and communications to the City from Company shall be made in writing (includes electronic communications) and sent to the address below.

b. **Independent Contractors**. In carrying out their responsibilities, the parties shall remain independent contractors, and nothing herein shall be interpreted or intended to create a partnership, joint venture, employment, agency, franchise or other form of agreement or relationship.

c. **Jurisdiction and Venue**. This agreement shall be governed by and construed in accordance with the laws of the State of Texas, and venue shall be in Bowie County, Texas.

d. **Severability.** If any term, condition or provision of this Agreement or the application thereof to any circumstance or party hereto, is invalid or unenforceable as against any person or, as to certain circumstances, then the remainder of this Agreement and the applicability of such term, condition or provision to other persons or circumstances shall not be affected thereby. Each term, condition or provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

e. Amendment and Modification. This Agreement shall not be modified or amended except by an instrument in writing executed by or on behalf of an authorized representative of City and Company.

f. Assignment or Subletting. This Agreement may not be assigned or sublet by Company, in whole or in part, without the prior written consent of City.

City of Texarkana, TX **Bird Rides, Inc.**

Signed By:

Signature:_____ Signature:_____

Print Name: David Orr, City Manager_____ Print Name: _____

Title: _____ Title: _____

Address:_____

Attachment: 2022-058 ATTH 01 Texarkana TX Pilot Operating Agreementjtrvsdclean0623 (3709 : 2022-058 RES (Joint) Agreement with Bird

Attachment: 2022-058 ATTH 02 Bird Economic Impact Study (3709 : 2022-058 RES (Joint) Agreement with Bird Scooters)

Wheels to Meals: Measuring the Impact of Micromobility on Local Food Sector Demand

Electronic copy available at: https://ssrn.com/abstract=3802082

Attachment: 2022-058 ATTH 02 Bird Economic Impact Study (3709 : 2022-058 RES (Joint) Agreement with Bird Scooters)

Abstract

Dockless shared micromobility services have grown significantly in recent years, but their impact upon consumer demand has remained largely unstudied. The authors estimate how the largest and fastest growing subsegment of this market – the dockless electric scooter ('e-scooter') sharing industry – impacts local food sector demand, one of the largest segments of the local economy. Using a novel collection of data sources, the authors find that the introduction of e-scooters into a city, and increases in the deployment of e-scooters within that city, have significant positive impacts upon overall spending in this sector. However, these impacts vary by category, with strong positive effects upon quick service restaurant, other food and beverage store, and grocery spending, and a negative effect upon sitdown restaurant spending. These effects are most significant for large companies that individuals have bought at before, selling at average price points, and do not vary significantly as a function of income. The analysis suggests that these spillovers are economically significant, increasing local food sector spending in cities such as Austin and Washington D.C. by approximately 0.6% over our study period.

Keywords: micromobility, sharing economy, electric scooters

Electronic copy available at: https://ssrn.com/abstract=3802082

Dockless shared micromobility has grown significantly since its inception in late 2017. It is a shared transportation service in which companies make low-speed vehicles – electric scooters ('e-scooters') and electric bicycles – available to consumers in any approved location, and enable consumers to find and rent them on a short-term basis through mobile apps. We focus upon the e-scooter industry, which is the largest and fastest growing subsegment of the dockless shared mobility industry. Over 100 thousand e-scooters were deployed in the United States in 2019[1] and many more in the rest of the world.[2] E-scooters have become a popular form of last-mile transportation due to their convenience and ease of use for consumers, and their ability to help cities meet mobility, climate/emissions and equity goals (City of Portland 2019, City of Washington D.C. 2018).

The research question we study in this paper is the impact of e-scooters on consumer demand – when a city allows e-scooters to operate in it, and the number of e-scooters deployed (i.e., are on the road, operable and thus available to but need not be ridden) in that city increases, what effect does this have upon spending at local businesses? If the effect is positive, then the beneficial impact of e-scooter programs on local GDP growth (and thus job creation and sales tax revenue) may make city legislators more amenable, on the margin, to e-scooter programs, and restaurants more active proponents of them as well. This would also have implications for e-scooter companies, who may look to leverage this information through partnerships and advertising opportunities.

While it is an empirical question whether or not the deployment of e-scooters creates incremental demand for local businesses, anecdotal evidence from city-sponsored e-scooter survey reports suggests that e-scooter programs create positive economic externalities (City of Atlanta 2019a, City of Austin 2018, City of Minneapolis 2019, Lime & City of San Francisco 2018, City of Portland 2019, City of Santa Monica 2019). Some local news reports are also suggestive. For example, Red Deer, a city in Alberta Canada, saw a significant increase in restaurant activity after e-scooters were allowed to operate in the city.[3] Brandon Bouchard, a local restaurant manager, had noted "the e-scooters had a positive impact immediately. The day after they arrived, we saw an increase in revenue".

Our intended contribution in this article is to more formally evaluate this question, quan-

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Electronic copy available at: https://ssrn.com/abstract=3802082

tifying the economic externalities that e-scooter deployment creates for the food sector, one of the largest segments of the local economy. We do so by leveraging a unique panel data set from Bloomberg Second Measure, a consumer data analytics company that observes credit and debit transactions for more than four million individuals over five years. Through this data set, we observe individual-level purchase behavior at all 536 companies in their coverage universe within the food sector – full service restaurants, quick service restaurants (QSRs), other food and beverage stores, and grocery stores. This data set also contains income at the individual-level for each panel member on an annual basis. We augment this transactional data with data summarizing the total number of e-scooters deployed each day within a collection of cities, obtained (typically through Freedom of Information Act requests) from the cities themselves.

In our main analyses, we analyze data for eight cities. Four of these cities allowed e-scooters to operate at some point within our observation period from October 2017 to July 2019 (the "treatment cities"), while the other four cities were similar to the treatment cities in terms of observable sociodemographic variables, but did not allow e-scooters to operate over that same window of time (the "control cities"). Leveraging the quasi-randomness of regulation-driven e-scooter program size, our main analysis treats e-scooter deployment as a continuous measure, comparing individual-level spending in these two group of cities using a fixed effects regression model and coarsened exact matching to account for observed and unobserved confoundedness. We also run a number of placebo tests, robustness checks and additional analyses that support the exogeneity of our causal variable, ensure that our results are not sensitive to the exact specification that we choose, and rule out alternative explanations.

While these analyses support the validity of our main analysis, and that our main analysis most appropriately characterizes the impact of e-scooters on food spending, concerns about the exogeneity of e-scooter deployments may persist. To address these concerns, we run a second analysis which uses a binary e-scooter deployment measure, representing whether or not an e-scooter program was active at the time. While such an analysis cannot properly account for the impact of variation in the number of e-scooters deployed over time, the

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Electronic copy available at: https://ssrn.com/abstract=3802082

exogeneity of the exact timing of when city regulators decide to allow e-scooters to operate in a city is cleaner. As we will show, the results from this analysis are consistent with the results from our main analysis, supporting the validity of both analyses.

Our main result is that e-scooter deployment does indeed generate significant positive economic spillover for the food sector as a whole, but that its effect is heterogeneous by subsector. We observe that e-scooter usage has a significantly positive effect upon spending at QSRs such as McDonald's and Chipotle, other food and beverage stores such as Baskin Robbins and Krispy Kreme Doughnuts, and grocery stores. In contrast, we infer a significantly negative effect upon spending at sitdown restaurants such as Applebee's and Morton's Steakhouse. While the impact upon the food sector as a whole (i.e., summing across all categories) is significantly positive and the absolute magnitude of the impact in the sitdown category is less than half that of the next smallest impact, it does nevertheless imply redistribution within the sector, with some categories faring less well than others.

The results are economically meaningful. We estimate that the average uplift in spend over a six-month period due to the introduction of an e-scooter program was approximately $1.1 thousand per e-scooter deployed across the four cities we study, a 0.58% increase relative to what would have been spent if no e-scooters were deployed. While many other factors drive the overall attractiveness of allowing e-scooters to operate in a city, this analysis suggests that the effects on the local economy should not be ignored.

Our paper joins a growing literature studying the effects of growth in the sharing economy, with Airbnb being the company most studied. Zervas, Proserpio, and Byers (2017) studies Airbnb's entry into the state of Texas and quantify its economic impact on the hotel industry. Basuroy, Kim, and Proserpio (2020) studies Airbnb's effect upon the restaurant industry, while Barron, Kung, and Proserpio (2021) analyzes its effect upon housing affordability. These papers are similar to ours in that they seek to quantify Airbnb's impact upon a target measure of interest (e.g., hotel or restaurant revenue, home prices, and housing rental rates). Our paper is different and complementary to these papers in three important ways: we study the impact of (1) the e-scooter category (2) upon individual-level consumer spending (3) across the food sector as a whole, and its underlying categories. Outside of

Attachment: 2022-058 ATTH 02 Bird Economic Impact Study (3709 : 2022-058 RES (Joint) Agreement with Bird Scooters)

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these papers, there are no extant policy evaluation studies in micromobility, to the best of our knowledge.

The rest of the paper is organized as follows. In the next section, we summarize the data we use to perform the analysis. We then develop our model and discuss its identification, provide the main empirical results, and outline the robustness checks that we performed before concluding with a discussion of the results and future work.

DATA

We leverage a unique collection of data sources to perform our analysis. We obtain individual-level transactional data for the food sector from Bloomberg Second Measure, an alternative data firm that has access to anonymized credit and debit card transactions for approximately four million U.S. consumers at the daily level. We also obtain income data for all panel members on an annual basis from Bloomberg Second Measure, as measured through direct deposit payments. We collect e-scooter deployments data – the total unique count of e-scooters in particular cities that are available to be ridden but need not be on a given day – from local governments. Finally, we obtain daily historical precipitation and temperature data for each city to control for the impact of weather. Table 1 summarizes the data, which we describe in more detail in the sections that follow.

Our unit of analysis is an individual over a daily unit of time. Although we could in theory marginalize our data across customers and perform an aggregate city-level analysis as in Zervas, Proserpio, and Byers (2017), we proceed at the individual-level instead because it confers two main benefits relative to an aggregate-level analysis in our empirical setting. First, even though e-scooters have become more popular in recent years, they are still a small proportion of overall transportation. As such, the effects that we would expect to see at the aggregate-level would be dominated by other sources of variation that are unrelated to the phenomenon that we are studying. Second, an individual-level analysis provides us with significantly greater visibility into the effects that an e-scooter program has, and how those effects vary across customers – it enables us to study heterogeneous treatment effects as a function of individual-specific features, for example. For these reasons, we leave the

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Table 1: Summary of Data Sources

Category	Data Source	Time Interval	Temporal Granularity	Data Comments
Purchase Behavior	Bloomberg Second Measure	1/1/2015 - 7/31/2019*	Daily	Anonymized credit card and debit transactions for 98,054 consumers who were active over the duration of their dataset. Tokenized transaction-level data for all firms tracked in four NAICS codes: full-service restaurants (141 companies), quick-service restaurants (185), snacks and non-alcoholic beverage companies (106), and grocers (104). Data for all individuals in 8 cities: Atlanta, Austin, Boston, Houston, Philadelphia, San Francisco, Seattle, and Washington D.C. Data for New York City was also collected for a robustness check.
E-scooter Deployments	Atlanta	2/1/2019 - 7/31/2019*	Daily	
	Austin	1/1/2019 - 7/31/2019*	Daily	
	San Francisco	11/1/2018 - 7/31/2019*	Daily	
	Washington DC	1/1/2019 - 7/31/2019*	Daily	
Controls	Bloomberg Second Measure	2015 - 2020	Yearly	Panel members' annual income
	NOAA	1/1/2015 - 7/31/2019*	Daily	City-level average temperature and precipitation

Note: *Data through February 29 2020 was also collected for a robustness check.

data in its most granular form instead of aggregating it across customers. We proceed with a daily unit of time because this is the temporal granularity of the spending and e-scooter deployments data.

Transactional Data

Our transactional data is an individual-level purchasing panel data set provided by Bloomberg Second Measure, which observes credit and debit transactions associated with anonymized individuals within their panel. It also observes the location (at the city-level) associated with most transactions, which they use to infer the location of each individual on a daily basis. For our main analysis, the cities we study with active e-scooter programs during the observation period are Atlanta, Austin, San Francisco, and Washington DC, while the cities we study in which e-scooters did not operate are Boston, Houston, Philadelphia, and Seattle.[4] We also use data from New York City, which did not allow e-scooters to operate during the observation period, as a robustness check.

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The observation period for our main analysis is comprised of a pre-period, over which both treatment and control cities do not have e-scooter programs, and a post-period, over which treatment cities have e-scooter programs but control cities do not. In our main analysis, we restrict ourselves to six-month pre- and post-periods, but also run a robustness check in which we incorporate data for all cities through February 2020.

We pre-process the data to ensure that individuals lived within one of the target cities of interest without distortions stemming from acquisition into and churn out of the panel and to remove all effectively inactive accounts. The resulting panel in our cities of interest consists of 98,054 individuals. For preprocessing details, see Web Appendix A.

Our transaction data is a subsample – we do not have data for every individual in the cities we study. As such, while Bloomberg is a large financial services firm, and Bloomberg Second Measure's panel is very large (approximately 3% of all credit and debit transactions in the U.S.), there may still be concerns regarding the representativeness of our panel members. We empirically assess this by further obtaining total daily e-scooter trips data from the city governments that had sent us e-scooter deployments data through additional Freedom of Information Act (FOIA) requests, providing us with "gold standard" population-level city-specific consumption data which we can compare our panel data to. The daily correlation between total e-scooter trips as measured through our panel and e-scooter trips disclosed to us by city governments was 88% over the full 2019 calendar year. While not perfect (likely due in part to the fact that we do not actually observe e-scooter trips in the credit card panel, but rather purchase-days), it is nevertheless very strong, supporting the notion that usage trends observed in our panel are reflective of what is happening at the population-level.

We obtain individual-level transaction data for all companies classified as sitdown restaurants (NAICS 722511, 141 companies), quick service restaurants (NAICS 722513, 185 companies), snacks and non-alcoholic beverages (NAICS 722515, 106 companies), and grocers (NAICS 445110, 104 companies) in the Bloomberg Second Measure data set. In Web Appendix B, we list all 536 companies in these categories.

Statistics summarizing purchase frequency and amount across individuals in each category are provided in Table 2. For example, we observe that 51.9% of the individuals within

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our panel visited a QSR at least once over the observation window, that panel members collectively make 4.35 purchases per month in the QSR category given that they are active in the month, spending $13.94 each purchase-day, on average.

Table 2: Summary Statistics for Food Spending per Customer by Category

	Active Panel Members		Average Purchase Frequency per Month ($)		Spend per Purchase-Day ($)	
Category	Count	Share of Panel	Mean	St. Dev	Mean	St. Dev
QSR	44,211	51.9%	4.35	0.70	13.94	6.32
Sitdown	30,605	39.1%	1.53	0.12	47.99	50.48
Snack	40,803	48.5%	3.10	0.18	10.47	9.45
Grocery	40,406	49.1%	4.92	0.61	51.95	61.82

Note: Active panel members indicates people who made a purchase at least once during the observation period. Count is the number of active panel members, and share of panel represents the proportion of active panel members out of the full panel. Average purchase frequency per month is the total number of purchase-days per member-month, averaging across all member-months in which there was at least one purchase. Spend per purchase-day is spend amount per day, averaging across all purchase-days.

E-scooter Deployment Data

Our causal variable is the deployment of e-scooters, or the number of e-scooters on the road and available to be ridden (i.e., are not damaged or otherwise inoperable) on a given day. E-scooter companies regularly collect e-scooter deployment data, and are required to disclose it to local governments in cities they operate in to confirm compliance with local regulations – cities have strict requirements regarding how many e-scooters can be deployed each day. Many city governments are willing to disclose e-scooter deployment data for all e-scooter companies in their city when requested through FOIA requests – this is the primary means through which we obtain data from local governments.

The exact measure we use is the average number of e-scooters deployed over daytime hours, a standard measure over which the vast majority of trips occur. In Atlanta, e-scooter usage is banned outside of daytime hours (Smith 2019). Even on weekends, and despite having no ban on nighttime riding, 97% of all e-scooter trips in Washington DC happen during daytime hours, according to data provided to us from city representatives. Similarly, San Francisco, which also had no ban upon nighttime riding, had 94% of e-scooter trips

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happening during daytime hours.

We use all e-scooter deployment data that local governments have available, which does not always go back to the beginning of e-scooter operations. Data was recorded infrequently as e-scooters were first rolled out – for some time, e-scooters operated in cities before legislation sanctioned and regulated their use. The introduction of city regulatory guidelines coincided with the adoption of a data recording standard known as the "Mobility Data Specification" (MDS) in mid-2018. These two trends improved the volume, consistency, and availability of deployment data from governments thereafter. For these reasons, it is often the case that the deployment data we receive from city governments begins after e-scooters were first introduced into those cities. To ensure that our pre-period is not contaminated by e-scooter usage, then, we use as our pre-period the window of time prior to e-scooter rollout. Our analysis effectively thus represents the impact of e-scooter programs in "steady state," after the short (and typically small) censored initial rollout phase.

For our main analysis, we restrict our post-period to six months after data first comes available, but run a robustness check using all available data through the end of February 2020. For details, see Web Appendix C.

Auxiliary Data

It is plausible that individual-level variation in disposable income over time may influence spending behavior. Therefore, we obtained income information each year over a five-year period for each panel member. We explicitly control for individual-level variation in disposable income over time that our fixed effects cannot capture, and also explore heterogeneity in the impact of e-scooter programs on food spending as a function of income.

We also collect precipitation (operationalized as the total amount of rain in millimeters) and temperature at the city-day level from the National Oceanic and Atmospheric Administration. This data is important, because both e-scooter deployment and outdoor consumption behavior are affected by weather conditions. E-scooter deployment is particularly sensitive to weather conditions, given riders operate e-scooters outdoors at relatively high speeds.

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MODEL DEVELOPMENT

Our goal is to study the causal relationship between e-scooter deployments and individual-level food spending. As mentioned in the introduction, our main analysis specifies e-scooter deployments as a continuous measure, controlling for unobserved individual-level heterogeneity and city-specific macroeconomic events that might affect both food spending and e-scooter deployments through a two-way fixed effects regression model. Letting $log(Spend_{ict,k} + 1)$ represent the log of the total amount spent for each consumer i in city c on day t in category k, and letting $log(Deploy_{ct} + 1)$ be the log of number of e-scooters deployed in city c on day t, we assume the following:

$$(1) \quad log(Spend_{ict,k} + 1) = \beta_{0k} + \beta_{1k} log(Deploy_{ct} + 1) + X'_{ict}\theta_k + \phi_i + \xi_{cm(t)} + \epsilon_{ict,k},$$

where β_{1k} is the coefficient of interest, measuring how e-scooter deployment affects spending on companies in category k (either QSR, sitdown, snack and non-alcoholic beverage food store, or grocery), X_{ict} represents a vector of observable time-varying control variables, ϕ_i and $\xi_{cm(t)}$ represent individual-specific fixed effects and city-specific year/month fixed effects respectively, and $\epsilon_{ict,k}$ is an error term.

ϕ_i control for time-invariant individual-specific characteristics such as static but unobserved preferences, typical transit patterns, and sociodemographic factors such as gender, age, and educational background, as well as city-specific characteristics such as population density, walkability, public transit availability, the size of the downtown area, and other factors that effectively do not change over the observation period. $\xi_{cm(t)}$ control for city-specific common demand shocks, such as local economic cycles and seasonality (e.g., the winter season may affect both food spending and e-scooter deployments, and may affect Austin differently than San Francisco).

In addition to these fixed effects, we account for a number of additional sources of confounding variation through control variables X_{ict}:

1. We include individual-level annualized income to account for the possibility that individuals with more disposable income have a higher propensity to spend.

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2. We account for the effect of weather upon food spend and e-scooter deployments by including city-specific daily average temperature and daily average precipitation.

3. We include day-of-week dummy variables to account for weekly seasonal effects (e.g., demand patterns on weekdays versus weekends).

4. We include daily linear and quadratic time trend terms to more flexibly account for any time-based trends not captured by city-specific year-month fixed effects.

The causal impact of e-scooter deployments in this analysis is inherently an intention-to-treat (ITT) effect (Hernán and Hernández-Dıaz, 2012, Hernán and Robins, 2020). E-scooter deployment on its own does not cause individuals to spend in the food category – it is the riding of those e-scooters that does. In this sense, e-scooter riding is the treatment, while e-scooter deployment is an encouragement to receive the treatment. Encouraging treatment and receiving treatment are not the same – individuals do not ride e-scooters every day that e-scooters are deployed. However, increasing the number of e-scooters deployed, all else equal, increases the encouragement for individuals to ride, as it increases their accessibility and thus decreases search and traveling costs, making riding more likely.

In this article, we focus upon the ITT analysis and not on the impact of the treatment itself for relevance, actionability, interpretability, and concision. The ITT analysis is the most important aspect of our analysis from a public policy standpoint – local governments want to know what the economic implications are to introducing an e-scooter program in their city or expanding an existing one, as this has direct repercussions for local economic growth and sales tax revenue. Local governments can directly manipulate e-scooter deployments through their legislation, making the ITT analysis more actionable (e-scooter riding cannot be directly manipulated). Finally, while the causal estimand of the ITT analysis is interpretable, the causal estimand of an IV regression of e-scooter riding on food spending is a local average treatment effect that would be difficult for policymakers to interpret.

Our geographical unit is the city, and not areas within each city, for similar reasons. In addition to lack of data availability – our e-scooter deployment and purchase data are both only available at the city-level – a city-level analysis is most relevant to policymakers. Poli-

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cymakers primarily influence city-level e-scooter deployments, and overall employment and tax revenue are driven off of city-level spending. Finally, there are additional endogeneity concerns stemming from possible dynamics within subregions of a city – as in Bertrand, Duflo, and Mullainathan (2004), collapsing the data to a higher level of aggregation allays such concerns.

Coarsened Exact Matching

A complicating factor in our empirical setting is that relatively few consumers ride e-scooters, given the low yet fast-growing absolute level of e-scooter adoption to date (rides occur in approximately 0.2% of panel member-days). Adjustment for pretreatment variables can further improve the credibility of causal inferences (Imbens 2014) by lowering model dependence and improving estimation efficiency and stability (Iacus, King, and Porro 2012). We do so through coarsened exact matching (CEM), pairing consumers with similar pretreatment covariates but different local e-scooter availabilities. Our matching covariates are each individual's 2015, 2016, and 2017 income, as well as her purchase propensity for each food-related category over the period prior to observation window (McCarthy and Oblander 2021). After coarsening, we match and weight individuals who are similar as measured through these covariates and through the characteristics of the cities they live in, but different in terms of whether e-scooters operate or not in the city. After removing unpaired individuals, panel members with positive CEM weights consist of 6,815 e-scooter riders in four treatment cities and 30,410 non-riders in four control cities. Hereafter, when we refer to individuals in treatment and control cities, we are referring to these individuals. Performing this procedure significantly improved pretreatment covariate balance. For details of this procedure, see Web Appendix D. That being said, our conclusions are the same in magnitude and direction when we do not use CEM – the analogous results using unmatched data are provided in Table W2 in Web Appendix E.

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Identifiability of the Causal Effect of E-scooter Programs

We assume e-scooter deployment is exogenous after controlling for covariates and fixed effects. We provide three arguments in this section for why we believe this is likely to hold in our empirical setting – the nature of supply in the e-scooter industry, parallel pre-trends, and placebo tests. We then provide a series of other tests and checks in the next section that further support the validity of our results.

Economics of e-scooter supply. It is helpful to first understand how e-scooter supply comes about and what causes it to change over time. City government regulation is the most significant driver of exogenous variation in e-scooter deployment. The main sources of this variation are (1) the maximum number of e-scooter companies permitted to operate in the city, (2) the minimum and maximum number of e-scooters each permitted e-scooter company is allowed to deploy, (3) fees levied upon e-scooter companies to operate in a city, and (4) indirectly through other regulations e-scooter companies are required to abide by (e.g., geography-specific maximum speed limits, helmet and driver's license requirements, restrictions on nighttime riding, and parking restrictions), all of which are strictly regulated and enforced. Many otherwise similar cities have significantly different policies along these four dimensions. For instance, the local government in Washington D.C. allowed 4,000 e-scooters to operate in the city in mid-2019 whereas Boston, which is similar to Washington D.C. in terms of weather, population density, and income, has never allowed e-scooters to operate. The government of San Francisco allowed e-scooters to operate in the city while the government of Seattle had not in 2019. E-scooter companies would deploy devices to cities such as Boston and Seattle if regulation allowed them to do so.[5] San Francisco and Washington D.C. have minimum age restrictions, while Charlottesville has imposed restrictions upon where e-scooters can be parked, and the maximum speed the e-scooters can ride at. In contrast, Austin and Atlanta do not have any of these restrictions as of 2019. All of these decisions affect the attractiveness of these markets to e-scooter companies. As noted in Pimentel et al. (2020)'s review of the regulatory landscape for the micromobility industry, this variation is in large part due to legislative confusion and inconsistency, partially stemming from the fact that e-scooters are oftentimes regulated similarly to their predecessor,

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traditional docked bikesharing systems, despite the fact that e-scooters are fundamentally different. These issues increase the quasi-randomness of e-scooter deployments within and across cities.

After a city allows e-scooters to operate, city policies often change over time, driving changes in e-scooter supply over time as well. For example, the city of San Francisco issued a temporary city-wide ban on e-scooter activity in May 2018, leading to a sharp drop in availability, but increased fleet size significantly through a pilot program in 2019. Washington D.C. had relatively restrictive caps – 400 per e-scooter company – for a year, before increasing their caps in 2019. Austin and Atlanta had generous caps at first, but regulation was introduced after a series of accidents (Short 2019), increasing costs and decreasing consumer demand, which drove some e-scooter companies to exit the market. As such, government regulation not only drives the entry of e-scooter companies into a particular city, but also influences the evolution of supply over time after entry. A high-level summary of these policy changes is provided in Web Appendix F.

Importantly for our analysis, supporting local food sector demand is not a primary or even secondary objective for local governments deliberating over whether to allow e-scooters into their city. To better understand this, we performed a study of all publicly disclosed announcements in our four control cities (see, for example, City of Atlanta 2019a, City of Austin 2018, City of Minneapolis 2019, Lime & City of San Francisco 2018, City of Portland 2019, City of Santa Monica 2019). In these announcements, a variety of purposes were mentioned – reducing traffic congestion, reducing carbon emissions, and improving the level and equality of transit access, none of which are related to food sector revenue. For these reasons, the decision of whether or not to allow e-scooters into a city, and the exact timing of that decision, are useful sources of identifying variation.

A point of concern could be that e-scooter companies strategically manipulate e-scooter deployment in expectation of short-term local food sector demand shocks (e.g., a sporting event, for which individuals may have a higher propensity to visit restaurants, bars, and other food and beverage establishments). If this was possible, then failure to control for such variables would lead to an upwardly biased estimate of the impact of e-scooter riding.

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As we will discuss, however, the economics of the supply-side prevent this from being an economically meaningful confounding factor.

There are only two ways that e-scooter companies can manipulate e-scooter deployments: (1) "holding back" existing e-scooters in a particular city, and (2) introducing new e-scooters to a city. We discuss the former before turning to the latter.

The only existing e-scooters that companies can hold back are ones that have been picked up by chargers (i.e., contract labor who are compensated to pick up e-scooters at night, then charge and redeploy them the following morning), by asking that they not release in the morning. This is because e-scooters that had been deployed the prior day but were not picked up by chargers are deployed the next day by construction. While there are economic incentives for e-scooter companies to hold scooters back when weather conditions are extreme, because inclement weather conditions can shorten the effective lifespan of e-scooters left on the street, the economic incentives for never holding back e-scooters are otherwise very strong: (1) e-scooters cannot generate revenue when they are held back while they can when they are on the road; (2) depreciation of e-scooters is very small when weather conditions are not extreme; (3) e-scooters on the street serve as awareness-building marketing while held back e-scooters do not; (4) holding back e-scooters creates negative goodwill with chargers, who are only paid a nominal fee for holding e-scooters back, and are forced to house those e-scooters themselves for an additional day; (5) none of the major e-scooter companies strategically manipulated income to chargers during the study period (e.g. reducing the compensation rate on days when demand is expected to be low). Bird, Lime and Spin noted in our conversations with them that income to charges was a simple function of days since last charge and e-scooter battery charge remaining. For these reasons, e-scooter companies by and large always deploy their existing e-scooter fleets, implying strategic manipulation of the existing fleet in anticipation of expected demand shocks is unlikely to be a meaningful source of endogeneity.

This leaves the introduction of e-scooters into a city as the remaining potential source of endogeneity. Here too, the economics of our empirical setting largely rule out the ability of such an event to influence our results: (1) due to prohibitive transportation costs, the only

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e-scooters that can be introduced into a city are newly manufactured e-scooters, making each city its own "island," with virtually no migration of supply across cities; (2) e-scooter companies by and large deploy at their maximum e-scooter supply caps during non-winter months, making maximum e-scooter supply constraints most binding when the sort of events that spur on endogeneity concerns tend to occur; (3) e-scooter lifetimes are relatively long (approximately 1.5 years), and e-scooter companies are incentivized to maximize profit over their full lifetimes, not just the day of a one-off event.

As such, while endogeneity concerns are certainly still possible, the idiosyncracies of supply in our empirical setting make strategic forward-looking behavior and simultaneity bias second-order effects. As we will show next, a series of measurable tests further support the validity of our causal variable.

Parallel pre-trends. The trend in food spending prior to e-scooter entry should be parallel between treatment and control cities, to ensure that unobserved time-varying confounding factors are not biasing our results. We evaluate this through a parallel pre-trends test (Barron, Kung, and Proserpio 2021), comparing individuals in treatment and control cities as follows:

(2)

$$log(Spend_{ict,k}+1) = \delta_{0k} + \delta_{1k}t + \delta_{2k}t^2 + \delta_{3k}t\mathbb{I}(Deploy_{c\cdot} > 0) + \delta_{4k}t^2\mathbb{I}(Deploy_{c\cdot} > 0) + X'_{ict}\theta_k + \phi_i + \xi_{cm(t)} + \epsilon_{ict,k}$$

δ_{1k} and δ_{2k} are the coefficients associated with a common time trend between treatment and control cities for each category k; $\mathbb{I}(Deploy_{c\cdot} > 0)$ is a binary variable equal to 1 if city c allows e-scooters to operate during the observation period and 0 otherwise; δ_{3k} and δ_{4k} represent the deviation from that common time trend for individuals in treatment cities, making them the coefficients of interest for this test. We run this regression over a pre-treatment window from January 1, 2016 to December 31, 2017, before e-scooters were introduced in any of the cities we study.

Table 3 shows the results associated with these regressions. The deviation estimates are statistically insignificant, suggesting no differential parallel pre-period trends. Results available upon request are the same when we only include linear and not quadratic time

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Table 3: Parallel Pretrends

	Dependent variable:				
	(1) Total	(2) QSR	(3) Sitdown	(4) Snack	(5) Grocery
Trend	0.00086^{**}	0.00049^{***}	0.00005	0.00029^{***}	0.00018
	(0.00034)	(0.00015)	(0.00005)	(0.00007)	(0.00024)
Trend^2	-0.000001^{***}	-0.000001^{***}	0.000000^{**}	0.000000^{***}	0.00000
	(0.00000)	(0.00000)	(0.00000)	(0.00000)	(0.00000)
Trend $\times$	-0.00028	0.00000	0.00000	-0.00013	-0.00022
$\mathbb{I}$(Deploy>0)	(0.00045)	(0.00021)	(0.00006)	(0.00009)	(0.00032)
Trend$^2\times$	0.00000	0.00000	0.00000	0.00000	0.00000
$\mathbb{I}$(Deploy>0)	(0.00000)	(0.00000)	(0.00000)	(0.00000)	(0.00000)
Control Variables	✓	✓	✓	✓	✓
Individual FE	✓	✓	✓	✓	✓
City-year/month FE	✓	✓	✓	✓	✓
Mean of Dep. Var.	7.58	1.25	0.42	0.35	5.57
R^2	0.129	0.081	0.018	0.052	0.125
No. of Obs.	23,758,093	23,758,093	23,758,093	23,758,093	23,758,093

Note: Dependent variable is food-related spending in each food category, with Total representing the sum of spending across all four categories. Robust standard errors (in parentheses) are clustered by individual and city-date. Control variables include temperature, precipitation, day of week dummies, and annualized income; * p<0.10, ** p<0.05, *** p<0.01

trends – the deviation coefficient is not significant at the 10% level.

This analysis does not lend itself to an informative graphical summary as a function of calendar time, as is common in related literature – because we include city-specific year/month fixed effects, average spending in all cities each month must be zero. However, as mentioned earlier, we conduct a second analysis of spending before and after e-scooter rollout in treatment and control cities, which does lend itself to such a summary. This analysis is identical to our main analysis, except (1) our causal variable is binary, equal to 1 when a city has an active e-scooter program and 0 otherwise; and (2) we replace city-year/month fixed effects with monthly fixed effects to account for monthly seasonality present in the data. The results in Figure 2, show little evidence of a violation of parallel pre-trends.

Placebo tests. We conduct falsification checks with two placebo outcomes: rideshare and restaurant delivery spending. Had our results been driven by local demand shocks that

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caused e-scooter companies to proactively increase e-scooter deployments and consumers to spend more in the food sector, we would have also expected increased demand for (1) ridesharing, as some consumers seek out other ways to get to the events in question (e.g., taking an Uber to a local music event), given the fact that several city survey reports note that ridehailing is considered the closest alternative to e-scooters; and (2) restaurant delivery, as this is another food sector category that tends to see higher demand the day of major events. If this were the case, it would induce spurious correlations between e-scooter deployment and the placebo outcomes.[6]

Table 4: Placebo Tests

	Dependent variable:	
	Restaurant Delivery	Rideshare
	(1)	(2)
Scooter Deployment	0.0010	0.0059
	(0.0009)	(0.0064)
Control Variables	✓	✓
Individual FE	✓	✓
City-year/month FE	✓	✓
Mean of Dep. Var.	0.49	0.70
R^2	0.084	0.158
No. of Obs.	13,475,450	13,475,450

Note: Robust standard errors (in parentheses) are clustered by individual and city-date. Control variables include temperature, precipitation, day of week dummies, annualized income, and quadratic time trends ; * p<0.10, ** p<0.05, *** p<0.01

The results in Table 4 show that both restaurant delivery and rideshare spending do not have statistically significant relationships with e-scooter deployments, supportive of the hypothesis that our results are not driven by unobserved local demand shocks.

EMPIRICAL RESULTS

In this section, we report the results of our main empirical model and analyze the heterogeneity in these effects. We then provide a series of robustness checks before concluding with a discussion of future work.

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Main Results

We present the results of estimating Equation 1 in Table 5. Standard errors in all of the following results are two-way clustered by individual and city-date (Abadie et al., 2017) to allow for correlation of error terms between individuals in a city-day.

Table 5: Estimates of the Effect of E-Scooter Deployment on Food Spending

	Dependent variable:				
	Total	QSR	Sitdown	Snack	Grocery
	(1)	(2)	(3)	(4)	(5)
Scooter Deployment	0.0138^{***}	0.0051^{**}	-0.0018^{***}	0.0043^{***}	0.0074^{**}
	(0.0047)	(0.0023)	(0.0006)	(0.0016)	(0.0032)
Control Variables	✓	✓	✓	✓	✓
Individual FE	✓	✓	✓	✓	✓
City-year/month FE	✓	✓	✓	✓	✓
Mean of Dep. Var.	7.50	1.31	0.42	0.40	5.37
R^2	0.142	0.094	0.022	0.068	0.129
No. of Obs.	13,475,450	13,475,450	13,475,450	13,475,450	13,475,450

Note: Dependent variable is food-related spending in each food category, with Total representing the sum of spending across all four categories. Robust standard errors (in parentheses) are clustered by individual and city-date. Control variables include temperature, precipitation, day of week dummies, annualized income, and quadratic time trends ; * p<0.10, ** p<0.05, *** p<0.01

Table 5 shows that the positive impact of an increase in e-scooter deployment on overall food spending is both statistically and economically significant, but that this impact differs by category. The impact on spending is positive for the QSR, snack, and grocery categories, but is negative for sitdown restaurants. While all estimates are statistically significant, the magnitude of the impact is smallest for the sitdown category, with a coefficient whose absolute magnitude is less than half that of the next smallest coefficient. As such, while this negative effect should not be ignored, its economic significance is nevertheless smaller than the positive effects across the other three categories. In the spirit of the aforementioned placebo tests, this result is also supportive of the hypothesis that our results are not an artifact of common cause bias – the sort of events that most naturally come to mind as drivers of such bias (e.g., sporting and music events) would drive restaurant spending up, not just QSR, snack, and grocery store spending.

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These results may also be suggestive of substitution effects between sitdown restaurants and adjacent food categories (e.g., that eating dinner at a QSR may "crowd out" dinner at a sitdown restaurant).

Analysis of Heterogeneous Treatment Effects

The impact of e-scooter deployment may be different for different company and consumer subgroups. To understand which segments of local economy would benefit most from an increase in e-scooter deployments, we turn next to heterogeneity in effects as a function of observable consumer and company-specific characteristics. While our main analysis aggregates spending within each of our four food categories, we observe tokenized company-specific spending behavior (i.e., the name of each company was converted into a number by our data source for privacy preservation purposes). While the tokenized nature of our data prevents us from incorporating company-specific features such as cuisine or Yelp reviews into our analysis, we can nevertheless incorporate features engineered from the transactional data.

We study how the causal impact varies as a function of (1) companies' historical sales, (2) whether or not consumers had previously purchased at companies before, (3) consumers' historical income, and (4) the average order value (AOV) of purchases made at each company. Figure 1 visualizes the results, which we describe in more detail next.

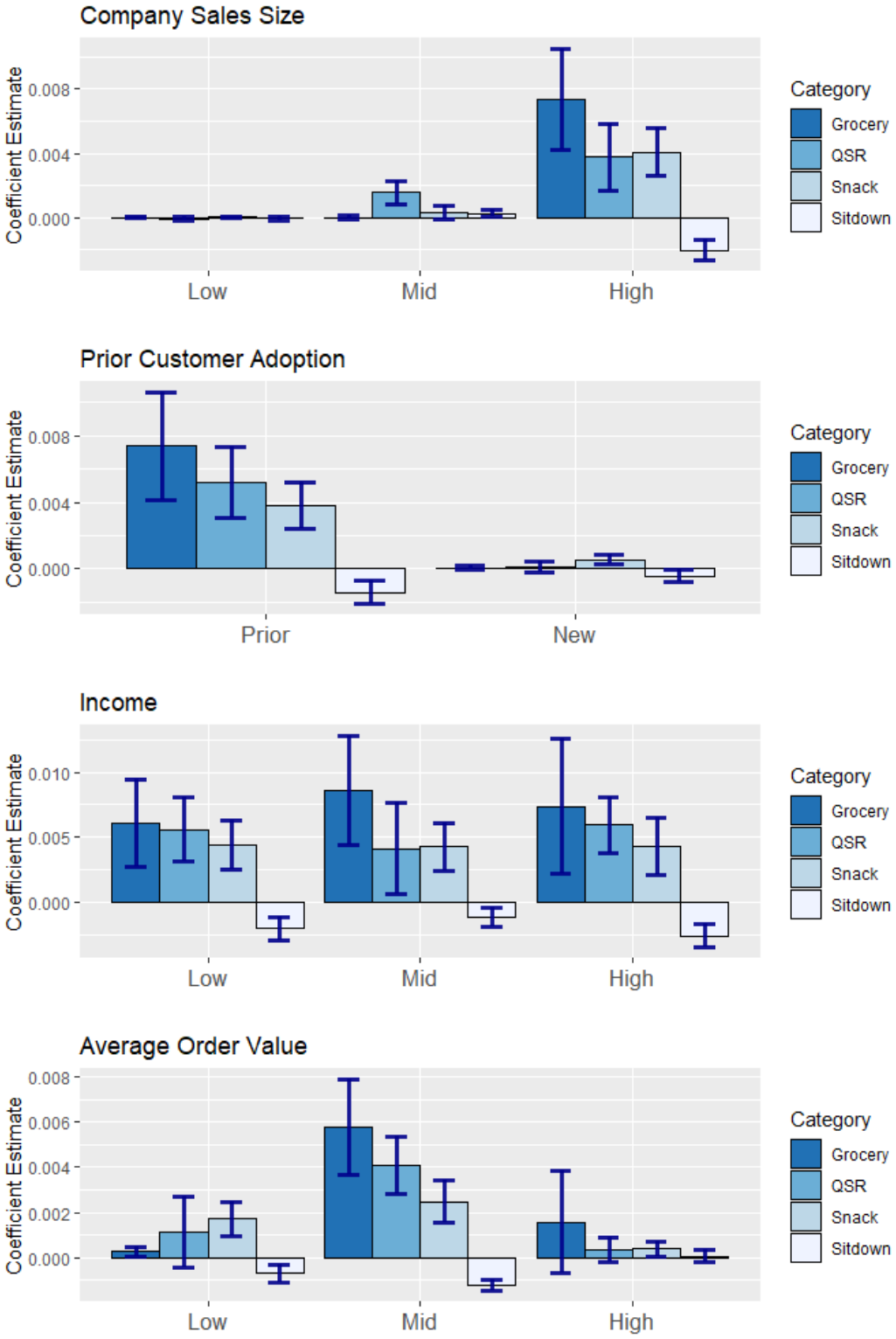
Company sales size. The effect of e-scooter deployment may be different for large companies relative to small companies, as measured through historical sales. We assess this by categorizing companies into tercile-based groups per category based upon sales before the pre-period, from 2015 to 2017. We then run separate regressions on each of the resulting subgroups. The uppermost plot in Figure 1 shows that the impact of e-scooter deployments is largely restricted to the largest companies, with significantly positive effects for large grocery, QSR, and snack companies, and a significantly negative effect for large sitdown restaurant companies. In contrast, the effect of e-scooter deployments is smaller and mostly insignificant for small and mid-sized companies.

Prior customer adoption. A related distinguishing factor is whether or not customers had

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Figure 1: Heterogeneous Effect Analysis



Note: Each bar represents the causal effect of (log transformed) e-scooters deployed upon (log transformed) spending in each category. Dark blue vertical lines represent 95% confidence intervals for each coefficient estimate. 'High', 'Mid', and 'Low' along the x-axis represent the top 0-33%, 33%-66%, 66%-100% segments by company sales size, individual income, and average order value. 'Prior Customer Adoption' represents the coefficient estimate when we segment individuals based upon whether they had made a purchase at a company before the pre-period began ('Prior') or not ('New').

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previously purchased at the company or not. For each customer, we categorize all companies based upon whether that customer had at least one prior purchase during the 2015 to 2017 period, before e-scooters were allowed into any city we study. One stratum consists of all subsequent purchase behavior at companies that customers had not previously purchased at, with the other stratum representing the converse. The results, depicted in the second plot in Figure 1, show that the impact of e-scooter deployments are amplified for companies that customers had previously purchased at, with significant positive effects in the grocery, QSR, and snack categories, and a significant negative effect for the sitdown category. This implies that increasing e-scooter deployments drives people to purchase at companies they have bought at before, not ones that they have no prior purchase history with.

Consumer income. Recall that Bloomberg Second Measure also collects direct deposit income at the individual-level. We use this data to stratify consumers into terciles on the basis of their income in 2017, before the pre-period began. We then re-estimate the model within each stratum. The results, shown in the third plot in Figure 1, imply that the impact of e-scooter deployment within each income segment is largely the same as our overall results. As such, the impacts we observe – and thus presumably the benefits that e-scooter deployments are creating – are not restricted to any one income segment (e.g., the high-income segment).

Average order value. Lastly, we examine how the impact of e-scooter deployment varies as a function of average order value ('AOV'). As before, we assess this by stratifying companies into three tercile-based groups based upon the historically observed average spend given purchase for purchases occurring between 2015 and 2017. The lowermost plot in Figure 1 shows that the impact of e-scooter deployments is largest – positive for grocery, QSR, and snack, and negative for sitdown – for companies selling at mid-range price points, not for companies selling at low or high price points.

In summary, increasing e-scooter deployment primarily impacts large companies that consumers have bought at before, selling at average price points, and that these effects are consistent across consumers of all income levels.

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Robustness Checks

We now turn to additional robustness checks that further support the validity of the substantive conclusions we have reached – a binary specification for the causal variable, permutation test, quantile regression, and other variations on the main model specification.

Binary causal effect analysis. To provide cleaner variation in our causal variable, we specify a model identical to our main regression model (e.g., in terms of control variables, pre- and post-periods, etc.), except for the following two changes:

1. We replace our city-specific continuous deployment variable with a city-specific binary 'before versus after the launch of an e-scooter program' variable, equal to zero before e-scooters are allowed into a city, and one thereafter.

2. We replace city-year/month fixed effects with month-of-year fixed effects to account for monthly seasonality present in the data but otherwise leave the evolution of spending over calendar time as-is.

These changes result in the following regression equation, where $\mathbb{I}(Deploy_{ct} > 0)$ is a binary variable equal to 1 if an e-scooter program was active in city c on day t and 0 otherwise, noting that deployments were strictly positive in cities with active e-scooter programs:

$$(3) \qquad log(Spend_{ict,k} + 1) = \beta_{0k} + \beta_{1k}\mathbb{I}(Deploy_{ct} > 0) + X'_{ict}\theta_k + \phi_i + \xi_{m(t)} + \epsilon_{ict,k},$$

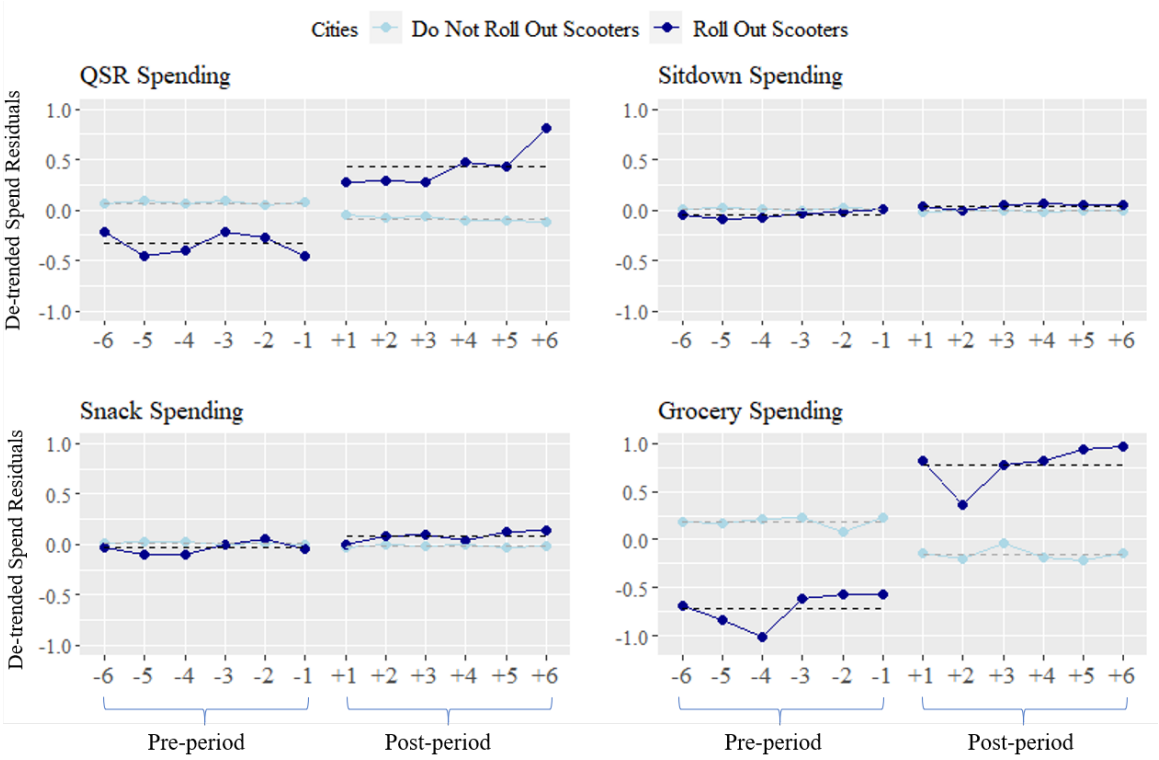
We visualize the results for each category in Figure 2 by computing the residuals associated with Equation 3 after omitting the term associated with the binary causal variable, $\mathbb{I}(Deploy_{ct} > 0)$, so that the impact of an e-scooter program's introduction is visually evident as we move from the pre-period to the post-period.

While there are month-to-month fluctuations in the residuals in the treatment cities, no systematic departure from parallel trends across categories is evident. We see an economically meaningful lift in spending of \$0.76 and \$1.49 after e-scooters are rolled out in the treatment cities in the QSR and grocery categories, respectively. We do not observe an economically meaningful impact in the sitdown category – lift in spending is just \$0.08. Lift

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Figure 2: Spending Residuals Before and After E-scooter Rollout



Note: The y-axis represents the average of residuals for each individuals' average spend each day, after controlling for weather, income, quadratic time trend, month-of-year and individual fixed effects, but not whether an e-scooter program was active at the time. Dark blue lines represent treatment cities – Atlanta, Austin, San Francisco, Washington D.C. – while light blue lines represent control cities – Philadelphia, Houston, Seattle, Boston. Dashed dark blue and light blue lines represent the average of residuals in treatment and control cities, respectively, over the pre-period and post-period.

in the snack category is 50% larger than in the snack category, at $0.12. Supportive of our main analysis, the resulting rank order of these lift figures is the same as the rank ordering of the coefficient estimates associated with the impact of e-scooter deployments from Table 5, which assumed a continuous specification for the causal variable. The corresponding coefficient estimates associated with Equation 3 are statistically significant at the 1% level and consistent with these results – for details, see Table W3 in the Web Appendix E.

Permutation tests. We carry out a permutation test to evaluate whether our results are a byproduct of spurious common time trends. In the original data set, each individual is associated with a vector representing the total number of e-scooters deployed in her city each day. We randomly permute this vector across individuals, while leaving her food spending and other data (e.g., income and weather) unpermuted. We then re-run Equation 1 on the

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permuted data, obtain the coefficient estimates and associated t-statistic values associated with e-scooter deployments for each category as well as total food sector spending, and repeat this procedure 200 times.

Permutation breaks the association between food spending and e-scooter deployment, while preserving aggregate-level time trends in spending across customers. Through this, we obtain a distribution of the significance of their association under the null hypothesis that there is no association between the two. If e-scooter deployment significantly impacts food spending, the t-statistic associated with the observed data would be significantly different from its associated null distribution.

Figure 3 presents the null distributions for the t-statistic for e-scooter deployment on food sector spending in each category (in black). The t-statistic for e-scooter deployment on the original unpermuted data is shown in red. As expected, the t-statistic associated with the unpermuted data is larger than 99% of null distribution values, implying that our original estimate is indeed significantly different from what we would have expected under the null hypothesis that there is no relationship between food spending and e-scooter deployment.

Quantile regression. There may still be lingering concerns that local demand shocks are spuriously driving the results through another backdoor path. If there were another mechanism through which such shocks cause both higher e-scooter deployments and higher food sector spending within a given city-month (i.e., residual of city-year/month FEs and other controls), we would expect those effects to be short in duration yet large in impact, resulting in a relatively small number of influential residuals. A quantile regression (Koenker and Bassett Jr, 1978) would be robust to such events by making our coefficient estimates less sensitive to their residuals. Therefore, as an additional robustness check, we run quantile regressions at the 25th, 50th, and 75th percentiles using method of moments (Machado and Silva, 2019). The results are substantively the same as in our main analysis. For details, see Table W4 in Web Appendix E.

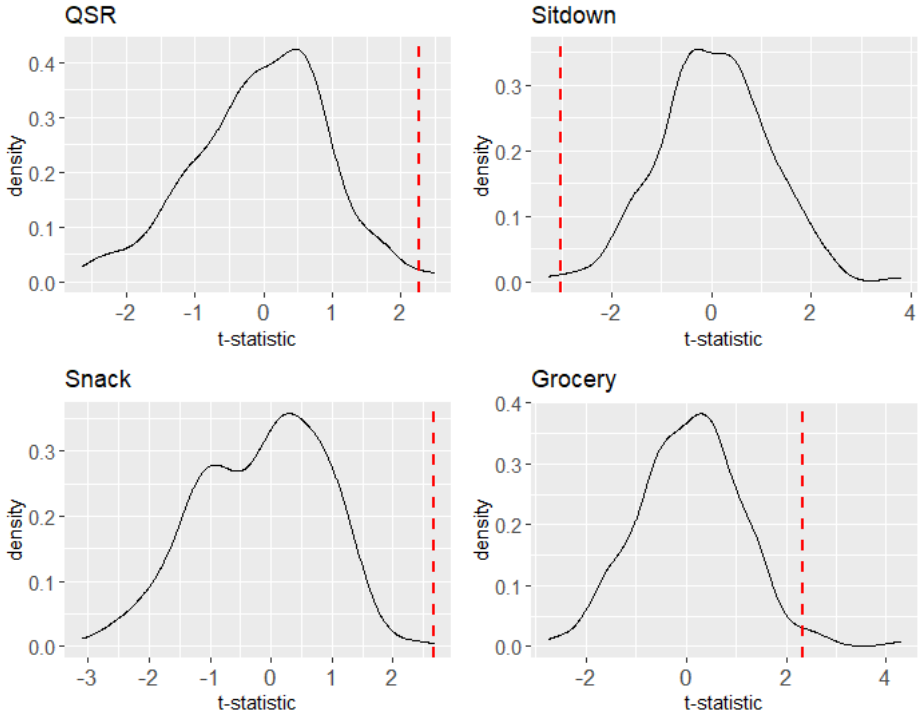
Variation in model specification. To ensure that our results are not an artifact of the exact specification of our model, we consider the following alternative specifications:

1. Year-day fixed effect: instead of using city-year/month time fixed effects, we instead

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Figure 3: Permutation Test for Each Category Spending



Note: Each individual is associated with a vector representing total e-scooter deployments in her city. We permute this vector across all individuals, then re-estimate Equation 1. The graph represents the null distribution of t-statistic values (black line) as well as the observed t-statistic value (red dottend line) of the coefficient estimate associated with e-scooter deployment.

use year/day fixed effects, controlling for more granular time-based shocks common to all cities, instead of less granular time-based shocks specific to each city.

2. Changing control variables: we consider two variations on our set of control variables to assess whether our results are robust to the exclusion of particular controls: (1) temperature and precipitation are dropped from the set of control variables; (2) day-of-week dummies and quadratic time trends are dropped from the set of control variables.

3. Weekly unit of time: we consider a model in which we use a weekly unit of time instead of a daily unit of time by summing across all food spend within a week, then modeling purchase-weeks instead of purchase-days. While the aggregated nature of our causal variable significantly limits concerns of intertemporal substitution (e.g., that an individual making a purchase at a coffee shop when e-scooters are available is "borrowing" a purchase that she would have taken later that week), aggregating to a weekly unit of time further allays these concerns – pulling forward purchases from

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later on in the week would generate no causal effect in terms of purchase-weeks.

4. Entire observation period: we consider a robustness check in which we use the entire observation period (i.e., all data before and after rollout), instead of just the six months before and after rollout as we had done in our main analysis, to show robustness to the time period considered.

5. Dropping coarsened exact matching: we run our analysis using unmatched data, dropping CEM to allay concerns that results are sensitive to the matching procedure.

6. Different city pairs: to address concerns that our results are sensitive to which control cities are matched with our treatment cities, we considered a number of alternative city pairs. For instance, in our main analysis we matched Austin to Houston, which is most similar to Austin among our control cities in terms of city demographics, walkability and transportation accessibility, but as a robustness check, pair Austin with Seattle instead. We also consider pairing (1) Atlanta with Houston instead of Philadelphia, (2) San Francisco and New York City instead of Seattle, and (4) Washington D.C. and New York City instead of Boston.

Results of these alternative specifications are provided in Table W5 to W7 in Web Appendix E. As we show, our results across all of these specifications are the same as those of our main analysis in terms of magnitude and direction, implying our results are not sensitive to the exact specification we have chosen.

POLICY IMPLICATIONS

To better understand the economic impact of these results, we estimate the marginal effect of introducing e-scooter deployments in cities that had allowed them in. By obtaining the estimated difference between total category-specific sales over the post-period given historically observed deployments to what we would have predicted had e-scooter deployment been zero but holding all else equal, we can estimate the incremental food sales that resulted from the e-scooter programs in these cities. These lift figures are obtained using the coefficient estimates from our main model in Equation 1 (summarized in Table 5) to estimate

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each individuals' spend each day of the post-period, holding all other factors (e.g., controls, fixed effects, and weather) but e-scooter deployment unchanged. Summing expected spending with versus without e-scooter deployments across individuals within each city provides us with the basis for the lift calculations. We restrict our analysis to retrospective and not predictive estimates because we include time fixed effects in our model.

Table 6: Marginal Lift Due to E-Scooter Deployment in Post-Period

	All cities	Atlanta	Austin	San Francisco	Washington
Category Total	0.58%	0.58%	0.54%	0.58%	0.64%
QSR	0.68%	0.71%	0.59%	1.52%	0.74%
Sitdown	−0.57%	−0.53%	−0.41%	−1.53%	−1.01%
Snack	1.62%	1.88%	1.98%	0.92%	1.38%
Grocery	0.32%	0.33%	0.27%	0.32%	0.42%

Note: Estimates represent the percentage difference between food category spends over the post-period to estimates of what those food category spends would have been if e-scooter deployments had been zero. Estimates are obtained using the coefficient estimates from our main model in Equation 1 (summarized in Table 5) to estimate each individuals' spend each day of the post period, holding all other factors (e.g., controls, fixed effects, and weather) but e-scooter deployment unchanged, then summing spending across all individuals over all days of the post-period.

Table 6 shows estimates of lift created for overall food category spending (i.e., across all treatment cities for all companies in the Bloomberg Second Measure coverage universe), as well as how this breaks down into QSR, sitdown, snack, and grocery subcategories. We also show the corresponding city-by-city results. We express these lift figures as percentages of spending in the zero deployments scenario so that they are scale invariant, and thus more comparable and relevant to policymakers in other cities.

All else equal, we estimate that e-scooter programs lifted overall food spending by 0.58% across all cities studied, given historically observed e-scooter deployments in these treatment cities. The snack category benefited most, with a spending increase of 1.62%. The QSR and grocery categories were lifted by 0.68% and 0.32%, respectively. As such, while we do infer a decline in sitdown restaurant spending of 0.57%, the positive impacts in the other categories more than offset the negative effect we see in the sitdown category.

We estimate the population-level dollar amount of spend created by the introduction

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of these e-scooter programs by re-scaling the dollar lift figures obtained above to account for how many individuals are in our panel data set in each city, relative to the working age and older (15+) population in those cities (SimplyAnalytics, 2019). For example, our panel represents approximately 1.8% of the working age and older population across all treatment cities, so we gross up all-city panel-specific lift estimates by a factor of 55.6 to obtain population-level all-city lift estimates. All else equal, we estimate that approximately $17.1 million in spending across all categories and cities was created by e-scooter programs, at the historically observed levels of deployment, relative to not allowing e-scooters into these cities.

We can also express these estimates on a per-scooter basis, to provide suggestive evidence of how much spending was created per e-scooter deployed. There were an average of 14,983 e-scooters deployed in the post-period across all treatment cities (5,098 in Atlanta, 6,723 in Austin, 617 in San Francisco, and 2,545 in Washington D.C.) across the four cities studied in this article. Taking the ratio of total population-level spending lift to average total e-scooters deployed, we estimate that approximately $1.1 thousand in sales was created per e-scooter available for the category as a whole, over the six-month post-period. These spillover benefits vary by city as the dynamics and composition of each category are different from one to the other, as does fleet size and regulation of e-scooters. That being said, we infer economically significant effects in all cities.

Finally, we can compare how the benefits of these programs – to the city directly and to the local food sector – compare to the cost to the city of rolling out the programs. Currently, cities pass on the cost of roll-out onto e-scooter companies through fees (e.g., for permitting and monitoring), making total fees a reasonable initial estimate for the roll-out cost to the city. While fee data is sparse, the city of Atlanta reported that it had collected $541,900 in e-scooter-related fees in 2019, so we carry out these calculations for Atlanta (City of Atlanta 2019b). Of the aforementioned total lift across all cities of $17.1 million, $2.5 million of this accrued to Atlanta. Consider benefits to the city directly, versus to the local food sector:

1. The local sales tax rate is 8.9%, implying that the city generated an incremental $223,408 in incremental sales tax revenue due to e-scooter rollout, or 41% of the

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cost of rollout to the city.

2. The benefit to the local food sector is equal to the incremental profit – not revenue – due to e-scooter deployment. Therefore, we multiply Atlanta's category-specific dollar lift estimates by their respective contribution margins, as estimated through filings with the Securities and Exchange Commission by major publicly-traded companies in these categories. Summing up the resulting category-specific profit estimates, we estimate $635 thousand in incremental profits to the local food sector, or 117% of the cost of rollout to the city. For details, see Web Appendix G.

In sum, we infer that the lift created e-scooter deployments to the city, and to the local food sector, are meaningful relative to the cost of rolling out the e-scooter program, which is currently absorbed by the e-scooter companies themselves. These figures may prove conservative in two ways. First, while the fees in Atlanta were incurred over the full 2019 calendar year, our lift figures are based upon the six-month post-period, from February to July 2019. Second, these estimates for Atlanta may represent a lower bound for analogous calculations in other cities, when we account for the fact that the estimated $2.5 million all-category sales lift in Atlanta was a relatively low 15% of the $17.1 million total sales lift across all four treatment cities.

We caution that these figures are specific to our coverage universe, reflective of the 536 companies that we observe purchase behavior for (i.e., the companies listed in Web Appendix B). While this is a large number of companies, collectively representing $53 million in observed sales across the four treatment cities over six months, our analysis does not cover all companies within these categories. Moreover, the companies that we do not include are likely to be smaller, on average, than the companies we do include. The heterogeneous effect results from Figure 1 would suggest that the causal impact of e-scooter deployment is smaller for companies with lower historical sales volume, and as such, the corresponding results across all companies in the food category are likely to be smaller than the figures we estimate for our coverage universe. Even so, the significance of these effects within the companies we do observe, coupled with the large size of our coverage universe, implies that the category-level effects are likely to be significant nonetheless.

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DISCUSSION

Our study suggests that micromobility creates positive economic externalities for the local economy they operate in. The findings represent an opportunity for companies and e-scooter companies to capitalize on the economic surplus that they create. For example, these spillovers could be further facilitated through location-based advertising opportunities (Molitor et al. 2020), which could be a welcome source of incremental revenue for e-scooter companies, who have historically struggled with weak unit economics in their core business.

Likewise, these results suggest that city governments looking to stimulate the local economy may be incentivized to take a more lenient stance towards e-scooter usage, allowing e-scooters into cities in which e-scooter companies have not been allowed in, and/or raising the maximum number of e-scooters allowed to be on the road, because the economic benefits of doing so are meaningful. While we readily acknowledge that other factors are at play in these decisions, city governments should nevertheless incorporate into their decision calculus the positive economic externalities that e-scooters create for local businesses.

We readily acknowledge that this research does not come without limitations. Given that the levels of geographical aggregation of both of our main data sources are at the city-level, we can provide the average impact of city-wide e-scooter deployment, but are not able to measure effects upon a finer geographical unit. While a finer grained analysis may be harder to act upon as maximum supply caps are usually set at the city-level, such an analysis may still be of interest to policymakers. We also reiterate that the target of our analysis is an intention-to-treat effect – our goal is to measure the impact of e-scooter deployments, and not of e-scooter riding. While we believe the benefits of focusing this article upon the former outweigh the costs, understanding the causal effect of usage behavior would inform our understanding of consumer behavior, making this an interesting area for future work.

There are several other questions regarding the effect of e-scooter-enabled mobility on company sales and consumer behavior that we also leave for future work. While our analysis only covers food-related companies as they are the largest segment of local economy, other categories such as entertainment (e.g., movie theaters), and health/fitness (e.g., gyms), could provide deeper insight into heterogeneity in the effects that e-scooter programs have across

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a wider range of categories. If the company names in our analysis were not anonymized for privacy reasons, researchers could also incorporate other features of those companies, allowing us to study heterogeneity in treatment effects as a function of company-specific features. Finally, incorporating a larger number of cities could also allow the study of heterogeneity in causal effects as a function of city-specific features (e.g. population density).

In conclusion, we believe that micromobility is an understudied area within marketing, and that studying its economic impact is important for a variety of stakeholders, including city policymakers, consumers, companies, and e-scooter companies themselves. We hope that this work represents a first step towards better understanding these important topics.

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Attachment: 2022-058 ATTH 02 Bird Economic Impact Study (3709 : 2022-058 RES (Joint) Agreement with Bird Scooters)

Electronic copy available at: https://ssrn.com/abstract=3802082

Notes

[1]https://nacto.org/2020/08/27/136-million-trips-taken-on-shared-bikes-and-scooters-across-the-u-s-in-2019/; https://nabsa.net/about/industry/

[2]https://mobilityforesights.com/product/scooter-sharing-market-report/

[3]https://www.reddeeradvocate.com/news/e-scooters-a-boost-for-downtown-red-deer-businesses/

[4]Atlanta, GA, Austin, TX, and Washington, D.C. are ranked in the top 6 biggest cities in 2019 for ridership. (source: https://nacto.org/shared-micromobility-2019/)

[5]Seattle subsequently allowed e-scooters to operate in the city in September 2020.

[6] All companies comprising both categories are included in Web Appendix B.

Attachment: 2022-058 ATTH 02 Bird Economic Impact Study (3709 : 2022-058 RES (Joint) Agreement with Bird Scooters)

Electronic copy available at: https://ssrn.com/abstract=3802082

You can find Web Appendix from this link: https://bit.ly/3JNK277

Attachment: 2022-058 ATTH 02 Bird Economic Impact Study (3709 : 2022-058 RES (Joint) Agreement with Bird Scooters)

Electronic copy available at: https://ssrn.com/abstract=3802082

Bird Scooter FAQs

Bird + City Partnership

Why is Bird choosing to expand now?

Bird's mission is to make cities more livable by reducing car usage, traffic, and carbon emissions. Bird was the first scooter company in the space, and is excited to be in a position where we can meet our company mission and bring microboliity to as many cities in the country as possible. Our newest Fleet Manager operating model allows us to provide high touch and focused service to all communities regardless of the size.

Will it cost the city anything to bring Birds to town?

Bird can launch & operate at no cost to the city.

Who is the city's main point of contact and who do we contact in the event of an emergency?

Each city we work to launch Bird with will have a dedicated Account Manager who will be their main point of contact at Bird. The Account Manager will work with the city throughout the pre-launch and launch process to ensure a successful scooter program in each city.

Attachment: 2022-058 ATTH 03 Bird FAQ (3709 : 2022-058 RES (Joint) Agreement with Bird Scooters)

Riders & Safety

How old do you have to be to ride?

We set the age to 18+.

How does Bird prevent underage riding?

During account set up users are asked to verify their age. As needed we can add a feature to scan their ID or driver's license.

How do you address riding these on the sidewalk?

Riders are reminded of safe riding & parking expectations through banner & in-app notifications in the Bird app

How does Bird address Safety?

Safety has been Bird's top priority since day one. Bird has built several features in app to address safety, including Helmet Selfie, Warm-Up Mode, as well as in-app safety tutorials, and a safety video available on our blog and website. Additionally, each city will also have an Account Manager who can work closely with your team to address any safety concerns if they arise. Your dedicated account manager will also be able to walk you through all new safety features, and update you as we release new ones as well

Attachment: 2022-058 ATTH 03 Bird FAQ (3709 : 2022-058 RES (Joint) Agreement with Bird Scooters)

Vehicles & Operations

How much does it cost

Renting a Bird will cost the rider a $1 unlock fee+ a per minute fee. Billing is all done through the Bird app with a credit or debit card.

Bird has discounted pricing programs available for frontline workers, active duty and retired military personnel, low-income, veterans, senior citizens and select community and non-profit groups.

Learn more about eligibility requirements:

https://www.bird.co/bird-access/

https://help.bird.co/hc/en-us/articles/360051003951-Community-Pricing-

What is the speed of the Bird scooters?

Our scooters go up to 15mph, which aligns with the speed of the casual biker. We have the ability to create slow speed zones and adjust the speed.

"Warm-up mode" is available for all riders which will automatically soften a Bird scooter's acceleration, allowing riders to slowly work their way up to full speed.

Where will Birds be able to operate?

When Bird launches in a new city, we create an operating zone on the backend, which will correspond to an area on a map. We will work with the city to align on the operating area that will align with the city's goals of ridership & access to alternative transportation. Birds will only operate in this area and will slow to a stop outside of it. The city can also highlight any specific areas with parking rules, slow speeds or no riding.

Where will the scooters need to be parked?

Bird follows a dockless model, which means riders can park wherever they would like within the operating area. We educate riders where and how to park: at a bike rack when available, and

Attachment: 2022-058 ATTH 03 Bird FAQ (3709 : 2022-058 RES (Joint) Agreement with Bird Scooters)

not blocking the right-of-way, sidewalks, ADA ramps, or driveways. At the end of each Bird ride, riders will be promoted to take a picture of the parked scooter as proof.

Our Fleet Manager will be notified if a vehicle that is not in a ride is being moved- this will help to keep the fleet organized in case someone moves a parked vehicle out of place

How does Bird manage "clutter" or vehicles being left everywhere?

Our local fleet managers are responsible for rebalancing and moving vehicles throughout the city during operating hours. They pay attention to areas of scooter congestion as well as demand throughout the day, and rebalance vehicles accordingly. On the rider side, riders are required to take a photo of their appropriately parked Bird after each ride, which adds a layer of accountability. Bird can also display any bike racks or designated scooter parking infrastructure that a city may have in place, in the Bird app for riders to see as they end their ride.

How many scooters will Bird be operating in town?

As we work with cities to plan our Bird launch, we calculate the ideal scooter fleet size generally based on population size of the city as well as other factors such as tourism, commuter traffic, university presence, and more. Generally after launching an initial fleet in town, the Bird team monitors utilization after launch and works with city administrators to get approval to add more to the fleet as demand & usage increases.

How does Bird source their local fleet managers?

Bird works with local businesses, entrepreneurs, or community organizations to help manage our fleets locally and address the unique needs of each community. These individuals are selected based on a number of criteria to help best ensure the success of the fleet and a strong partnership with the city.

Where are the Birds washed, charged and repaired/stored?

Our local Fleet Managers charge, maintain, and store Birds in their own facilities.

Attachment: 2022-058 ATTH 03 Bird FAQ (3709 : 2022-058 RES (Joint) Agreement with Bird Scooters)

Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

Hello,
Texarkana



2021

Our Why:

Improve our communities and the lives of those around us.



2022-058 ATTH 04

Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

What is Bird?

A micromobility company with a focus in shared electric vehicles.

BIRD



2022-058 ATTH 04
7.7.e
Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program
Packet Pg. 143

Bird's Story

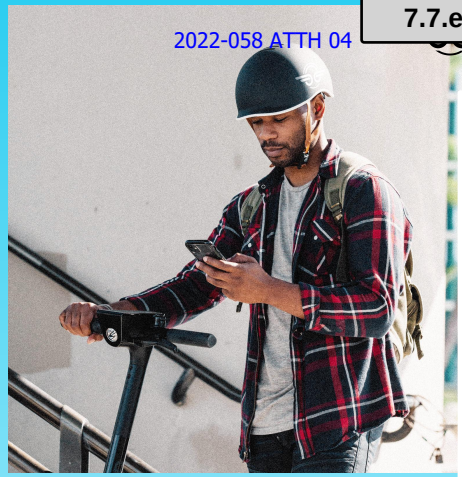
Founded in 2017, Bird saw instant success as a pioneer in the space.

Today....

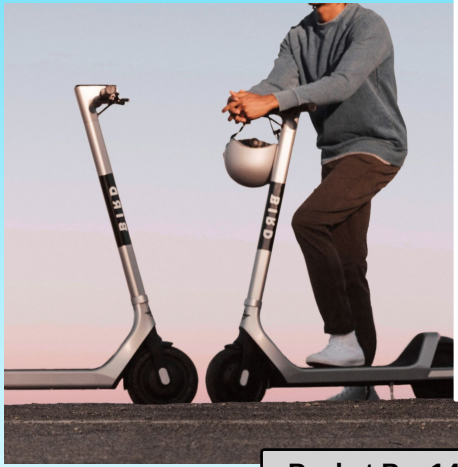
5 Continents. **25** Countries. **400** Cities. **100M+** Rides.

Most-trusted micromobility provider in the country.





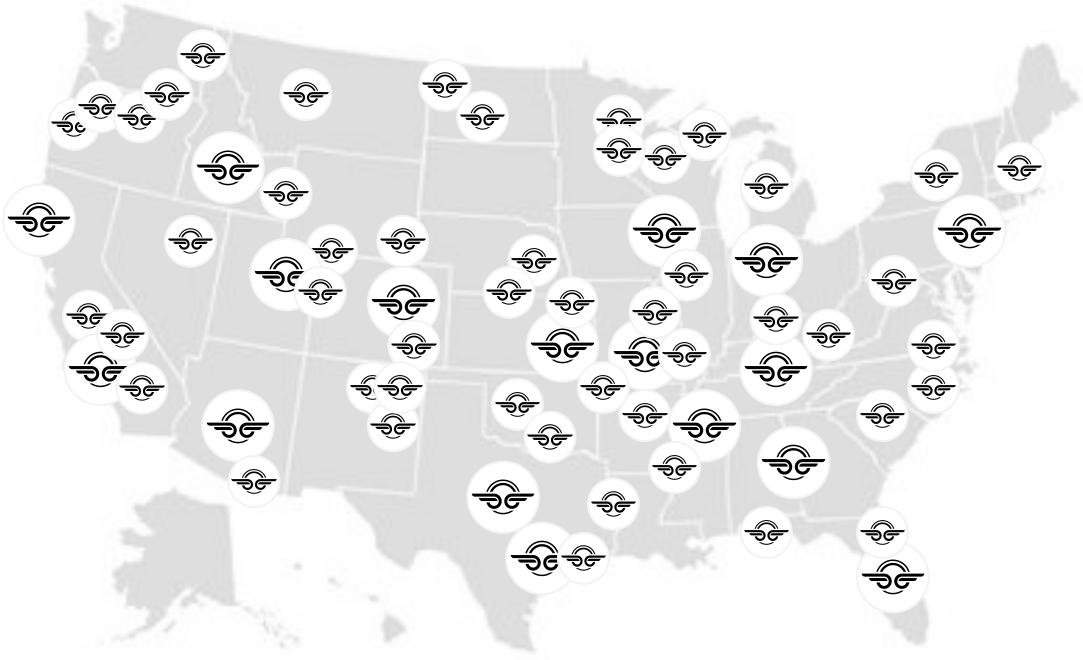




BIRD

2022-058 ATTH 04
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Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program
Packet Pg. 144

Cities Big and Small



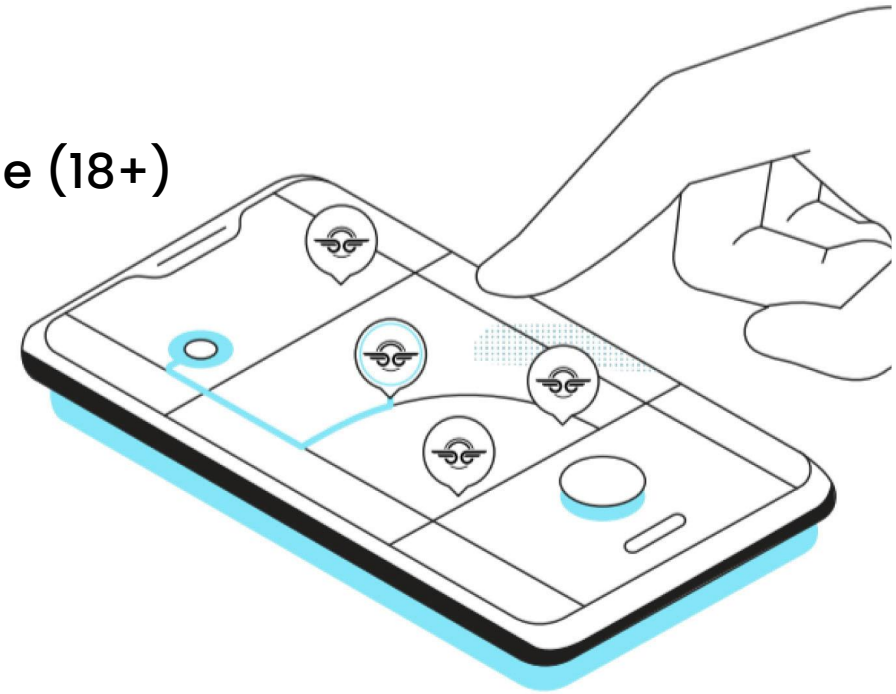
City	Population
Weatherford, OK	11,900
Canyon, TX	15,300
McAlester, OK	18,100
Hays, KS	20,800
Russellville, AR	29,100
Little Elm, TX	45,900
Beaumont, TX	118,500
Little Rock, AR	198,200
Plano, TX	287,400

Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

BIRD

How it works

1. Download the Bird app
2. Sign user agreement & verify age (18+)
3. Add payment
4. Complete educational tutorials
5. Enjoy the ride!



Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

Pricing

Standard Pricing

$1 to unlock + per minute fee. = ~$7/ride.

Equitable Pricing Options

Discounts available to those in government assistance programs, veterans, senior citizens, healthcare workers, students with pell grants, etc.



Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

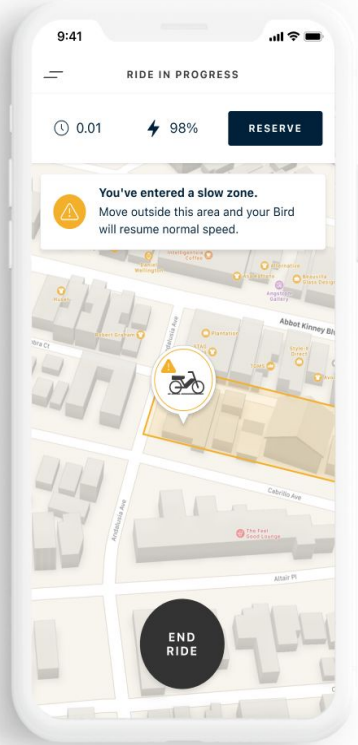
Geo-Zone Technology

All vehicles are tracked with GPS.

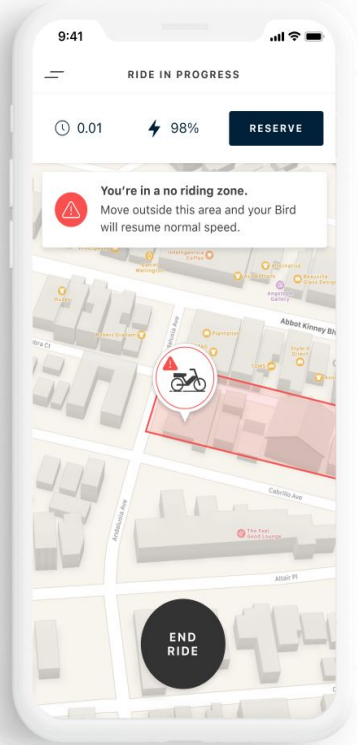
When riders enter a designated geo-zone, vehicles follow set rules.

Vehicles will slow down or stop, and riders are notified by a vehicle sound and an in-app notification.

Slow Zone



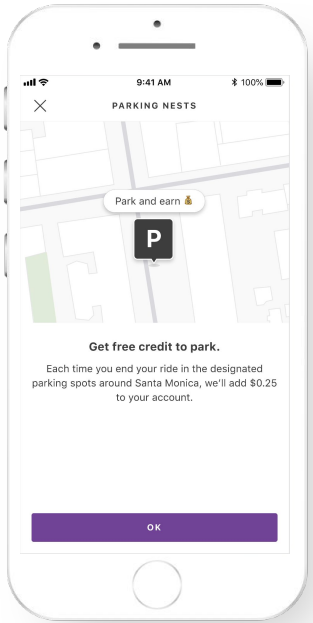
No-Ride Zone

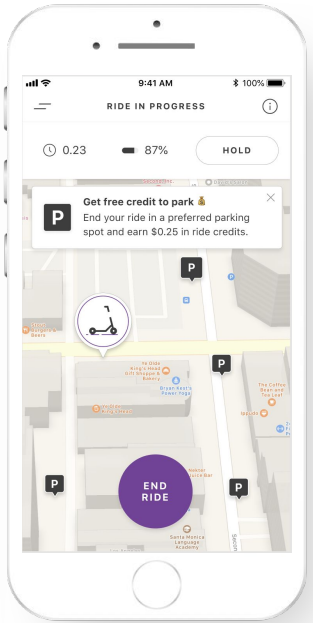


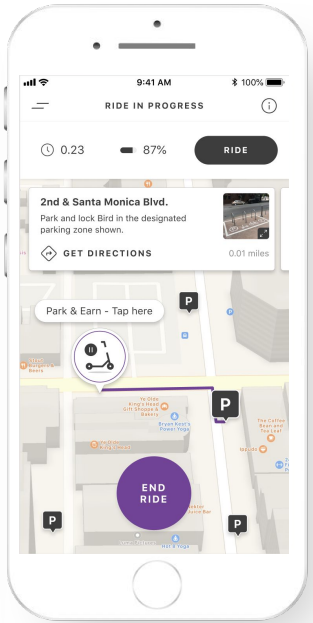
Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

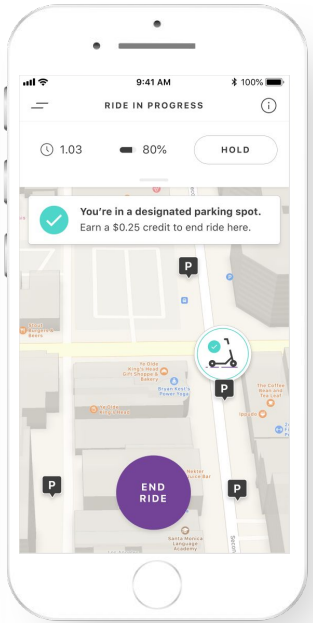
BIRD

Recommended Parking











Identify Locations → Direct Riders → Verify Parking

Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

Economic Impact

In 2021,

$100 million

was spent by Bird riders
at local shops and restaurants!



Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

Supporting Texas Businesses

$8.4M

BIRD

Contributions to Texas businesses and entrepreneurs since Jan. 2020*



Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

Localized Texas Network

Everett Weiler - Dallas, TX



Dominic Ricotta - San Antonio, TX



Esme Chaidez - Austin, TX



Camille Sabino - Austin, TX



Texarkana, TX/AR

Director of Operations
Oversees regional operations and strategy

General Manager
Oversees local market operations, deployment, and regulatory compliance

Engagement Manager
Oversees fleet operators, maintains KPI health of partners

Operations Associate
Oversees analytics and operational processes to maximize compliance with regulations and efficiency

Fleet Managers
Deploy, rebalance, clean, maintain vehicles, and provide on-the-ground support



BIRD

Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

Local Run Operations

Our Fleet Managers are local contract workers responsible for managing a fleet including charging, repairs, and various performance tasks.

Local Touch:

- Deep community ties, and local knowledge
- Fast issue resolution
- Economic Opportunity
- Aligned incentives

Back by the Industry Leader:

- World-class technology & compliance tools
- Operational know-how
- Industry's Safest Vehicles



> Being a fleet manager has enabled me to take care of my family, and provide employment opportunities in a time where we all need help.
>
> *- Chris, Atlanta, GA.*

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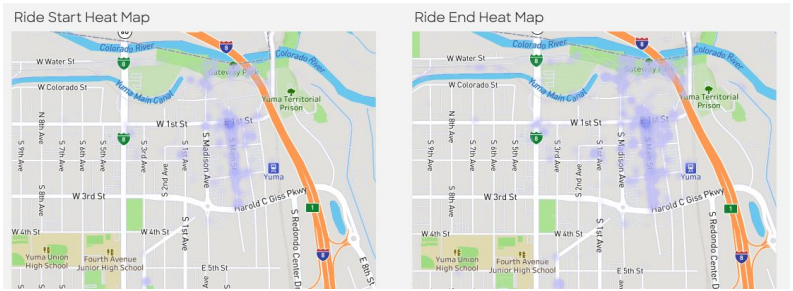
Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

Packet Pg. 153

Data Dashboard

- **Report Summary:**
  - Rider behaviors such as frequency and length of rides
  - Number and length of rides segmented in various dimensions
  - Available vehicles and number of rides/vehicle
- **Map View:**
  - Current location of vehicles and ability to restrict the view by specific areas
- **Usage Heatmaps:**
  - Ride start & end locations to gain visibility into how residents are moving about the city





Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

Confidential and prop

Proposal

- **No Investment Required**
- **Dedicated Account Manager**
- **Free Data Dashboard**
- **# of Vehicles:** 100-200
- **Launch Date:** July/August
- **Approval Documentation:** Pilot Operating Agreement



Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

Thank You

Attachment: 2022-058 ATTH 04 Texarkana E-scooter Program

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	X	Promote an Environmentally Sensitive & Livable Community
		Provide a Safe Community
		Deliver Quality Services
	☐	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	X	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☐	Model a Positive City Image
		Deliver Efficient Services
	X	Cultivate Community Involvement & Access
Manage the Resources	☐	Maintain Fiscal Strength
	X	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
X	None Required	☐	

Other:

Attachment: 2022-058 Goals & Perspectives (3709 : 2022-058 RES (Joint) Agreement with Bird Scooters)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 7/5/2022 3:24 PM

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

Subject: Resolution No. 2022-064 approving and authorizing publication of notice of intention to issue certificates of obligation in an amount not to exceed $20,475,000 and declaring expectation to reimburse expenditures with proceeds of future debt.

Briefing: 7/11/2022 **Public Hearing:** **Council Vote:** 7/11/2022

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

On May 11, 2022, staff met with the Budget Advisory Committee and began working through the details of the upcoming fiscal year 2023 budget. During that process, staff recommended a proposal to issue new debt in fiscal year 2023. Anticipated ad valorem revenue will fund the annual debt service payment. The proposed issuance is a 20-year Certificate of Obligation that will generate approximately $20.4 million in bond proceeds with an annual debt service payment of approximately $1.5 million. The proceeds will be used for (i) constructing, improving and equipping fire-fighting facilities, including the acquisition of vehicles related thereto, (ii) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor, and (iii) professional services rendered in relation to such projects and the financing thereof. Attachment 2022-064 ATTH 01 Preliminary Schedule of Events outlines the timeline associated with the bond issuance. In order to issue the Certificates of Obligation, the Council must first approve a publication for Notice of Intent.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Annual debt service payment of approximately $1.5 million funded with anticipated ad valorem revenue.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

Budget Advisory Committee

Board/Committee Recommendation:

Board recommends approval.

Advisory Board/Committee Meeting Date and Minutes:

May 11, 2022
May 25, 2022
June 7, 2022

Attachments

a. 2022-064 RES Notice of Intent to Issue CO's (DOCX)
b. 2022-064 ATTH 01 Texarkana CO Series 2022 Timetable 6.27.22 (PDF)
c. 2022-064 Goals & Perspectives (DOCX)
d. 2022-064 RES Notice of Intent to issue CO's signed (PDF)

Staff Coordination

Finance Department	Kristin Peeples	Department Head Review	Completed	06/28/2022 8:42 AM
Finance Department	Kristin Peeples	Finance Review	Completed	06/28/2022 8:42 AM
City Manager	David Orr	City Manager Review	Completed	06/28/2022 9:10 AM
City Council	Jennifer Evans	Meeting	Completed	07/11/2022 6:00 PM

Meeting History

PUBLISH EXH 'A'

RESOLUTION NO. 2022-064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended, for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping fire-fighting facilities, including the acquisition of vehicles related thereto, (ii) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting, and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor (collectively, the "Projects") and (iii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, the City further intends to make certain capital expenditures with respect to the Projects and currently desires and expects to reimburse the capital expenditures with proceeds of the Certificates; and

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations; and

WHEREAS, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City and to post the notice on the City's website, said notice stating, among other things (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the Council proposes to pay the Certificates.

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

SECTION 1: That the City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed $20,475,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving, and equipping fire-fighting facilities, including the acquisition of vehicles related thereto, (ii) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor (collectively, the "Projects") and (iii) professional services rendered in

Attachment: 2022-064 RES Notice of Intent to Issue CO's (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

relation to such projects and the financing thereof; such Certificates to be payable from ad valorem taxes and a limited pledge of the surplus net revenues of the City's combined Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit 'A'** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The City Secretary shall cause the aforesaid notice to be (i) published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least forty-six (46) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the Certificates and (ii) posted continuously on the City's website for at least forty-five (45) days before the date stated therein for the passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3: The City reasonably expects to reimburse capital expenditures with respect to the Projects with proceeds of debt hereafter to be incurred by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 5: This Resolution shall be in force and effect from and after its passage on the date shown below.

[*remainder of page intentionally left blank*]

Attachment: 2022-064 RES Notice of Intent to Issue CO's (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

PASSED AND APPROVED, in Regular Council Session on this the **11th day of July, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2022-064 RES Notice of Intent to Issue CO's (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF
TEXARKANA, TEXAS CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Texarkana, Texas, shall convene at 6:00 o'clock P.M. on September 12, 2022, at its regular meeting place in the City Hall, 220 Texas Boulevard, Texarkana, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation, in one or more series, in a principal amount not to exceed $20,475,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping fire-fighting facilities, including the acquisition of vehicles related thereto, (ii) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor (collectively, the "Projects") and (iii) professional services rendered in relation to such projects and the financing thereof; and such certificates are to be payable from ad valorem taxes and a limited pledge of the surplus net revenues of the City's combined Waterworks and Sewer System. In accordance with Texas Local Government Code Section 271.049, (i) the current principal amount of all of the City's outstanding public securities secured by and payable from ad valorem taxes is $39,175,000; (ii) the current combined principal and interest required to pay all of the City's outstanding public securities secured by and payable from ad valorem taxes on time and in full is $46,414,433.28; (iii) the estimated combined principal and interest required to pay the certificates of obligation to be authorized on time and in full is $32,390,625; (iv) the maximum interest rate for the certificates may not exceed the maximum legal interest rate; and (v) the maximum maturity date of the certificates to be authorized is August 15, 2042. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271.

City Secretary
City of Texarkana, Texas

Attachment: 2022-064 RES Notice of Intent to Issue CO's (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

City of Texarkana, TX

Certificates of Obligation, Series 2022

Preliminary Schedule of Events

Jul-22						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Aug-22						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Sep-22						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Oct-22						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Complete By	Day	Event
11-Jul-22	**Monday**	**Council meeting to approve publication of Notice of Intent for the CO's**
14-Jul-22	**Thursday**	**1st Notice of Intent published for CO's**
21-Jul-22	**Thursday**	**2nd Notice of Intent published for CO's**
15-Aug-22	Monday	Draft Term Sheet distributed to City Staff / Bond Counsel
19-Aug-22	Friday	HilltopSecurities receives comments on term sheet
22-Aug-22	Monday	HilltopSecurities distributes term sheet to potential bidding banks
9-Sep-22	Friday	Receipt of bids
12-Sep-22	Monday	Pricing
12-Sep-22	**Monday**	**City Council passes Ordinance authorizing issuance of the Certificates**
11-Oct-22	Tuesday	Certificate closing and delivery of funds to the City

Attachment: 2022-064 ATTH 01 Texarkana CO Series 2022 Timetable 6.27.22 (3725 : 2022-064 RES Notice of Intent to Issue Certificates of

City of Texarkana, Texas

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

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

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

Attachment: 2022-064 Goals & Perspectives (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

PUBLISH EXH 'A'

RESOLUTION NO. 2022-064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended, for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping fire-fighting facilities, including the acquisition of vehicles related thereto, (ii) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting, and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor (collectively, the "Projects") and (iii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, the City further intends to make certain capital expenditures with respect to the Projects and currently desires and expects to reimburse the capital expenditures with proceeds of the Certificates; and

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations; and

WHEREAS, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City and to post the notice on the City's website, said notice stating, among other things (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the Council proposes to pay the Certificates.

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

SECTION 1: That the City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed $20,475,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving, and equipping fire-fighting facilities, including the acquisition of vehicles related thereto, (ii) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor (collectively, the "Projects") and (iii) professional services rendered in

Attachment: 2022-064 RES Notice of Intent to issue CO's signed (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

relation to such projects and the financing thereof; such Certificates to be payable from ad valorem taxes and a limited pledge of the surplus net revenues of the City's combined Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit 'A'** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The City Secretary shall cause the aforesaid notice to be (i) published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least forty-six (46) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the Certificates and (ii) posted continuously on the City's website for at least forty-five (45) days before the date stated therein for the passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3: The City reasonably expects to reimburse capital expenditures with respect to the Projects with proceeds of debt hereafter to be incurred by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 5: This Resolution shall be in force and effect from and after its passage on the date shown below.

[*remainder of page intentionally left blank*]

Attachment: 2022-064 RES Notice of Intent to issue CO's signed (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

PASSED AND APPROVED, in Regular Council Session on this the **11th day of July, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:36p.m.

Attachment: 2022-064 RES Notice of Intent to issue CO's signed (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF
TEXARKANA, TEXAS CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Texarkana, Texas, shall convene at 6:00 o'clock P.M. on September 12, 2022, at its regular meeting place in the City Hall, 220 Texas Boulevard, Texarkana, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation, in one or more series, in a principal amount not to exceed $20,475,000 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping fire-fighting facilities, including the acquisition of vehicles related thereto, (ii) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor (collectively, the "Projects") and (iii) professional services rendered in relation to such projects and the financing thereof; and such certificates are to be payable from ad valorem taxes and a limited pledge of the surplus net revenues of the City's combined Waterworks and Sewer System. In accordance with Texas Local Government Code Section 271.049, (i) the current principal amount of all of the City's outstanding public securities secured by and payable from ad valorem taxes is $39,175,000; (ii) the current combined principal and interest required to pay all of the City's outstanding public securities secured by and payable from ad valorem taxes on time and in full is $46,414,433.28; (iii) the estimated combined principal and interest required to pay the certificates of obligation to be authorized on time and in full is $32,390,625; (iv) the maximum interest rate for the certificates may not exceed the maximum legal interest rate; and (v) the maximum maturity date of the certificates to be authorized is August 15, 2042. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271.

City Secretary
City of Texarkana, Texas

Attachment: 2022-064 RES Notice of Intent to issue CO's signed (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

RESOLUTION NO. 2022-064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas (the "City"), has determined that certificates of obligation (the "Certificates") should be issued under and pursuant to the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended, for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping fire-fighting facilities, including the acquisition of vehicles related thereto, (ii) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor (collectively, the "Projects") and (iii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, the City further intends to make certain capital expenditures with respect to the Projects and currently desires and expects to reimburse the capital expenditures with proceeds of the Certificates; and

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations; and

WHEREAS, prior to the issuance of such Certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City and to post the notice on the City's website, said notice stating, among other things (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the Certificates are to be issued and (iv) the manner in which the Council proposes to pay the Certificates.

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

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Attachment: 2022-064 RES Notice of Intent to issue CO's signed (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

taxes and a limited pledge of the surplus net revenues of the City's combined Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The City Secretary shall cause the aforesaid notice to be (i) published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least forty-six (46) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the Certificates and (ii) posted continuously on the City's website for at least forty-five (45) days before the date stated therein for the passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3: The City reasonably expects to reimburse capital expenditures with respect to the Projects with proceeds of debt hereafter to be incurred by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 5: This Resolution shall be in force and effect from and after its passage on the date shown below.

[*remainder of page intentionally left blank*]

Attachment: 2022-064 RES Notice of Intent to issue CO's signed (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

PASSED AND APPROVED, in Regular Council Session on this the **11th day of July, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-064 RES Notice of Intent to issue CO's signed (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

EXHIBIT A

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TEXARKANA, TEXAS CERTIFICATES OF OBLIGATION

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City Secretary
City of Texarkana, Texas

Attachment: 2022-064 RES Notice of Intent to issue CO's signed (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

Attachment: 2022-064 RES Notice of Intent to issue CO's signed (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

CERTIFICATE OF CITY SECRETARY

THE STATE OF TEXAS	§	
	§	
COUNTY OF BOWIE	§	
	§	
CITY OF TEXARKANA	§	

I, the undersigned, City Secretary of the City of Texarkana, Texas, DO HEREBY CERTIFY as follows:

1. On the 11th day of July, 2022, a regular meeting of the City Council of the City of Texarkana, Texas was held at 6:00 p.m. at its regular meeting place in the City Hall, 220 Texas Boulevard, Texarkana, Texas; the duly constituted members of the Council being as follows:

BOB BRUGGEMAN	)	MAYOR
JEAN H. MATLOCK	)	
MARY HART	)	
BETTY WILLIAMS	)	COUNCIL MEMBERS
CHRISTIE PAGE	)	
BILL HARP	)	
JAY DAVIS	)	

and all of said persons were present at said meeting, except the following: Mary Hart. Among other business considered at said meeting, the attached resolution entitled:

RESOLUTION NO. 2022-064

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT; AND ESTABLISHING AN EFFECTIVE DATE.

was introduced and submitted to the Council for passage and adoption. After presentation and due consideration of the resolution, and upon a motion being made and seconded, the resolution was finally passed and adopted by the Council to be effective immediately by the following vote:

6 voted "For" 0 voted "Against" 0 abstained

all as shown in the official minutes of the Council for the meeting held on the aforesaid date.

2. The attached resolution is a true and correct copy of the original on file in the official records of the City; the duly qualified and acting members of the City Council of said City on the date of the aforesaid meeting are those persons shown above and, according to the records of my office, advance notice of the time, place and purpose of the meeting was given to each member of the Council; and that said meeting and the deliberation of the aforesaid public business was open to the public and written notice of said meeting, including the subject of the above entitled resolution, was posted and given in advance thereof in compliance with the provisions of Texas Government Code, Chapter 551, as amended.

IN WITNESS WHEREOF, I have hereunto signed my name officially and affixed the seal of said City, this the 11th day of July, 2022.

City Secretary
City of Texarkana, Texas

(City Seal)

Attachment: 2022-064 RES Notice of Intent to issue CO's signed (3725 : 2022-064 RES Notice of Intent to Issue Certificates of Obligation)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 7/7/2022 2:46 PM

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

Subject: Resolution No. 2022-065 authorizing the City Manager to execute an Information Technology Mutual Aid Agreement with the City of Allen, Texas, serving as the host City.

Briefing: 7/11/2022 **Public Hearing:** **Council Vote:** 7/11/2022

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

A Resolution authorizing the City Manager to enter an Interlocal Mutual Aid Agreement as a Participating Entity for Information Technology Cyber Incidents with the City of Allen functioning as the Host City.

Potential Options:

- None
-

Fiscal Implications:

See Exhibit A for details

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-065 EXH 'A' IT Mutual Aid ILA (PDF)
b. 2022-065 Goals & Perspectives (DOCX)

c. 2022-065 RES IT Mutual Aid Agreement - City of Allen (jcl rev) (DOCX)
d. 2022-065 RES IT Mutual Aid Agrmt (Allen, TX) signed (PDF)

Staff Coordination

Information Technology	Completed	Brandon Uselton 06/27/2022 4:26 PM	Department Head Review	
TWU Finance 10:04 AM	Tricia Briggs	Review	Completed	06/28/2022
Water Utilities 10:09 AM	Gary Smith	Review	Completed	06/28/2022
City Manager 10:57 AM	David Orr	City Manager Review	Completed	06/28/2022
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	07/11/2022

Meeting History

AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT FOR MUTUAL AID FOR INFORMATION TECHNOLGY SERVICES

This Amended and Restated Interlocal Cooperation Agreement ("Agreement") is by, between, and among the City of Allen, Texas (the "Host City") and the undersigned Participating Local Governments of the State of Texas (each a "Participating Entity"), acting by and through their respective authorized representatives (referred to individually as a "Party" and collectively as the "Parties").

RECITALS:

WHEREAS, this Agreement is authorized by Chapter 791 of the Texas Government Code; and

WHEREAS, the Host City previously authorized the Interlocal Cooperation Agreement for information technology services and desires to amend and restate the Original Agreement as set forth herein; and

WHEREAS, each Participating Entity may experience a cyber incident, natural disaster, or other emergency capable of degrading or disrupting information technology services ("IT Services") beyond the capabilities of the Participating Entity; and

WHEREAS, each Participating Entity acknowledges the importance of prompt restoration of IT Services to allow local governments to function and operate; and

WHEREAS, each Participating Entity has agreed to adopt a formal or informal cyber response plan in the event of a significant cyber incident; and

WHEREAS, each Participating Entity has agreed to adopt a formal or informal response plan in the event of a natural disaster or other emergency; and

WHEREAS, a Participating Entity requesting IT Services (hereinafter referred to as a "Requesting Entity") receives benefit from a responding Participating Entity (hereinafter referred to as a "Responding Entity") through the provision of supplemental IT Services personnel or computer hardware for the period of support; and

WHEREAS, the Responding Entity receives the benefit of its IT Services personnel gaining knowledge through the experience of aiding in the restoration of IT Services during a crisis; and

WHEREAS, the Parties desire to enter a mutual aid agreement to offer time and expertise of IT Services personnel to assist in the detection, response and short-term remediation of the cyber incident or assist in the repair and restoration of IT Services due to a natural disaster or other emergency.

Attachment: 2022-065 EXH 'A' IT Mutual Aid ILA (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

NOW THEREFORE, in exchange for the mutual covenants set forth herein and other valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Parties agree as follows:

ARTICLE I
DEFINITIONS

Unless the context clearly indicates otherwise, the following words and phrases used in this Agreement shall have the following meaning:

"Host Entity" shall mean the City of Allen, Texas.

"IT Incident" shall mean an event or set of circumstances resulting from a cyber incident, natural disaster, pandemic or other emergency (including state or local declared state of disaster pursuant to Chapter 418 Texas Government Code) whether natural or manmade, which is capable of degrading or disrupting information technology services beyond the capabilities of the Requesting Entity.

"Mutual Aid" shall mean, but is not limited to, such IT Service resources as facilities, equipment, services, supplies, and personnel.

"Participating Entity" shall mean a participating local government that executes this Agreement.

"Requesting Entity" shall mean the Participating Entity that requests Mutual Aid under this Agreement as a result of an IT Incident under the terms of this Agreement.

"Responding Entity" shall mean the Participating Entity providing Mutual Aid to a Requesting Entity in response to a request from a Requesting Entity under this Agreement as a result of an IT Incident.

ARTICLE II
PURPOSE

The purpose of this Agreement is to establish a mutual aid agreement between and among the Parties, which will allow each Participating Entity to provide Mutual Aid to a Requesting Entity as a result of, in response to, or during an IT Incident.

ARTICLE III
TERM; TERMINATION

3.1 The term of this Agreement shall be for a period of one (1) year commencing on the last date of execution by the Participating Entity ("Effective Date"). Thereafter, this Agreement shall automatically renew for successive periods of one (1) year each under the terms and conditions stated herein, unless sooner terminated as provided herein.

Attachment: 2022-065 EXH 'A' IT Mutual Aid ILA (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

3.2 A Participating Entity may terminate its participation in this Agreement by providing thirty (30) days prior written notice to terminate its participation in this Agreement to the Host Entity. The Host Entity shall provide written notice of any such termination to the designated representative of each Participating Entity.

3.3 A Participating Entity's participation in this Agreement may be terminated by the Host Entity for cause, including, but not limited to, failure to comply with the terms or conditions of this Agreement upon thirty (30) days prior written notice to such Participating Entity.

3.4 Termination by one or more Parties to this Agreement does not affect the Agreement as it applies to the remaining Parties.

ARTICLE IV
RESPONSIBILITY OF PARTIES

4.1 Requesting Assistance. The Chief Information Officer ("CIO"), Information Technology Director ("IT Director"), or designee of the Participating Entity that has experienced an IT Incident may request Mutual Aid from the CIO, IT Director, or designee of another Participating Entity verbally or in writing. The determination as to what Mutual Aid may be made available to the Requesting Entity without unduly interfering with the IT Services of the Responding Entity shall be made at the sole discretion of the CIO, IT Director, or designee of the Responding Entity. Each Participating Entity agrees to assess local resources to determine availability of Mutual Aid based on current or anticipated needs of the Responding Entity. Requests for Mutual Aid shall not be requested by a Party unless it is directly related to the IT Incident and resources available from the Requesting Party are inadequate.

4.2 Each Participating Entity recognizes that it may be requested to provide aid and assistance at a time when it is necessary to provide aid and assistance to the Participating Entity's own constituents. This Agreement shall not be construed to impose any obligation on any Participating Entity to provide Mutual Aid to Requesting Entity. Each Participating Entity may choose not to render Mutual Aid at any time for any reason, or to recall such Mutual Aid that has been provided at any time.

4.3 Procurement of Equipment, Software and Services. The Requesting Entity shall be responsible for any incidental costs, equipment, software, or services related to the Mutual Aid response to the IT Incident. If the Responding Entity indicates a need for the acquisition or purchase of equipment, software, or services, the Requesting Entity shall decide if such acquisition or purchase is necessary and will make any required acquisition or purchase.

4.4 Personnel Costs. The Requesting Entity shall pay any overtime costs that occur for personnel of the Responding Entity if requested by the Responding Entity. The Responding Entity shall provide the Requesting Entity with a written invoice for such overtime costs which shall include an itemized list of Responding Entity employees, the date and time of overtime hours worked within sixty (60) days after the provision of such Mutual Aid. The Requesting Entity shall pay such invoice to the Responding Entity within thirty (30) days after receipt of such invoice.

Attachment: 2022-065 EXH 'A' IT Mutual Aid ILA (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

4.5 Travel Costs. The Requesting Entity shall pay any travel costs that occur for personnel of the Responding Entity. It will be the responsibility of the employee(s) of the Responding Entity to compile and submit all documented travel costs to the Requesting Entity. Mileage expenses will be reimbursed at the current IRS mileage rate and miles expended will be validated by supporting documentation. Reimbursement payments will be paid to the employee(s) of the Responding Entity by the Requesting Entity if travel costs were paid by the employee. Otherwise, reimbursement payments will be made to the Responding Entity.

4.6 Use of Computer Hardware. A Requesting Entity in need of computer hardware (e.g. personal computers, laptops, servers, network equipment, etc.), will compile a written list of such computer hardware and the estimated length of time that such equipment is needed which may be sent to the Participating Entities. Any Participating Entity may choose to respond in whole or part and is under no obligation to provide computer hardware to the Requesting Entity. A Responding Entity which chooses to loan computer hardware will respond back to the Requesting Entity to affirm that such computer hardware or portion thereof is available for temporary use. The Responding Entity makes no claim of the currency or operational use of the computer hardware nor is the Responding Entity liable for any damages resulting from the Requesting Entity's use of any computer hardware so provided. The transportation and delivery of such computer hardware or charges related thereto shall be the responsibility of the Requesting Entity unless otherwise agreed by those Parties. The Requesting Entity shall be responsible for, and pay the Responding Entity for any damages, loss, or destruction of such computer hardware while in the use and possession of the Requesting Entity, including the transport thereof. Any ongoing maintenance, lease or other fees related to such computer hardware shall continue to be paid by the Responding Entity.

4.7 Criminal Justice Information System ("CJIS"). The Requesting Entity shall be responsible for restricting the Responding Entity personnel from access to CJIS information unless the Responding Entity personnel have completed all CJIS background checks and is in current compliance with CJIS training requirements.

4.8 List of Participating Entities. The Host City shall maintain a current list of Participating Entities and provide such list to a Participating Entity upon request

ARTICLE V
INSURANCE

5.1 Worker's Compensation Coverage. Each Party shall be responsible for its own actions and those of its employees and is responsible for complying with the Texas Worker's Compensation Act.

5.2 Automobile Liability Coverage. Each Party shall be responsible for its own actions and is responsible for complying with the Texas motor vehicle financial responsibility laws.

Attachment: 2022-065 EXH 'A' IT Mutual Aid ILA (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

5.3 General Liability Insurance. Each Party agrees to obtain general liability and public official's liability insurance, if applicable, or maintain a comparable self-insurance program.

5.4 Liability. To the extent permitted by law and without waiving sovereign immunity, each Party shall be responsible for any and all claims, demands, suits, actions, damages, and causes for action related to or arising out of or in any way connected with its own actions, and the actions of its personnel in providing Mutual Aid rendered or performed pursuant to the terms and conditions of this Agreement. Except as specifically stated in this Agreement, each Party waives all claims against the other Parties hereto for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of Mutual Aid pursuant to this Agreement, except those caused in whole or in part by the negligence of an officer, employee, or agent of another Party. It is expressly understood and agreed that in execution of this Agreement, no Party waives, nor shall be deemed to have waived, immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the Parties do not create any obligations, express or implied, other than those set forth herein, and this Agreement shall not create any rights for any third parties not signatories hereto.

ARTICLE VI
MISCELLANEOUS

6.1 Expending Funds. Each Party that furnishes Mutual Aid pursuant to this Agreement shall do so with funds available from current revenues of such Party. No Party shall have any liability for the failure to expend funds to provide Mutual Aid.

6.2 Interlocal Cooperation Act. The Parties agree that Mutual Aid in the context contemplated herein is a "governmental function and service" and that the Parties are "local governments" as that term is defined herein and in the Interlocal Cooperation Act, Texas Government Code Chapter 791.

6.3 Severability. If a provision contained in this Agreement is held invalid for any reason, the invalidity does not affect other provisions of the Agreement that can be given effect without the invalid provision, and to this end the provisions of this Agreement are severable.

6.4 Legal Construction. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

6.5 Amendment. This Agreement may be amended from time to time by the Host City. The Host City shall send notice of such amendments to each Participating Entity. Each

Attachment: 2022-065 EXH 'A' IT Mutual Aid ILA (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

Participating Entity shall be bound by such amendments unless the Participating Entity sends written notice to the Host City terminating its participation in this Agreement.

6.6 Third Parties. This Agreement is intended to inure only to the benefit of the Parties hereto. This Agreement is not intended to create, nor shall be deemed or construed to create any rights in third parties.

6.7 Authorization. Each Party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement. By execution of this Agreement the Participating Entity consents to be a Party to this Agreement and acknowledges that it is not necessary to receive copies of the Agreement from other local governments that are, or which become, Parties to this Agreement.

6.8 Entire Agreement. This Agreement is the entire agreement between and among the Parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written Agreement between and among the Parties that in any manner relates to the subject matter of this Agreement.

6.9 Governing Law. This Agreement shall be governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be in the State District Court of Collin County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

6.10 Recitals. The recitals to this Agreement are incorporated herein.

6.11 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all the counterparts shall constitute one and the same instrument.

6.12 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the Parties, pertaining to a period following the termination of this Agreement shall survive termination.

6.13 Notice. All notices pertaining to this Agreement shall be in writing and shall be deemed delivered (i) when received at a Party's address if hand delivered or sent via overnight delivery service by way of USPS, UPS, FedEx, or similar carrier, or (ii) on the third (3rd) business day after being deposited in the United States mail, postage prepaid, certified mail, addressed to Participating Entity at the address set forth below the signature of the Party

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

[Signature Pages to Follow]

TM 117982

Attachment: 2022-065 EXH 'A' IT Mutual Aid ILA (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

EXECUTED this 18th day of September 2020.

CITY OF ALLEN, TEXAS

By: _____
Eric Ellwanger, City Manager

One Allen Civic Plaza
305 Century Parkway
Allen, Texas 75013

ATTEST:

By: _____
Shelley B. George, City Secretary

APPROVED AS TO FORM:

By: _____
Peter G. Smith, City Attorney

Attachment: 2022-065 EXH 'A' IT Mutual Aid ILA (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

EXECUTED this _____ day of _____, 2020.

PARTICIPATING ENTITY:

CITY OF _____, TEXAS

By:_____
Name:_____
Title:_____

Address:_____
_____

ATTEST:

By: _____
City Secretary

APPROVED AS TO FORM:

By: _____
City Attorney

Attachment: 2022-065 EXH 'A' IT Mutual Aid ILA (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

IT Staff may travel to other Cities to assist in recovery from cyber incidents if needed.

Public Information Plan:

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

Other:

Attachment: 2022-065 Goals & Perspectives (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

Attachment: 2022-065 RES IT Mutual Aid Agreement - City of Allen (jcl rev) (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

RESOLUTION NO. 2022-065

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF ALLEN, TEXAS, AS A PARTICIPATING ENTITY FOR MUTUAL AID DURING CYBER INCIDENTS; AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, the City of Allen, Texas, operates as the Host City for Information Technology Mutual Aid pursuant to the Amended and Restated Interlocal Cooperation Agreement for Mutual Aid for Information Technology Services attached hereto as **Exhibit "A"** and incorporated herein by reference for all purposes; and

WHEREAS, the City Council finds and determines that the City would benefit by entering into this mutual aid agreement as a Participating Entity and by this resolution intends to authorize the City Manager to sign the agreement as presented by the City of Allen, Texas.

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

SECTION 1: The City Council approves the "Amended and Restated Interlocal Cooperation Agreement for Mutual Aid for Information Technology Services" attached hereto as **Exhibit "A"** and for the City of Texarkana, Texas, to become a "Participating Entity" as defined in the mutual aid agreement. The City Manager is hereby authorized to execute said agreement on behalf of the City.

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

RESOLUTION NO. 2022-065

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF ALLEN, TEXAS, AS A PARTICIPATING ENTITY FOR MUTUAL AID DURING CYBER INCIDENTS; AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, the City of Allen, Texas, operates as the Host City for Information Technology Mutual Aid pursuant to the Amended and Restated Interlocal Cooperation Agreement for Mutual Aid for Information Technology Services attached hereto as **Exhibit "A"** and incorporated herein by reference for all purposes; and

WHEREAS, the City Council finds and determines that the City would benefit by entering into this mutual aid agreement as a Participating Entity and by this resolution intends to authorize the City Manager to sign the agreement as presented by the City of Allen, Texas.

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

SECTION 1: The City Council approves the "Amended and Restated Interlocal Cooperation Agreement for Mutual Aid for Information Technology Services" attached hereto as **Exhibit "A"** and for the City of Texarkana, Texas, to become a "Participating Entity" as defined in the mutual aid agreement. The City Manager is hereby authorized to execute said agreement on behalf of the City.

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:40 p.m.

Attachment: 2022-065 RES IT Mutual Aid Agrmt (Allen, TX) signed (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT FOR MUTUAL AID FOR INFORMATION TECHNOLGY SERVICES

This Amended and Restated Interlocal Cooperation Agreement ("Agreement") is by, between, and among the City of Allen, Texas (the "Host City") and the undersigned Participating Local Governments of the State of Texas (each a "Participating Entity"), acting by and through their respective authorized representatives (referred to individually as a "Party" and collectively as the "Parties").

RECITALS:

WHEREAS, this Agreement is authorized by Chapter 791 of the Texas Government Code; and

WHEREAS, the Host City previously authorized the Interlocal Cooperation Agreement for information technology services and desires to amend and restate the Original Agreement as set forth herein; and

WHEREAS, each Participating Entity may experience a cyber incident, natural disaster, or other emergency capable of degrading or disrupting information technology services ("IT Services") beyond the capabilities of the Participating Entity; and

WHEREAS, each Participating Entity acknowledges the importance of prompt restoration of IT Services to allow local governments to function and operate; and

WHEREAS, each Participating Entity has agreed to adopt a formal or informal cyber response plan in the event of a significant cyber incident; and

WHEREAS, each Participating Entity has agreed to adopt a formal or informal response plan in the event of a natural disaster or other emergency; and

WHEREAS, a Participating Entity requesting IT Services (hereinafter referred to as a "Requesting Entity") receives benefit from a responding Participating Entity (hereinafter referred to as a "Responding Entity") through the provision of supplemental IT Services personnel or computer hardware for the period of support; and

WHEREAS, the Responding Entity receives the benefit of its IT Services personnel gaining knowledge through the experience of aiding in the restoration of IT Services during a crisis; and

WHEREAS, the Parties desire to enter a mutual aid agreement to offer time and expertise of IT Services personnel to assist in the detection, response and short-term remediation of the cyber incident or assist in the repair and restoration of IT Services due to a natural disaster or other emergency.

Attachment: 2022-065 RES IT Mutual Aid Agrmt (Allen, TX) signed (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

NOW THEREFORE, in exchange for the mutual covenants set forth herein and other valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Parties agree as follows:

ARTICLE I
DEFINITIONS

Unless the context clearly indicates otherwise, the following words and phrases used in this Agreement shall have the following meaning:

"Host Entity" shall mean the City of Allen, Texas.

"IT Incident" shall mean an event or set of circumstances resulting from a cyber incident, natural disaster, pandemic or other emergency (including state or local declared state of disaster pursuant to Chapter 418 Texas Government Code) whether natural or manmade, which is capable of degrading or disrupting information technology services beyond the capabilities of the Requesting Entity.

"Mutual Aid" shall mean, but is not limited to, such IT Service resources as facilities, equipment, services, supplies, and personnel.

"Participating Entity" shall mean a participating local government that executes this Agreement.

"Requesting Entity" shall mean the Participating Entity that requests Mutual Aid under this Agreement as a result of an IT Incident under the terms of this Agreement.

"Responding Entity" shall mean the Participating Entity providing Mutual Aid to a Requesting Entity in response to a request from a Requesting Entity under this Agreement as a result of an IT Incident.

ARTICLE II
PURPOSE

The purpose of this Agreement is to establish a mutual aid agreement between and among the Parties, which will allow each Participating Entity to provide Mutual Aid to a Requesting Entity as a result of, in response to, or during an IT Incident.

ARTICLE III
TERM; TERMINATION

3.1 The term of this Agreement shall be for a period of one (1) year commencing on the last date of execution by the Participating Entity ("Effective Date"). Thereafter, this Agreement shall automatically renew for successive periods of one (1) year each under the terms and conditions stated herein, unless sooner terminated as provided herein.

Attachment: 2022-065 RES IT Mutual Aid Agrmt (Allen, TX) signed (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

3.2 A Participating Entity may terminate its participation in this Agreement by providing thirty (30) days prior written notice to terminate its participation in this Agreement to the Host Entity. The Host Entity shall provide written notice of any such termination to the designated representative of each Participating Entity.

3.3 A Participating Entity's participation in this Agreement may be terminated by the Host Entity for cause, including, but not limited to, failure to comply with the terms or conditions of this Agreement upon thirty (30) days prior written notice to such Participating Entity.

3.4 Termination by one or more Parties to this Agreement does not affect the Agreement as it applies to the remaining Parties.

ARTICLE IV
RESPONSIBILITY OF PARTIES

4.1 Requesting Assistance. The Chief Information Officer ("CIO"), Information Technology Director ("IT Director"), or designee of the Participating Entity that has experienced an IT Incident may request Mutual Aid from the CIO, IT Director, or designee of another Participating Entity verbally or in writing. The determination as to what Mutual Aid may be made available to the Requesting Entity without unduly interfering with the IT Services of the Responding Entity shall be made at the sole discretion of the CIO, IT Director, or designee of the Responding Entity. Each Participating Entity agrees to assess local resources to determine availability of Mutual Aid based on current or anticipated needs of the Responding Entity. Requests for Mutual Aid shall not be requested by a Party unless it is directly related to the IT Incident and resources available from the Requesting Party are inadequate.

4.2 Each Participating Entity recognizes that it may be requested to provide aid and assistance at a time when it is necessary to provide aid and assistance to the Participating Entity's own constituents. This Agreement shall not be construed to impose any obligation on any Participating Entity to provide Mutual Aid to Requesting Entity. Each Participating Entity may choose not to render Mutual Aid at any time for any reason, or to recall such Mutual Aid that has been provided at any time.

4.3 Procurement of Equipment, Software and Services. The Requesting Entity shall be responsible for any incidental costs, equipment, software, or services related to the Mutual Aid response to the IT Incident. If the Responding Entity indicates a need for the acquisition or purchase of equipment, software, or services, the Requesting Entity shall decide if such acquisition or purchase is necessary and will make any required acquisition or purchase.

4.4 Personnel Costs. The Requesting Entity shall pay any overtime costs that occur for personnel of the Responding Entity if requested by the Responding Entity. The Responding Entity shall provide the Requesting Entity with a written invoice for such overtime costs which shall include an itemized list of Responding Entity employees, the date and time of overtime hours worked within sixty (60) days after the provision of such Mutual Aid. The Requesting Entity shall pay such invoice to the Responding Entity within thirty (30) days after receipt of such invoice.

TM 117982

Attachment: 2022-065 RES IT Mutual Aid Agrmt (Allen, TX) signed (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

4.5 Travel Costs. The Requesting Entity shall pay any travel costs that occur for personnel of the Responding Entity. It will be the responsibility of the employee(s) of the Responding Entity to compile and submit all documented travel costs to the Requesting Entity. Mileage expenses will be reimbursed at the current IRS mileage rate and miles expended will be validated by supporting documentation. Reimbursement payments will be paid to the employee(s) of the Responding Entity by the Requesting Entity if travel costs were paid by the employee. Otherwise, reimbursement payments will be made to the Responding Entity.

4.6 Use of Computer Hardware. A Requesting Entity in need of computer hardware (e.g. personal computers, laptops, servers, network equipment, etc.), will compile a written list of such computer hardware and the estimated length of time that such equipment is needed which may be sent to the Participating Entities. Any Participating Entity may choose to respond in whole or part and is under no obligation to provide computer hardware to the Requesting Entity. A Responding Entity which chooses to loan computer hardware will respond back to the Requesting Entity to affirm that such computer hardware or portion thereof is available for temporary use. The Responding Entity makes no claim of the currency or operational use of the computer hardware nor is the Responding Entity liable for any damages resulting from the Requesting Entity's use of any computer hardware so provided. The transportation and delivery of such computer hardware or charges related thereto shall be the responsibility of the Requesting Entity unless otherwise agreed by those Parties. The Requesting Entity shall be responsible for, and pay the Responding Entity for any damages, loss, or destruction of such computer hardware while in the use and possession of the Requesting Entity, including the transport thereof. Any ongoing maintenance, lease or other fees related to such computer hardware shall continue to be paid by the Responding Entity.

4.7 Criminal Justice Information System ("CJIS"). The Requesting Entity shall be responsible for restricting the Responding Entity personnel from access to CJIS information unless the Responding Entity personnel have completed all CJIS background checks and is in current compliance with CJIS training requirements.

4.8 List of Participating Entities. The Host City shall maintain a current list of Participating Entities and provide such list to a Participating Entity upon request

ARTICLE V
INSURANCE

5.1 Worker's Compensation Coverage. Each Party shall be responsible for its own actions and those of its employees and is responsible for complying with the Texas Worker's Compensation Act.

5.2 Automobile Liability Coverage. Each Party shall be responsible for its own actions and is responsible for complying with the Texas motor vehicle financial responsibility laws.

Attachment: 2022-065 RES IT Mutual Aid Agrmt (Allen, TX) signed (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

5.3 General Liability Insurance. Each Party agrees to obtain general liability and public official's liability insurance, if applicable, or maintain a comparable self-insurance program.

5.4 Liability. To the extent permitted by law and without waiving sovereign immunity, each Party shall be responsible for any and all claims, demands, suits, actions, damages, and causes for action related to or arising out of or in any way connected with its own actions, and the actions of its personnel in providing Mutual Aid rendered or performed pursuant to the terms and conditions of this Agreement. Except as specifically stated in this Agreement, each Party waives all claims against the other Parties hereto for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of Mutual Aid pursuant to this Agreement, except those caused in whole or in part by the negligence of an officer, employee, or agent of another Party. It is expressly understood and agreed that in execution of this Agreement, no Party waives, nor shall be deemed to have waived, immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the Parties do not create any obligations, express or implied, other than those set forth herein, and this Agreement shall not create any rights for any third parties not signatories hereto.

ARTICLE VI
MISCELLANEOUS

6.1 Expending Funds. Each Party that furnishes Mutual Aid pursuant to this Agreement shall do so with funds available from current revenues of such Party. No Party shall have any liability for the failure to expend funds to provide Mutual Aid.

6.2 Interlocal Cooperation Act. The Parties agree that Mutual Aid in the context contemplated herein is a "governmental function and service" and that the Parties are "local governments" as that term is defined herein and in the Interlocal Cooperation Act, Texas Government Code Chapter 791.

6.3 Severability. If a provision contained in this Agreement is held invalid for any reason, the invalidity does not affect other provisions of the Agreement that can be given effect without the invalid provision, and to this end the provisions of this Agreement are severable.

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Attachment: 2022-065 RES IT Mutual Aid Agrmt (Allen, TX) signed (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

Participating Entity shall be bound by such amendments unless the Participating Entity sends written notice to the Host City terminating its participation in this Agreement.

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6.9 Governing Law. This Agreement shall be governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be in the State District Court of Collin County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

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6.11 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all the counterparts shall constitute one and the same instrument.

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6.13 Notice. All notices pertaining to this Agreement shall be in writing and shall be deemed delivered (i) when received at a Party's address if hand delivered or sent via overnight delivery service by way of USPS, UPS, FedEx, or similar carrier, or (ii) on the third (3rd) business day after being deposited in the United States mail, postage prepaid, certified mail, addressed to Participating Entity at the address set forth below the signature of the Party

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

[Signature Pages to Follow]

Attachment: 2022-065 RES IT Mutual Aid Agrmt (Allen, TX) signed (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

EXECUTED this 18th day of September 2020.

CITY OF ALLEN, TEXAS

By: _____
Eric Ellwanger, City Manager

One Allen Civic Plaza
305 Century Parkway
Allen, Texas 75013

ATTEST:

By: _____
Shelley B. George, City Secretary

APPROVED AS TO FORM:

By: _____
Peter G. Smith, City Attorney

Attachment: 2022-065 RES IT Mutual Aid Agrmt (Allen, TX) signed (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

EXECUTED this 11th day of July, ~~2020~~. 2022.

PARTICIPATING ENTITY:

CITY OF Terrell, **TEXAS**

By: _____
Name: DAVID ORR
Title: CITY MANAGER

Address: 220 Texas Blvd.
Terrell, TX 75501

ATTEST:

By: _____
City Secretary

APPROVED AS TO FORM:

By: _____
City Attorney

Attachment: 2022-065 RES IT Mutual Aid Agrmt (Allen, TX) signed (3726 : 2022-065 RES IT Mutual Aid Agreement - City of Allen, Texas)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 7/8/2022 8:45 AM

Lead Department: Water Utilities **Action Officer:** Pam White,

Subject: Resolution No. 2022-066 authorizing the City Manager to purchase one (1) John Deere 644 P Wheel Loader through the Sourcewell Buy Board in an amount not to exceed the Texas portion, $168,453.82, and the total amount not to exceed $274,892.00.

Briefing: 7/11/2022 **Public Hearing:** **Council Vote:** 7/11/2022

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Texarkana Water Utilities needs to urgently replace a 2015 Wheel Loader, which has 13,546 hours. This piece of equipment is used daily, and a rental is currently being used. Quotes were obtained to replace engine and/or to rebuild engine. It was determined that the most cost-effective option is to purchase one (1) John Deere 644 P Wheel Loader through the Sourcewell BuyBoard at $274,892.00. This price includes the BuyBoard applicable fees. Sourcewell is a self-funded government organization, that partner with government entities. Purchase from the BuyBoard meets all bidding requirements.

Potential Options:

- None
-

Fiscal Implications:

Funds were an emergency one-time use of fund balance.

Staff Recommendation:

Texarkana Water Utilities staff recommends approval of the purchase.

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. 2022-066 RES John Deere Wheel Loader (DOCX)
b. 2022-066 ATTH 01 Quote Summary for John Deere 644 P Wheel Loader (PDF)
c. 2022-066 ATTH 02 Estimate to Replace Engine on 2015 John Deere Loader (PDF)
d. 2022-066 ATTH 03 Estimate to Rebuild Engine on 2015 John Deere Loader (PDF)
e. 2022-066 Goals & Perspectives (DOCX)
f. 2022-066 RES John Deere 664 P Wheel Loader signed (PDF)

Staff Coordination

Water Utilities	Gary Smith 06/29/2022 2:24 PM	Department Head Review	Completed	
TWU Finance	Tricia Briggs	Review	Completed	06/29/2022 2:29 PM
City Manager	David Orr	City Manager Review	Completed	06/29/2022 3:58 PM
City Council	Jennifer Evans	Meeting	Completed	07/11/2022 6:00 PM

Meeting History

RESOLUTION NO. 2022-066

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO PURCHASE ONE (1) JOHN DEERE 644 P WHEEL LOADER THROUGH SOURCEWELL BUY BOARD IN AN AMOUNT NOT TO EXCEED THE TEXAS PORTION, $168,453.82, AND THE TOTAL AMOUNT NOT TO EXCEED $274,892.00; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texarkana Water Utilities reviewed pricing options: a quote summary to purchase a new John Deere 644 P Loader (ATTH 01), an estimate to replace the engine on a 2015 John Deere Loader (ATTH 02), and an estimate to rebuild the engine on a 2015 John Deere Loader (ATTH 03); and

WHEREAS, it was determined that the most cost-effective option is to purchase one (1) John Deere 644 P Wheel Loader through Sourcewell Buy Board (ATTH 01). Purchase from the Buy Board meets all bidding requirements; and

WHEREAS, the funds are an emergency one-time use of fund balance.

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

SECTION 1: The most cost-effective purchase would be to utilize the Sourcewell Buy Board in an amount not to exceed the Texas portion, $168,453.82, and the total amount not to exceed $274,892.00.

SECTION 2: The City Manager be and is hereby authorized to issue a purchase order for one (1) John Deere 644 P Wheel Loader through the Sourcewell Buy Board.

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-066 RES John Deere Wheel Loader (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

JOHN DEERE

STRIBLING EQUIPMENT

Quote Summary

Prepared For:
TEXARKANA WATER CO
AR

Prepared By:
WILLIAM TUBERVILLE
Stribling Equipment, LLC
1800 Jim Walter Drive
Texarkana, AR 71854-9271
Phone: 870-772-9321
btuberville@striblingequipment.com

Quote Id:	26937543
Created On:	21 June 2022
Last Modified On:	22 June 2022
Expiration Date:	29 July 2022

Equipment Summary	Selling Price		Qty		Extended
JOHN DEERE 644 P WHEEL LOADER - 1DW644PAANLZ13543	$ 286,870.00	X	1	=	$ 286,870.00
Equipment Total					**$ 286,870.00**

Quote Summary	
Equipment Total	$ 286,870.00
DOCUMENTATION FEE	$ 0.00
SubTotal	$ 286,870.00
Total	$ 286,870.00
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	**$ 286,870.00**

Optional Ext. Warranty
60 months - 6000 Hour
Powertrain & Hyd.
8022.00
286870.00
294892.00

294892.00
- 20,000.00 TRADE
274,892.00

Salesperson : X _____

Accepted By : X _____

Attachment: 2022-066 ATTH 01 Quote Summary for John Deere 644 P Wheel Loader [Revision 1] (3727 : 2022-066 RES Purchase One (1) John

JOHN DEERE

STRIBLING EQUIPMENT

Selling Equipment

Quote Id: 26937543

JOHN DEERE 644 P WHEEL LOADER - 1DW644PAANLZ13543

Hours: 0000
Stock Number:

Code	Description	Qty
6050DW	644 P-TIER 4WD LOADER	1
	Standard Options - Per Unit	
170C	JDLINK ULT 5 YEAR SERVICE	1
0924	JD POWERTECH ENGINE	1
1010	STANDARD WHEEL LOADER	1
1120	5 SP TRANSMISSION W/ LOCK UP	1
1217	140 AMP ALTERNATOR	1
1330	CHROME CURVED STACK	1
1430	AIR INTAKE WITH PRECLEANER	1
1520	AUTOMATIC REVERSING HYD FAN	1
1610	FUEL TANK W STD FILTER	1
1910	PREMIUM CAB	1
1940	7 INCH DISPLAY MONITOR	1
1970	HYDRAU HYDRAULIC FLUID	1
2010	STANDARD Z-BAR	1
2120	STEERING WHEEL ONLY	1
2240	PREMIUM SEAT	1
2360	JOYSTICK CONTROLS	1
2402	TWO FUNCTION HYDRAULICS	1
2510	RIDE CONTROL	1
2605	ENGLISH DECALS & MANUALS	1
2715	15 AMP CONVERTER	1
2870	NO PAYLOAD SCALE W/ COUNTER	1
3046	AXLE,STD REAR & HYD FRONT	1
3120	MANUAL DIFFERENTIAL LOCK	1
4621	23.5R25 L3 1 STAR MI-3PC RIM	1
5320	LESS TPMS SYSTEM	1
5530	STANDARD FRONT FENDERS	1
5610	LEFT SIDE STEPS ONLY	1
5840	NO FORK FRAME	1
5940	NO TINES	1
7120	HALOGEN WORK & DRIVE LIGHTS	1
8220	REAR HITCH & COUNTERWEIGHT	1
8240	REAR CAMERA ONLY	1
8290	LEFT BEACON BRACKET ONLY	1
8350	EXTERIOR MIRRORS-HEAT&POWER	1

Attachment: 2022-066 ATTH 01 Quote Summary for John Deere 644 P Wheel Loader [Revision 1] (3727 : 2022-066 RES Purchase One (1) John

JOHN DEERE

STRIBLING EQUIPMENT

Selling Equipment

Quote Id: 26937543

8370	RADIO - PREMIUM	1
8450	AC CHARGE	1
8567	FACTORY PIN-ON BUCKET READY	1
8860	CUTTING EDGE BOLT ON - LONG	1
8947	BUCKET - 4.75 CUBIC YARD	1
9045	QUICK FLUID SERVICE W/ DRAIN	1
9115	CAB FRESH AIR PRECLEANER	1
9140	FIRE EXTINGUISHER	1
9240	ENGINE COMPARTMENT LIGHT	1
9410	GUARDS-TRANSMISSION & BOTTOM	1

Dealer Attachments

	BYT11838	1
	Install Aux Hyds	1
	Front screens	1
	Labor front screens/gaurd	1
	Labor for roll out bucket	1
		1

Other Charges

Original Factory Build Codes

Code	Description
0924	JD POWERTECH ENGINE
1010	STANDARD WHEEL LOADER
1120	5 SP TRANSMISSION W/ LOCK UP
1217	140 AMP ALTERNATOR
1330	CHROME CURVED STACK
1430	AIR INTAKE WITH PRECLEANER
1520	AUTOMATIC REVERSING HYD FAN
1610	FUEL TANK W STD FILTER
170C	JDLINK ULT 5 YEAR SERVICE
1910	PREMIUM CAB
1940	7 INCH DISPLAY MONITOR
1970	HYDRAU HYDRAULIC FLUID
2010	STANDARD Z-BAR
2120	STEERING WHEEL ONLY
2240	PREMIUM SEAT
2360	JOYSTICK CONTROLS
2402	TWO FUNCTION HYDRAULICS
2510	RIDE CONTROL
2605	ENGLISH DECALS & MANUALS
2715	15 AMP CONVERTER
2870	NO PAYLOAD SCALE W/ COUNTER

Attachment: 2022-066 ATTH 01 Quote Summary for John Deere 644 P Wheel Loader [Revision 1] (3727 : 2022-066 RES Purchase One (1) John

JOHN DEERE

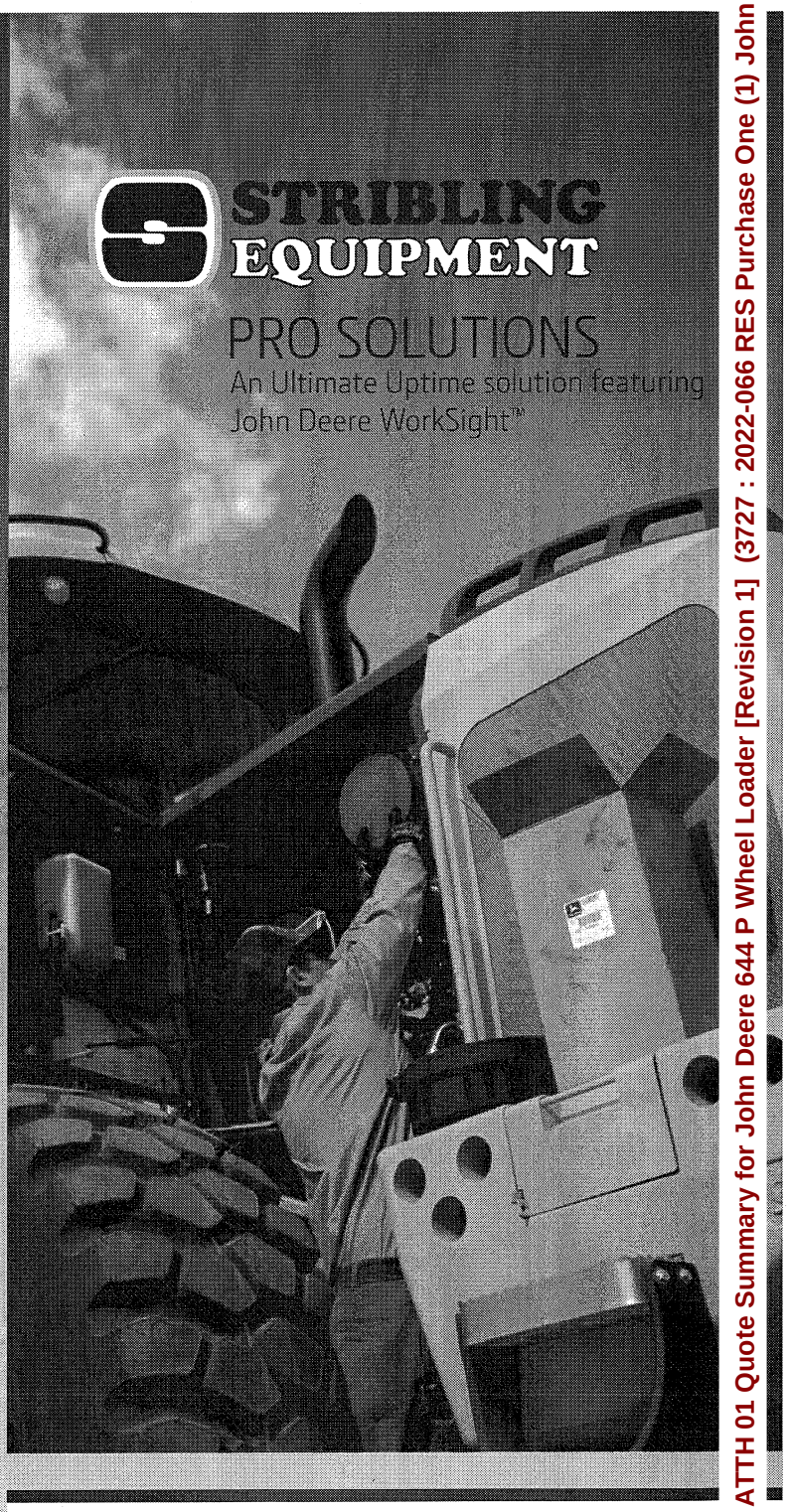
STRIBLING EQUIPMENT

Selling Equipment

Quote Id: 26937543

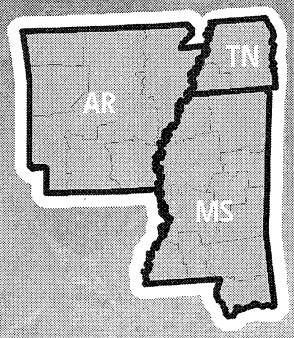
3046	AXLE,STD REAR & HYD FRONT
3120	MANUAL DIFFERENTIAL LOCK
4621	23.5R25 L3 1 STAR MI-3PC RIM
5320	LESS TPMS SYSTEM
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5840	NO FORK FRAME
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8450	AC CHARGE
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9115	CAB FRESH AIR PRECLEANER
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9240	ENGINE COMPARTMENT LIGHT
9410	GUARDS-TRANSMISSION & BOTTOM

Attachment: 2022-066 ATTH 01 Quote Summary for John Deere 644 P Wheel Loader [Revision 1] (3727 : 2022-066 RES Purchase One (1) John



STRIBLING EQUIPMENT, LLC

www.StriblingEquipment.com



For additional information
please call us toll free at
800-682-6409

Arkadelphia, AR	870-246-8678	Greenwood, MS	662-453-7556
Camden, AR	870-574-0290	Hattiesburg, MS	601-544-3000
Fort Smith, AR	479-646-8381	Jackson, MS	601-939-1000
Little Rock, AR	501-455-2540	Meridian, MS	601-482-5575
Monticello, AR	870-367-3496	Natchez, MS	601-442-3613
Springdale, AR	479-756-9779	Philadelphia, MS	601-656-1997
Texarkana, AR	870-772-9321	Tupelo, MS	662-844-3212
Biloxi, MS	228-365-0000	Memphis, TN	901-345-5294
Brookhaven, MS	601-835-4400	Jackson, TN	731-422-2542
Columbus, MS	662-328-0820		

JOHN DEERE

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Attachment: 2022-066 ATTH 01 Quote Summary for John Deere 644 P Wheel Loader [Revision 1] (3727 : 2022-066 RES Purchase One (1) John

STRIBLING EQUIPMENT, LLC

Jackson	MS	601-939-1000	Hattiesburg	MS	601-544-3000	Little Rock	AR	501-455-2540
Natchez	MS	601-442-3613	Biloxi	MS	228-365-0000	Monticello	AR	870-367-3496
Greenwood	MS	662-453-7556	Brookhaven	MS	601-835-4400	Camden	AR	870-574-0290
Meridian	MS	601-482-5575	Philadelphia	MS	601-656-1997	Texarkana	AR	870-772-9321
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						Jonesboro	AR	870-268-9900

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Bill-To 27785
TEXARKANA WATER UTILITIES

801 WOOD
TEXARKANA TX 75501

2015

Phone 9037983800

Owner TEXARKANA WATER UTILITIES
V.I.N **1DW644KZLFF672484**
Customer Unit #
Make JOHN DEERE
Model 644K
Main Engine S/N RG6090U021598

Claim #

Estimate ES022001020
P.O. Number
Invoice Date

Date In	Spn ID	Unit ID #	Hours	Bill Type	Terms	Writer	Reviewer
06/16/2022	999	142499	13,546	SR	NET10	SHAWN SR	

Job#1 S/JD-REPAIR *SHOP/JOHN DEERE - REPAIR*

Condition **SHOP/JOHN DEERE - REPLACE ENGINE AND AFTERTREATMENT SYSTEM.**

Cause NEW Engine

Correction

Qty	Item	Description	Price	Extended
		TECHNICIAN LABOR		8,000.00
1	022D/RG39694	Diesel Engine	59,004.96	59,004.96
1	022D/RE537960	Torsional Damper	2,790.25	2,790.25
1	022D/AT308994	Torsional Damper	1,323.43	1,323.43
1	022D/RE554119	Converter	13,524.58	13,524.58
1	022D/AT223226	Filter Element	104.28	104.28
1	022D/AT175224	Filter Element	57.20	57.20
12	022D/TY26575	COOL-GARD	17.85	214.20
8	022D/TY26673	Plus-50 II Oil 15W40 CK4/SN	29.30	234.40
1	022D/RE563694	Diesel Particulate Filter	3,833.92	3,833.92
1	022D/RE563866	Diesel Oxidation Catalyst	4,541.24	4,541.24
2	022D/RE537767	Clamp	203.40	406.80
1	022D/T437056	V-Belt	62.70	62.70
1	022D/RG39694-CORE	CORE	4,750.00	4,750.00
1	DIAG	DIAGNOSTIC CONNECTION	125.00	125.00
1	FRT	FREIGHT CHARGES	600.00	600.00

Condition Labor 8,000.00 **Condition Parts** 91,572.96 **Condition Sum** 99,572.96

Attachment: 2022-066 ATTH 02 Estimate to Replace Engine on 2015 John Deere Loader [Revision 1] (3727 : 2022-066 RES Purchase One (1)

STRIBLING EQUIPMENT, LLC

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Jackson	MS	601-939-1000	Hattiesburg	MS	601-544-3000	Little Rock	AR	501-455-2540
Natchez	MS	601-442-3613	Biloxi	MS	228-365-0000	Monticello	AR	870-367-3496
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Meridian	MS	601-482-5575	Philadelphia	MS	601-656-1997	Texarkana	AR	870-772-9321
Columbus	MS	662-328-0820	Tupelo	MS	662-844-3212	Fort Smith	AR	479-646-8381
			Memphis	TN	901-345-5294	Springdale	AR	479-756-9779
			Jackson	TN	731-422-2542	Arkadelphia	AR	870-246-8678
						Jonesboro	AR	870-268-9900

Bill-To 27785

TEXARKANA WATER UTILITIES

801 WOOD
TEXARKANA TX 75501

Phone 9037983800

Owner TEXARKANA WATER UTILITIES
V.I.N **1DW644KZLFF672484**
Customer Unit #
Make JOHN DEERE
Model 644K
Main Engine S/N RG6090U021598

Claim #

Estimate ES022001020
P.O. Number
Invoice Date

Date In	Spn ID	Unit ID #	Hours	Bill Type	Terms	Writer	Reviewer
06/16/2022	999	142499	13,546	SR	NET10	SHAWN	SR

TERMS AND CONDITIONS OF SALE

1. Payment Terms. All balances are due on delivery or on the 10th of the month following the purchase at the option of Stribling. A finance charge of 1 1/2% per month or the maximum permitted by law whichever is less will be added to all balances past due. Customer is responsible for any present or future excise, sales, use or other tax applicable to the sale or use of the goods or services purchased hereunder, and agrees to defend, indemnify and hold Stribling harmless of and from any claim or demand for same.
2. Forum Selection Clause and Choice of Law. To the extent any matter is not covered by arbitration as provided below, the exclusive venue for any proceeding relating in any manner to this invoice, any transaction with Stribling (or any person or entity associated with Stribling) or Customer's business relationship with Stribling and Customer will be a state court in Rankin County, Mississippi (except for claims relating to facilities located outside of Mississippi, then in the county where such facility is located), or in any federal court having jurisdiction over such county. All disputes arising out of or related to this transaction shall be governed by the laws of the State of Mississippi.
3. Disclaimer of Warranties and Limitation of Liabilities. To the fullest extent permitted by law, Stribling hereby expressly disclaims all warranties, either expressed or implied, including any warranty of merchantability or fitness for a particular purpose, and Stribling neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said goods or services. The liability of Stribling for all claims in contract, tort (including negligence and products liability) or otherwise arising out of or resulting from the purchase of the goods and/or services shall not exceed the price to Customer allocable to the good or service which gives rise to the claim, and in no event shall Stribling's liability exceed the total purchase price of this invoice. In no event shall Stribling be liable for any incidental, consequential, punitive, exemplary, indirect, or special damages including, but not limited to, injuries to persons or damage to property, loss of profits or anticipated profits, or loss of use. Any warranties on the product sold hereby are those made by the manufacturer which shall be the sole and exclusive remedy, whether in contract, warranty, tort or strict liability.
4. Cost of Collection. In the event Customer defaults in the payment of the amount due herein, Customer agrees to pay for all costs of collection, including without limitation, all court costs and attorneys' fees.
5. Arbitration Agreement and Waiver of Jury Trial. Stribling and Customer hereby agree to this arbitration agreement ("Arbitration Agreement").
   a. CLAIMS AND DISPUTES COVERED. Except for those claims described below under the heading "MATTERS NOT COVERED BY ARBITRATION," Stribling and Customer agree that either party may elect to resolve by BINDING ARBITRATION all claims and disputes between us ("Covered Claims"). This includes, but is not limited to: all claims and disputes arising out of, in connection with, or relating to Customer's business relationship with Stribling; any and all invoices, transactions, solicitations, all documents, promotions, or advertising; any actions or omissions relating to this or any other matter between Stribling and Customer; whether any such claim must be arbitrated; the validity and enforceability of this Arbitration Agreement and this agreement; any alleged fraud or misrepresentation; any claim based on or arising under any federal, state, or local law, statute, regulation, ordinance or rule; any claim or dispute based on any alleged tort (wrong), including intentional torts; and any claim for injunctive, declaratory or equitable relief.
   b. COVERED CLAIMS AGAINST THIRD PARTIES. This Arbitration Agreement also covers any claim or dispute between Customer and any of Stribling's employees, officers, agents or directors; any of its affiliate entities; any third parties related to the transaction; and any of the employees, officers, agents or directors of such affiliates or third parties. In addition, if Stribling becomes a party in any lawsuit that Customer has with any third party, whether through intervention by Stribling or by motion made by Customer or any third party, all claims in that lawsuit between Customer and the third party will be subject to binding arbitration under this Arbitration Agreement, provided that the third party is required to agree to resolve such claims by arbitration.
   c. MATTERS NOT COVERED BY ARBITRATION. Customer agrees that Stribling does not have to initiate arbitration before exercising lawful self-help remedies or judicial remedies of garnishment, repossession, replevin, or foreclosure, but instead may proceed in court for those judicial remedies (an "Excluded Collateral Lawsuit"). Customer may assert in court any defenses Customer may have to Stribling's claims in an Excluded Collateral Lawsuit, but any claim or counterclaim for recession or damages Customer may have arising out of, relating to, or in connection with Stribling's exercise of those remedies must be arbitrated. Instead of pursuing arbitration, either Stribling or Customer also have the option to bring a lawsuit in court to seek to recover an amount which does not exceed the total sum of $25,000 (including costs and attorneys' fees), provided that no relief other than such recovery is requested in such lawsuit (an "Excluded Damages Lawsuit"). If an Excluded Damages Lawsuit is filed, the other party cannot require that the claims in that lawsuit be arbitrated. If such an Excluded Damages Lawsuit is filed by Customer or Stribling, and any party to that lawsuit files an amendment, counterclaim, cross-claim, or third-party claim seeking to recover more than $25,000, then that claim, counterclaim, cross-claim or third party claim must be arbitrated in accordance with the procedures set forth in this Arbitration Agreement. Neither Customer nor Stribling shall be deemed to have waived any arbitration rights by the fact of having exercised any self-help or judicial remedies, or by having filed any claims including but not limited to an Excluded Damages Lawsuit in a court.
   d. ARBITRATION FORUM AND RULES. The arbitration will be conducted in accordance with the Commercial Arbitration Rules of the American Arbitration Association ("AAA") and shall be conducted by the AAA or any other arbitrator selected by mutual agreement of the parties. The arbitration shall be conducted in Rankin County, Mississippi (except for claims relating to facilities located outside Mississippi, then in the county where such facility is located). All fees and charges of the Arbitrator shall be shared equally provided, however, that the Arbitrator may award reimbursement of such costs to the prevailing party. Each party shall also pay for its own costs, including fees for attorneys, experts and witnesses, unless otherwise provided by law or section 4 above, to the extent permitted by applicable law.
   TO THE FULLEST EXTENT PERMITTED BY LAW, BOTH STRIBLING AND CUSTOMER ARE VOLUNTARILY WAIVING ANY RIGHT TO AN ADJUDICATION BY A COURT OF LAW (INCLUDING TRIAL BY JURY) OF ALL CLAIMS AND DISPUTES COVERED BY THIS ARBITRATION AGREEMENT.

If there are problems with this repair visit, we must be contacted immediately in order to expedite the follow up procedures

TERMS: STRICTLY CASH, APPROVED ACCOUNT

I, Customer, hereby acknowledge receipt of the above described goods and/or receipt of the item(s) on which services were performed in the specified quantities and prices and agree to pay Stribling Equipment, LLC (Stribling) as set forth herein. By signing this form or by taking possession of the goods and/or the item(s) on which services were performed or by otherwise accepting the same, I agree to and accept the terms and conditions of sale set forth on the reverse side of this form, including but not limited to the forum selection clause, disclaimer of warranties, limitation of liabilities, and binding arbitration provisions. Customer authorizes the repair to be performed along with the use of necessary materials. Stribling employees may operate equipment for purposes of testing, inspection or delivery, at Customers risk. An express mechanics lien is acknowledged on the repaired equipment to secure the amount of repairs thereto. It is agreed that Stribling assumes no responsibility for loss or damage by theft or fire to equipment placed with Stribling for storage, sale, repair or while field testing.

Customer Signature: _____

Misc Charges	**725.00**
Mileage	**0.00**
Parts	**90,847.96**
Labor	**8,000.00**
Sublet	**0.00**
Environmental Supplies	**300.00**
Taxes	**10,236.98**
Total	**110,109.94**

Please Remit Payment To:
Stribling Equipment, LLC
PO Box 6038
Jackson, MS 39288-6038

!!!!RECEIVE THIS INVOICE BY EMAIL!!!!

EMAIL US AT CREDITSEI@STRIBLINGEQUIPMENT.COM

Attachment: 2022-066 ATTH 02 Estimate to Replace Engine on 2015 John Deere Loader [Revision 1] (3727 : 2022-066 RES Purchase One (1)

STRIBLING EQUIPMENT, LLC

Jackson	MS	601-939-1000	Hattiesburg	MS	601-544-3000	Little Rock	AR	501-455-2540
Natchez	MS	601-442-3613	Biloxi	MS	228-365-0000	Monticello	AR	870-367-3496
Greenwood	MS	662-453-7556	Brookhaven	MS	601-835-4400	Camden	AR	870-574-0290
Meridian	MS	601-482-5575	Philadelphia	MS	601-656-1997	Texarkana	AR	870-772-9321
Columbus	MS	662-328-0820	Tupelo	MS	662-844-3212	Fort Smith	AR	479-646-8381
			Memphis	TN	901-345-5294	Springdale	AR	479-756-9779
			Jackson	TN	731-422-2542	Arkadelphia	AR	870-246-8678
						Jonesboro	AR	870-268-9900

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Bill-To 27785
TEXARKANA WATER UTILITIES

801 WOOD
TEXARKANA TX 75501

2015

Phone 9037983800

Owner TEXARKANA WATER UTILITIES
V.I.N **1DW644KZLFF672484**
Customer Unit #
Make JOHN DEERE
Model 644K
Main Engine S/N RG6090U021598

Claim #

Estimate ES022001023
P.O. Number
Invoice Date

Date In	Spn ID	Unit ID #	Hours	Bill Type	Terms	Writer	Reviewer
06/17/2022	999	142499	13,546	SR	NET10	SHAWN SR	

Job#1 S/JD-REPAIR — *SHOP/JOHN DEERE - REPAIR*

Condition **SHOP/JOHN DEERE - REPAIR ENGINE AND AFTERTREATMENT SYSTEM.**

Cause Rebuild Engine

Correction

Qty	Item	Description	Price	Extended
		TECHNICIAN LABOR		11,520.00
6	022D/RE555914	Nozzle Kit	687.87	4,127.22
1	022D/DZ102534	Heat Exchanger	2,934.68	2,934.68
2	022D/R528163	Gasket	16.08	32.16
8	022D/19H1648	Cap Screw	3.25	26.00
1	022D/AT308994	Torsional Damper	1,323.43	1,323.43
1	022D/RE537960	Torsional Damper	2,790.25	2,790.25
1	022D/SE502546	Oil Pump Reman	842.94	842.94
1	022D/RE554119	Converter	13,524.58	13,524.58
1	022D/AT223226	Filter Element	104.28	104.28
1	022D/AT175224	Filter Element	57.20	57.20
12	022D/TY26575	COOL-GARD	17.85	214.20
8	022D/TY26673	Plus-50 II Oil 15W40 CK4/SN	29.30	234.40
1	022D/RE563694	Diesel Particulate Filter	3,833.92	3,833.92
1	022D/RE563866	Diesel Oxidation Catalyst	4,541.24	4,541.24
2	022D/RE537767	Clamp	203.40	406.80
1	022D/T437056	V-Belt	62.70	62.70
1	022D/DZ118283	Filter Kit	23.23	23.23
1	022D/DZ112918	Filter Element	127.09	127.09
1	022D/RE539465	Filter Element	101.12	101.12
1	022D/DZ119115	Exhaust Gas Recycling Valve	1,127.82	1,127.82
1	022D/RE528399	Bolt Kit	283.32	283.32
1	022D/DZ113616	Gasket Kit	3,440.86	3,440.86
1	022D/DZ110431	Engine Overhaul Kit	6,720.08	6,720.08
1	022D/DZ119115-CORE	CORE	100.00	100.00
1	022D/SE502546-CORE	CORE	100.00	100.00
6	022D/RE555914-CORE	CORE	75.00	450.00
1	DIAG	DIAGNOSTIC CONNECTION	125.00	125.00
1	FRT	FREIGHT CHARGES	500.00	500.00

Condition Labor 11,520.00 **Condition Parts** 48,154.52 **Condition Sum** 59,674.52

Attachment: 2022-066 ATTH 03 Estimate to Rebuild Engine on 2015 John Deere Loader [Revision 1] (3727 : 2022-066 RES Purchase One (1)

STRIBLING EQUIPMENT, LLC

Jackson	MS	601-939-1000	Hattiesburg	MS	601-544-3000	Little Rock	AR	501-455-2540
Natchez	MS	601-442-3613	Biloxi	MS	228-365-0000	Monticello	AR	870-367-3496
Greenwood	MS	662-453-7556	Brookhaven	MS	601-835-4400	Camden	AR	870-574-0290
Meridian	MS	601-482-5575	Philadelphia	MS	601-656-1997	Texarkana	AR	870-772-9321
Columbus	MS	662-328-0820	Tupelo	MS	662-844-3212	Fort Smith	AR	479-646-8381
			Memphis	TN	901-345-5294	Springdale	AR	479-756-9779
			Jackson	TN	731-422-2542	Arkadelphia	AR	870-246-8678
						Jonesboro	AR	870-268-9900

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Bill-To 27785

TEXARKANA WATER UTILITIES

801 WOOD
TEXARKANA TX 75501

Phone 9037983800

Owner TEXARKANA WATER UTILITIES
V.I.N **1DW644KZLFF672484**
Customer Unit #
Make JOHN DEERE
Model 644K
Main Engine S/N RG6090U021598

Claim #

Estimate
ES022001023
P.O. Number
Invoice Date

Date In	Spn ID	Unit ID #	Hours	Bill Type	Terms	Writer	Reviewer
06/17/2022	999	142499	13,546	SR	NET10	SHAWN SR	

TERMS AND CONDITIONS OF SALE

1. Payment Terms. All balances are due on delivery or on the 10th of the month following the purchase at the option of Stribling. A finance charge of 1 1/2% per month or the maximum permitted by law whichever is less will be added to all balances past due. Customer is responsible for any present or future excise, sales, use or other tax applicable to the sale or use of the goods or services purchased hereunder, and agrees to defend, indemnify and hold Stribling harmless of and from any claim or demand for same.
2. Forum Selection Clause and Choice of Law. To the extent any matter is not covered by arbitration as provided below, the exclusive venue for any proceeding relating in any manner to this invoice, any transaction with Stribling (or any person or entity associated with Stribling) or Customer's business relationship with Stribling and Customer will be a state court in Rankin County, Mississippi (except for claims relating to facilities located outside of Mississippi, then in the county where such facility is located), or in any federal court having jurisdiction over such county. All disputes arising out of or related to this transaction shall be governed by the laws of the State of Mississippi.
3. Disclaimer of Warranties and Limitation of Liabilities. To the fullest extent permitted by law, Stribling hereby expressly disclaims all warranties, either expressed or implied, including any warranty of merchantability or fitness for a particular purpose, and Stribling neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said goods or services. The liability of Stribling for all claims in contract, tort (including negligence and products liability) or otherwise arising out of or resulting from the purchase of the goods and/or services shall not exceed the price to Customer allocable to the good or service which gives rise to the claim, and in no event shall Stribling's liability exceed the total purchase price of this invoice. In no event shall Stribling be liable for any incidental, consequential, punitive, exemplary, indirect, or special damages including, but not limited to, injuries to persons or damage to property, loss of profits or anticipated profits, or loss of use. Any warranties on the product sold hereby are those made by the manufacturer which shall be the sole and exclusive remedy, whether in contract, warranty, tort or strict liability.
4. Cost of Collection. In the event Customer defaults in the payment of the amount due herein, Customer agrees to pay for all costs of collection, including without limitation, all court costs and attorneys' fees.
5. Arbitration Agreement and Waiver of Jury Trial. Stribling and Customer hereby agree to this arbitration agreement ("Arbitration Agreement").
   a. CLAIMS AND DISPUTES COVERED. Except for those claims described below under the heading "MATTERS NOT COVERED BY ARBITRATION," Stribling and Customer agree that either party may elect to resolve by BINDING ARBITRATION all claims and disputes between us ("Covered Claims"). This includes, but is not limited to: all claims and disputes arising out of, in connection with, or relating to Customer's business relationship with Stribling; any and all invoices, transactions, solicitations, all documents, promotions, or advertising; any actions or omissions relating to this or any other matter between Stribling and Customer; whether any such claim must be arbitrated; the validity and enforceability of this Arbitration Agreement and this agreement; any alleged fraud or misrepresentation; any claim based on or arising under any federal, state, or local law, statute, regulation, ordinance or rule; any claim or dispute based on any alleged tort (wrong), including intentional torts; and any claim for injunctive, declaratory or equitable relief.
   b. COVERED CLAIMS AGAINST THIRD PARTIES. This Arbitration Agreement also covers any claim or dispute between Customer and any of Stribling's employees, officers, agents or directors; any of its affiliate entities; any third parties related to the transaction; and any of the employees, officers, agents or directors of such affiliates or third parties. In addition, if Stribling becomes a party in any lawsuit that Customer has with any third party, whether through intervention by Stribling or by motion made by Customer or any third party, all claims in that lawsuit between Customer and the third party will be subject to binding arbitration under this Arbitration Agreement, provided that the third party is required to agree to resolve such claims by arbitration.
   c. MATTERS NOT COVERED BY ARBITRATION. Customer agrees that Stribling does not have to initiate arbitration before exercising lawful self-help remedies or judicial remedies of garnishment, repossession, replevin, or foreclosure, but instead may proceed in court for those judicial remedies (an "Excluded Collateral Lawsuit"). Customer may assert in court any defenses Customer may have to Stribling's claims in an Excluded Collateral Lawsuit, but any claim or counterclaim for recession or damages Customer may have arising out of, relating to, or in connection with Stribling's exercise of those remedies must be arbitrated. Instead of pursuing arbitration, either Stribling or Customer also have the option to bring a lawsuit in court to seek to recover an amount which does not exceed the total sum of $25,000 (including costs and attorneys' fees), provided that no relief other than such recovery is requested in such lawsuit (an "Excluded Damages Lawsuit"). If an Excluded Damages Lawsuit is filed, the other party cannot require that the claims in that lawsuit be arbitrated. If such an Excluded Damages Lawsuit is filed by Customer or Stribling, and any party to that lawsuit files an amendment, counterclaim, cross-claim, or third-party claim seeking to recover more than $25,000, then that claim, counterclaim, cross-claim or third party claim must be arbitrated in accordance with the procedures set forth in this Arbitration Agreement. Neither Customer nor Stribling shall be deemed to have waived any arbitration rights by the fact of having exercised any self-help or judicial remedies, or by having filed any claims including but not limited to an Excluded Damages Lawsuit in a court.
   d. ARBITRATION FORUM AND RULES. The arbitration will be conducted in accordance with the Commercial Arbitration Rules of the American Arbitration Association ("AAA") and shall be conducted by the AAA or any other arbitrator selected by mutual agreement of the parties. The arbitration shall be conducted in Rankin County, Mississippi (except for claims relating to facilities located outside Mississippi, then in the county where such facility is located). All fees and charges of the Arbitrator shall be shared equally provided, however, that the Arbitrator may award reimbursement of such costs to the prevailing party. Each party shall also pay for its own costs, including fees for attorneys, experts and witnesses, unless otherwise provided by law or section 4 above, to the extent permitted by applicable law.
   TO THE FULLEST EXTENT PERMITTED BY LAW, BOTH STRIBLING AND CUSTOMER ARE VOLUNTARILY WAIVING ANY RIGHT TO AN ADJUDICATION BY A COURT OF LAW (INCLUDING TRIAL BY JURY) OF ALL CLAIMS AND DISPUTES COVERED BY THIS ARBITRATION AGREEMENT.

If there are problems with this repair visit, we must be contacted immediately in order to expedite the follow up procedures

TERMS: STRICTLY CASH, APPROVED ACCOUNT

I, Customer, hereby acknowledge receipt of the above described goods and/or receipt of the item(s) on which services were performed in the specified quantities and prices and agree to pay Stribling Equipment, LLC (Stribling) as set forth herein. By signing this form or by taking possession of the goods and/or the item(s) on which services were performed or by otherwise accepting the same, I agree to and accept the terms and conditions of sale set forth on the reverse side of this form, including but not limited to the forum selection clause, disclaimer of warranties, limitation of liabilities, and binding arbitration provisions. Customer authorizes the repair to be performed along with the use of necessary materials. Stribling employees may operate equipment for purposes of testing, inspection or delivery, at Customers risk. An express mechanics lien is acknowledged on the repaired equipment to secure the amount of repairs thereto. It is agreed that Stribling assumes no responsibility for loss or damage by theft or fire to equipment placed with Stribling for storage, sale, repair or while field testing.

Customer Signature: _____

Misc Charges	**625.00**
Mileage	**0.00**
Parts	**47,529.52**
Labor	**11,520.00**
Sublet	**0.00**
Environmental Supplies	**300.00**
Taxes	**6,147.39**
Total	**66,121.91**

Please Remit Payment To:
Stribling Equipment, LLC
PO Box 6038
Jackson, MS 39288-6038

!!!!RECEIVE THIS INVOICE BY EMAIL!!!!

EMAIL US AT CREDITSEI@STRIBLINGEQUIPMENT.COM

Attachment: 2022-066 ATTH 03 Estimate to Rebuild Engine on 2015 John Deere Loader [Revision 1] (3727 : 2022-066 RES Purchase One (1)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

Public Information Plan:

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

Other:

Attachment: 2022-066 Goals & Perspectives (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

RESOLUTION NO. 2022-066

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO PURCHASE ONE (1) JOHN DEERE 644 P WHEEL LOADER THROUGH SOURCEWELL BUY BOARD IN AN AMOUNT NOT TO EXCEED THE TEXAS PORTION, $168,453.82, AND THE TOTAL AMOUNT NOT TO EXCEED $274,892.00; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texarkana Water Utilities reviewed pricing options: a quote summary to purchase a new John Deere 644 P Loader (ATTH 01), an estimate to replace the engine on a 2015 John Deere Loader (ATTH 02), and an estimate to rebuild the engine on a 2015 John Deere Loader (ATTH 03); and

WHEREAS, it was determined that the most cost-effective option is to purchase one (1) John Deere 644 P Wheel Loader through Sourcewell Buy Board (ATTH 01). Purchase from the Buy Board meets all bidding requirements; and

WHEREAS, the funds are an emergency one-time use of fund balance.

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

SECTION 1: The most cost-effective purchase would be to utilize the Sourcewell Buy Board in an amount not to exceed the Texas portion, $168,453.82, and the total amount not to exceed $274,892.00.

SECTION 2: The City Manager be and is hereby authorized to issue a purchase order for one (1) John Deere 644 P Wheel Loader through the Sourcewell Buy Board.

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:42 p.m.

Attachment: 2022-066 RES John Deere 664 P Wheel Loader signed (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

JOHN DEERE

STRIBLING EQUIPMENT

RES 2022-066
ATTH 01

Quote Summary

Prepared For:
TEXARKANA WATER CO
AR

Prepared By:
WILLIAM TUBERVILLE
Stribling Equipment, LLC
1800 Jim Walter Drive
Texarkana, AR 71854-9271
Phone: 870-772-9321
btuberville@striblingequipment.com

Quote Id:	26937543
Created On:	21 June 2022
Last Modified On:	22 June 2022
Expiration Date:	29 July 2022

Equipment Summary	Selling Price		Qty		Extended
JOHN DEERE 644 P WHEEL LOADER - 1DW644PAANLZ13543	$ 286,870.00	X	1	=	$ 286,870.00
Equipment Total					**$ 286,870.00**

Quote Summary	
Equipment Total	$ 286,870.00
DOCUMENTATION FEE	$ 0.00
SubTotal	$ 286,870.00
Total	$ 286,870.00
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	**$ 286,870.00**

Optional Ext. Warranty
60 months - 6000 Hour
Powertrain & Hyd.
8022.00
286870.00
294892.00

294892.00
- 20,000.00 TRADE
274,892.00

Salesperson : X _____

Accepted By : X _____

Attachment: 2022-066 RES John Deere 664 P Wheel Loader signed (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

JOHN DEERE

STRIBLING EQUIPMENT

Selling Equipment

2022-066 ATTH 01

Quote Id: 26937543

JOHN DEERE 644 P WHEEL LOADER - 1DW644PAANLZ13543

Hours: 0000
Stock Number:

Code	Description	Qty
6050DW	644 P-TIER 4WD LOADER	1
	Standard Options - Per Unit	
170C	JDLINK ULT 5 YEAR SERVICE	1
0924	JD POWERTECH ENGINE	1
1010	STANDARD WHEEL LOADER	1
1120	5 SP TRANSMISSION W/ LOCK UP	1
1217	140 AMP ALTERNATOR	1
1330	CHROME CURVED STACK	1
1430	AIR INTAKE WITH PRECLEANER	1
1520	AUTOMATIC REVERSING HYD FAN	1
1610	FUEL TANK W STD FILTER	1
1910	PREMIUM CAB	1
1940	7 INCH DISPLAY MONITOR	1
1970	HYDRAU HYDRAULIC FLUID	1
2010	STANDARD Z-BAR	1
2120	STEERING WHEEL ONLY	1
2240	PREMIUM SEAT	1
2360	JOYSTICK CONTROLS	1
2402	TWO FUNCTION HYDRAULICS	1
2510	RIDE CONTROL	1
2605	ENGLISH DECALS & MANUALS	1
2715	15 AMP CONVERTER	1
2870	NO PAYLOAD SCALE W/ COUNTER	1
3046	AXLE,STD REAR & HYD FRONT	1
3120	MANUAL DIFFERENTIAL LOCK	1
4621	23.5R25 L3 1 STAR MI-3PC RIM	1
5320	LESS TPMS SYSTEM	1
5530	STANDARD FRONT FENDERS	1
5610	LEFT SIDE STEPS ONLY	1
5840	NO FORK FRAME	1
5940	NO TINES	1
7120	HALOGEN WORK & DRIVE LIGHTS	1
8220	REAR HITCH & COUNTERWEIGHT	1
8240	REAR CAMERA ONLY	1
8290	LEFT BEACON BRACKET ONLY	1
8350	EXTERIOR MIRRORS-HEAT&POWER	1

Attachment: 2022-066 RES John Deere 664 P Wheel Loader signed (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

JOHN DEERE

STRIBLING EQUIPMENT

Selling Equipment

2022-066 ATTH 01

Quote Id: 26937543

8370	RADIO - PREMIUM	1
8450	AC CHARGE	1
8567	FACTORY PIN-ON BUCKET READY	1
8860	CUTTING EDGE BOLT ON - LONG	1
8947	BUCKET - 4.75 CUBIC YARD	1
9045	QUICK FLUID SERVICE W/ DRAIN	1
9115	CAB FRESH AIR PRECLEANER	1
9140	FIRE EXTINGUISHER	1
9240	ENGINE COMPARTMENT LIGHT	1
9410	GUARDS-TRANSMISSION & BOTTOM	1

Dealer Attachments

	BYT11838	1
	Install Aux Hyds	1
	Front screens	1
	Labor front screens/gaurd	1
	Labor for roll out bucket	1
		1

Other Charges

Original Factory Build Codes

Code	Description
0924	JD POWERTECH ENGINE
1010	STANDARD WHEEL LOADER
1120	5 SP TRANSMISSION W/ LOCK UP
1217	140 AMP ALTERNATOR
1330	CHROME CURVED STACK
1430	AIR INTAKE WITH PRECLEANER
1520	AUTOMATIC REVERSING HYD FAN
1610	FUEL TANK W STD FILTER
170C	JDLINK ULT 5 YEAR SERVICE
1910	PREMIUM CAB
1940	7 INCH DISPLAY MONITOR
1970	HYDRAU HYDRAULIC FLUID
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2870	NO PAYLOAD SCALE W/ COUNTER

Attachment: 2022-066 RES John Deere 664 P Wheel Loader signed (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

JOHN DEERE

STRIBLING EQUIPMENT

Selling Equipment

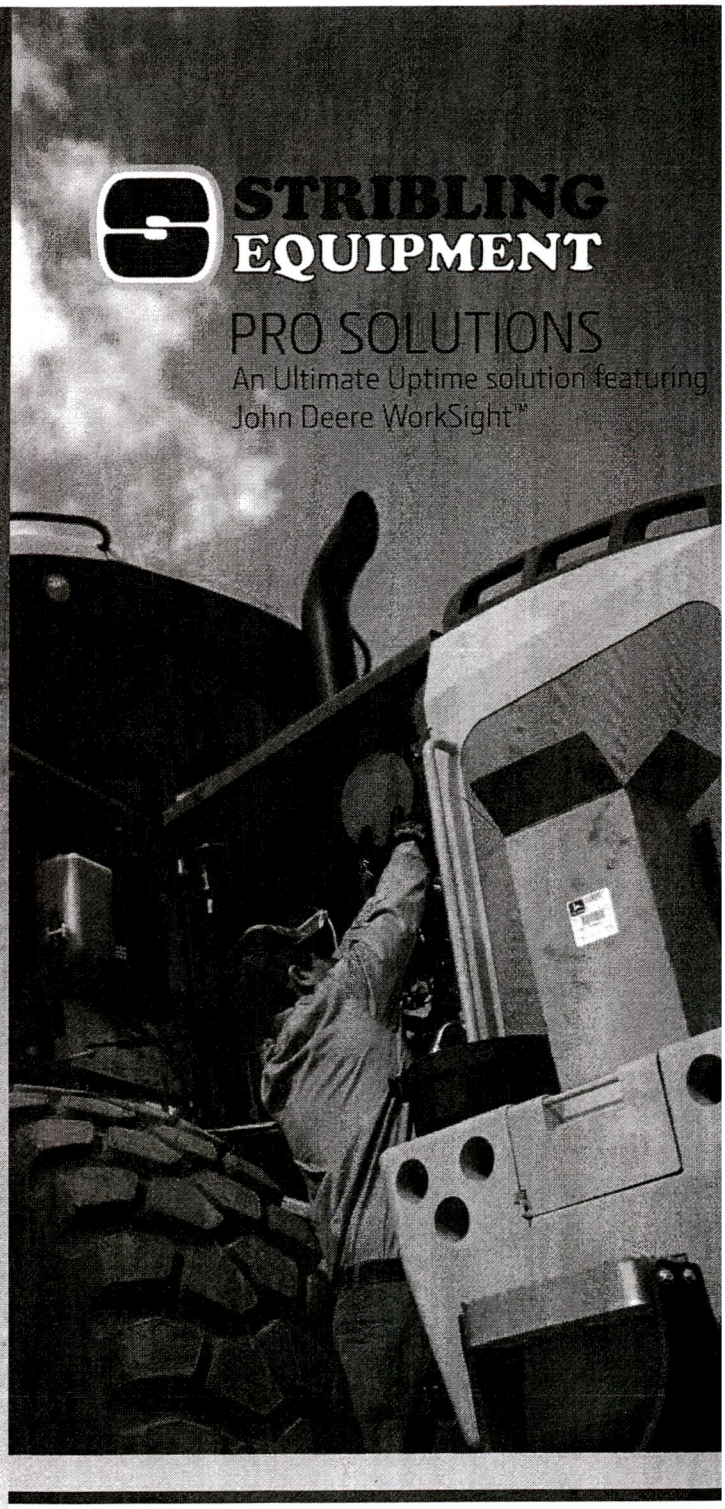
2022-066 ATTH 01

Quote Id: 26937543

3046	AXLE,STD REAR & HYD FRONT
3120	MANUAL DIFFERENTIAL LOCK
4621	23.5R25 L3 1 STAR MI-3PC RIM
5320	LESS TPMS SYSTEM
5530	STANDARD FRONT FENDERS
5610	LEFT SIDE STEPS ONLY
5840	NO FORK FRAME
5940	NO TINES
7120	HALOGEN WORK & DRIVE LIGHTS
8220	REAR HITCH & COUNTERWEIGHT
8240	REAR CAMERA ONLY
8290	LEFT BEACON BRACKET ONLY
8350	EXTERIOR MIRRORS-HEAT&POWER
8370	RADIO - PREMIUM
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9140	FIRE EXTINGUISHER
9240	ENGINE COMPARTMENT LIGHT
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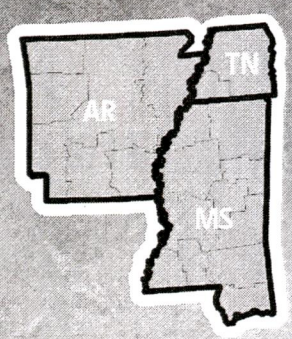
Attachment: 2022-066 RES John Deere 664 P Wheel Loader signed (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

2022-066 ATTACH 01



STRIBLING EQUIPMENT, LLC

www.StriblingEquipment.com



For additional information
please call us toll free at
800-682-6409

Arkadelphia, AR	870-246-8678	Greenwood, MS	662-453-7556
Camden, AR	870-574-0290	Hattiesburg, MS	601-544-3000
Fort Smith, AR	479-646-8381	Jackson, MS	601-939-1000
Little Rock, AR	501-455-2540	Meridian, MS	601-482-5575
Monticello, AR	870-367-3496	Natchez, MS	601-442-3613
Springdale, AR	479-756-9779	Philadelphia, MS	601-656-1997
Texarkana, AR	870-772-9321	Tupelo, MS	662-844-3212
Biloxi, MS	228-365-0000	Memphis, TN	901-345-5294
Brookhaven, MS	601-835-4400	Jackson, TN	731-422-2542
Columbus, MS	662-328-0820		

JOHN DEERE

www.StriblingEquipment.com

Attachment: 2022-066 RES John Deere 664 P Wheel Loader signed (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

STRIBLING EQUIPMENT, LLC

Jackson	MS	601-939-1000	Hattiesburg	MS	601-544-3000	Little Rock	AR	501-455-2540
Natchez	MS	601-442-3613	Biloxi	MS	228-365-0000	Monticello	AR	870-367-3496
Greenwood	MS	662-453-7556	Brookhaven	MS	601-835-4400	Camden	AR	870-574-0290
Meridian	MS	601-482-5575	Philadelphia	MS	601-656-1997	Texarkana	AR	870-772-9321
Columbus	MS	662-328-0820	Tupelo	MS	662-844-3212	Fort Smith	AR	479-646-8381
			Memphis	TN	901-345-5294	Springdale	AR	479-756-9779
			Jackson	TN	731-422-2542	Arkadelphia	AR	870-246-8678
						Jonesboro	AR	870-268-9900

POST OFFICE BOX 6038 / JACKSON, MS 39288-6038 601-939-1000 / 800-682-6409 / Fax: 601-932-3306 / E-Mail: info@striblingequipment.com

Bill-To 27785
TEXARKANA WATER UTILITIES
801 WOOD
TEXARKANA TX 75501

2015

Phone 9037983800

Owner TEXARKANA WATER UTILITIES
V.I.N **1DW644KZLFF672484**
Customer Unit #
Make JOHN DEERE
Model 644K
Main Engine S/N RG6090U021598

Claim #

Estimate
ES022001020
P.O. Number
Invoice Date

Date In	Spn ID	Unit ID #	Hours	Bill Type	Terms	Writer	Reviewer
06/16/2022	999	142499	13,546	SR	NET10	SHAWN SR	

Job#1 S/JD-REPAIR *SHOP/JOHN DEERE - REPAIR*

Condition **SHOP/JOHN DEERE - REPLACE ENGINE AND AFTERTREATMENT SYSTEM.**

Cause

NEW Engine

Correction

Qty	Item	Description	Price	Extended
		TECHNICIAN LABOR		8,000.00
1	022D/RG39694	Diesel Engine	59,004.96	59,004.96
1	022D/RE537960	Torsional Damper	2,790.25	2,790.25
1	022D/AT308994	Torsional Damper	1,323.43	1,323.43
1	022D/RE554119	Converter	13,524.58	13,524.58
1	022D/AT223226	Filter Element	104.28	104.28
1	022D/AT175224	Filter Element	57.20	57.20
12	022D/TY26575	COOL-GARD	17.85	214.20
8	022D/TY26673	Plus-50 II Oil 15W40 CK4/SN	29.30	234.40
1	022D/RE563694	Diesel Particulate Filter	3,833.92	3,833.92
1	022D/RE563866	Diesel Oxidation Catalyst	4,541.24	4,541.24
2	022D/RE537767	Clamp	203.40	406.80
1	022D/T437056	V-Belt	62.70	62.70
1	022D/RG39694-CORE	CORE	4,750.00	4,750.00
1	DIAG	DIAGNOSTIC CONNECTION	125.00	125.00
1	FRT	FREIGHT CHARGES	600.00	600.00

Condition Labor 8,000.00 **Condition Parts** 91,572.96 **Condition Sum** 99,572.96

Attachment: 2022-066 RES John Deere 664 P Wheel Loader signed (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

2022 066 ATTH 02

STRIBLING EQUIPMENT, LLC

Jackson	MS	601-939-1000	Hattiesburg	MS	601-544-3000	Little Rock	AR	501-455-2540
Natchez	MS	601-442-3613	Biloxi	MS	228-365-0000	Monticello	AR	870-367-3496
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Bill-To 27785
TEXARKANA WATER UTILITIES

801 WOOD
TEXARKANA TX 75501

Phone 9037983800

Owner TEXARKANA WATER UTILITIES
V.I.N 1DW644KZLFF672484
Customer Unit #
Make JOHN DEERE
Model 644K
Main Engine S/N RG6090U021598

Claim #

Estimate ES022001020
P.O. Number
Invoice Date

Date In	Spn ID	Unit ID #	Hours	Bill Type	Terms	Writer	Reviewer
06/16/2022	999	142499	13,546	SR	NET10	SHAWN SR	

TERMS AND CONDITIONS OF SALE

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   a. CLAIMS AND DISPUTES COVERED. Except for those claims described below under the heading "MATTERS NOT COVERED BY ARBITRATION," Stribling and Customer agree that either party may elect to resolve by BINDING ARBITRATION all claims and disputes between us ("Covered Claims"). This includes, but is not limited to: all claims and disputes arising out of, in connection with, or relating to Customer's business relationship with Stribling; any and all invoices, transactions, solicitations, all documents, promotions, or advertising; any actions or omissions relating to this or any other matter between Stribling and Customer; whether any such claim must be arbitrated; the validity and enforceability of this Arbitration Agreement and this agreement; any alleged fraud or misrepresentation; any claim based on or arising under any federal, state, or local law, statute, regulation, ordinance or rule; any claim or dispute based on any alleged tort (wrong), including intentional torts; and any claim for injunctive, declaratory or equitable relief.
   b. COVERED CLAIMS AGAINST THIRD PARTIES. This Arbitration Agreement also covers any claim or dispute between Customer and any of Stribling's employees, officers, agents or directors; any of its affiliate entities; any third parties related to the transaction; and any of the employees, officers, agents or directors of such affiliates or third parties. In addition, if Stribling becomes a party in any lawsuit that Customer has with any third party, whether through intervention by Stribling or by motion made by Customer or any third party, all claims in that lawsuit between Customer and the third party will be subject to binding arbitration under this Arbitration Agreement, provided that the third party is required to agree to resolve such claims by arbitration.
   c. MATTERS NOT COVERED BY ARBITRATION. Customer agrees that Stribling does not have to initiate arbitration before exercising lawful self-help remedies or judicial remedies of garnishment, repossession, replevin, or foreclosure, but instead may proceed in court for those judicial remedies (an "Excluded Collateral Lawsuit"). Customer may assert in court any defenses Customer may have to Stribling's claims in an Excluded Collateral Lawsuit, but any claim or counterclaim for recession or damages Customer may have arising out of, relating to, or in connection with Stribling's exercise of those remedies must be arbitrated. Instead of pursuing arbitration, either Stribling or Customer also have the option to bring a lawsuit in court to seek to recover an amount which does not exceed the total sum of $25,000 (including costs and attorneys' fees), provided that no relief other than such recovery is requested in such lawsuit (an "Excluded Damages Lawsuit"). If an Excluded Damages Lawsuit is filed, the other party cannot require that the claims in that lawsuit be arbitrated. If such an Excluded Damages Lawsuit is filed by Customer or Stribling, and any party to that lawsuit files an amendment, counterclaim, cross-claim, or third-party claim seeking to recover more than $25,000, then that claim, counterclaim, cross-claim or third party claim must be arbitrated in accordance with the procedures set forth in this Arbitration Agreement. Neither Customer nor Stribling shall be deemed to have waived any arbitration rights by the fact of having exercised any self-help or judicial remedies, or by having filed any claims including but not limited to an Excluded Damages Lawsuit in a court.
   d. ARBITRATION FORUM AND RULES. The arbitration will be conducted in accordance with the Commercial Arbitration Rules of the American Arbitration Association ("AAA") and shall be conducted by the AAA or any other arbitrator selected by mutual agreement of the parties. The arbitration shall be conducted in Rankin County, Mississippi (except for claims relating to facilities located outside Mississippi, then in the county where such facility is located). All fees and charges of the Arbitrator shall be shared equally provided, however, that the Arbitrator may award reimbursement of such costs to the prevailing party. Each party shall also pay for its own costs, including fees for attorneys, experts and witnesses, unless otherwise provided by law or section 4 above, to the extent permitted by applicable law.
   TO THE FULLEST EXTENT PERMITTED BY LAW, BOTH STRIBLING AND CUSTOMER ARE VOLUNTARILY WAIVING ANY RIGHT TO AN ADJUDICATION BY A COURT OF LAW (INCLUDING TRIAL BY JURY) OF ALL CLAIMS AND DISPUTES COVERED BY THIS ARBITRATION AGREEMENT.

If there are problems with this repair visit, we must be contacted immediately in order to expedite the follow up procedures

TERMS: STRICTLY CASH, APPROVED ACCOUNT

I, Customer, hereby acknowledge receipt of the above described goods and/or receipt of the item(s) on which services were performed in the specified quantities and prices and agree to pay Stribling Equipment, LLC (Stribling) as set forth herein. By signing this form or by taking possession of the goods and/or the item(s) on which services were performed or by otherwise accepting the same, I agree to and accept the terms and conditions of sale set forth on the reverse side of this form, including but not limited to the forum selection clause, disclaimer of warranties, limitation of liabilities, and binding arbitration provisions. Customer authorizes the repair to be performed along with the use of necessary materials. Stribling employees may operate equipment for purposes of testing, inspection or delivery, at Customers risk. An express mechanics lien is acknowledged on the repaired equipment to secure the amount of repairs thereto. It is agreed that Stribling assumes no responsibility for loss or damage by theft or fire to equipment placed with Stribling for storage, sale, repair or while field testing.

Customer Signature: _____

Misc Charges	725.00
Mileage	0.00
Parts	90,847.96
Labor	8,000.00
Sublet	0.00
Environmental Supplies	300.00
Taxes	10,236.98
Total	**110,109.94**

Please Remit Payment To:
Stribling Equipment, LLC
PO Box 6038
Jackson, MS 39288-6038

!!!!RECEIVE THIS INVOICE BY EMAIL!!!!

EMAIL US AT CREDITSEI@STRIBLINGEQUIPMENT.COM

Attachment: 2022-066 RES John Deere 664 P Wheel Loader signed (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

STRIBLING EQUIPMENT, LLC

Jackson	MS	601-939-1000	Hattiesburg	MS	601-544-3000	Little Rock	AR	501-455-2540
Natchez	MS	601-442-3613	Biloxi	MS	228-365-0000	Monticello	AR	870-367-3496
Greenwood	MS	662-453-7556	Brookhaven	MS	601-835-4400	Camden	AR	870-574-0290
Meridian	MS	601-482-5575	Philadelphia	MS	601-656-1997	Texarkana	AR	870-772-9321
Columbus	MS	662-328-0820	Tupelo	MS	662-844-3212	Fort Smith	AR	479-646-8381
			Memphis	TN	901-345-5294	Springdale	AR	479-756-9779
			Jackson	TN	731-422-2542	Arkadelphia	AR	870-246-8678
						Jonesboro	AR	870-268-9900

POST OFFICE BOX 6038 / JACKSON, MS 39288-6038 601-939-1000 / 800-682-6409 / Fax: 601-932-3306 / E-Mail: info@striblingequipment.com

Bill-To 27785
TEXARKANA WATER UTILITIES

801 WOOD
TEXARKANA TX 75501

2015

Phone 9037983800

Owner TEXARKANA WATER UTILITIES
V.I.N **1DW644KZLFF672484**
Customer Unit #
Make JOHN DEERE
Model 644K
Main Engine S/N RG6090U021598

Claim #

Estimate ES022001023
P.O. Number
Invoice Date

Date In	Spn ID	Unit ID #	Hours	Bill Type	Terms	Writer	Reviewer
06/17/2022	999	142499	13,546	SR	NET10	SHAWN SR	

Job#1 S/JD-REPAIR *SHOP/JOHN DEERE - REPAIR*

Condition **SHOP/JOHN DEERE - REPAIR ENGINE AND AFTERTREATMENT SYSTEM.**

Cause Rebuild Engine

Correction

Qty	Item	Description	Price	Extended
		TECHNICIAN LABOR		11,520.00
6	022D/RE555914	Nozzle Kit	687.87	4,127.22
1	022D/DZ102534	Heat Exchanger	2,934.68	2,934.68
2	022D/R528163	Gasket	16.08	32.16
8	022D/19H1648	Cap Screw	3.25	26.00
1	022D/AT308994	Torsional Damper	1,323.43	1,323.43
1	022D/RE537960	Torsional Damper	2,790.25	2,790.25
1	022D/SE502546	Oil Pump Reman	842.94	842.94
1	022D/RE554119	Converter	13,524.58	13,524.58
1	022D/AT223226	Filter Element	104.28	104.28
1	022D/AT175224	Filter Element	57.20	57.20
12	022D/TY26575	COOL-GARD	17.85	214.20
8	022D/TY26673	Plus-50 II Oil 15W40 CK4/SN	29.30	234.40
1	022D/RE563694	Diesel Particulate Filter	3,833.92	3,833.92
1	022D/RE563866	Diesel Oxidation Catalyst	4,541.24	4,541.24
2	022D/RE537767	Clamp	203.40	406.80
1	022D/T437056	V-Belt	62.70	62.70
1	022D/DZ118283	Filter Kit	23.23	23.23
1	022D/DZ112918	Filter Element	127.09	127.09
1	022D/RE539465	Filter Element	101.12	101.12
1	022D/DZ119115	Exhaust Gas Recycling Valve	1,127.82	1,127.82
1	022D/RE528399	Bolt Kit	283.32	283.32
1	022D/DZ113616	Gasket Kit	3,440.86	3,440.86
1	022D/DZ110431	Engine Overhaul Kit	6,720.08	6,720.08
1	022D/DZ119115-CORE	CORE	100.00	100.00
1	022D/SE502546-CORE	CORE	100.00	100.00
6	022D/RE555914-CORE	CORE	75.00	450.00
1	DIAG	DIAGNOSTIC CONNECTION	125.00	125.00
1	FRT	FREIGHT CHARGES	500.00	500.00

Condition Labor 11,520.00 **Condition Parts** 48,154.52 **Condition Sum** 59,674.52

Attachment: 2022-066 RES John Deere 664 P Wheel Loader signed (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

2022-066 ATTH 03

STRIBLING EQUIPMENT, LLC

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Owner TEXARKANA WATER UTILITIES
V.I.N **1DW644KZLFF672484**
Customer Unit #
Make JOHN DEERE
Model 644K
Main Engine S/N RG6090U021598

Claim #

Estimate
ES022001023
P.O. Number
Invoice Date

Date In	Spn ID	Unit ID #	Hours	Bill Type	Terms	Writer	Reviewer
06/17/2022	999	142499	13,546	SR	NET10	SHAWN SR	

TERMS AND CONDITIONS OF SALE

1. Payment Terms. All balances are due on delivery or on the 10th of the month following the purchase at the option of Stribling. A finance charge of 1 1/2% per month or the maximum permitted by law whichever is less will be added to all balances past due. Customer is responsible for any present or future excise, sales, use or other tax applicable to the sale or use of the goods or services purchased hereunder, and agrees to defend, indemnify and hold Stribling harmless of and from any claim or demand for same.
2. Forum Selection Clause and Choice of Law. To the extent any matter is not covered by arbitration as provided below, the exclusive venue for any proceeding relating in any manner to this invoice, any transaction with Stribling (or any person or entity associated with Stribling) or Customer's business relationship with Stribling and Customer will be a state court in Rankin County, Mississippi (except for claims relating to facilities located outside of Mississippi, then in the county where such facility is located), or in any federal court having jurisdiction over such county. All disputes arising out of or related to this transaction shall be governed by the laws of the State of Mississippi.
3. Disclaimer of Warranties and Limitation of Liabilities. To the fullest extent permitted by law, Stribling hereby expressly disclaims all warranties, either expressed or implied, including any warranty of merchantability or fitness for a particular purpose, and Stribling neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said goods or services. The liability of Stribling for all claims in contract, tort (including negligence and products liability) or otherwise arising out of or resulting from the purchase of the goods and/or services shall not exceed the price to Customer allocable to the good or service which gives rise to the claim, and in no event shall Stribling's liability exceed the total purchase price of this invoice. In no event shall Stribling be liable for any incidental, consequential, punitive, exemplary, indirect, or special damages including, but not limited to, injuries to persons or damage to property, loss of profits or anticipated profits, or loss of use. Any warranties on the product sold hereby are those made by the manufacturer which shall be the sole and exclusive remedy, whether in contract, warranty, tort or strict liability.
4. Cost of Collection. In the event Customer defaults in the payment of the amount due herein, Customer agrees to pay for all costs of collection, including without limitation, all court costs and attorneys' fees.
5. Arbitration Agreement and Waiver of Jury Trial. Stribling and Customer hereby agree to this arbitration agreement ("Arbitration Agreement").
   a. CLAIMS AND DISPUTES COVERED. Except for those claims described below under the heading "MATTERS NOT COVERED BY ARBITRATION," Stribling and Customer agree that either party may elect to resolve by BINDING ARBITRATION all claims and disputes between us ("Covered Claims"). This includes, but is not limited to: all claims and disputes arising out of, in connection with, or relating to Customer's business relationship with Stribling; any and all invoices, transactions, solicitations, all documents, promotions, or advertising; any actions or omissions relating to this or any other matter between Stribling and Customer; whether any such claim must be arbitrated; the validity and enforceability of this Arbitration Agreement and this agreement; any alleged fraud or misrepresentation; any claim based on or arising under any federal, state, or local law, statute, regulation, ordinance or rule; any claim or dispute based on any alleged tort (wrong), including intentional torts; and any claim for injunctive, declaratory or equitable relief.
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If there are problems with this repair visit, we must be contacted immediately in order to expedite the follow up procedures

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Customer Signature: _____

Misc Charges	**625.00**
Mileage	**0.00**
Parts	**47,529.52**
Labor	**11,520.00**
Sublet	**0.00**
Environmental Supplies	**300.00**
Taxes	**6,147.39**
Total	**66,121.91**

Please Remit Payment To:
Stribling Equipment, LLC
PO Box 6038
Jackson, MS 39288-6038

!!!!RECEIVE THIS INVOICE BY EMAIL!!!!

EMAIL US AT CREDITSEI@STRIBLINGEQUIPMENT.COM

Attachment: 2022-066 RES John Deere 664 P Wheel Loader signed (3727 : 2022-066 RES Purchase One (1) John Deere 644 P Wheel Loader)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 6/30/2022 3:41 PM

Lead Department: Water Utilities **Action Officer:** Pam White,

Subject: Resolution No. 2022-067 authorizing the City Manager to enter into a contract for the St. Michael Drive, at Kings Highway, sewer extension project in an amount not to exceed $131,327.60.

Briefing: 7/11/2022 **Public Hearing:** **Council Vote:** 7/11/2022

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bids were received Tuesday, June 21, 2022 for the St. Michael Drive, at Kings Highway, Sewer Extension Project. Four (4) contractors picked up bid packages for the project and two (2) contractors bid on the project. Kampco, Inc. of Texarkana, Arkansas, was the apparent low bidder with a bid of $131,327.60. This project consists of the placement of approximately 1,033 linear feet of eight-inch (8") sewer main, four concrete manholes, and all associated appurtenances.

Potential Options:

- None
-

Fiscal Implications:

Funds are available for this project in the Utility's 2021-2022 Budget in the Texas Capital Improvement Fund in the amount of $131,327.60.

Staff Recommendation:

Utility staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-067 RES St. Michael Dr at Kings Hwy Sewer Ext (DOCX)
b. 2022-067 ATTH01 Bid Summary (DOCX)

c. 2022-067 ATTH 02 Bid Tab (PDF)
d. 2022-067 Goals and Perspectives (DOCX)
e. 2022-067 RES st Michael Dr. Sewer Ext signed (PDF)

Staff Coordination

Water Utilities	Gary Smith 06/30/2022 8:31 AM	Department Head Review	Completed	
TWU Finance	Tricia Briggs	Review	Completed	06/30/2022 8:45 AM
City Manager	David Orr	City Manager Review	Completed	07/08/2022 9:00 AM
City Council	Jennifer Evans	Meeting	Completed	07/11/2022 6:00 PM

Meeting History

RESOLUTION NO. 2022-067

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND EXECUTE A CONTRACT WITH KAMPCO, INC. OF TEXARKANA, ARKANSAS, IN AN AMOUNT NOT TO EXCEED $131,327.60 FOR THE ST. MICHAEL DRIVE AT KINGS HIGHWAY SEWER EXTENSION PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on June 21, 2022, two (2) bids were received, a copy of which is attached hereto as **ATTH 01**, by Texarkana Water Utilities for the St. Michael Drive at Kings Highway Sewer Extension Project; and

WHEREAS, the project will consist of installing approximately 1,033 linear feet of eight-inch (8") sewer mains, four concrete manholes, and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Kampco, Inc. of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH 02**, in an amount not to exceed $131,327.60; and

WHEREAS, funds currently available in the Texarkana Water Utilities 2021-2022 Budget in the Texas Capital Improvement Fund are available in the amount of $131,327.60.

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

SECTION 1: The lowest and best bid by a responsible vendor, submitted by Kampco, Inc.of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH 02**, be and is hereby approved in an amount not to exceed $131,327.60 for the installation of sewer mains and related appurtenances for the St. Michael Drive at Kings Highway Sewer Extension Project.

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

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-067 RES St. Michael Dr at Kings Hwy Sewer Ext (3735 : 2022-067 RES St. Michael Dr at Kings Hwy Sewer Extension)

Bid Summary

St. Michael Dr. @ North Kings Highway
Proposed Sewer Extension

2:00 P.M. Tuesday, June 21, 2022

		Base Bid
1.	**RBIS, LLC** **Texarkana, Arkansas**	**$ 137,724.02**
2.	**Kampco, Inc.** **Texarkana, Arkansas**	**$ 131,327.60**
3.	**Stone Construction** **Texarkana, Texas**	**NO BID**

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

Number of Bidders: **2**

Apparent Low Bidder: **Kampco, Inc.**

Attachment: 2022-067 ATTH01 Bid Summary (3735 : 2022-067 RES St. Michael Dr at Kings Hwy Sewer Extension)

Bid Tabulation
St Michael Dr N Kings Hwy
Proposed Sewer Extension
Project No. 62-000-135131-T122241
June 21, 2022

BASE BID:

				RBIS, LLC		KAMPCO, Inc	
				Texarkana, AR		Texarkana, TX	
Item	Quantity	Unit	Description	Unit Price	Total Bid	Unit Price	Total Bid
1	1	LS	Mobilization, Bonds, & Submittals	$9,750.00	$9,750.00	$6,800.00	$6,800.00
2	10.12	STA	Right of Way Preparation	$650.00	$6,578.00	$723.98	$7,326.68
3	496.57	LF	8" PVC SDR-26 Sewer Pipe by Open Cut	$66.00	$32,773.62	$72.13	$35,817.59
4	535.9	LF	8" PVC Certa-Flo PVC SDR-21 Sewer Pipe by Open Cut	$86.00	$46,087.40	$77.32	$41,435.79
5	1	EA	Concrete Manhole #1	$3,850.00	$3,850.00	$4,087.69	$4,087.69
6	1	EA	Concrete Manhole #2	$3,550.00	$3,550.00	$3,448.93	$3,448.93
7	1	EA	Concrete Manhole #3	$3,750.00	$3,750.00	$3,565.92	$3,565.92
8	1	EA	Concrete Manhole #4	$3,750.00	$3,750.00	$3,630.84	$3,630.84
9	1	LS	Trench Protection	$5,500.00	$5,500.00	$9,653.06	$9,653.06
10	1	EA	8" X 4" Service Wye	$1,750.00	$1,750.00	$1,025.04	$1,025.04
11	1	EA	Core Drill Existing Lift Station Wet Well	$4,250.00	$4,250.00	$3,861.23	$3,861.23
12	1	LS	Clean and Test Manholes	$3,750.00	$3,750.00	$1,379.01	$1,379.01
13	1	LS	Clean and Test Sewer Mains	$3,750.00	$3,750.00	$1,259.10	$1,259.10
14	1	LS	Traffic Control, Signage, & Barricades	$1,750.00	$1,750.00	$2,895.92	$2,895.92
15	2295	SY	Bermuda Broadcast Seeding	$3.00	$6,885.00	$2.24	$5,140.80
			TOTAL BASE BID		**$137,724.02**		**$131,327.60**

Prepared by Kenneth L. Icenhower, P.E.
Certified Correct

Kenneth L. Icenhower, Design Engineer, TWU

Attachment: 2022-067 ATTH 02 Bid Tab (3735 : 2022-067 RES St. Michael Dr at Kings Hwy Sewer

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2022-067 Goals and Perspectives (3735 : 2022-067 RES St. Michael Dr at Kings Hwy Sewer Extension)

RESOLUTION NO. 2022-067

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND EXECUTE A CONTRACT WITH KAMPCO, INC. OF TEXARKANA, ARKANSAS, IN AN AMOUNT NOT TO EXCEED $131,327.60 FOR THE ST. MICHAEL DRIVE AT KINGS HIGHWAY SEWER EXTENSION PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on June 21, 2022, two (2) bids were received, a copy of which is attached hereto as **ATTH 01**, by Texarkana Water Utilities for the St. Michael Drive at Kings Highway Sewer Extension Project; and

WHEREAS, the project will consist of installing approximately 1,033 linear feet of eight-inch (8") sewer mains, four concrete manholes, and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Kampco, Inc. of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH 02**, in an amount not to exceed $131,327.60; and

WHEREAS, funds currently available in the Texarkana Water Utilities 2021-2022 Budget in the Texas Capital Improvement Fund are available in the amount of $131,327.60.

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

SECTION 1: The lowest and best bid by a responsible vendor, submitted by Kampco, Inc.of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH 02**, be and is hereby approved in an amount not to exceed $131,327.60 for the installation of sewer mains and related appurtenances for the St. Michael Drive at Kings Highway Sewer Extension Project.

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

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:43p.m.

Attachment: 2022-067 RES st Michael Dr. Sewer Ext signed (3735 : 2022-067 RES St. Michael Dr at Kings Hwy Sewer Extension)

Bid Summary

St. Michael Dr. @ North Kings Highway
Proposed Sewer Extension

2:00 P.M. Tuesday, June 21, 2022

		Base Bid
1.	**RBIS, LLC** **Texarkana, Arkansas**	**$ 137,724.02**
2.	**Kampco, Inc.** **Texarkana, Arkansas**	**$ 131,327.60**
3.	**Stone Construction** **Texarkana, Texas**	**NO BID**

Time First Bid Opened:	**2:00 P.M**
Number of Bidders:	**2**
Apparent Low Bidder:	**Kampco, Inc.**

Attachment: 2022-067 RES st Michael Dr. Sewer Ext signed (3735 : 2022-067 RES St. Michael Dr at Kings Hwy Sewer Extension)

Bid Tabulation
St Michael Dr N Kings Hwy
Proposed Sewer Extension
Project No. 62-000-135131-T122241
June 21, 2022

BASE BID:

				RBIS, LLC		KAMPCO, Inc	
				Texarkana, AR		Texarkana, TX	
Item	**Quantity**	**Unit**	**Description**	**Unit Price**	**Total Bid**	**Unit Price**	**Total Bid**
1	1	LS	Mobilization, Bonds, & Submittals	$9,750.00	$9,750.00	$6,800.00	$6,800.00
2	10.12	STA	Right of Way Preparation	$650.00	$6,578.00	$723.98	$7,326.68
3	496.57	LF	8" PVC SDR-26 Sewer Pipe by Open Cut	$66.00	$32,773.62	$72.13	$35,817.59
4	535.9	LF	8" PVC Certa-Flo PVC SDR-21 Sewer Pipe by Open Cut	$86.00	$46,087.40	$77.32	$41,435.79
5	1	EA	Concrete Manhole #1	$3,850.00	$3,850.00	$4,087.69	$4,087.69
6	1	EA	Concrete Manhole #2	$3,550.00	$3,550.00	$3,448.93	$3,448.93
7	1	EA	Concrete Manhole #3	$3,750.00	$3,750.00	$3,565.92	$3,565.92
8	1	EA	Concrete Manhole #4	$3,750.00	$3,750.00	$3,630.84	$3,630.84
9	1	LS	Trench Protection	$5,500.00	$5,500.00	$9,653.06	$9,653.06
10	1	EA	8" X 4" Service Wye	$1,750.00	$1,750.00	$1,025.04	$1,025.04
11	1	EA	Core Drill Existing Lift Station Wet Well	$4,250.00	$4,250.00	$3,861.23	$3,861.23
12	1	LS	Clean and Test Manholes	$3,750.00	$3,750.00	$1,379.01	$1,379.01
13	1	LS	Clean and Test Sewer Mains	$3,750.00	$3,750.00	$1,259.10	$1,259.10
14	1	LS	Traffic Control, Signage, & Barricades	$1,750.00	$1,750.00	$2,895.92	$2,895.92
15	2295	SY	Bermuda Broadcast Seeding	$3.00	$6,885.00	$2.24	$5,140.80
			TOTAL BASE BID		**$137,724.02**		**$131,327.60**

Prepared by Kenneth L. Icenhower, P.E.
Certified Correct

Kenneth L. Icenhower, P.E.

Kenneth L. Icenhower, Design Engineer, TWU

Attachment: 2022-067 RES st Michael Dr. Sewer Ext signed (3735 : 2022-067 RES St. Michael Dr at Kings

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 7/5/2022 4:05 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-069 approving an amendment to PD-20-1 for site plan approval on an approximate 2.518-acre tract of land (being Tract 1B), Marriott Subdivision, located at the northwest corner of Saint Michael Drive and North Cowhorn Creek Loop.		

Briefing: 8/8/2022 **Public Hearing:** 8/8/2022 **Council Vote:** 8/8/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Amendment to PD-20-1(GR): This is a request by Ray Walsh, owner and Matt Abrams, Abrams Architecture, agent, requesting a site plan approval on Lot 1B, Marriott Subdivision, located in the 5000 Block of N. Cowhorn Creek Loop. This property was previously vacant land. Proposed construction of Andy's Frozen Custard.

The adjacent zoning is Planned Development General Retail to the north, east, and west and Interstate 30 corridor to the south. The adjacent land use is hotel to the north, restaurants to the east and west, and Interstate 30 corridor to the south.

The site plan consists of the following:

1. Construction of a new 2,056 sq. ft. building with drive-thru only no indoor dining. There will be a walk-up order window at the front of the building.
2. Façade will be brick and glass windows.
3. A 924 sq. ft. covered patio awning area with no outdoor tables or chairs.
4. Access will be from North Cowhorn Creek Loop. A cross access agreement is recommended for property north of this site.
5. 32 parking spaces including two (2) handicapped spaces.
6. A brick monument style sign not to exceed 48 sq. ft. in overall size to be located at N Cowhorn Creek Loop. No CEVMS.
7. Wall signs on the building. (5'3 3/8"X9'11 7/8")(3'2 3/8"X6'0 3.8")

Staff recommends for approval of the site plan.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

Not applicable

Staff Recommendation:

Staff recommends for approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommend for approval with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

June 6, 2022

Attachments

a. 2022-069 ORD Amendment to PD-20-1(GR) (DOCX)
b. 2022-069 EXH 'A' (Site Plan)(PDF)
c. 2022-069 ATTH 01 (Maps) (PDF)
d. 2022-069 ATTH 02 (Photo) (PDF)
e. 2022-069 ATTH 03 (Elevations) (PDF)
f. 2022-069 ATTH 04 (Monument Sign) (PDF)
g. 2022-069 ATTH 05 (Wall Signs) (PDF)
h. 2022-069 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	07/05/2022 11:01 AM
City Manager	David Orr	Reviewer	Completed	07/08/2022 9:02 AM
City Council	Jennifer Evans	Meeting	Completed	07/11/2022 6:00 PM

Meeting History

Amendment to
PD-20-1 (GR)

ORDINANCE NO. 2022-069

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-20-1 GENERAL RETAIL FOR SITE PLAN APPROVAL ON AN APPROXIMATE 2.518-ACRE TRACT OF LAND (BEING TRACT 1B), MARRIOTT SUBDIVISION, LOCATED AT THE NORTHWEST CORNER OF SAINT MICHAEL DRIVE AND NORTH COWHORN CREEK LOOP IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on an approximate 2.518-acre tract of land (being Tract 1B), Marriott Subdivision, located at the northwest corner of Saint Michael Drive and North Cowhorn Creek Loop** in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-General Retail; and

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

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

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

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

SECTION 1: The site plan for **(Exhibit 'A') on an approximate 2.518-acre tract of land (being Tract 1B), Marriott Subdivision, located at the northwest corner of Saint Michael Drive and**

Attachment: 2022-069 ORD Amendment to PD-20-1(GR) (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N

North Cowhorn Creek Loop in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-02-13(GR).

SECTION 2: PD-20-1GR) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes, and includes the following:

1. Construction of a new 2,056 sq. ft. building with drive-thru only no indoor dining. There will be a walk-up order window at the front of the building.
2. Façade will be brick and glass windows.
3. A 924 sq. ft. covered patio awning area with no outdoor tables or chairs.
4. Access will be from N Cowhorn Creek Loop. A cross access agreement is recommended for property north of this site.
5. Thirty-two (32) parking spaces including two (2) handicapped spaces.
6. A brick monument style sign not to exceed 48 sq. ft. in overall size to be located at N Cowhorn Creek Loop. No CEVMS.
7. A 73.42 sq. ft. wall sign on the building.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-069 ORD Amendment to PD-20-1(GR) (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N

2022-069 EXH 'A'

Amendment to Pd-20-1(GR)

LEGEND
BOUNDARY:
LOT LINE:

N

0' 20' 40'
SCALE: 1"=20'

GENERAL RETAIL DISTRICT

BOUNDARY BY OTHERS

OFFICE DISTRICT

R19.5'
18.0'
20.0'
9.0'
10 SPACES
91.0'
24.5'
71.9'
R19.5'
66.8'
R2.0'
7.2'
18.0'
R2.0'
18.8'
20.0'
9.0'
7 SPACES
64.0'
24.5'
R19.5'
R2.5'
7.2'
18.0'
7.7'
R2.5'
16.0'
7.3'
R9.5'
R39.5'

LOT
60,043.01 SQFT
1.37 ACRES

N Cowhorn Creek Loop

42" RCP
R9.5'
146.0'
12.5'
25.0'
R2.5'
R8.0'
LOT
49,667.16 SQFT
1.14 ACRES
116.7'
111.7'
24.5'
8 SPACES
& 2 HDCP
65.1'
51.5'
25.0'
MONUMENT SIGN
R14.5'
25.0'
9.0'
99.0'
20.0'
R5.0'
14.5'
45.3'
2,087
SQFT
16.7'
R35.0'
R10.0'
72.3'
36.0'
67.2'
25.0'
12.5'
77.0'
12.5'
28.1'
R4.5'
13.5'
10.0'
12.5'
R14.5'
5 SPACES
29.0'
20.0'
15.6'
9.0'
50.8'
77.3'
R39.5'
52.0'

FIRE HYDRANT

GENERAL RETAIL DISTRICT

GENERAL RETAIL DISTRICT

St. Michael Drive

3.45

AREA OF INTEREST
COWHORN CREEK LP
COWHORN CREEK RD
SAINT MICHAEL DR
HWY 20W
EXIT 222
HWY 30E
S COWHORN CREEK RD
S COWHORN CREEK LP

VICINITY MAP
N.T.S

ANDYS CUSTARD
N CALHOON CREEK LOOP @ RICHMOND RD EXIT
TEXARKANA, TEXAS

PRELIMINARY
THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
KURT M. NIXON
TX REG. NO. 109336--CE

SITE PLAN

NIXON ENGINEERING SOLUTIONS
1026 BEATON ROAD
BOSSIER CITY, LA 71111
KNixon@NixonEng.com
(318) 747-9949

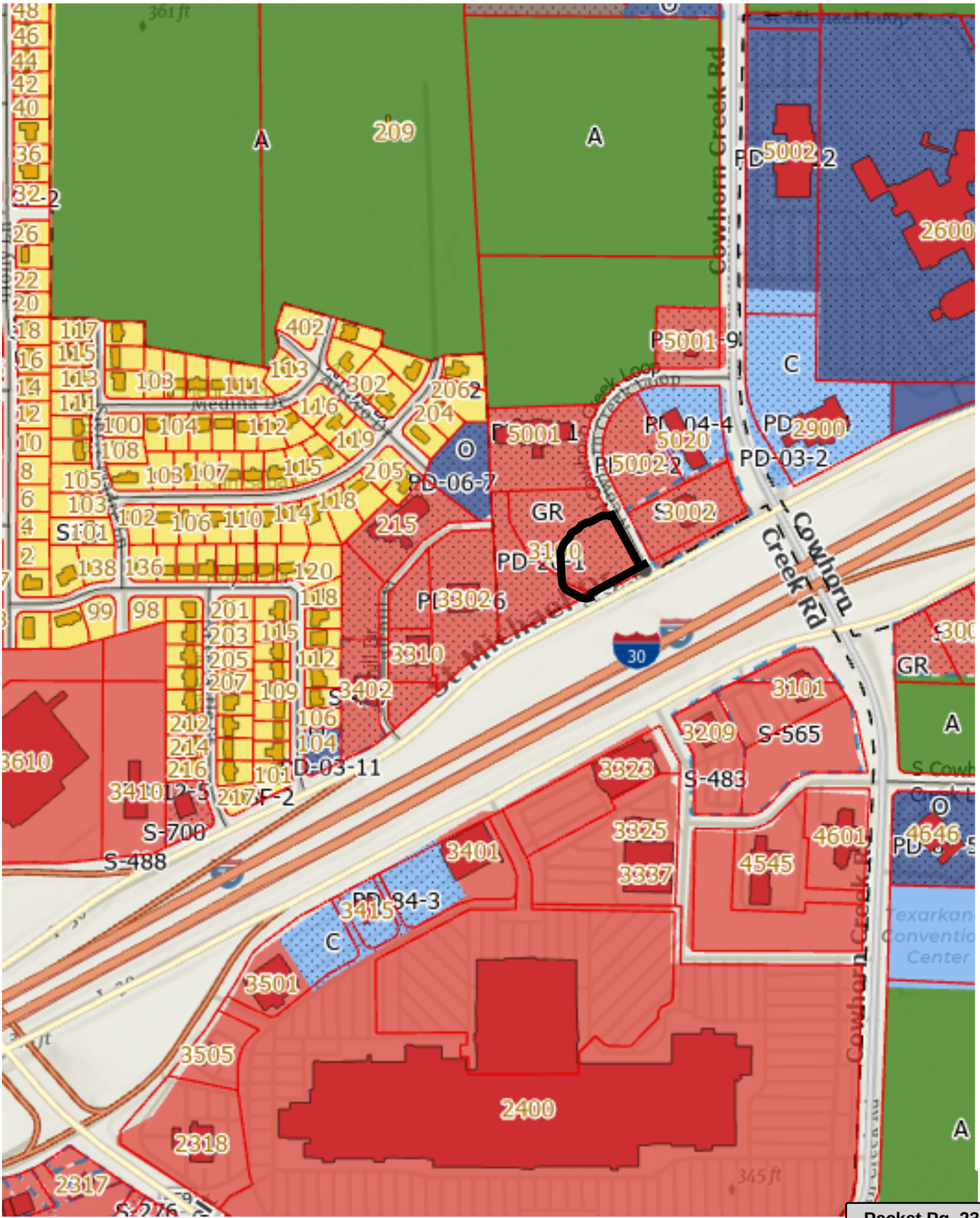
NO	DATE	REVISION

Drawn By: KBN
Project Number: 0116.22.10
Scale: 1"=30'
Date: 05/05/2022
Sheet: 1.0

Attachment: 2022-069 EXH 'A' (Site Plan) (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N Cowhorn Creek Lp)

2022-069 ATTH 01
Amendment to PD-20-1(GR)

5000 block of N Cowhorn Creek Loop



Attachment: 2022-069 ATTH 01 (Maps) (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N Cowhorn Creek Lp)

2022-069 ATTH 01
Amendment to PD-20-1(GR)

5000 block of N Cowhorn Creek Loop



Attachment: 2022-069 ATTH 01 (Maps) (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N Cowhorn Creek Lp)

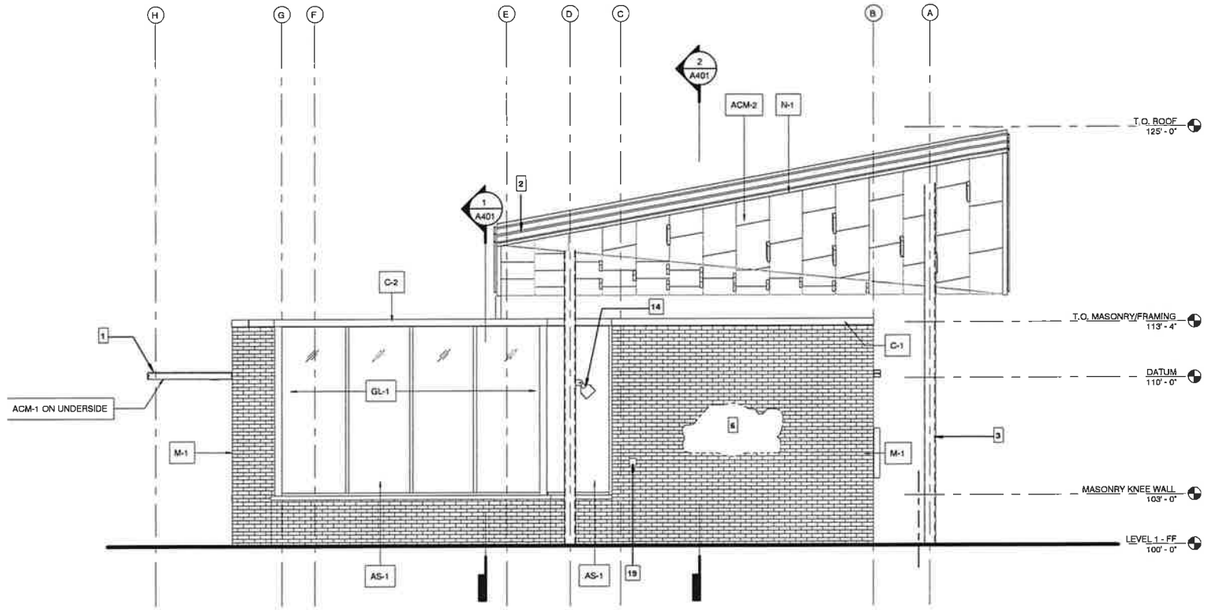
Building Options - Canopy



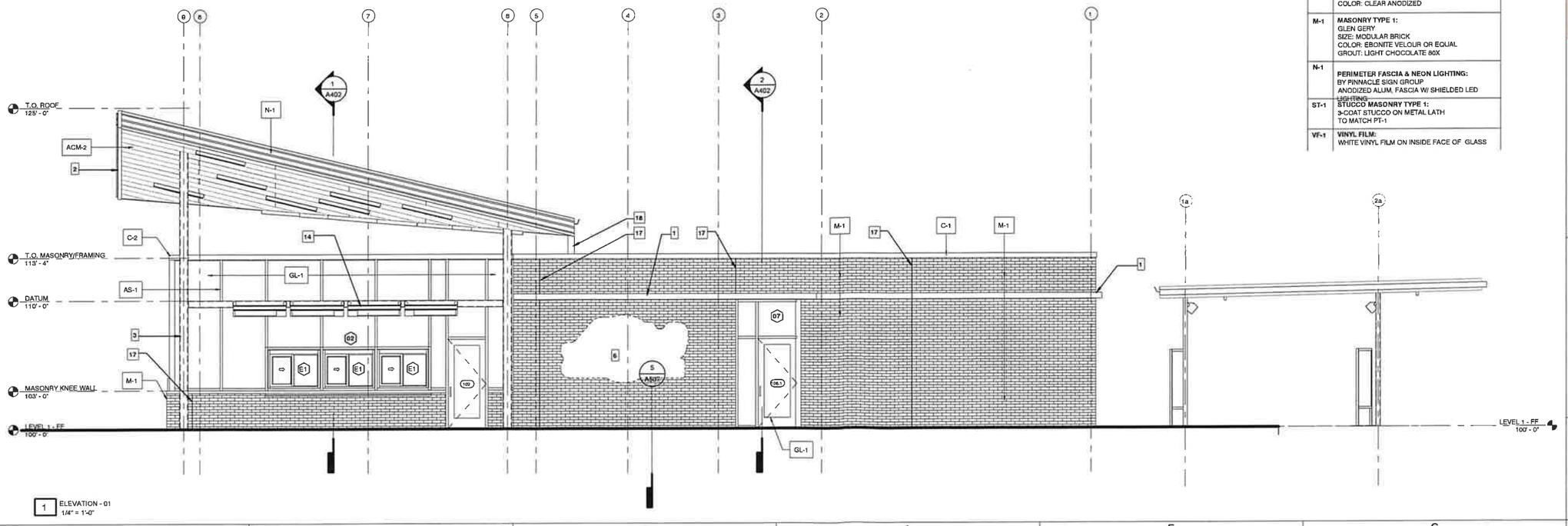
Attachment: 2022-069 ATTH 02 (Photo) (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N Cowhorn Creek Lp)

2022-069 ATTH 03

Amendment to PD-20-1(GR)



2 ELEVATION - 02
1/4" = 1'-0"



1 ELEVATION - 01
1/4" = 1'-0"

ELEVATION KEYNOTES

1 DRIVE-THRU CANOPY & SIGNAGE LIGHTING BAND. SIGNAGE LIGHTING BAND PROVIDED BY PINNACLE SIGN GROUP
2 PATIO CANOPY AND STRUCTURE. RE: STRUCT DWGS
3 EXPOSED STRUCTURAL FRAMING TO BE PAINTED, PTD PT-1
5 HM DOOR PTD. TO MATCH MASONRY WALL
6 BUILDING SIGNAGE. RE: ELEC. DWGS & SIGNAGE DWGS. ALL SIGNAGE PROVIDED BY PINNACLE SIGN GROUP
7 FULLY AUTOMATIC DRIVE-THRU WINDOW, RE: ELEC DWGS
8 ELECTRICAL EQUIP., PAINTED TO MATCH M-1 (RE: MANUF. SPECIFICATIONS). RE: MEP DWGS
11 EMERGENCY LIGHT FIXTURE
12 DOOR CHIME
13 WALL HYDRANT, RE: PLUMB. DWGS
14 EXTERIOR HEATER MOUNTED TO STEEL FRAME. RE: MEP
15 60 MIL WHITE TPO ROOFING, FULLY ADHERED
16 KEYNOTE NOT USED
17 MASONRY CONTROL JOINT
18 PRE-FINISHED GUTTER & DOWNSPOUT. DRAIN DOWN TO LOWER BUILDING ROOF. COORDINATE FASCIA W/ PINNACLE SIGN GROUP
19 KNOX KEY BOX. COORDINATE LOCATION WITH LOCAL JURISDICTION

EXTERIOR FINISH SCHEDULE

#	DESCRIPTION
ACM-1	**COMPOSITE PANEL TYPE 1:** LAMINATORS, INC. OMEGA-LITE PANEL COLOR: PVDF/KYNAR 500, BRITE RED
ACM-2	**COMPOSITE PANEL TYPE 2:** LAMINATORS, INC. OMEGA-LITE PANEL COLOR: PVDF/KYNAR 500, BONE WHITE
AS-1	**ALUMINUM STOREFRONT:** KAWNEER 451T COLOR: CLEAR ANODIZED
C-1	**COPING/ROOF EDGE TYPE 1:** PRE-FINISHED ALUMINUM CAP AND SILL FLASHING AT MASONRY VENEER AND , TYP. COLOR: MATCH MASONRY COLOR
C-2	**COPING/ROOF EDGE TYPE 2:** ANNODIZED ALUMINUM CAP AND SILL FLASHING AT STOREFRONT, TYP. COLOR: MATCH STOREFRONT FRAMING
GL-1	**GLAZING TYPE 1:** STOREFRONT, KAWNEER 451T COLOR: CLEAR ANODIZED
M-1	**MASONRY TYPE 1:** GLEN GERY SIZE: MODULAR BRICK COLOR: EBONITE VELOUR OR EQUAL GROUT: LIGHT CHOCOLATE 80X
N-1	**PERIMETER FASCIA & NEON LIGHTING:** BY PINNACLE SIGN GROUP ANODIZED ALUM. FASCIA W/ SHIELDED LED LIGHTING
ST-1	**STUCCO MASONRY TYPE 1:** 3-COAT STUCCO ON METAL LATH TO MATCH PT-1
VF-1	**VINYL FILM:** WHITE VINYL FILM ON INSIDE FACE OF GLASS

Abrams Architecture and Design

ANDY'S FROZEN CUSTARD
5000 BLOCK
COWHORN CREEK LOOP
TEXARKANA, TX 75503

Andy's Frozen Custard SINCE 1986

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ELEVATIONS

REVISIONS	
NO.	DATE
1	XX.XX.XX

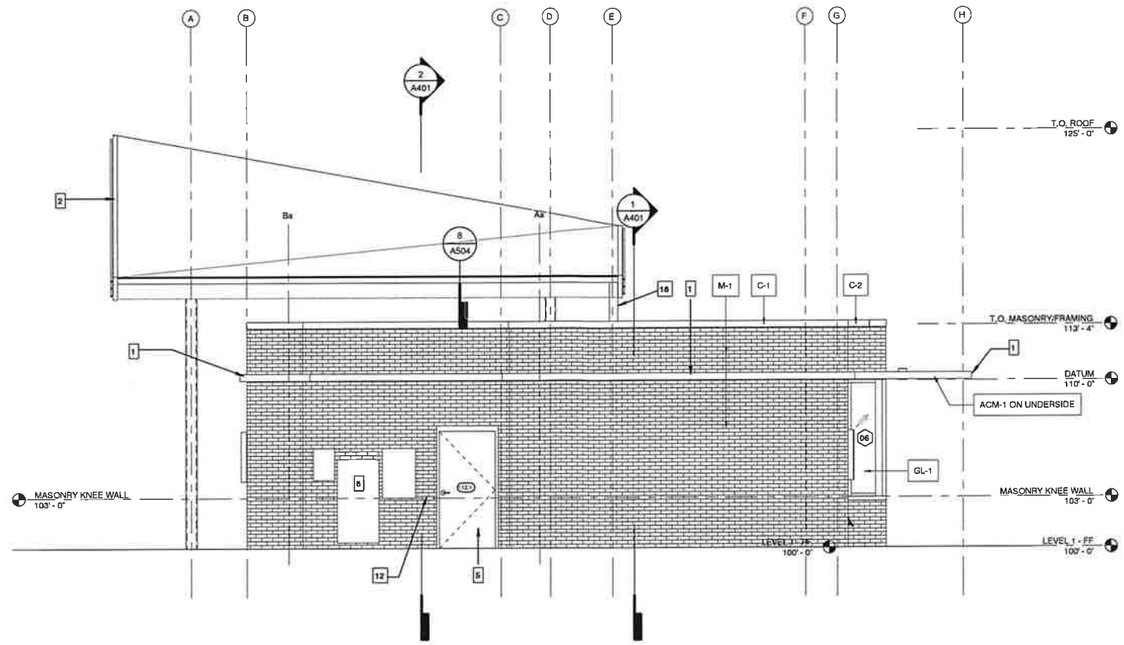
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AA 2217

SHEET
A301

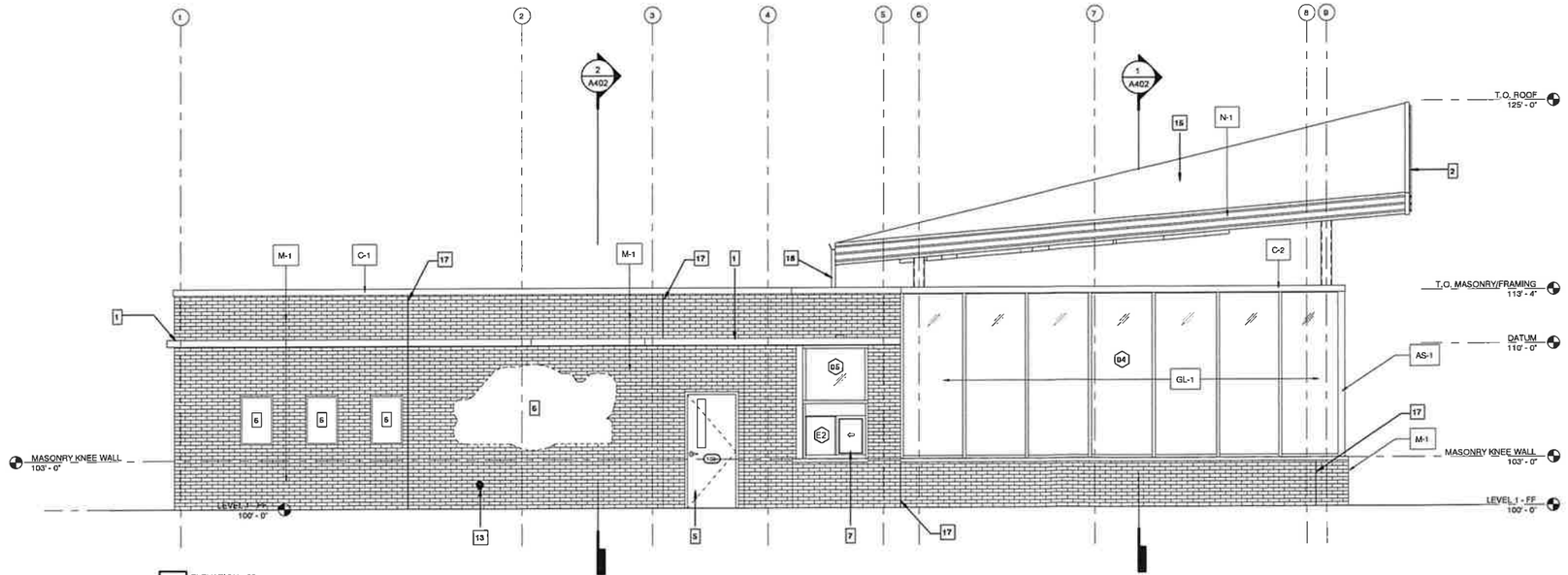
DATE 05.18.22

Attachment: 2022-069 ATTH 03 (Elevations) (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N Cowhorn Creek

Amendment to PD-20-1(GR)



2 ELEVATION - 04
1/4" = 1'-0"



1 ELEVATION - 03
1/4" = 1'-0"

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3. EXPOSED STRUCTURAL FRAMING TO BE PAINTED, PTD PT-1
5. HM DOOR PTD, TO MATCH MASONRY WALL
6. BUILDING SIGNAGE, RE: ELEC. DWGS & SIGNAGE DWGS, ALL SIGNAGE PROVIDED BY PINNACLE SIGN GROUP
7. FULLY AUTOMATIC DRIVE-THRU WINDOW, RE: ELEC DWGS
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13. WALL HYDRANT, RE: PLUMB. DWGS
14. EXTERIOR HEATER MOUNTED TO STEEL FRAME, RE: MEP
15. 60 MIL WHITE TPO ROOFING, FULLY ADHERED
16. KEYNOTE NOT USED
17. MASONRY CONTROL JOINT
18. PRE-FINISHED GUTTER & DOWNSPOUT. DRAIN DOWN TO LOWER BUILDING ROOF. COORDINATE FASCIA W/ PINNACLE SIGN GROUP
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ST-1	**STUCCO MASONRY TYPE 1:** 3-COAT STUCCO ON METAL LATH TO MATCH PT-1
VF-1	**VINYL FILM:** WHITE VINYL FILM ON INSIDE FACE OF GLASS

Abrams Architecture and Design

ANDY'S FROZEN CUSTARD
5000 BLOCK
COWHORN CREEK LOOP
TEXARKANA, TX 75503

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ELEVATIONS

REVISIONS	
NO.	DATE
1	XX.XX.XX

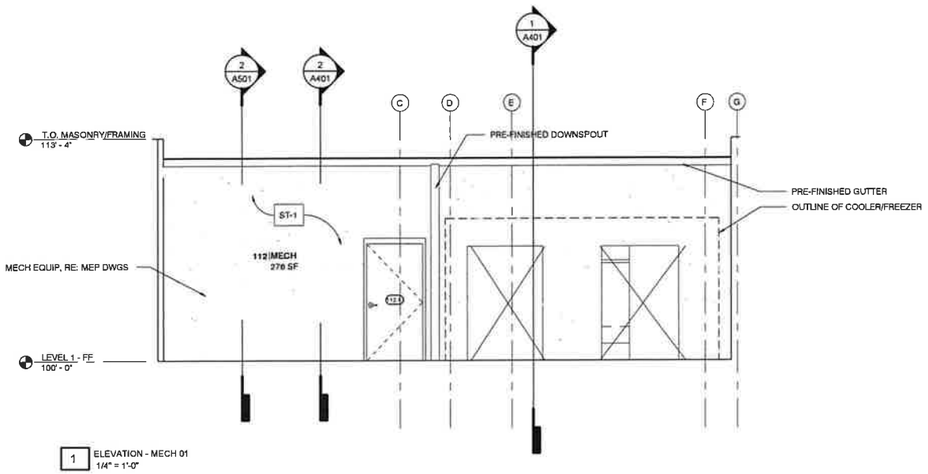
PROJECT NO
AA 2217

SHEET
A302

DATE 05.18.22

Attachment: 2022-069 ATTH 03 (Elevations) (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N Cowhorn Creek

to PD-20-1(GR)



1 ELEVATION - MECH 01
1/4" = 1'-0"

ELEVATION KEYNOTES

1 DRIVE-THRU CANOPY & SIGNAGE LIGHTING BAND. SIGNAGE LIGHTING BAND PROVIDED BY PINNACLE SIGN GROUP
2 PATIO CANOPY AND STRUCTURE, RE: STRUCT DWGS
3 EXPOSED STRUCTURAL FRAMING TO BE PAINTED, PTD PT-1
5 HM DOOR PTD, TO MATCH MASONRY WALL
6 BUILDING SIGNAGE, RE: ELEC. DWGS & SIGNAGE DWGS. ALL SIGNAGE PROVIDED BY PINNACLE SIGN GROUP
7 FULLY AUTOMATIC DRIVE-THRU WINDOW, RE: ELEC DWGS
8 ELECTRICAL EQUIP., PAINTED TO MATCH M-1 (RE: MANUF. SPECIFICATIONS), RE: MEP DWGS
11 EMERGENCY LIGHT FIXTURE
12 DOOR CHIME
13 WALL HYDRANT, RE: PLUMB. DWGS
14 EXTERIOR HEATER MOUNTED TO STEEL FRAME, RE: MEP
15 60 MIL WHITE TPO ROOFING, FULLY ADHERED
16 KEYNOTE NOT USED
17 MASONRY CONTROL JOINT
18 PRE-FINISHED GUTTER & DOWNSPOUT. DRAIN DOWN TO LOWER BUILDING ROOF. COORDINATE FASCIA W/ PINNACLE SIGN GROUP
19 KNOX KEY BOX. COORDINATE LOCATION WITH LOCAL JURISDICTION

EXTERIOR FINISH SCHEDULE

#	DESCRIPTION
ACM-1	**COMPOSITE PANEL TYPE 1:** LAMINATORS, INC. OMEGA-LITE PANEL COLOR: PVDF/KYNAR 500, BRITE RED
ACM-2	**COMPOSITE PANEL TYPE 2:** LAMINATORS, INC. OMEGA-LITE PANEL COLOR: PVDF/KYNAR 500, BONE WHITE
AS-1	**ALUMINUM STOREFRONT:** KAWNEER 451T COLOR: CLEAR ANODIZED
C-1	**COPING/ROOF EDGE TYPE 1:** PRE-FINISHED ALUMINUM CAP AND SILL FLASHING AT MASONRY VENEER AND , TYP. COLOR: MATCH MASONRY COLOR
C-2	**COPING/ROOF EDGE TYPE 2:** ANNODIZED ALUMINUM CAP AND SILL FLASHING AT STOREFRONT, TYP. COLOR: MATCH STOREFRONT FRAMING
GL-1	**GLAZING TYPE 1:** STOREFRONT, KAWNEER 451T COLOR: CLEAR ANODIZED
M-1	**MASONRY TYPE 1:** GLEN GERY SIZE: MODULAR BRICK COLOR: EBONITE VELOUR OR EQUAL GROUT: LIGHT CHOCOLATE 80X
N-1	**PERIMETER FASCIA & NEON LIGHTING:** BY PINNACLE SIGN GROUP ANODIZED ALUM. FASCIA W/ SHIELDED LED LIGHTING
ST-1	**STUCCO MASONRY TYPE 1:** 3-COAT STUCCO ON METAL LATH TO MATCH PT-1
VF-1	**VINYL FILM:** WHITE VINYL FILM ON INSIDE FACE OF GLASS

Abrams Architecture and Design

ANDY'S FROZEN CUSTARD
5000 BLOCK
COWHORN CREEK LOOP
TEXARKANA, TX 75503

Andy's Frozen Custard SINCE 1986

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ELEVATIONS

REVISIONS NO	DATE
1	XX.XX.XX

PROJECT NO AA 2217

SHEET A303

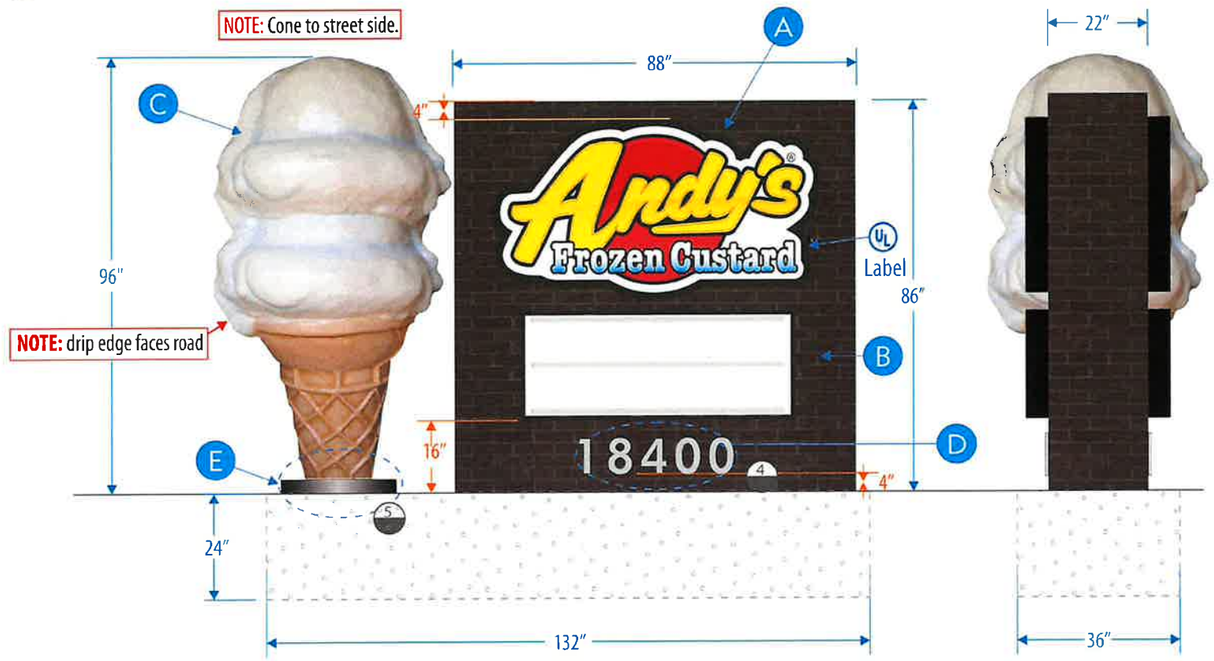
DATE 05.18.22

Attachment: 2022-069 ATTH 03 (Elevations) (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N Cowhorn Creek

2022-069 ATTH 04

Amendment to PD-20-1(GR)

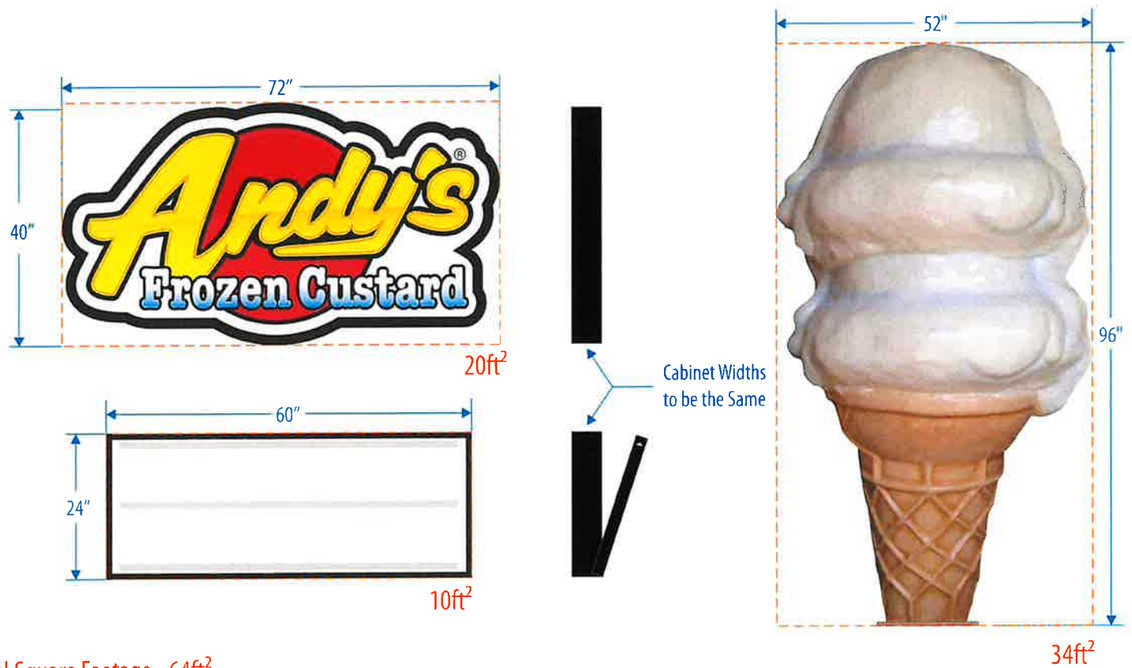
1 Orthographic Views- scale: 3/8"=1'



2 Illuminated View- scale: NTS



3 Element Details- scale: 1/2"=1'

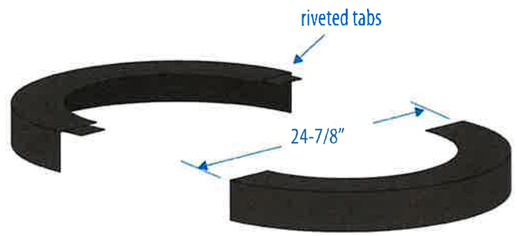


Total Square Footage - 64ft²

4 FCO Address- scale: 3/4"=1'



5 Bolt/Flange Cover- scale: NTS



PINNACLESIGN GROUP

ANDY'S FROZEN CUSTARD
CUSTOMER

0617-21-MONU-1
DRAWING NUMBER

AS SHOWN
ELEVATION

06.17.21
DATE REVISED

BUDDY HINDS

TIM SWAIM

BATON ROUGE, LA
LOCATION

SCOPE OF WORK

2-Sided Monument w/ Full Cone

A LED Illuminated Contoured Aluminum Cabinet with Pan Embossed Backspray Painted Face
- Black (Gloss)
- Seal Logo Chem-tec Color Spirits

B Flush Mounted 1-Sided LED Illuminated Cabinets
- Flat Face with 2 Line Letter Face, 2 Thumb Screw Latches per Retainer (4 Total) and Vandal Cover
- Black (Gloss)

C 3-D Fiberglass Cone Mounted to Monument Platform

D Painted 1/4" Aluminum FCO Address; Stud Mounted Flush to Monument Face
- MP 1s953 Super Sparkle Silver (Satin)

E Aluminum Bolt/Flange Covers
- Black (Gloss)

F Qty. 2-100 pc. 8 on 9 Std Cond. Font Letters; Qty. 1-50 pc. 8 on 9 Std Cond. Font Punctuation Set

G Changeable Copy Letter Storage Cabinet

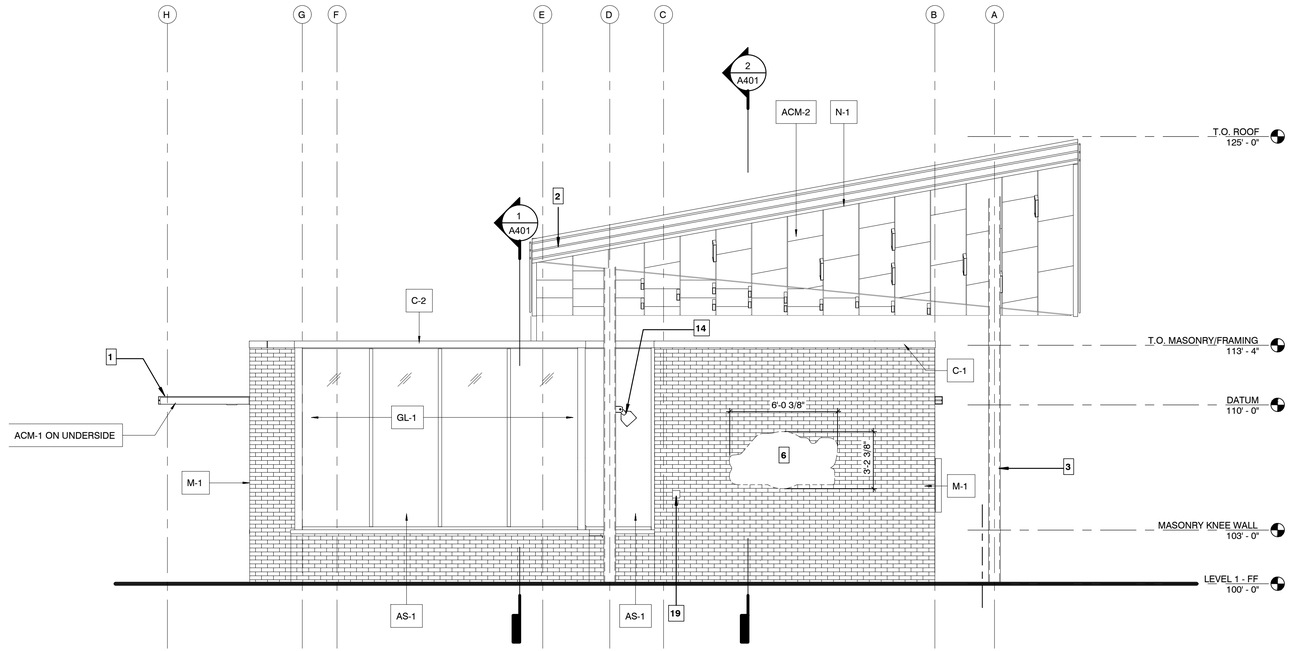
H Cast Lighting
-Qty. 4 Fixtures by Others

Attachment: 2022-069 ATTH 04 (Monument Sign) (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N Cowhorn

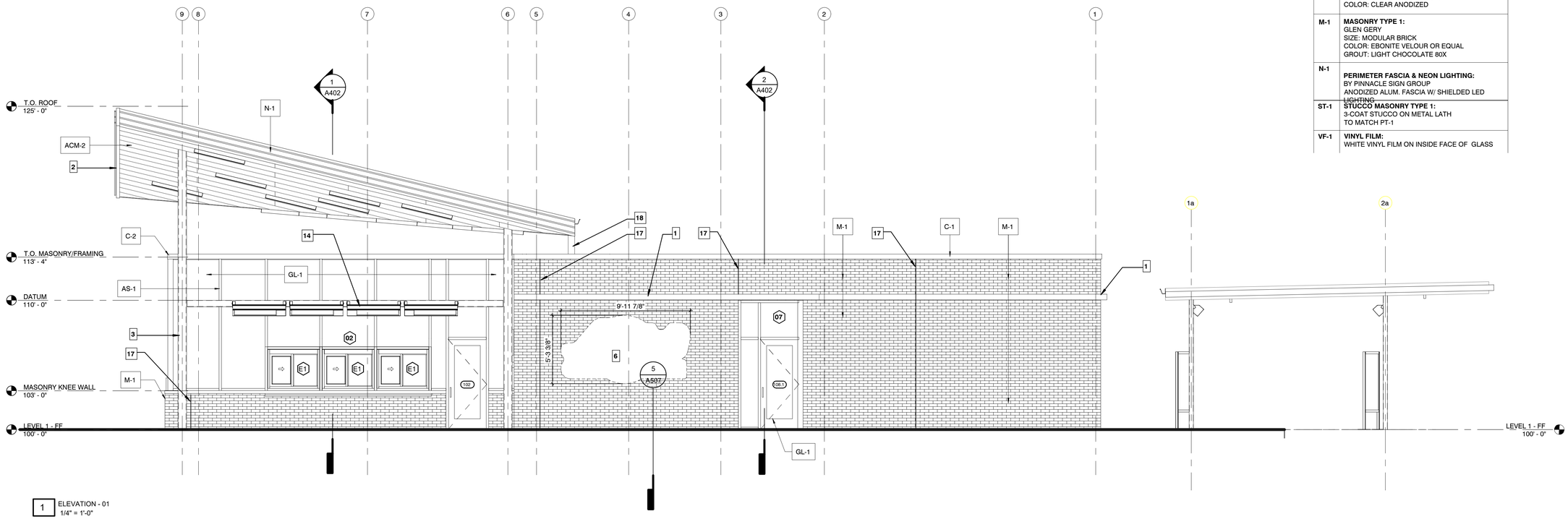
THIS DRAWING OR ANY COPY IS THE PROPERTY OF PINNACLE SIGN GROUP UNLESS PURCHASED OR WRITTEN CONSENT FROM PSG © 2018 PINNACLE SIGN COMPANY/ UNAUTHORIZED USE OF THIS WORK FOR ANY PURPOSE WILL RESULT IN LEGAL ACTION.

2022-069 ATTH 05

Amendment to PD-20-1(GR)



2 ELEVATION - 02
1/4" = 1'-0"



1 ELEVATION - 01
1/4" = 1'-0"

ELEVATION KEYNOTES

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8 ELECTRICAL EQUIP., PAINTED TO MATCH M-1 (RE: MANUF. SPECIFICATIONS), RE: MEP DWGS
11 EMERGENCY LIGHT FIXTURE
12 DOOR CHIME
13 WALL HYDRANT, RE: PLUMB. DWGS
14 EXTERIOR HEATER MOUNTED TO STEEL FRAME. RE: MEP
15 60 MIL WHITE TPO ROOFING, FULLY ADHERED
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19 KNOX KEY BOX. COORDINATE LOCATION WITH LOCAL JURISDICTION

EXTERIOR FINISH SCHEDULE

#	DESCRIPTION
ACM-1	**COMPOSITE PANEL TYPE 1:** LAMINATORS, INC. OMEGA-LITE PANEL COLOR: PVDF/KYNAR 500, BRITE RED
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C-1	**COPING/ROOF EDGE TYPE 1:** PRE-FINISHED ALUMINUM CAP AND SILL FLASHING AT MASONRY VENEER AND , TYP. COLOR: MATCH MASONRY COLOR
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N-1	**PERIMETER FASCIA & NEON LIGHTING:** BY PINNACLE SIGN GROUP ANODIZED ALUM. FASCIA W/ SHIELDED LED LIGHTING
ST-1	**STUCCO MASONRY TYPE 1:** 3-COAT STUCCO ON METAL LATH TO MATCH PT-1
VF-1	**VINYL FILM:** WHITE VINYL FILM ON INSIDE FACE OF GLASS

Abrams
Architecture and Design

ANDY'S FROZEN CUSTARD
5000 BLOCK
COWHORN CREEK LOOP
TEXARKANA, TX 75503

Andy's Frozen Custard
SINCE 1986

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ELEVATIONS

REVISIONS	
NO.	DATE
1	XX.XX.XX

PROJECT NO: AA 2217

SHEET A301

DATE 05.18.22

Attachment: 2022-069 ATTH 05 (Wall Signs) (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N Cowhorn Creek Lp)

City of Texarkana, Texas

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

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

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

Attachment: 2022-069 Goals & Perspectives (3739 : 2022-069 ORD Amendment to PD-20-1 for site plan approval 5000 block N Cowhorn Creek

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 7/5/2022 3:59 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-070 granting a Specific Use Permit to allow the location of a daycare on Block 28, Highland Park Addition, located at 2401 Hazel Street. Nelda Shavers, owner.		

Briefing: 8/8/2022 **Public Hearing:** 8/8/2022 **Council Vote:** 8/8/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Nelda Shavers, owner for a Specific Use Permit to allow a daycare/preschool on an approximate 1.515-acre tract of land, Block 28, Highland Park Addition, located at 2401 Hazel Street. The property is zoned Two Family-1 and is the existing Highland Park Baptist Church.

The Future Land Use Map has designated this property as “Office Institutional”.

The adjacent zoning is Two Family 1 to the north, south, east, and west. The adjacent land usage is parking to the south and east, residential to the north, and a school to the west.

A Specific Use Permit is required to allow daycare (preschool aged children) use in this zoning district. Staff recommends for approval of this request.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

Not applicable

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

Planning and Zoning Commission unanimously recommend for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

June 6, 2022

Attachments

a. 2022-070 ORD SUP for Daycare at 2401 Hazel (DOCX)
b. 2022-070 ATTH 01 (Maps) (PDF)
c. 2022-070 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	07/05/2022 11:01 AM
City Manager	David Orr	Reviewer	Completed	07/08/2022 9:02 AM
City Council	Jennifer Evans	Meeting	Completed	07/11/2022 6:00 PM

Meeting History

S-755

ORDINANCE NO. 2022-070

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY, AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-755 TO ALLOW THE LOCATION OF A DAYCARE ON BLOCK 28, HIGHLAND PARK ADDITION, LOCATED AT 2401 HAZEL 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 to grant a **Specific Use Permit** to allow the location of a daycare **on Block 28, Highland Park Addition, located at 2401 Hazel 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 have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

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

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-755 for the location of a daycare on Block 28, Highland Park Addition, located at 2401 Hazel Street, in the City of Texarkana, Bowie County, Texas.**

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

Attachment: 2022-070 ORD SUP for Daycare at 2401 Hazel (3738 : 2022-070 ORD SUP for daycare at 2401 Hazel St)

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

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

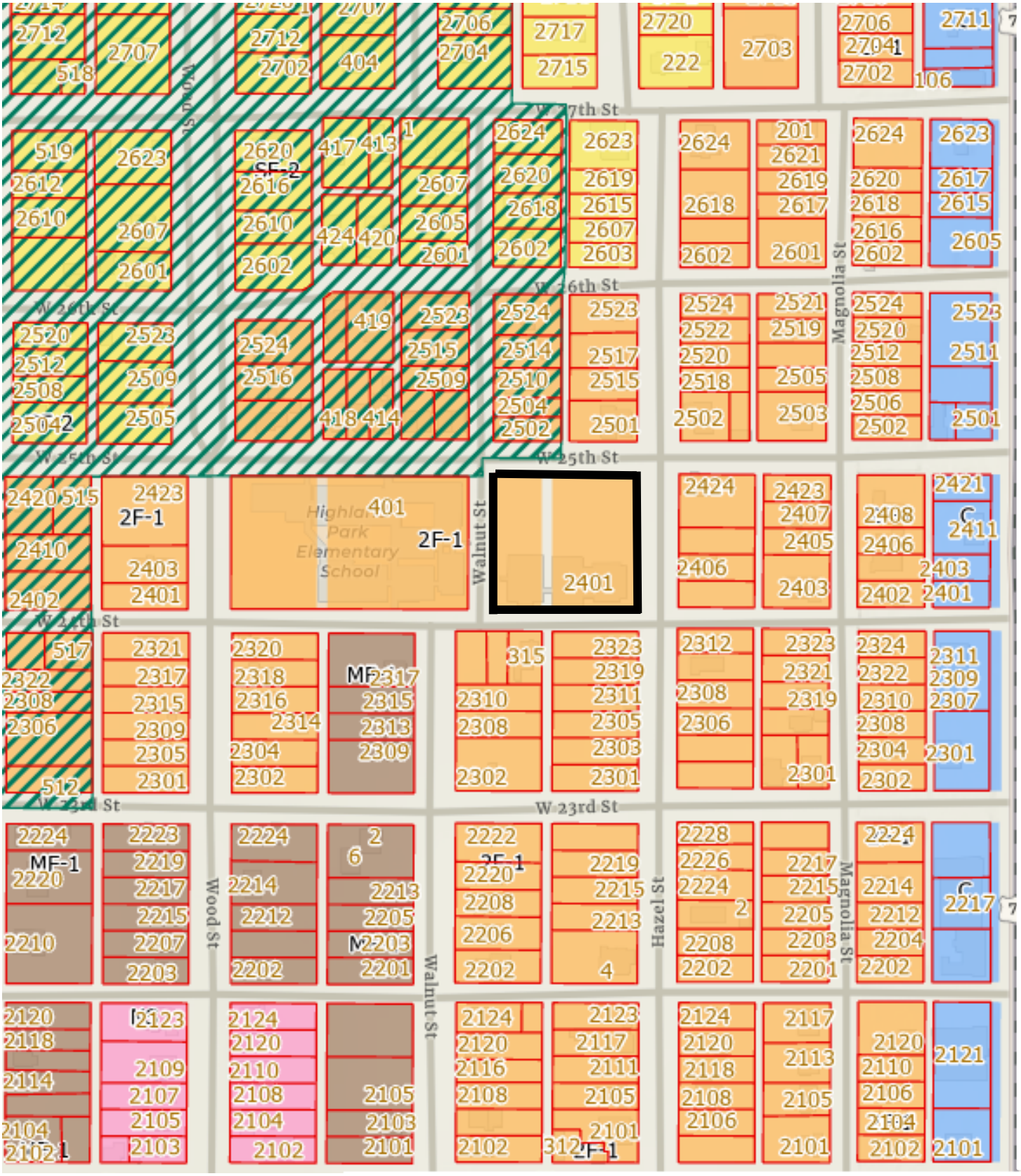
PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2022-070 ORD SUP for Daycare at 2401 Hazel (3738 : 2022-070 ORD SUP for daycare at 2401 Hazel St)

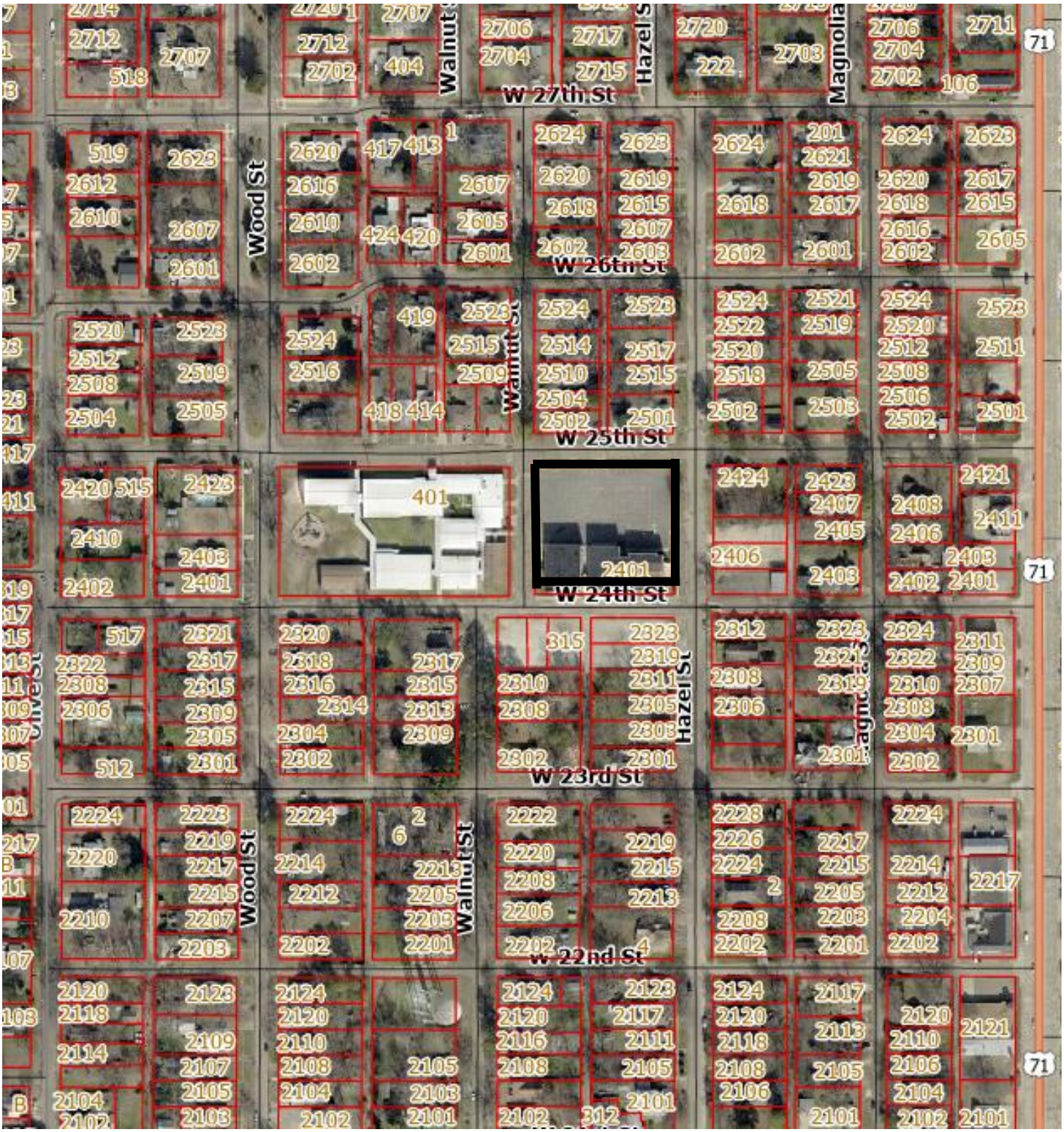
2401 Hazel Street



Attachment: 2022-070 ATTH 01 (Maps) (3738 : 2022-070 ORD SUP for daycare at 2401 Hazel St)

2022-070 ATTH01
S-755

2401 Hazel Street



Attachment: 2022-070 ATTH 01 (Maps) (3738 : 2022-070 ORD SUP for daycare at 2401 Hazel St)

City of Texarkana, Texas

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

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

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

Attachment: 2022-070 Goals & Perspectives (3738 : 2022-070 ORD SUP for daycare at 2401 Hazel St)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 6/30/2022 2:59 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-071 rezoning Lots 9, 10, 11, and 12, Block 1, Estes & Heilbron Addition, located in the 2600 block of Spruce Street. Single Family-1 to Industrial-1. James Brower representing NS Land Company LLC, owners.		

Briefing: 8/8/2022 **Public Hearing:** 8/8/2022 **Council Vote:** 8/8/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by James Brower and NS Land Company LLC, owners to rezone Lots 9, 10, 11, and 12, Block 1, Estes & Heilbron Addition, located in the 2600 block of Spruce Street from Single Family-2 to Industrial-1. The property was vacant land. The proposed use is an office and warehouse for a construction business.

The adjacent zoning is Industrial-1 to the west, and Single Family-2 to the south east and north. The adjacent land use is vacant land to the north, south, east, and construction business to the west.

The applicants propose to make the zoning align with their property to the west which is zoned Industrial-1. The need to expand into the four lots across the street will help with the growth of their current business.

Staff recommends for approval of this request.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

Not applicable

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

June 6, 2022

Attachments

a. 2022-071 ORD rezoning from SF-1 to I-1 2600 block Spruce (DOCX)
b. 2022-071 ATTH 01 (Maps) (PDF)
c. 2022-071 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	07/05/2022 11:00 AM
City Manager	David Orr	Reviewer	Completed	07/08/2022 9:02 AM
City Council	Jennifer Evans	Meeting	Completed	07/11/2022 6:00 PM

Meeting History

Z-22-05

ORDINANCE NO. 2022-071

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 9, 10, 11, AND 12, BLOCK 1, ESTES & HEILBRON ADDITION, LOCATED IN THE 2600 BLOCK OF SPRUCE STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO INDUSTRIAL-1; 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 9, 10, 11 and 12, Block 1, in the Estes & Heilbron Addition, located in the 2600 block of Spruce Street,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Industrial-1**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to Industrial-1** to rezone **Lots 9, 10, 11 and 12, Block 1, in the Estes & Heilbron Addition, located in the 2600 block of Spruce Street** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to Industrial-1** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: The 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 9, 10, 11 and 12, Block 1, in the Estes & Heilbron Addition, located in the 2600 block of Spruce Street** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Industrial-1.**

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

Attachment: 2022-071 ORD rezoning from SF-1 to I-1 2600 block Spruce (3737 : 2022-071 ORD rezoning 2600 block of Spruce St.)

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.

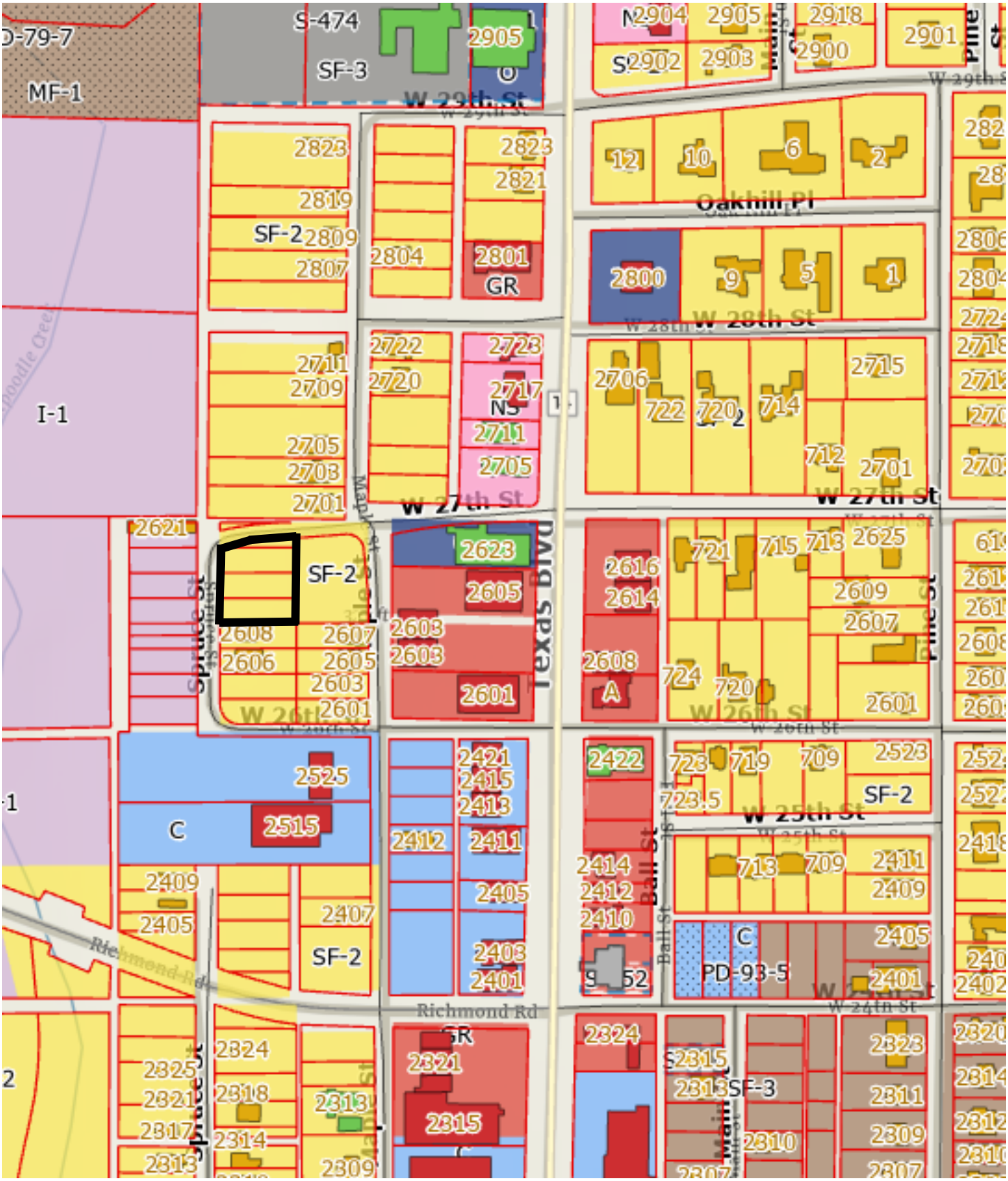
PASSED AND APPROVED in Regular Council Session on this the **8th day of August, 2022.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2022-071 ORD rezoning from SF-1 to I-1 2600 block Spruce (3737 : 2022-071 ORD rezoning 2600 block of Spruce St.)

2600 Block of Spruce Street



Attachment: 2022-071 ATTH 01 (Maps) (3737 : 2022-071 ORD rezoning 2600 block of Spruce St.)

2022-071 ATTH 01
Z-22-05

2600 Block of Spruce Street



Attachment: 2022-071 ATTH 01 (Maps) (3737 : 2022-071 ORD rezoning 2600 block of Spruce St.)

City of Texarkana, Texas

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

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

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

Attachment: 2022-071 Goals & Perspectives (3737 : 2022-071 ORD rezoning 2600 block of Spruce St.)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 7/7/2022 11:35 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-073 granting an amendment to PD-88-4 for site plan approval on Lot 5, Parcel 2, Block 3, Galleria Oaks #1, located at 1710 Moores Lane. Sandy Varner, Temple Memorial Pediatric Center, owner.		

Briefing: 8/8/2022 **Public Hearing:** 8/8/2022 **Council Vote:** 8/8/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request for site plan approval by Sandy Varner, Temple Memorial Pediatric Center, owner, requesting site plan approval on a 2.195-acre tract of land, Lot 5, Parcel 2, Block 3, Galleria Oaks #1, located at 1710 Moores Lane. This property is currently Temple Memorial Pediatric Center.

The adjacent zoning is Office to the south, Planned Development-Office to the east, and west, and Agriculture to the north. The adjacent land use is a dental office to the south, vacant land to the east, office to the west and residential to the north.

The Future Land Use Map designates this property as “Business Education Center”.

The site plan consists of the following:

1. The construction of an additional 2,249 sq. ft. gym and offices to the existing building.
2. The façade will be brick and metal panel.
3. The access driveway will be off Moores Lane.
4. 79 parking spaces and 2 handicapped spaces. Each parking space must be a minimum of 180 sq. ft. (9’x20’ or 10’x18’).
5. A 4’ X 8’ style monument sign. No Electronic messaging will be allowed.

Fire Department comments as follows: A dedicated fire lane is required with a turning radius for a 40-foot wheelbase. Driveway shall be wide enough for fire truck to turn into and a turn away in the back area. A fire hydrant is required if the most remote part of the building by travel distance is more than 400 feet away from the nearest hydrant.

The measurement from the building to the north east corner was more than 500 feet away from the nearest hydrant.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

July 5, 2022

Attachments

a. 2022-073 ORD Amendment to PD-88-4 (O) for site plan approval (DOCX)
b. 2022-073 EXH'A' (Site Plan) (PDF)
c. 2022-073 ATTH 01 (Maps) (PDF)
d. 2022-073 ATTH 02 (Elevations) (PDF)
e. 2022-073 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	07/07/2022 1:49 PM
City Manager	David Orr	Reviewer	Completed	07/08/2022 9:04 AM
City Council	Jennifer Evans	Meeting	Completed	07/11/2022 6:00 PM

Meeting History

ORDINANCE NO. 2022-073

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-88-4 (O) FOR SITE PLAN APPROVAL ON LOT 5, PARCEL 2, BLOCK 3, GALLERIA OAKS #1, LOCATED AT 1710 MOORES LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lot 5, Parcel 2, Block 3, Galleria Oaks #1, located at 1710 Moores Lane** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-88-4 (O)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-88-4 (O); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-Office; and

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

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

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

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

SECTION 1: That the site plan **(Exhibit 'A') on Lot 5, Parcel 2, Block 3, Galleria Oaks #1, located at 1710 Moores Lane** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-88-4 (O).

SECTION 2: PD-88-4 (O) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes, and includes the following:

Attachment: 2022-073 ORD Amendment to PD-88-4 (O) for site plan approval (3741 : 2022-073 ORD site plan approval at 1710 Moores Ln)

1. The construction of an additional 2,249 sq. ft. gym and offices to the existing building.
2. The façade will be brick and metal panel.
3. The access driveway will be off Moores Lane.
4. Seventy-nine (79) parking spaces and 2 handicapped spaces. Each parking space must be a minimum of 180 sq. ft. (9'x20' or 10'x18').
5. A 4' X 8' style monument sign. No Electronic messaging will be allowed.
6. Fire Department comments as follows: A dedicated fire lane is required with a turning radius for a 40-foot wheelbase. Driveway shall be wide enough for fire truck to turn into and a turn away in the back area. A fire hydrant is required if the most remote part of the building by travel distance is more than 400 feet away from the nearest hydrant. The measurement from the building to the north east corner was more than 500 feet away from the nearest hydrant.

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, 2022.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-073 ORD Amendment to PD-88-4 (O) for site plan approval (3741 : 2022-073 ORD site plan approval at 1710 Moores Ln)

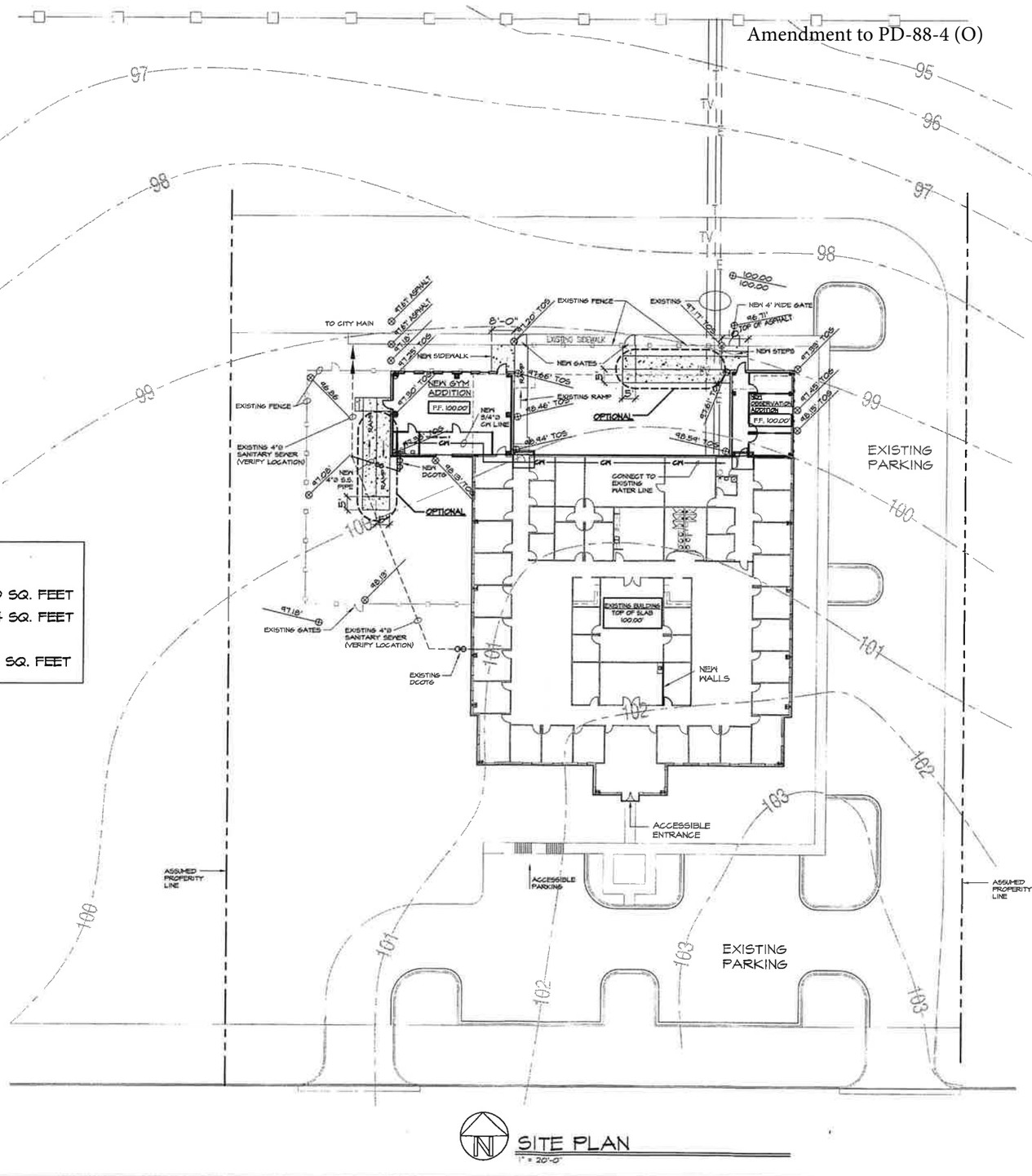
2022-073 EXH 'A'

Amendment to PD-88-4 (O)

TOPO LEGEND:

⊕ EXISTING GRADE SPOT ELEVATION

⊕ NEW GRADE



AREA CALCULATIONS:

EXISTING BUILDING - 14,130 SQ. FEET
NEW GYM ADDITION - 1,474 SQ. FEET
NEW OBSERVATION ADDITION - 775 SQ. FEET

SITE PLAN
1" = 20'-0"

No.	REVISIONS/SUBMISSIONS	Date

A NEW ADDITION TO
TEMPLE MEMEMORIAL PEDIATRIC CENTER
1710 MOORES LANE
TEXARKANA, TEXAS

TRULL-HOLLENSWORTH
ARCHITECTS
804 North Jackson
Magnolia, Arkansas 71753
(870) 234-7424

Consultant

4/28/22

Drawing Title: SITE PLAN

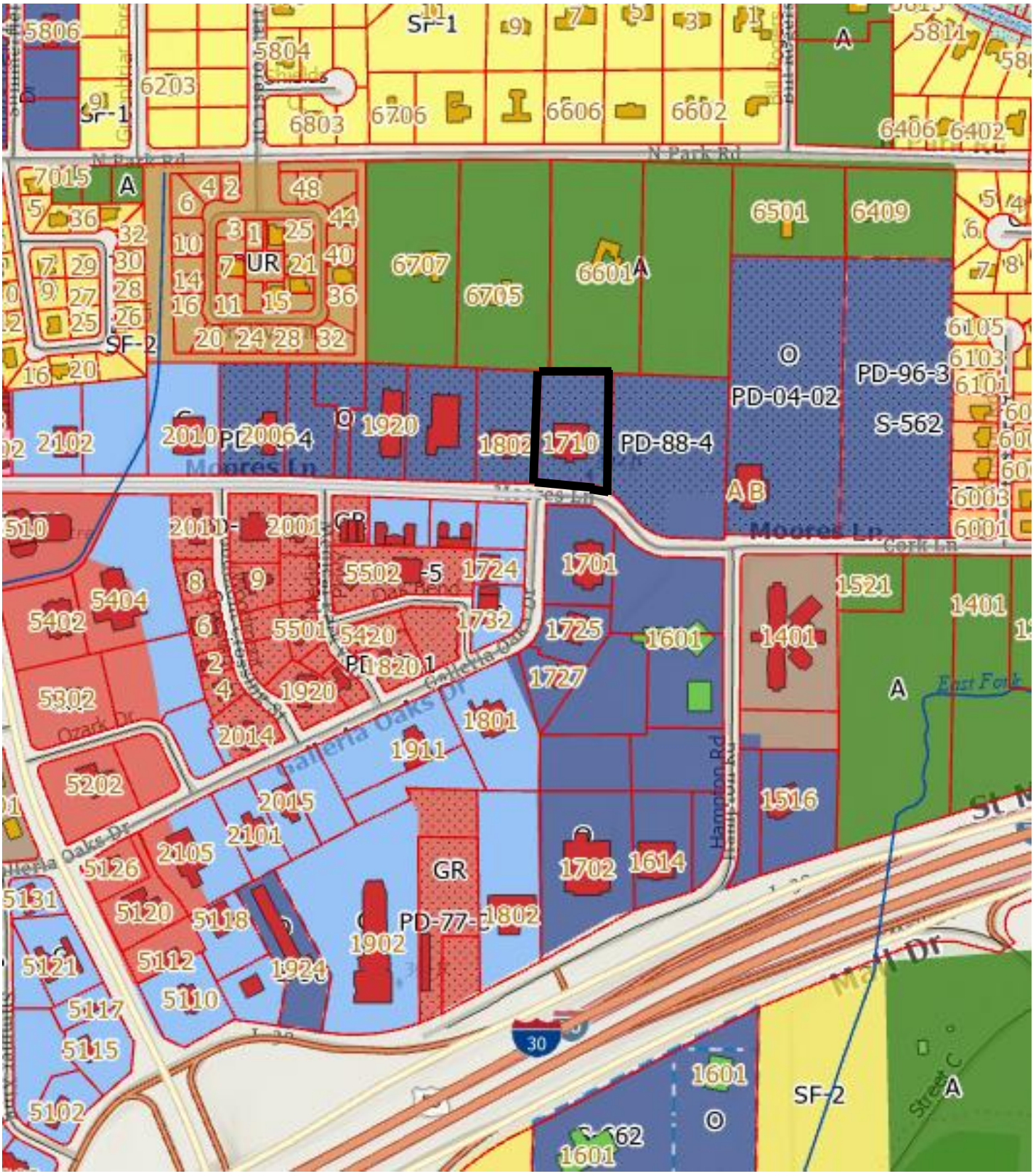
Designed: WJT	Project No.: 21-032
Drawn: MGF	Scale: AS NOTED
Checked: WJT	Drawing No.: A1.1
Revision:	
Date: 04/18/2022	OF

C:\2132 Temple Memorial Pediatric Center, Texarkana, TX (H.E. Wright)\2132A11.dwg,
4/27/2022 4:56:21 PM, Oce PlotWave 360 - WPD2

Attachment: 2022-073 EXH'A' (Site Plan) (3741 : 2022-073 ORD site plan approval at 1710 Moores Ln)

2022-073 ATTH 01
Amendment to PD-88-4(O)

1710 Moores Lane



Attachment: 2022-073 ATTH 01 (Maps) (3741 : 2022-073 ORD site plan approval at 1710 Moores Ln)

2022-073 ATTH 01
Amendment to PD-88-4(O)

1710 Moores Lane

Attachment: 2022-073 ATTH 01 (Maps) (3741 : 2022-073 ORD site plan approval at 1710 Moores Ln)

2022-073 ATTH 01
Amendment to PD-88-4(O)

1710 Moores Lane



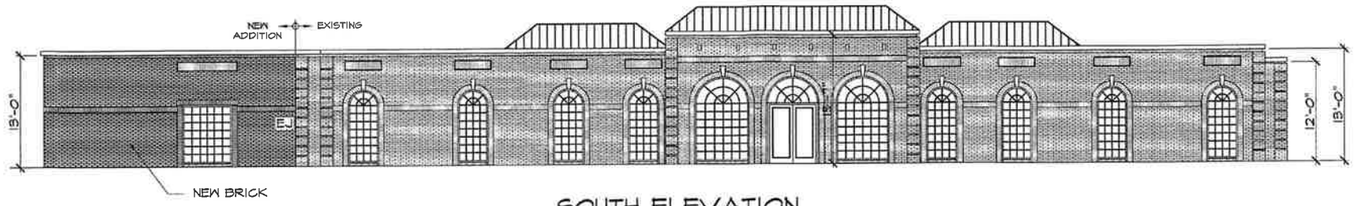
Attachment: 2022-073 ATTH 01 (Maps) (3741 : 2022-073 ORD site plan approval at 1710 Moores Ln)

2022-073 ATTH 02

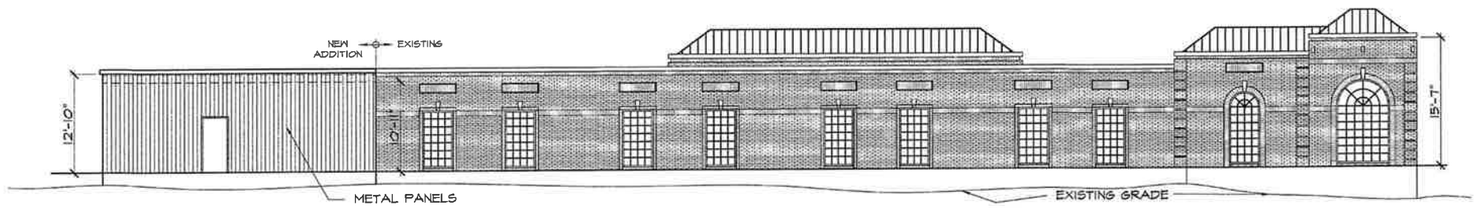
Amendment to PD-88-4 (O)

ROOM FINISH SCHEDULE

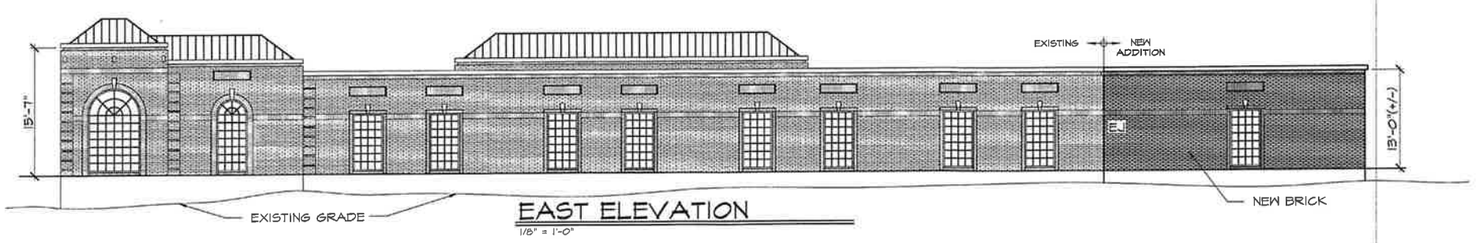
ROOM NUMBER & NAME	FLOOR	BASE	WALLS	CEILING	CLG. HT.	REMARKS
	1 2 3 4 5 6 7 8 9	10 11 12 13 14 15 16 17	18 19 20 21 22 23 24 25	26 27 28 29 30 31 32 33		
	1 = LVT MATCH EXIST. 2 = VCT MATCH EXIST.	4" VINYL COVE	5/8" GYP. BD. PAINTED MATCH EXIST.	PAINT EXPOSED GA. PLAT BLACK 2 = 2 LAYER		
GYM 65	2	15	15	26	VARIES	
VIEWING ROOM 67	2	15	15	26	VARIES	
TOILET	2	15	15	27	9'-0"	
CORRIDOR 64	1	15	15	27	9'-0"	
CLASSROOM 62	1	15	15	27	9'-0"	
OBSERVATION 61	1	15	15	27	9'-0"	
OBSERVATION 63	1	15	15	27	9'-0"	



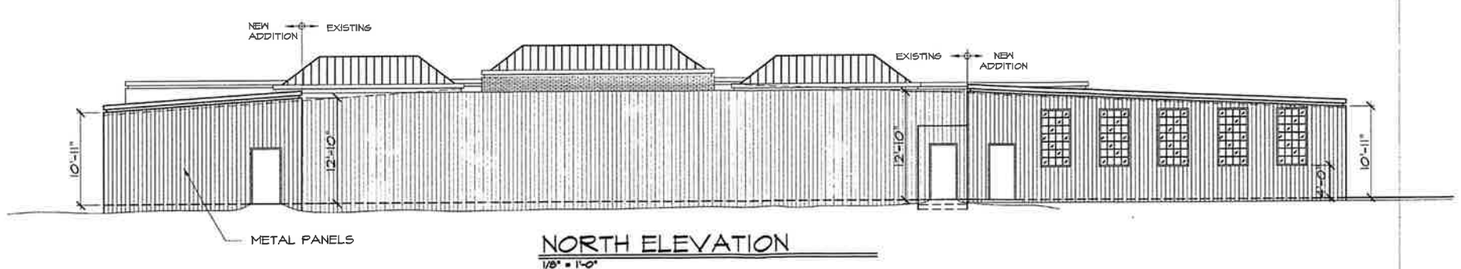
SOUTH ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



EAST ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"

No. REVISIONS/SUBMISSIONS Date

A NEW ADDITION TO
TEMPLE MEMEMORIAL PEDIATRIC CENTER
1710 MOORES LANE
TEXARKANA, TEXAS

TRULL-HOLLENSWORTH
ARCHITECTS
804 North Jackson
Magnolia, Arkansas 71753
(870) 234-7424

Consultant

REGISTERED ARCHITECT 5249 STATE OF TEXAS
3/24/22

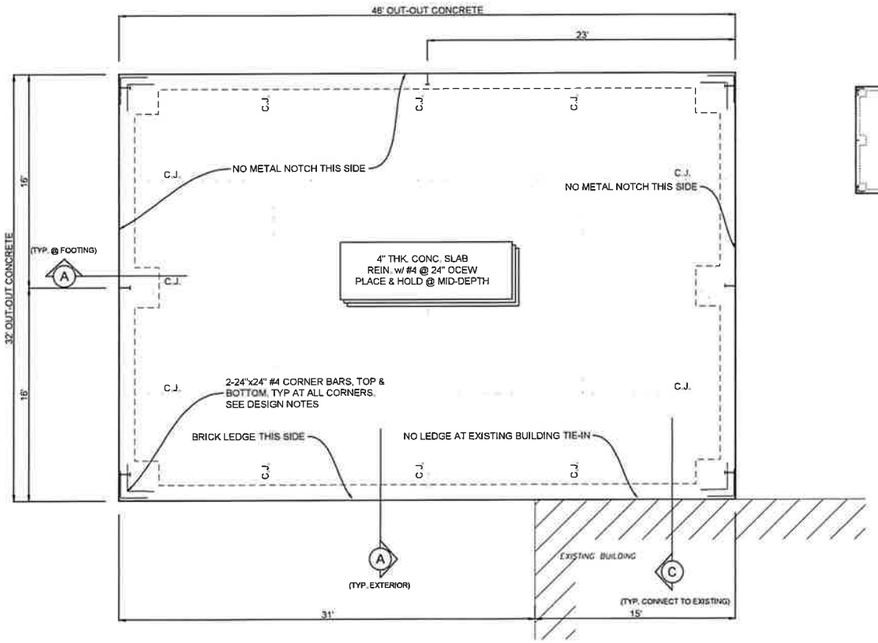
Drawing Title
EXTERIOR ELEVATIONS & SECTIONS

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Drawn MGF	Scale AS NOTED
Checked WJT	Drawing No. A3.1
Revised	OF
Date 04/18/2022	

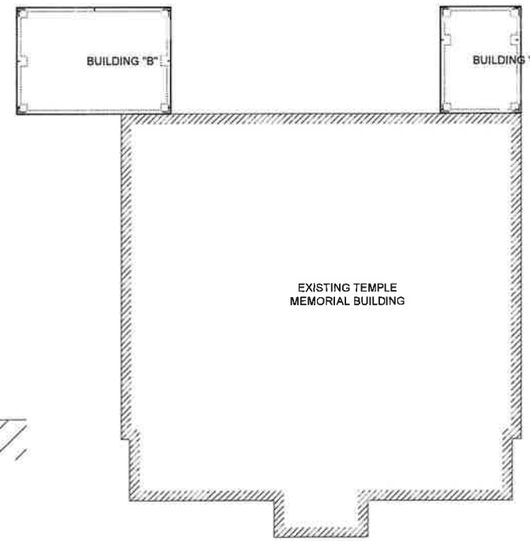
C:\2132 Temple Memorial Pediatric Center, Texarkana, TX. (H.E. Wright)\2132A31.dwg,
1/27/2022 3:15:01 PM, Oce PlotWave 360 - WPD2

Attachment: 2022-073 ATTH 02 (Elevations) (3741 : 2022-073 ORD site plan approval at 1710 Moores Ln)

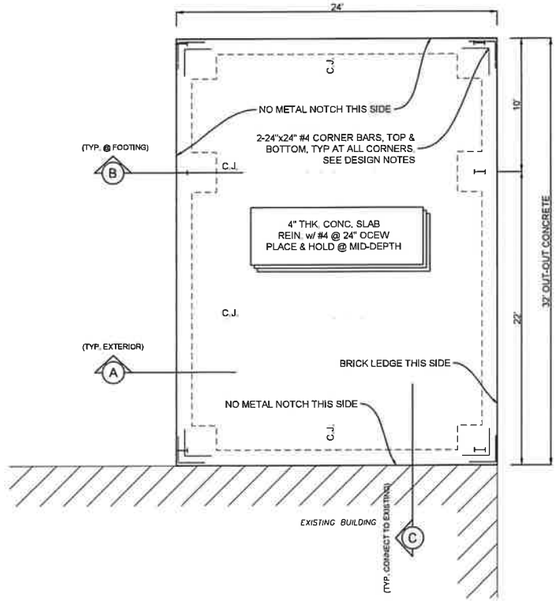
2022-073 ATTH 02
Amendment to PD-88-4 (O)



FOUNDATION PLAN - BUILDING "B"
SCALE: 1"=5'-0"



BUILDING ADDITION LOCATION
SCALE: 1"=20'-0"



FOUNDATION PLAN - BUILDING "A"
SCALE: 1"=5'-0"

0 5' 10'

FINAL FOR CONSTRUCTION

REVISIONS

NO.	DATE	DESCRIPTION

RICHARDS ENGINEERING
Civil - Structural
TX FIRM NO. 21434
2103 MCDONALD LN
Texarkana, Arkansas 71854
T: 903.824.7302

TEMPLE MEMORIAL PEDIATRIC CENTER - BUILDING ADDITION
TEXARKANA, TEXAS

ENGINEERS SEAL
STATE OF TEXAS
TYLER RICHARDS
113072
LICENSED PROFESSIONAL ENGINEER
1 YEAR
3-23-22

DATE: 02/23/2022
REVISION NO: 22-077
DESIGN: TR

SHEET TITLE
FOUNDATION PLAN

SHEET
S1.01

Attachment: 2022-073 ATTH 02 (Elevations) (3741 : 2022-073 ORD site plan approval at 1710 Moores Ln)

City of Texarkana, Texas

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

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

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

Attachment: 2022-073 Goals & Perspectives (3741 : 2022-073 ORD site plan approval at 1710 Moores Ln)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 6/2/2022 11:32 AM

Lead Department: Planning and Community Development **Action Officer:** Vashil Fernandez, PCD Director

Subject: Resolution No. 2022-054 adopting the Community Development Block Grant 2022 Program Year Annual Action Plan and authorizing the City Manager to submit said action plan to the U.S. Department of Housing and Urban Development.

Briefing: 7/11/2022 **Public Hearing:** 7/11/2022 **Council Vote:** 7/11/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The U. S. Department of Housing and Urban Development has provided the City of Texarkana, Texas, with Community Development Block Grant (CDBG) funds.
Public review of the draft 2022 Annual Action Plan will became available June 11, 2022 and will continue through July11, 2022. Legal notice was published in the Texarkana Gazette and on the city website. Public meetings will be conducted on June 13, 2019 and July 11, 2022 to solicit public comments regarding the Action Plan. A public hearing is scheduled for July 11, 2022.
The City Council must adopt yearly the Community Development Block Grant (CDBG) 2022 Annual Action Plan and funding priorities for the use of Community Development Block Grant Funds.

Potential Options:

- Approve
- Deny

Fiscal Implications:

502,500.00

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

(NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-054 RES Adopting CDBG 2022 Annual Action Plan (DOCX)
b. 2022-054 ATTH 01 Council Presentation CDBG PY2022 AAP (PDF)
c. 2022-054 ATTH 02 Annual Action Plan PY2022 Final (DOCX)
d. 2022-054 Goals & Perspectives (DOCX)
e. 2022-054 RES Adopt 22 CDBG Ann Action Plan signed (PDF)

Staff Coordination

Planning and Community Development		Vashil Fernandez	Department Head Review	Completed 05/26/2022 4:32 PM
Finance Department	Kristin Peeples	Finance Review	Completed	05/26/2022 4:54 PM
City Manager	David Orr	City Manager Review	Completed	06/01/2022 9:16 AM
City Council	Jennifer Evans	Meeting	Completed	06/13/2022 6:00 PM

Meeting History

06/13/22 City Council MOVED FORWARD Next: 07/11/22

RESOLUTION NO. 2022-054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 2022 ANNUAL ACTION PLAN SETTING PROGRAM PRIORITIES FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZING THE CITY MANAGER TO SUBMIT SAID ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the U. S. Department of Housing and Urban Development has provided the City of Texarkana, Texas, with Community Development Block Grant (CDBG) funds; and

WHEREAS, public review of the 2022 Annual Action Plan draft will become available June 11, 2022, and will continue through July11, 2022. Legal notice was published in the Texarkana Gazette and on the city website. Public meetings will be conducted on June 13, 2022, and July 11, 2022, to solicit public comments regarding the Action Plan. A public hearing is scheduled for July 11, 2022; and

WHEREAS, the City Council has determined it to be appropriate to adopt the Community Development Block Grant (CDBG) 2022 Annual Action Plan for the use of Community Development Block Grant Funds.

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

SECTION 1: The Community Development Block Grant (CDBG) 2022 Annual Action Plan is hereby accepted.

SECTION 2: The City Manager is hereby authorized to submit said Community Development Block Grant (CDBG) 2022 Annual Action Plan to the U. S. Department of Housing and Urban Development and is authorized to act in connection with the submission of the Annual Action Plan to provide such additional information as may be required.

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-054 RES Adopting CDBG 2022 Annual Action Plan (3704 : 2022-054 RES Adopting CDBG 2022 Program Year Annual Action)

CITY OF TEXARKANA TEXAS

CDBG 2022 Annual Action Plan
Community Development Block Grant

Planning & Community Development
July 11, 2022

Attachment: 2022-054 ATTH 01 Council Presentation CDBG PY2022 AAP (3704 : 2022-054 RES Adopting

Citizen Participation

2 Public Meetings

- § June 13th City Council Meeting 1st Briefing
- § July 11th City Council Public Meeting

30-day public comment period for 2022 Annual Action Plan (June 12th – July 11th, 2022)

Surveys can be filled out online at:
https://www.surveymonkey.com/r/CDBGAAPS

Advertisement of Public Comment Period:

- § Texarkana Gazette Legal Notice
- § Amigo News - Spanish
- § City Website/Social Media Pages

Draft copies available electronically on Planning & Community Development Homepage

Paper copies available upon request at City Hall

Attachment: 2022-054 ATTH 01 Council Presentation CDBG PY2022 AAP (3704 : 2022-054 RES Adopting

Public Comment

PY2022 Annual Action Plan

The City has begun the process of creating next year's Annual Action Plan (AAP) for its CDBG program. Public input & comments are vital to this process.

The City has posted information about the AAP in the following manner:

*Information posted to city's website
*Draft of AAP available at City Hall

Public Comment Period: June 12th – July 11th, 2022
Comments may be submitted through surveys filled out online at:
https://www.surveymonkey.com/r/CDBGAAPS

or by sending to:
City of Texarkana, Texas
Planning & Community Development Dept
Attn: Betsy Freeman
P O Box 1967
Texarkana, TX 75504

Attachment: 2022-054 ATTH 01 Council Presentation CDBG PY2022 AAP (3704 : 2022-054 RES Adopting

Texarkana 2022 HUD CDBG Proposed Budget

CDBG PY2022 Proposed Budget	
Projects PY2022	PY2022/FY2023 Original Budget 6/13/22
Down Payment Assistance	10,000.00
Public Services:	
Vista, Coord Entry, HMIS	8,000.00
Mission Txk-Job Training @ Grim	12,000.00
Amachi-Youth Services	20,000.00
The Scholars	15,000.00
Housing Reconstruction	50,165.00
Administration	75,000.00
Sidewalks	72,500.00
Bus Stop Covers & Community Gardens & Parks	240,000.00
	502,665.00
Revenues PY2022	
Estimated Rollover Funds	125,000.00
PY2021 Funding Allocation	375,165.00
Estimated Program Income	2,500.00
	502,665.00

Attachment: 2022-054 ATTH 01 Council Presentation CDBG PY2022 AAP (3704 : 2022-054 RES Adopting

PY2022 Proposed Activities

CDBG Allocation:

*Home Buyer Assistance - down payment & closing cost assistance to up to 4 LMI households
*Public Services – Life skills, job training, youth programs, tutoring
*Program Administration
*Housing Reconstruction – demolition & reconstruction for one (1) qualified LMI household
*Bus Stop Covers-installation of covers in LMI areas
*Sidewalks–new sidewalks installed in LMI areas
*Community Gardens – new community garden installed in LMI area New Town neighborhood
*Parks-improvements to Finley Park & Scott Joplin Park, walking trail in Bell Park

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City of Texarkana, Texas
2022 Annual Action Plan

The Annual Action Plan for the City of Texarkana, Texas
Community Development Block Grant Program
Prepared in Accordance with the
United States Department of Housing & Urban
Development's Planning Requirements
For the Period of
October 1, 2022 through September 30, 2023
Program Year 2022

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Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Texarkana, TX became a federal entitlement program grantee in 1987. As an entitlement grantee, the City receives an annual share of federal Community Development Block Grant (CDBG) funds authorized under Title I of the Housing & Community Development Act of 1974, as amended. The Planning & Community Development department is responsible for administering CDBG grants for areas within the city limits of Texarkana.

The purpose of this Action Plan is to identify housing & community development needs & to develop specific goals & objectives to address those needs over a one-year period. This Plan for Texarkana covers the period October 1, 2022, to September 30, 2023. The Plan enables the City to continue to receive federal housing & community development funds & according to regulations CFR 91.200(a), must be submitted to the U.S. Department of Housing & Urban Development (HUD) no less than 45 days prior to the start of the grantee's program year.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis, or the strategic plan.

Based on a detailed analysis of data describing community characteristics & housing market conditions, a survey of available community resources, & an extensive community participation process, the following were identified as priority needs for Texarkana:

- Rehabilitation of existing affordable owner-occupied housing units
- Public improvements & infrastructure
- Homeless/Continuum of Care (CoC) services that benefit adults, families with children, & other special needs homeless populations
- Homeownership assistance
- Collaboration with community partners to coordinate development activities
- Renovation of the Grim Hotel
- Public services
- Public Facilities & Parks

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3. Evaluation of past performance

In partnership with other public, private, & non-profit housing providers & service agencies, Texarkana has worked to increase & preserve the available stock of affordable, safe & decent housing; helped ensure a suitable living environment for city residents; & contributed to expanding economic opportunities. The City has affected change in the Rose Hill Neighborhood, Downtown Texarkana & the Beverly Neighborhood, addressing concentrations of poverty & proliferation of Brownfields. The 2022 Action Plan will continue to guide the City in addressing these neighborhoods as well as other low mod areas of the city.

Texarkana has consistently allocated funds to address the highest strategic plan priorities. The City has met all requirements as an entitlement grantee including administrative & public services caps. City policies & procedures comply with federal requirements to ensure that programs & activities benefit low- to moderate-income individuals & families & that community development projects are developed to provide the maximum benefit to low-moderate income residents.

The Consolidated Annual Performance Evaluation Review (CAPER) will provide an assessment of progress towards meeting the five-year goals of the Consolidated Plan & one-year goals of the Action Plan adopted. The CAPER is due annually to HUD on December 30.

4. Summary of Citizen Participation Process and consultation process

The City of Texarkana actively promotes collaboration & coordination among public, private, & non-profit organizations providing housing & non-housing community development services in the city. The City strives to maintain open communication with partner agencies & organizations as well as Texarkana residents.

Citizen & stakeholder input was crucial to the identification of community development needs & priorities for this Action Plan. The City solicited public & stakeholder input through public meetings, stakeholder focus groups, meetings with a neighborhood associations & a booth at a neighborhood event. These meetings/events were advertised on the city website, social media accounts, &/or in the Texarkana Gazette & Amigo News.

Surveys were requested at all meetings & events. Fourteen residents responded to an electronic survey. The survey provides direct feedback from residents on housing needs, factors that affect housing choice, & non-housing community development needs.

5. Summary of public comments

Public input has shaped the priorities & goals adopted in this Action Plan. City residents had numerous opportunities to provide input on their community development priorities. All comments received as well as survey results are provided in the Attachments.

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6. Summary of comments or views not accepted and the reasons for not accepting them

All survey, public hearings, focus groups, stakeholder & community meeting responses have been accepted & appended to the Action Plan.

7. Summary

This Action Plan was developed based on input from Texarkana residents, community partners, & stakeholders as well as a thorough analysis of data available from reliable sources. Significant sources of data for this report include the 2011-2015 American Community Survey (ACS) estimates, 2010-2014 Comprehensive Housing Affordability Strategy (CHAS) data, the U.S. Bureau of Labor Statistics, the 2010 Census, the Homeless Management Information System (HMIS) & local data sources.

The 2022 Action Plan will guide the community development efforts of Texarkana over the year concluding on September 30, 2023. The strategy outlined in the plan is focused on decent, safe, & affordable housing, a suitable living environment, & economic opportunity. Adhering to this fundamental community development strategy will lay a secure foundation for growth & prosperity for all Texarkana residents.

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PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator		Department of Planning and Community Development

Table 1 – Responsible Agencies

Narrative (optional)

The City of Texarkana Department of Planning & Community Development is the Lead Agency in the preparation & implementation of this 2022 Action Plan which describes the strategy for the City of Texarkana, Texas in PY2022 & is prepared in accordance with the U.S. Department of Housing & Urban Development's Action Plan requirements. The City would like to express our appreciation to the individuals, agencies, departments & committees who participated in developing the City of Texarkana 2022 Action Plan.

Consolidated Plan Public Contact Information

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Mayor
Bob Bruggeman

City Council
Jean H. Matlock – Ward 1
Mary Hart – Ward 2
Betty Williams – Ward 3
Christine Page – Ward 4
Bill Harp – Ward 5
Jay Davis – Ward 6

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AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The City of Texarkana has implemented actions to develop institutional structures & enhance coordination between city departments, housing providers & social service agencies, & foster assisted housing improvements & resident initiatives. Through public hearings & meetings held throughout the year, the City continues to utilize a network of contacts, referrals, & partnerships to implement the strategies outlined in the Five-Year Consolidated Plan & re-enforced in each Annual Action Plan.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The City of Texarkana has implemented actions to develop institutional structures & enhance coordination between city departments, housing providers & social service agencies, & foster assisted housing improvements & resident initiatives. Through public hearings & meetings held throughout the year, the City continues to utilize a network of contacts, referrals, & partnerships to implement the strategies outlined in the Five-Year Consolidated Plan & re-enforced in each Annual Action Plan. The City will continue to build its relationship with local housing/service providers & the Housing Authority to ensure that the current limited housing resources are utilized in the most efficient manner possible & to meet the housing needs of extremely low, very low, & low-income renters & homeowners.

Texarkana Government Access Television provides public service & local government programming through Cable One. City Council meetings & other committee meetings are streamed on-line & archived. There is a municipal access channel (government access channel) that serves both Texas & Arkansas. Texarkana, AR manages the channel with Texarkana, TX paying a management fee. The channel divides the time equally for both cities showing meetings, general information, links to resources & documents, PSAs &any other relevant information. The Planning & Community Development department oversees the CDBG grant. The Grant Administrator is responsible for the day-to-day operation of the program. The department works in conjunction with the City's Finance, Inspection, Public Works, Street, & Parks & Recreation Departments to oversee the development of the Action Plan & administer the programs & activities incorporated in the Plan.

Interviews with key stakeholders included CDBG & other City staff, Texarkana Housing Authority staff, Area Office on Aging staff, homeless providers, services providers, Bowie County Veterans Service Officer & banking providers provided the basis for much of the information in the Action Plan.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Texarkana participates in the Texas Balance of State Continuum of Care that is managed by the Texas Homeless Network. The Texarkana Homeless Coalition holds monthly meetings to discuss & strategize on ways to meet the needs of those experiencing homelessness. The Coalition has developed a Coordinated Entry system that streamlines the process for people experiencing homelessness to access resources. CDBG funding provides for a public service Vista person to work with the coordinated entry process assisting persons experiencing homelessness to attain the services needed.

The Texas Homeless Network provides data from the Homeless Management Information System (HMIS), Point-In-Time Count (PIT), the Housing Inventory Count & the Annual Homeless Assessment Report (AHAR). This information is utilized to assist in determining the nature & extent of homelessness in Texarkana & identifying potential projects that will eliminate gaps in housing & services.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The City of Texarkana is an integral part of the Continuum of Care. The Randy Sams' Outreach [TB1] Shelter is currently the only emergency homeless shelter for homeless persons in Texarkana, Texas. Randy Sams receives Emergency Solutions Program funds through the Texas Department of Housing & Community Affairs. The Coalition worked with the City to develop the Doorways Home project that assists homeless families &individuals to receive supportive housing through the Continuum of Care grant award.

HMIS responsibilities are shared among homeless assistance providers & City staff in the city. HMIS is administered by the Texas Homeless Network (THN) & serves the Texarkana, Texas population. THN has developed policies & procedures for the administration of HMIS. THN provides training & technical support to agencies participating in HMIS.

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2. Describe Agencies, groups, organizations, and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	Randy Sams Outreach Shelter
	Agency/Group/Organization Type	Housing Services-homeless Emergency Shelter
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation through homeless providers focus group; provided data. Better understanding of the needs of people experiencing homelessness for future planning & projects.
2	**Agency/Group/Organization**	Habitat for Humanity Texarkana
	Agency/Group/Organization Type	Housing Home Ownership
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation through focus groups for input. Better understanding of the needs of first-time homebuyers, the need for additional affordable housing & housing rehabilitation.

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3	**Agency/Group/Organization**	Mission Texarkana
	Agency/Group/Organization Type	Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation through focus groups for input. Better understand of the needs of people experiencing homelessness & at-risk of homelessness.
4	**Agency/Group/Organization**	Community Advisory Committee
	Agency/Group/Organization Type	Business and Civic Leaders Advisory
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Quarterly meetings attended by city staff to discuss housing needs & services needed for LMI households. Networking with service agencies to meet needs.

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5	**Agency/Group/Organization**	Salvation Army-Texarkana
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-homeless Services-Education Services-Employment Emergency Shelter
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation through homeless providers focus group; provided data. Better understand the needs of people experiencing poverty & homelessness in the City
6	**Agency/Group/Organization**	Ark-Tex Council of Governments
	Agency/Group/Organization Type	Services-Elderly Persons Regional organization Planning organization
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation through focus groups for input. Better understanding of the needs of the senior population for planning future projects.
7	**Agency/Group/Organization**	Amigo News
	Agency/Group/Organization Type	Spanish Newspaper

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	What section of the Plan was addressed by Consultation?	Housing Need Assessment Anti-poverty Strategy Needs of Spanish speaking residents
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Publication of public meetings translated into Spanish to publicize to Latino community.
8	**Agency/Group/Organization**	Bowie County Veterans Service Office
	Agency/Group/Organization Type	Housing Services – Housing Services-Veterans Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Needs - Veterans
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Information provided on the needs of veterans in Texarkana will assist the City in future planning activities & projects.
9	**Agency/Group/Organization**	Housing Authority of Texarkana, Texas
	Agency/Group/Organization Type	Housing PHA
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Focus groups at housing properties. Better understanding of the improvements at the HA properties & future needs of residents
10	**Agency/Group/Organization**	Texarkana Homeless Coalition
	Agency/Group/Organization Type	Housing Services - Housing Services-homeless

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	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation through homeless providers focus group; provided data. Better understand the needs of people experiencing homelessness. Information on how the Coalition & the Texas Homeless Network are collaborating with publicly funded institutions to develop plans so people are not discharged into homelessness.
11	**Agency/Group/Organization**	Community Resource Council - Helping Hands
	Agency/Group/Organization Type	Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-homeless Services-Health Services - Victims
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Provided information on service needs of low-moderate income residents.
12	**Agency/Group/Organization**	Texas Homeless Network
	Agency/Group/Organization Type	Housing Services - Housing Services-homeless Planning organization

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	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Provided PIT & HMIS data analysis. Better understand the needs of people experiencing homelessness will help focus funding where most needed.
13	**Agency/Group/Organization**	Believe In Beverly
	Agency/Group/Organization Type	Housing Neighborhood Improvement Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs Market Analysis Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation through focus group; better understanding of the needs of the Beverly Neighborhood. The City has recognized the Beverly neighborhood as a targeted area for CDBG funded projects.
14	**Agency/Group/Organization**	City of Texarkana, Texas
	Agency/Group/Organization Type	Other government – Local Economic Development
	What section of the Plan was addressed by Consultation?	Market Analysis Economic Development Business needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Provided information on business needs, education & training for workforce; general economic outlook for the City.

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15	**Agency/Group/Organization**	TEXAS DEPARTMENT OF STATE HEALTH SERVICES
	Agency/Group/Organization Type	Services-Health Other government - State
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Reviewed Lead-Based Paint statistics for Bowie County; website provided information on the number of children tested & identified with elevated lead blood levels
16	**Agency/Group/Organization**	Community Healthcore (formerly Sabine Valley)
	Agency/Group/Organization Type	Services-Health Health Agency Regional organization
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Discussed medical & mental health needs of low-moderate income residents & prevalence of children with elevated blood lead levels.

Identify any Agency Types not consulted and provide rationale for not consulting

No agencies were excluded in the development of the plan. Domestic Violence, Inc. opted not to participate in the planning process for the Plan.

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Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Texarkana Homeless Coalition	Both plans analyze homeless needs & solutions.
PHA Consolidated 5 Year Plan	Housing Authority of Texarkana, TX	Both plans address public housing needs
MPO Texarkana Regional Transportation Plan	Metropolitan Planning Organization	Transportation planning for the region & city is essential in meeting the needs of low-moderate income residents

Table 3 – Other local / regional / federal planning efforts

Describe cooperation & coordination with other public entities, including the State & any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

The City of Texarkana, Texas enjoys a unique & challenging position in that it is a twin city to the City of Texarkana, Arkansas. The two cities share many things including infrastructure (roads, bridges, potable water systems, storm water systems & sewage systems), planning organizations (MPO, Ark-Tex Council of Governments), health care agencies (Wadley Regional Medical System, Christus St. Michael Health System), economic development (Chamber of Commerce) & other non-profit agencies (Randy Sams' Outreach Shelter, Salvation Army, Harvest Texarkana, Volunteer Center, Literacy Council, unique bi-state Workforce Development efforts). Consequently, collaborative planning is a necessity for the City & common practice. These agencies provide continual collaboration with the City in all aspects of community planning, including this Action Plan. Additionally, the City works closely with the Texarkana Housing Authority & has collaborated & provided funding for the renovation of existing public housing units.

Narrative (optional)

The Action Plan was developed in consultation with a wide range of public & private entities, including governmental & non-profit organizations knowledgeable about the needs of the low & moderate-income residents of Texarkana, & private citizens interested in, or affected by, the housing & community development activities discussed in the Plan. These contacts are part of a continuous process conducted in order to involve the broader community in assessing priority housing & community development needs; developing priorities, goals & objectives for addressing identified needs; & allocating available CDBG & other federal, state & local funding to activities that address priority needs.

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AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal setting

The City of Texarkana has implemented actions to develop institutional structures & enhance coordination between city departments, housing providers & social service agencies, & foster assisted housing improvements & resident initiatives. Through public hearings & meetings held throughout the year, the City continues to utilize a network of contacts, referrals & partnerships to implement the strategies outlined in the Five-Year Consolidated Plan & re-enforced in each Annual Action Plan. The City will continue to build its relationship with local housing/service providers & the Housing Authority to ensure that the current limited housing resources are utilized in the most efficient manner possible & to meet the housing needs of extremely low, very low, & low-income renters & homeowners.
Texarkana Government Access Television provides public service & local government programming through Cable One. City Council meetings & other committee meetings are streamed on-line & archived. There is a municipal access channel (government access channel) that serves both Texas & Arkansas. Texarkana, Arkansas manages the channel with Texarkana Texas paying a management fee. The channel divides the time equally for both cities showing meetings, general information, links to resources & documents, PSAs & any other relevant information. The Planning & Community Development department oversees the CDBG grant. The Grant Administrator is responsible for the day-to-day operation of the program. The department works in conjunction with the City's Finance, Inspection, Public Works, Street, & Parks & Recreation Departments to oversee the development of the Action Plan & administer the programs & activities incorporated in the Plan.

Interviews with key stakeholders included CDBG & other City staff, Texarkana Housing Authority staff, Area Office on Aging staff, homeless providers, services providers, Bowie County Veterans Service Officer, banking providers provided the basis for much of the information in the Plan.

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Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Internet Survey	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	surveys completed online	surveys attached	all comments accepted	
2	Public Meeting	Non-targeted/broad community	No comments received at City Council/Public meeting held on July 11, 2022	No comments received	N/A	
3	Newspaper Ad	Non-English Speaking - Specify other language: Spanish	Public notices for meetings, comment period & availability of draft Annual Action Plan were placed in Amigo News, a local Spanish newspaper.	None received	N/A	

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
4	Newspaper Ad	Non-targeted/broad community	Public notices for hearing, meetings, comment period & availability of draft Action Plan were placed in the Texarkana Gazette & on City's website.	No comments were received	N/A	
5	Social Media	Non-targeted/broad community	Public notices for hearing, meetings, comment period & availability of draft Action Plan were placed on the City's website & Facebook page.	No comments were received	N/A	

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
6	Information Dissemination	Non-targeted/broad community	Public notices for hearing, meetings, comment period & availability of draft Action Plan were placed on City water bills, TISD Student/Family Newsletter, Texarkana Farmers Market & Neighborhood Associations.	No comments were received	N/A	

Table 4 – Citizen Participation Outreach

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Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City of Texarkana will receive a CDBG allocation of $375,165 for PY 2022; $2,500 from Program Income; with the reallocated funds from previous years $125,000 for a total of $502,665 to be used for eligible CDBG activities.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	375,165	2,500	125,000	502,665	0	Expected Amount Available based on yearly allocation plus program income.

Table 5 - Expected Resources – Priority Table

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Explain how federal funds will leverage those additional resources (private, state, and local funds), including a description of how matching requirements will be satisfied

The City recognizes the importance of leveraging resources. It is estimated that over the course of the 5 Year Plan, these community development projects will bring $1.75 in private resources spent in the local economy for each grant dollar invested. Matching requirements will be met by in-kind donations of labor &/or materials. The programs listed above do not require matching funds. When matching funds are required, the City usually provides in-kind matching through labor & supplies or provides cash matches from the City's general funds.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Publicly owned land or property located within the jurisdiction includes housing lots owned by the city, city parks, & scattered properties may be used to promote economic development, provide support for homeless programs &/or affordable housing in Texarkana. Additionally, publicly owned land may also be used to support public health activities, infrastructure & public services.

Discussion

Texarkana anticipates receiving federal funding over the next year from the Community Development Block Grant (CDBG) program. These funds will be used to fund projects which advance the goals identified in the 2022 Action Plan. Projects carried out using these federal funds over the next year will leverage additional funds from state & local government as well as private funding sources.

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Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Down Payment & Closing Cost Assistance	2022	2022	Affordable Housing	City-Wide	Homeownership Assistance	CDBG: $10,000	Direct Financial Assistance to Homebuyers: Up to 2 Households Assisted
2	Public Services	2022	2022	Homeless Non-Homeless Special Needs Non-Housing Community Development	City-Wide	Public Services	CDBG: $55,000	Public service activities other than Low/Moderate Income Housing Benefit: 100 Persons Assisted
3	Program Administration, Fair Housing Activities & Lead based paint information	2022	2022	Administration	City-Wide	Program Administration	CDBG: $75,000	Other : 1 Other
4	Housing Reconstruction	2022	2022	Affordable Housing	City-Wide	Affordable Housing	CDBG: $50,165	Affordable Housing Benefit: 2 household assisted
5	Public Improvements & Infrastructure	2022	2022	Non-Housing	City-Wide	Community Development	CDBG: $72,500	Sidewalks in LMI areas
6	Public Facilities & Parks	2022	2022	Non-Housing	City-Wide	Community Development	CDBG: $240,000	Bus Stop Covers & Community Gardens in LMI areas & park improvements in LMI areas

Table 6 – Goals Summary

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Goal Descriptions

1	**Goal Name**	Down Payment Assistance
	Goal Description	Funding for 50% of the down payment & all the closing costs for low-moderate first-time homebuyers.
2	**Goal Name**	Public Services
	Goal Description	Assistance will be provided to public service agencies that provide services to low-income families & those experiencing homelessness. Agencies providing services may include but not limited to Texas Homeless Network, Texarkana Homeless Coalition, Randy Sams' Outreach Shelter, Amachi Vision Corps and Boys & Girls Club.
3	**Goal Name**	Program Administration, Lead Based Paint info & Fair Housing info
	Goal Description	Management & oversight of the CDBG program. Fair Housing activities to be conducted or attended during Fair Housing month, April 2023 to distribute information. Lead based paint information will be distributed at all events attended by CDBG staff.
4	**Goal Name**	Housing Reconstruction
	Goal Description	Assistance to be provided for LMI household
5	**Goal Name**	Public Improvements & Infrastructure
	Goal Description	Sidewalks in LMI areas
6	**Goal Name**	Public Facilities & Parks
	Goal Description	City will install bus stop covers in LMI areas. City will install a new community garden in Rose Hill & New Town area (LMI neighborhoods). City will make improvements to parks in LMI areas – Finley Park & Scott Joplin Park. City will install new walking trail in Bell Park in New Town.

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Projects

AP-35 Projects – 91.220(d)

Introduction

The City of Texarkana will undertake activities that the meet the needs & objectives established by its Consolidated Plan & approved by City Council. As shown below, the City will owner-occupied reconstruction, down payment & closing costs assistance, sidewalk & tree planting, community gardens, improvements to parks in low-moderate areas, & public services.

Projects

#	Project Name
1	Down Payment & Closing Cost Assistance
2	Public Services
3	Administration
4	Housing Reconstruction
5	Public Improvements & Infrastructure
6	Public Facilities & Parks

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The City of Texarkana responds to the needs expressed in public hearings & stakeholder meetings. Affordable housing (rental & homeownership) & public improvements were listed as high priorities. To improve the quality of life of all citizens in Texarkana, the City will work with service & housing providers to address both the need for additional affordable housing & supportive service needs. Construction of 20 affordable housing units is underway with the Grim project. The city paid off the loan in PY2021. The geographic areas of Beverly, downtown, New Town & other LMI neighborhoods were chosen because they have the greatest potential & greatest need.

The lack of additional funding is the major obstacle faced by the City when meeting underserved 00needs. The City will continue to investigate funding opportunities as they are identified.

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AP-38 Project Summary

Project Summary Information

1	**Project Name**	Down Payment Assistance
	Target Area	City-Wide
	Goals Supported	Down Payment Assistance
	Needs Addressed	Homeownership Assistance
	Funding	CDBG: $10,000
	Description	Down payment requirement & closing costs assistance to low-moderate first-time homebuyers
	Target Date	9/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Up to one LMI first-time homebuyer may be assisted with 50% of the down payment & all the closing costs
	Location Description	Program will be offered to income eligible first-time homebuyers city-wide.
	Planned Activities	Up to one homebuyer may be assisted with down payment & closing costs during the program year.
2	**Project Name**	Public Services
	Target Area	City-Wide
	Goals Supported	Public Services
	Needs Addressed	Public Services
	Funding	CDBG: $55,000
	Description	Funding to non-profit agencies that provide services to low-moderate income individuals & families.
	Target Date	9/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	It is estimated that 100 individuals will benefit from the services offered by local non-profit agencies.
	Location Description	The program will be offered city-wide to income eligible clients.

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	Planned Activities	Supportive services including but not limited to life skills/job training classes, youth programs & coordinated entry vista program for persons experiencing homelessness, HMIS, youth & low-moderate income individuals & families.
3	**Project Name**	Program Administration
	Target Area	City Wide
	Goals Supported	Program Administration, Fair Housing Info, Lead based paint info
	Needs Addressed	Program Administration, Fair Housing Info, Lead based paint info
	Funding	CDBG: $75,000
	Description	Management & oversight of the CDBG & Section 108 Loan programs.
	Target Date	9/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	City Wide
	Planned Activities	Management & oversight of the CDBG & Section 108 Loan programs.
4	**Project Name**	Housing Reconstruction
	Target Area	City-Wide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: $50,165
	Description	The City will assist one LMI household in demolition & reconstruction of their home to provide safe & livable affordable housing.
	Target Date	9/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	1
	Location Description	City-wide

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	Planned Activities	The City will assist one LMI household in demolition & reconstruction of their home to provide safe & livable affordable housing.
5	**Project Name**	Public Improvements & Infrastructure
	Target Area	City-wide
	Goals Supported	Neighborhood Facilities
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $72,500
	Description	City will install sidewalks in Rose Hill LMI areas
	Target Date	9/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	City-wide
	Planned Activities	City will install sidewalks in Rose Hill LMI areas
6	**Project Name**	Public Facilities & Parks
	Target Area	City-wide
	Goals Supported	Neighborhood Facilities
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $240,000
	Description	City will install bus stop covers in LMI areas & community gardens in New Town LMI area. City will make improvements to parks in LMI areas – Finley Park & Scott Joplin Park. City will install new walking trail in Bell park in New Town.
	Target Date	9/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	75
	Location Description	City-wide LMI areas & New Town area

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	Planned Activities	City will install bus stop covers in LMI areas & community gardens in New Town LMI area. City will make improvements to parks in LMI areas – Finley Park & Scott Joplin Park. City will install new walking trail in Bell park in New Town.

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AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

CDBG funds area allocated city-wide to projects & activities that benefit low-moderate income persons & households or provide services to residents in a low-moderate income area. The Beverly, Rosehill, New Town, Liberty-Eylau neighborhoods & the Downtown area are the target areas that are selected for projects during PY22. The City has also elected to provide Owner-Occupied Housing Reconstruction as well as Down Payment Assistance city-wide for income eligible applicants.

Geographic Distribution

Target Area	Percentage of Funds
Downtown Area	20%
City-Wide	80%
Total	100%

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The City of Texarkana responds to the needs expressed in public hearings, focus groups, surveys & stakeholder meetings. The Downtown area, Beverly community, Rosehill community & Liberty-Eylau community have been identified as areas where CDBG funds can be used for revitalization activities. The City will work with service & housing providers to address both the need for additional affordable housing & supportive service needs. The City will use CDBG funds to provide down payment & closing cost assistance to low-moderate income homebuyers, reconstruction to low-income homeowners, funding for public facilities & infrastructure projects in low-mod areas & continue to supportive services programs.

Discussion

The lack of additional funding is the major obstacle faced by the city when meeting underserved needs. The city will continue to investigate funding opportunities as they are identified & to expand programs when financially feasible.

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Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

Affordable housing remains a high priority. Rising costs of construction, the availability of financing & the demand for a limited amount of land have combined to constrain affordable housing production. The result is significantly higher costs for housing when incomes are not rising at the same pace.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	20
Acquisition of Existing Units	4
Total	24

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

The city provided CDBG funding in prior program years for twenty (20) new units of affordable housing being developed through the Grim Hotel project. The city will also offer down payment & closing costs assistance to one (1) qualified homebuyers if possible. City will offer housing reconstruction for one (1) qualified LMI household, install sidewalks in LMI areas, install community garden in New Town (LMI neighborhood), make improvements to parks in LMI areas – Finley Park & Scott Joplin Park & install bus stop covers in LMI areas.

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AP-60 Public Housing – 91.220(h)

Introduction

HATT has systematically replaced or revitalized aging inventory through the HOPE VI grant & currently through the Rental Assistance Demonstration program. Robison Terrace is the last property to be renovated through RAD. During the RAD conversion all residents were relocated to other HATT properties & relocation expenses were provided by HATT.

Actions planned during the next year to address the needs to public housing

HATT will continue the conversion to RAD & project-based vouchers to meet the housing needs of its residents. HATT will continue to improve the living environment of its residents by:

- Expanding public housing security efforts & continuing to work with the City's Police Department
- Developing educational, cultural, & supportive service programs to further foster social &
- economic independence for its residents
- Implementing programs that promote a healthy lifestyle
- Increasing youth programs for public housing residents by fostering partnerships in the community
- Increasing resident participation in the Resident's Executive Council.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

HATT actively promotes resident involvement through Resident Councils, targeted outreach via website, flyers, emails, mailing lists, & community notice boards at all community centers on Housing Authority properties. HATT has a homeownership program & provides homebuyer education classes for public housing residents. Residents are encouraged to attend public hearing & meetings during the City's public participation process.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The Housing Authority of Texarkana is not designated as a troubled public housing authority.

Discussion

Not Applicable

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AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The Texarkana Homeless Coalition meets monthly to discuss issues & challenges in meeting the needs of those experiencing homelessness or at-risk of homelessness. Members of the Coalition represent service & housing providers, public housing staff, emergency services & city staff. The Texarkana Homeless Coalition is part of the Texas Balance of State Continuum of Care & that is managed by the Texas Homeless Network (THN), a statewide nonprofit agency. The Texas Balance of State CoC is made up of all service providers, advocates, local government officials, & citizens who work to eliminate homelessness in over 216 counties in Texas outside of most major metropolitan cities. THN assists local homeless coalitions with community-based planning to develop plans to end homelessness & new projects to fill gaps in housing & services.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City supports the Texarkana Homeless Coalition in its outreach & assessment efforts for homeless persons in the community by participating in Texarkana Homeless Coalition. The City will continue to organize stakeholder meetings to discuss & plan for more intensive outreach to those experiencing homelessness. There are no agencies in Texarkana that provide only outreach activities. Many agencies provide outreach to the specific population that they serve. The City uses CDBG funds to support these agencies in their efforts.

Addressing the emergency shelter and transitional housing needs of homeless persons

Emergency shelter in Texarkana is provided by Randy Sams Outreach Shelter. Randy Sams is a low-barrier homeless shelter & an ID is not required to stay at the shelter. There are 112 emergency beds available for up to 90 days at a time. The shelter also provides showers, food, transportation & case services.

Rapid Re-Housing (formerly transitional housing) is provided by Randy Sams with 22 households receiving assistance & by Doorways Home providing 10 households with housing vouchers. Households in the Rapid Re-Housing programs pay subsidized rent & receive assistance with case management & life skill classes & job training. The development of a family shelter is crucial to meeting the needs of homeless families. In order to make homelessness short-lived & non-recurring, there is a need for additional Rapid Re-Housing vouchers & services.

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Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

There are no permanent supportive housing programs in Texarkana & the need for such housing is great. The Texarkana Homeless Coalition & the City will continue to identify agencies that have the capacity to expand their programs to provide permanent supportive housing. In order for chronically homeless individuals to maintain permanent housing, supportive services must be a part of their housing plan. Many chronically homeless & special needs populations will require long-term rental assistance since many are on disability incomes which do not cover the cost of housing plus living expenses. The average income for a person receiving Supplemental Security Income (SSI) is $750 per month. Coordinated Entry has facilitated the access of housing & services for many people experiencing homelessness, but the availability of affordable & decent housing does not meet the need.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Individuals with severe mental health challenges often require transitional or permanent supportive housing including ongoing treatment, social services & housing assistance to recover & live independently. Homelessness prevention services are needed for ex-offenders & persons being discharged from mental health facilities for reentry into their communities. Currently in Texarkana, there are no programs targeted to assist these individuals. Randy Sams' is a low barrier shelter that provides emergency housing but only for a period of 90 days. The Coalition is discussing how to provide services & permanent housing solutions for these populations as well as unaccompanied youth. Youth aging out of foster care need transitional housing & supportive services. Lack of funding & lack of capacity of local agencies are the challenges to providing this type of housing.

The city will continue to use CDBG funds to support programs that address housing & service issues of those with special needs &/or at risk of becoming homeless. The largest obstacle is a lack of transitional & permanent supportive housing. The city will work with local service providers & provide funding when

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available & appropriate for programs that serve special needs populations.

Discussion

In PY2022, the City is assisting low-income &/or homeless persons by providing CDBG funding to agencies that provide supportive services to those experiencing homelessness. The challenges for providing an adequate supply of a variety of housing options are lack of funding & lack of capacity of the agencies to expand or create new programs. Efforts will be made during the year to identify ways to provide permanent supportive housing & a family shelter.

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AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Many public & private sector policies & factors can create barriers to affordable housing for low-to-moderate income households. In general, the city's policies do not create undue barriers to affordable housing. The city has a fair housing ordinance which indirectly reduces the barriers to affordable housing by ensuring that all protected classes, many of whom are low-to-moderate income have equitable advantages to housing of choice. The city's development & building standards have been established to protect the citizenry & the general welfare of the community, which can result in higher costs for new & rehabilitated structures. The city uses all of the current international & national codes related to residential construction & rehabilitation as a means to protect the residents & the community as a whole. Development impact fees have been established to ensure that the developer carries the cost of development instead of the taxpayers. However, the impact fees & building standards can drive up the cost of new dwellings.

The adherence to building codes & impact fees are necessary & city-wide to protect the safety & wallets of the community as a whole. With the exception of zoning that prohibits development in or around unsafe areas, zoning ordinances are more flexible than building codes & development fees, & each zoning district does not provide a city-wide benefit. The zoning ordinance prohibits manufactured home parks & mobile homes & manufactured homes as fixed dwellings in all zoning districts. Manufactured home parks may be allowed with a specific use permit in districts zoned as agricultural; & HUD code manufactured homes as a fixed dwelling may be allowed in both agricultural & single family 3 zones, also with a specific use permit. Boarding & rooming houses may only be located within townhome & multi-family residential, commercial & planned development districts. This can be a barrier to group homes for special populations to be located in single-family districts.

Private sector barriers include:

- Developers reluctant to construct affordable housing or unable to secure Low Income Housing Tax Credit approval;
- Insufficient number of multi-family units;
- High number of vacant housing that is abandoned or uninhabitable, preventing new development on the lots;
- Sellers requiring higher down payments than LMI buyers can afford; &
- Credit & employment histories of many LMI buyers result in mortgage denial.

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Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Although policies & ordinances can affect the cost of housing, the city's Analysis of Impediments indicates that there are no significant institutional barriers to affordable housing in Texarkana, Texas. Housing costs in Texarkana are considerably lower than the state as a whole, with the city of Texarkana, Texas averaging $79 per square foot, the Texarkana metropolitan area averaging $77 per square foot, & Texas averaging $124 per square foot. The city is committed to maintaining & enhancing its policies that increase equal opportunity to housing for the lower income & protected classes.

To maintain the city's commitment to prevent barriers to affordable housing the city will:

- Maintain flexibility in zoning & building requirements when appropriate to allow for infill housing development;
- Complete the 20 units of affordable loft housing as part of the Grim Hotel project;
- Conduct outreach efforts to for-profit & non-profit builders & developers through funding & technical assistance to increase the supply of decent, affordable housing within low to moderate income neighborhoods as well as creation of affordable housing on a city-wide basis;
- Maintain an Affirmative Marketing Plan to directly market newly developed City-assisted housing units to minority groups least likely to apply to homeownership programs;
- Meet with local lenders & home builders to encourage the use of non-traditional client loan qualifying & loan products to better serve the needs of homebuyer households with challenges that preclude conventional qualification;
- Support local Continuum of Care efforts for homeless populations & provide ongoing support & technical assistance to the Texarkana Homeless Coalition;
- Work with local agencies that provide financial case management & credit counseling;
- Review & when applicable, revise the Fair Housing ordinance which ensures that fair housing options are available to its citizens;
- Monitor city-sponsored projects for equal access & compliance of the Fair Housing Act;
- Monitor code compliance to HQS & Fair Housing standards;
- Hold periodic Public Hearings providing information & requesting public comment on affordable & fair housing issues;
- Work with local housing service providers to conduct homebuyer & homeowner education;
- Conduct public outreach regarding availability of housing & housing assistance including translation of housing application materials into Spanish & maintains bi-lingual staff to assist applicants & clients who are not English proficient.

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Discussion:

The City is concerned with the shortage of affordable housing units that meet housing quality standards. Many of the units have been lost through abandonment of older properties. One way that the City is directly impacting the problem is the renovation & repurposing of the Grim Hotel. They will be constructing 20 affordable units in the hotel. The project began in PY2018 & will continue through PY2023. The other efforts with greatest effect are those where the City collaborates with the private non-profit & for-profit community as they provide affordable housing solutions.

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AP-85 Other Actions – 91.220(k)

Introduction:

The following actions will be undertaken to address obstacles to meeting underserved needs, foster & maintain affordable housing, reduce lead-based paint hazards, reduce the number of poverty level families, & develop institutional structure.

Actions planned to address obstacles to meeting underserved needs

Requests for funding far exceed the available entitlement dollars received by the City of Texarkana. The City will continue to partner with non-profit agencies to leverage its CDBG allocation so that the maximum benefit is achieved. The City will facilitate a stakeholder's meetings & participate in the Texarkana Homeless Coalition to identify unmet needs & to strategize on how to meet those needs.

Actions planned to foster and maintain affordable housing

The City will continue to support development of affordable housing by providing flexibility in its development standards that encourages the industry to seek community partners. The City will fund owner-occupied rehabilitation & improvements geared toward maintaining the house in a decent condition. The City will support Low Income Housing Tax Credit applications when the project is compatible with the City's goals & objectives.

Actions planned to reduce lead-based paint hazards

Lead-based paint hazard identification & reduction strategies include education, outreach, & conformance with 24 CFR Part 35 regulations. The City distributes and maintains documentation of required information for homes built before 1978, including the EPA Lead-based Pamphlet, Notification of Lead Hazard Evaluation, & Notification of Lead Hazard Reduction. Lead-based paint information is included in the application package for housing rehabilitation & down payment assistance as well as distributed at events & neighborhood meetings.

Actions planned to reduce the number of poverty-level families

Texarkana addresses the problem of poverty through its strategic goals. Through a holistic approach that combines safe, decent affordable housing for low to moderate income households with social services, education, access to health services & employment. The city, as lead agency in the implementation of the Consolidated Plan, will coordinate with local organizations to ensure that goals are met & will

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continue to provide assistance to agencies that provide services to poverty level individuals & families.

Actions planned to develop institutional structure

The City will continue to make entitlement funds available to the community through issuance of subrecipient agreements. The City provides subrecipient training during the application phase, prior to the execution of subrecipient agreements & is available for technical assistance, if needed. The City distributes updated information on CDBG funded programs to subrecipients when appropriate. The City will maintain its webpage with up-to-date information as a resource for other city departments, general public & service/housing providers. The City is committed to meeting regularly with interested citizens & stakeholders to discuss community development issues.

The City recognizes the need to provide increased outreach to minority & non-English speaking residents. In an effort to reach these populations, the City held public hearings & community meetings with translation services to the Hispanic population at facilities located in low-moderate income areas. Public notices will be in English and Spanish & the City will advertise public hearings in the local newspaper & on their website.

Actions planned to enhance coordination between public and private housing and social service agencies

City staff will continue work with service providers, the local public housing authority, private housing resources & the Continuum of Care to ensure that there is awareness of the available resources & provide a conduit for communication & collaboration.

Discussion:

Since CDBG funding basically remains level, relationships are key to the success of housing, economic & community development efforts within the City of Texarkana. The City will continue to partner with service & housing providers to leverage CDBG funding in assisting the low to moderate residents of Texarkana.

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Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

It is the City of Texarkana's policy that 70% of the CDBG funds will be used to benefit low-moderate income people residing within the city limits. The City sets aside 15% of the allocation to fund public services & 20% to be used for administration of the program. The city anticipates using 70% of CDBG funds for projects involving low-to-moderate income people or in low-to-moderate income areas. Three years will be used to determine the minimum overall benefit.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**0**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit – A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	70.00%

The city anticipates using 70% of CDBG funds for projects involving low-to-moderate income people or in low-to-moderate income areas. Three years will be used to determine the minimum overall benefit.

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Attachments

Citizen Participation Comments

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Public Notice

NOTICE OF PUBLIC HEARINGS
& REQUEST FOR CITIZEN INPUT
ON THE CITY OF TEXARKANA, TEXAS 2020 COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) ANNUAL ACTION PLAN (AAP)

The City of Texarkana, Texas will receive $384,000 in Community Development Block Grant (CDBG) funds from the U.S. Department of Housing & Urban Development (HUD) for the fiscal year beginning October 1, 2022. As required by federal regulations, CDBG funds must be used to meet one of three National Objectives: 1) Eliminate slum & blight; 2) Assist low0income citizens; or 3) Urgent need/disaster relief. The 2022 Annual Action Plan (AAP) will detail the proposed usage of the CDBG funds for the next year in accordance with the city's Five Year CDBG Consolidated Plan priorities & strategies.

In accordance with the HUD Act of 1974, as amended, & with 24 CFR Part 91, & in furtherance of the city of Texarkana's commitment to facilitate the exchange of information between the city & its citizens, the city initiated public meetings & opportunities for citizen input & comments regarding the development & adoption of the 2022 AAP Draft.

Citizens from across the city assisted staff through community meetings & surveys & now have the opportunity to comment on the adoption of the 2022 AAP Draft. Upcoming Texarkana, Texas City Council meetings will provide information regarding the range of activities that are expected to be undertaken & the estimated amount of the anticipated funds that will be utilized to benefit low to moderate income persons.

Citizens are encouraged to attend the upcoming Public Meeting to offer input on the 2022 AAP Draft. A First Briefing will be held on June 13, 2022 & a Public Meeting & council vote will occur on July 11, 2022. All meetings will be at 6 PM at Texas City Hall located at 220 Texas Blvd, Texarkana, Texas.

The Public Comment Period is from June 12, 2022 to July 11, 2022. Written comments regarding the AAP, identified needs, strategies, or the proposed usage of funds should be sent to Betsy Freeman, Grant Administrator, City of Texarkana, 220 Texas Blvd, Texarkana, TX 75501 no later than July 11, 2022 at 5pm. Written responses will be provided if name & return address are included. The 2022 AAP Draft is available at the Planning & Community Development Office in City Hall or online at the city's website: http://ci.texarkana.tx.us Comments may also be submitted through survey at: https://surveymonkey.com/r/M79R7M

All public hearings are held in facilities that are wheelchair accessible & provide handicapped parking. Interpretive services for deaf or non-English speaking citizens will be available with an advance notice of 48 hours. Arrangements for such services can be made by calling the City of Texarkana at 903-798-3902 or through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

Attachment: 2022-054 ATTH 02 Annual Action Plan PY2022 Final (3704 : 2022-054 RES Adopting CDBG 2022 Program Year Annual Action)

Grantee Unique Appendices

Attachment: 2022-054 ATTH 02 Annual Action Plan PY2022 Final (3704 : 2022-054 RES Adopting CDBG 2022 Program Year Annual Action)

Grantee SF-424's and Certification(s)

Attachment: 2022-054 ATTH 02 Annual Action Plan PY2022 Final (3704 : 2022-054 RES Adopting CDBG 2022 Program Year Annual Action)

Original Submission

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
	X	Deliver Quality Services
	☐	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	X	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☐	Model a Positive City Image
	X	Deliver Efficient Services
	☐	Cultivate Community Involvement & Access
Manage the Resources	☐	Maintain Fiscal Strength
	☐	Maximize Utilization & Resources
	X	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
X	None Required	☐	

Other:

Attachment: 2022-054 Goals & Perspectives (3704 : 2022-054 RES Adopting CDBG 2022 Program Year Annual Action)

RESOLUTION NO. 2022-054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 2022 ANNUAL ACTION PLAN SETTING PROGRAM PRIORITIES FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZING THE CITY MANAGER TO SUBMIT SAID ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the U. S. Department of Housing and Urban Development has provided the City of Texarkana, Texas, with Community Development Block Grant (CDBG) funds; and

WHEREAS, public review of the 2022 Annual Action Plan draft will become available June 11, 2022, and will continue through July11, 2022. Legal notice was published in the Texarkana Gazette and on the city website. Public meetings will be conducted on June 13, 2022, and July 11, 2022, to solicit public comments regarding the Action Plan. A public hearing is scheduled for July 11, 2022; and

WHEREAS, the City Council has determined it to be appropriate to adopt the Community Development Block Grant (CDBG) 2022 Annual Action Plan for the use of Community Development Block Grant Funds.

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

SECTION 1: The Community Development Block Grant (CDBG) 2022 Annual Action Plan is hereby accepted.

SECTION 2: The City Manager is hereby authorized to submit said Community Development Block Grant (CDBG) 2022 Annual Action Plan to the U. S. Department of Housing and Urban Development and is authorized to act in connection with the submission of the Annual Action Plan to provide such additional information as may be required.

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:49 p.m.

Attachment: 2022-054 RES Adopt 22 CDBG Ann Action Plan signed (3704 : 2022-054 RES Adopting CDBG 2022 Program Year Annual Action)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 6/3/2022 1:04 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-059 granting an amendment to PD-32 (Office) for site plan approval on a 0.1469-acre tract of land on the west portion of a 0.9-acre tract of land, Lot 5, Wellsford Subdivision, located at 3118 Norton Street. David Boudreaux, owner and Joe Gordy, agent.		

Briefing: 7/11/2022 **Public Hearing:** 7/11/2022 **Council Vote:** 7/11/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request for an Amendment to PD-32 (Office) by David Boudreaux, representing D&TB Properties, LLC, owners and Joe Gordy, agent, requesting a site plan approval on a 0.1469-acre tract of land on the west portion of a 0.9-acre tract of land (being Lot 5), Wellsford Subdivision, located at 3118 Norton Street. This property is currently vacant land.

The adjacent zoning is General Retail to the north, Single Family-2 to the south, east, and west. The adjacent land use is parking to the north and vacant land south, east, and west.

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

The site plan consists of:

1. Construction of a new 200’ ft. self-support, telecommunications tower within an 80’x80’ft. area of the larger parcel.
2. Access will be from Norton Street.
3. Parking area for one service vehicle.
4. No signage.
5. Fencing around the telecommunications compound lease area.
6. Driveway shall be all weather surface (concrete or asphalt).

Towers are allowed in all but one zoning district. In the other zoning districts a cell tower is either a use by right or requires a Specific Use Permit. Therefore, staff recommends for approval of the site plan.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission voted four to one for approval of the site plan with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

May 2, 2022

Attachments

a. 2022-059 ORD Amendment to PD-32(O) 3118 Norton St (DOCX)
b. 2022-059 EXH 'A' (Site Plan)(PDF)
c. 2022-059 EXH 'B' (Legal Description) (PDF)
d. 2022-059 ATTH 01 (Maps) (PDF)
e. 2022-059 Goals & Perspectives (DOCX)
f. 2022-059 ORD SPA 3118 Norton St signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	06/03/2022 11:04 AM
City Manager	David Orr	Reviewer	Completed	06/09/2022 3:15 PM
City Council	Jennifer Evans	Meeting	Completed	06/13/2022 6:00 PM

Meeting History

06/13/22	City Council	MOVED FORWARD	Next: 07/11/22

Amendment to
PD-32(O)

ORDINANCE NO. 2022-059

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-32 OFFICE FOR SITE PLAN APPROVAL ON A 0.1469-ACRE LEASE AREA LOCATED ON THE WEST PORTION OF A 0.9-ACRE TRACT OF LAND (BEING LOT 5), WELLSFORD SUBDIVISION, LOCATED AT 3118 NORTON 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 a **0.1469-acre lease area located on the west portion of a 0.9-acre tract of land (being lot 5), Wellsford Subdivision**, **located at 3118 Norton Street** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-Office [PD-32(O)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-32(O); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-Office; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **by a vote of four (4) to one (1) to recommend approval of the petition for a site plan (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

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

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

SECTION 1: The site plan for **(Exhibit 'A'))** on a **0.1469-acre lease area located on the west portion of a 0.9-acre tract of land (being lot 5), Wellsford Subdivision**, **located at 3118 Norton Street** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby

Attachment: 2022-059 ORD Amendment to PD-32(O) 3118 Norton St (3710 : 2022-059 ORD site plan approval 3118 Norton)

amends PD-32(O).

SECTION 2: PD-32(O) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes, and includes the following:

1. Construction of a new 200' ft. self-support, telecommunications tower within an 80'x80'ft. area of the larger parcel.
2. Access will be from Norton Street.
3. Parking area for one service vehicle.
4. No signage.
5. Fencing around the telecommunications compound lease area.
6. Driveway shall be all weather surface (concrete or asphalt).

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

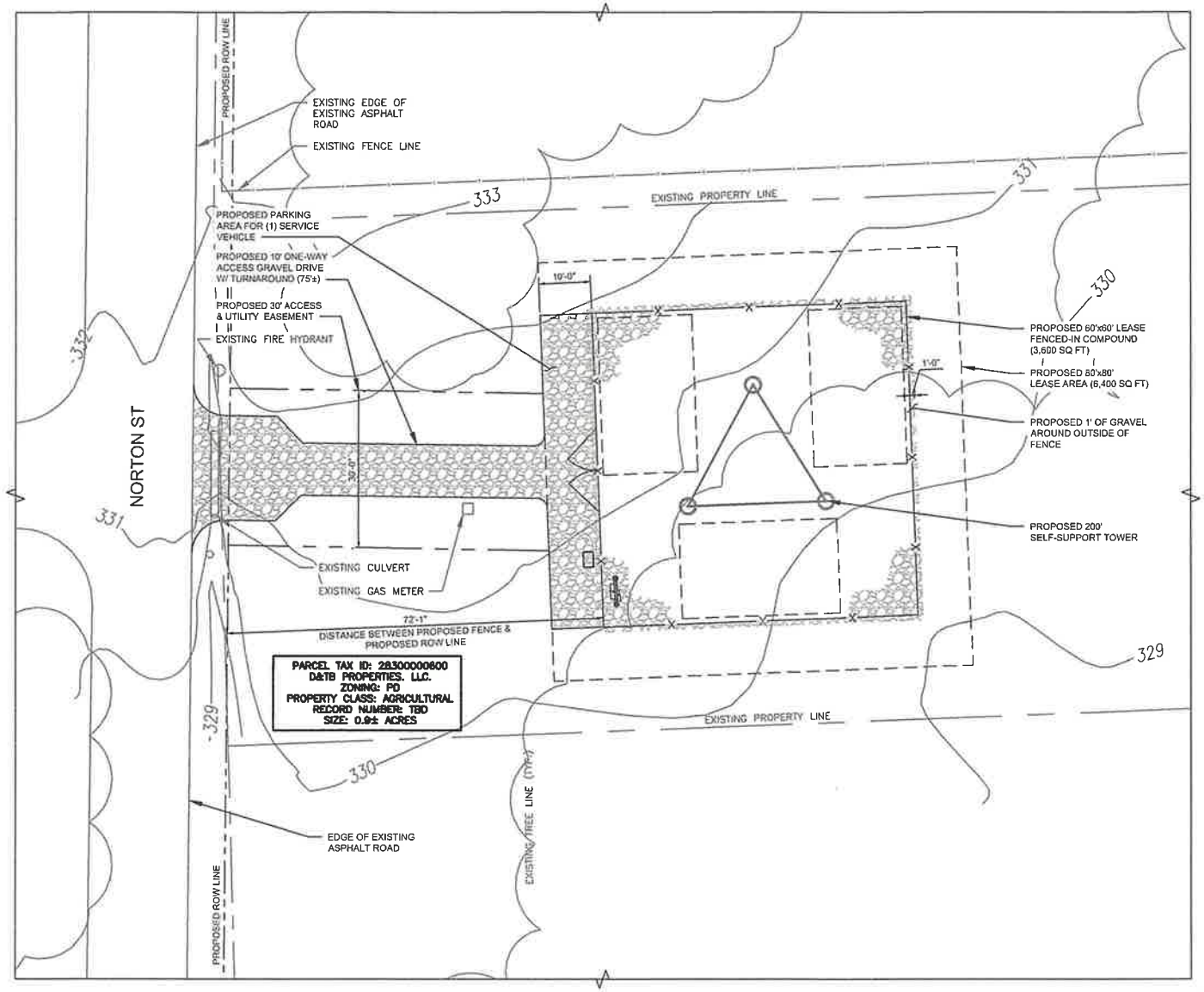
ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-059 ORD Amendment to PD-32(O) 3118 Norton St (3710 : 2022-059 ORD site plan approval 3118 Norton)

2022-059 EXH 'A'
Amendment to PD-32 (O)



NORTH

SITE PLAN

811 Know what's below. Call before you dig.

ENGINEER
TRILEAF
architecture | engineering
1515 DES PERES ROAD, STE 200
SAINT LOUIS, MISSOURI 63131
PHONE | 314-997-6111 FAX | 314-997-6066

APPLICANT
Apex Tower
548 EAST RIVERSIDE DRIVE, SUITE D
NORTH TAZEWELL, VA 24630
(276) 963-1618

SITE INFORMATION
APEX SITE NAME:
TEXARKANA
APEX SITE ID:
676820
TRILEAF PROJECT #:
691389
3118 NORTON ST.,
TEXARKANA, TX 75503
BOWIE COUNTY

DESIGN RECORD

REV.	DATE	DESCRIPTION
A	03/17/22	PRELIMINARY

PROFESSIONAL STAMP
STATE OF TEXAS
ROGER ALLAN ZIMMER
122570
LICENSED PROFESSIONAL ENGINEER
3.17.22

ENGINEER
ROGER ZIMMER, P.E.
TX PROFESSIONAL ENGINEER
LIC. #122570

SHEET TITLE
SITE PLAN

SHEET NUMBER
Z-2

Attachment: 2022-059 EXH 'A' (Site Plan) (3710 : 2022-059 ORD site plan approval 3118 Norton)



811 Know what's below. Call before you dig.

NORTH

AERIAL PLAN

SCALE: 1"=20'-0" (11x17)
(OR) 1"=10'-0" (22x34)

ENGINEER

TRILEAF
architecture | engineering
1815 DES PERES ROAD, STE 200
SAINT LOUIS, MISSOURI 63131
PHONE | 314-997-4111 FAX | 314-997-9066

APPLICANT

Apex Towe
548 EAST RIVERSIDE DRIVE, SUITE D.
NORTH TAZEWELL, VA 24630
(276) 963-1616

SITE INFORMATION

APEX SITE NAME:
TEXARKANA
APEX SITE ID:
676820
TRILEAF PROJECT #:
691389
3118 NORTON ST.,
TEXARKANA, TX 75503
BOWIE COUNTY

DESIGN RECORD

REV.	DATE	DESCRIPTION
A	03/17/22	PRELIMINARY

PROFESSIONAL STAMP

STATE OF TEXAS
ROGER ALLAN ZIMMER
122570
LICENSED PROFESSIONAL ENGINEER
3.17.22

ENGINEER

ROGER ZIMMER, P.E.
TX PROFESSIONAL ENGINE
LIC. #122570

SHEET TITLE

AERIAL PLAN

SHEET NUMBER

Z-3

Attachment: 2022-059 EXH 'A' (Site Plan) (3710 : 2022-059 ORD site plan approval 3118 Norton)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE WILLIAM M. WOOTEN SURVEY, ABSTRACT NO. 652, CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, BEING A PORTION OF THE LANDS OF D&TB PROPERTIES, LLC, AS RECORDED IN DOCUMENT NO. 2019-00007271, BOWIE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A ½-INCH REBAR FOUND ON THE EASTERLY RIGHT-OF-WAY LINE OF NORTON STREET, SAID REBAR MARKING THE NORTHWEST CORNER OF LOT 5 OF WELLSFORD SUBDIVISION, AN ADDITION TO THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, ACCORDING TO THE PLAT OF RECORD IN VOLUME 28, PAGE 498, BOWIE COUNTY RECORDS, SAID REBAR HAVING A TEXAS GRID NORTH, NAD83, NORTH CENTRAL ZONE VALUE OF N=7238244.6858, E=3322368.6685; THENCE ALONG SAID THE EASTERLY RIGHT-OF-WAY LINE OF NORTON STREET, SOUTH 01°38'39" EAST, 46.60 FEET TO A POINT; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF NORTON STREET AND RUNNING, SOUTH 89°00'25" EAST, 60.57 TO A POINT ON THE WEST LINE OF THE LEASE AREA; THENCE ALONG SAID LEASE AREA, NORTH 02°13'37" WEST, 40.00 FEET TO A POINT HAVING A TEXAS GRID NORTH, NAD83, NORTH CENTRAL ZONE VALUE OF N=7238237.0248, E=3322429.0117 AND THE TRUE POINT OF BEGINNING;

THENCE RUNNING, NORTH 87°46'23" EAST, 80.00 FEET TO A POINT;

THENCE, SOUTH 02°13'37" EAST, 80.00 FEET TO A POINT;

THENCE, SOUTH 87°46'23" WEST, 80.00 FEET TO A POINT;

THENCE, NORTH 02°13'37" WEST, 80.00 FEET TO A POINT AND THE POINT OF BEGINNING

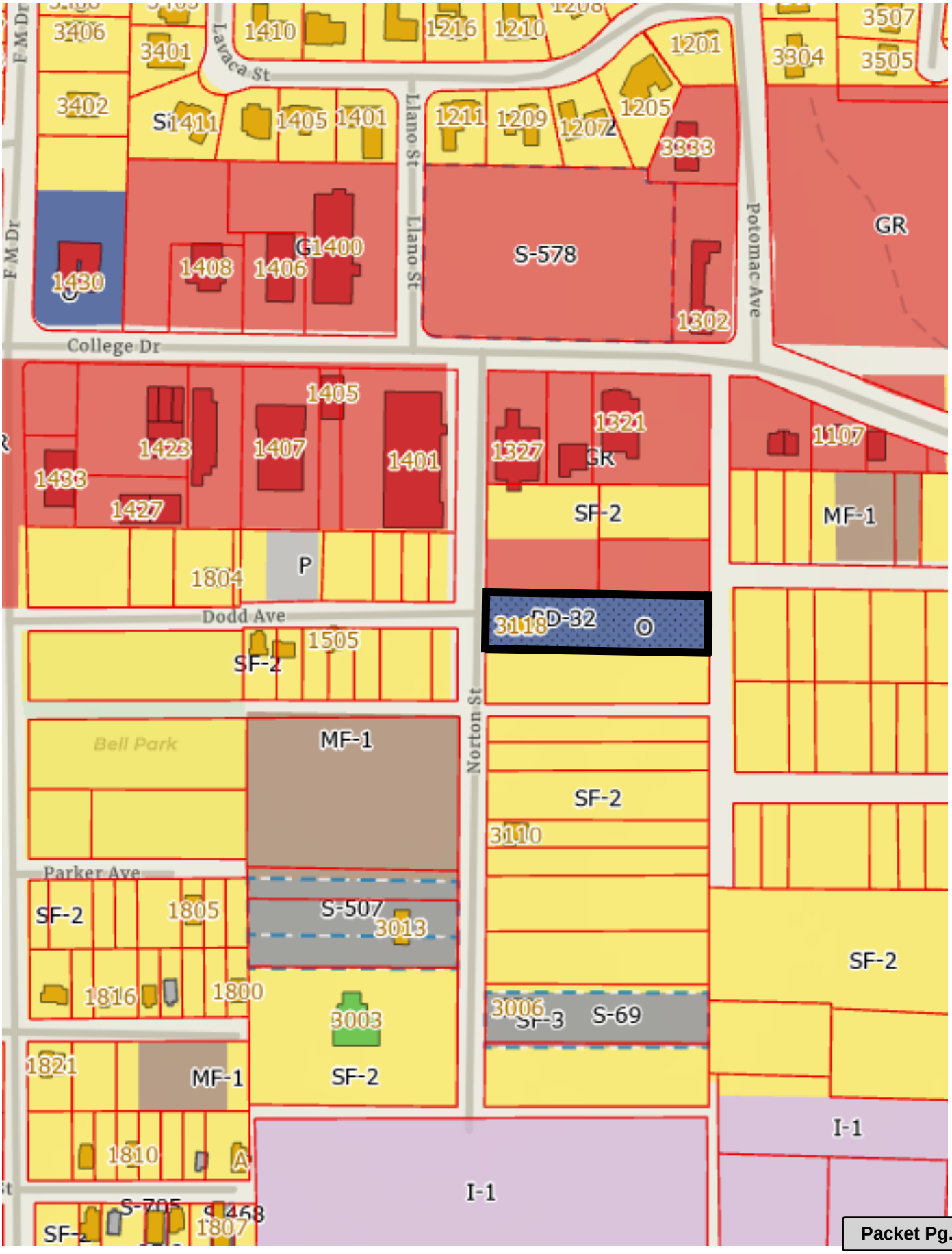
BEARINGS BASED ON TEXAS GRID NORTH, NAD83, NORTH CENTRAL ZONE.

SAID TRACT CONTAINS 0.1469 ACRES (6,400 SQUARE FEET), MORE OR LESS.

Attachment: 2022-059 EXH 'B' (Legal Description) (3710 : 2022-059 ORD site plan approval 3118 Norton)

2022-059 ATTH 001
Amendment to PD-32(O)

3118 Norton Street



Attachment: 2022-059 ATTH 01 (Maps) (3710 : 2022-059 ORD site plan approval 3118 Norton)

ATTH 001
Amendment to PD-32(O)

3118 Norton Street



Attachment: 2022-059 ATTH 01 (Maps) (3710 : 2022-059 ORD site plan approval 3118 Norton)

City of Texarkana, Texas

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

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

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

Attachment: 2022-059 Goals & Perspectives (3710 : 2022-059 ORD site plan approval 3118 Norton)

Amendment to
PD-32(O)

ORDINANCE NO. 2022-059

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-32 OFFICE FOR SITE PLAN APPROVAL ON A 0.1469-ACRE LEASE AREA LOCATED ON THE WEST PORTION OF A 0.9-ACRE TRACT OF LAND (BEING LOT 5), WELLSFORD SUBDIVISION, LOCATED AT 3118 NORTON 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 a **0.1469-acre lease area located on the west portion of a 0.9-acre tract of land (being lot 5), Wellsford Subdivision**, **located at 3118 Norton Street** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-Office [PD-32(O)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-32(O); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-Office; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **by a vote of four (4) to one (1) to recommend approval of the petition for a site plan (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

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

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

SECTION 1: The site plan for **(Exhibit 'A'))** on a **0.1469-acre lease area located on the west portion of a 0.9-acre tract of land (being lot 5), Wellsford Subdivision**, **located at 3118 Norton Street** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby

Attachment: 2022-059 ORD SPA 3118 Norton St signed (3710 : 2022-059 ORD site plan approval 3118 Norton)

amends PD-32(O).

SECTION 2: PD-32(O) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes, and includes the following:

1. Construction of a new 200' ft. self-support, telecommunications tower within an 80'x80'ft. area of the larger parcel.
2. Access will be from Norton Street.
3. Parking area for one service vehicle.
4. No signage.
5. Fencing around the telecommunications compound lease area.
6. Driveway shall be all weather surface (concrete or asphalt).

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

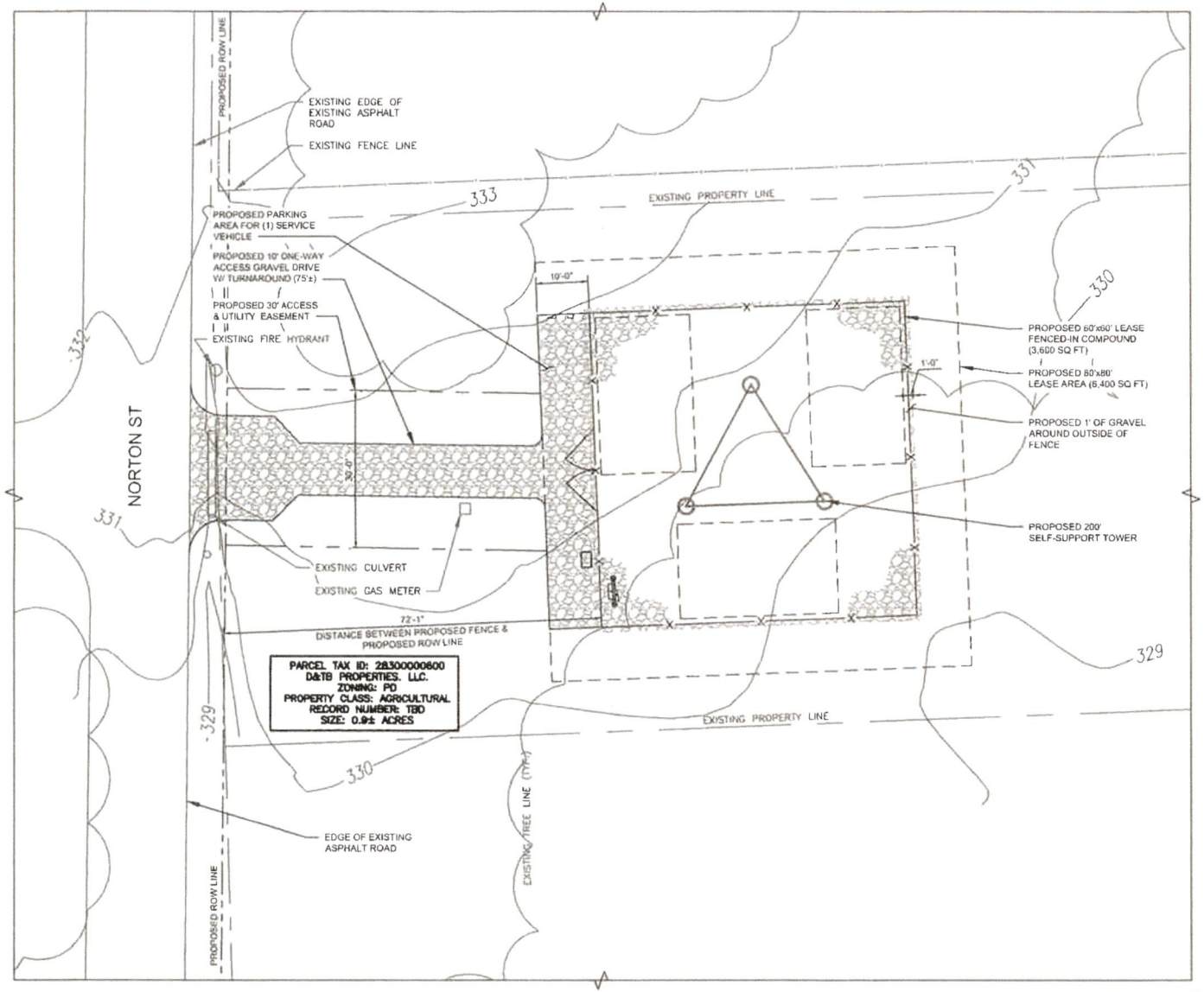
BOB BRUGGEMAN, MAYOR

7:21 p.m.

Attachment: 2022-059 ORD SPA 3118 Norton St signed (3710 : 2022-059 ORD site plan approval 3118 Norton)

2022-059 EXH 'A'

Amendment to PD-32 (O)



SITE PLAN

NORTH

Know what's below. Call before you dig.

ENGINEER

TRILEAF
architecture | engineering
1516 DES PERES ROAD, STE 200
SAINT LOUIS, MISSOURI 63131
PHONE | 314-997-6111 FAX | 314-997-6046

APPLICANT

Apex Towe
548 EAST RIVERSIDE DRIVE, SUITE D
NORTH TAZEWELL, VA 24630
(276) 963-1516

SITE INFORMATION

APEX SITE NAME:
TEXARKANA
APEX SITE ID:
676820
TRILEAF PROJECT #:
691389
3118 NORTON ST.,
TEXARKANA, TX 75503
BOWIE COUNTY

DESIGN RECORD

REV.	DATE	DESCRIPTION
A	03/17/22	PRELIMINARY

PROFESSIONAL STAMP

STATE OF TEXAS
ROGER ALLAN ZIMMER
122570
LICENSED PROFESSIONAL ENGINEER
3.17.22

ENGINEER

ROGER ZIMMER, P.E.
TX PROFESSIONAL ENGINE
LIC. #122570

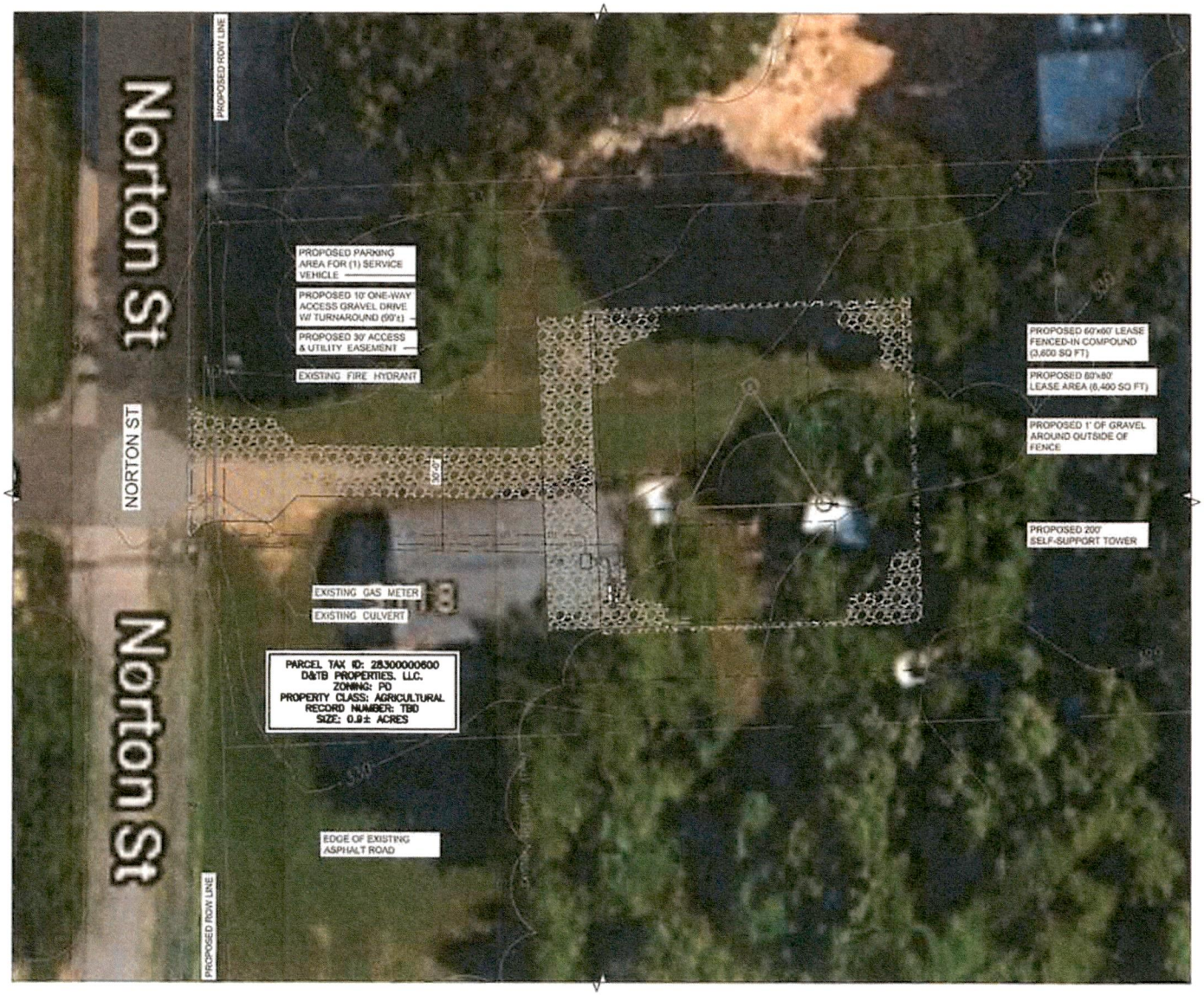
SHEET TITLE

SITE PLAN

SHEET NUMBER

Z-2

Attachment: 2022-059 ORD SPA 3118 Norton St signed (3710 : 2022-059 ORD site plan approval 3118



NORTH

AERIAL PLAN

811 Know what's below. Call before you dig.

SCALE: 1"=20'-0" (11x17)
(OR) 1"=10'-0" (22x34)

ENGINEER: TRILEAF architecture | engineering
1818 DES PERES ROAD, STE 20
SAINT LOUIS, MISSOURI 6311
PHONE | 314-997-4111 FAX | 314-997-60

APPLICANT: Apex Towe
548 EAST RIVERSIDE DRIVE, SUITE
NORTH TAZEWELL, VA 24630
(276) 963-1818

SITE INFORMATION:
APEX SITE NAME:
TEXARKANA
APEX SITE ID:
676820
TRILEAF PROJECT #:
691389
3118 NORTON ST.,
TEXARKANA, TX 75503
BOWIE COUNTY

DESIGN RECORD

REV.	DATE	DESCRIPTION
A	03/17/22	PRELIMINARY

PROFESSIONAL STAMP: STATE OF TEXAS · ROGER ALLAN ZIMMER · 122570 · LICENSED PROFESSIONAL ENGINEER · 3.17.22

ENGINEER: ROGER ZIMMER, P.E.
TX PROFESSIONAL ENGIN
LIC. #122570

SHEET TITLE: AERIAL PLAN

SHEET NUMBER: Z-3

Attachment: 2022-059 ORD SPA 3118 Norton St signed (3710 : 2022-059 ORD site plan approval 3118

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 6/3/2022 8:35 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-060 granting a Specific Use Permit to allow the location of a telecommunications tower on a 0.1469-acre tract of land on the west portion of a 0.9-acre tract of land, Lot 5, Wellsford Subdivision, located at 3118 Norton Street. David Boudreaux, owner, and Joe Gordy, agent.		

Briefing: 7/11/2022 **Public Hearing:** 7/11/2022 **Council Vote:** 7/11/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by David Boudreaux, representing D&TB Properties, LLC, owners and Joe Gordy, agent, for Specific Use Permit to allow the location a self-support 200' telecommunications tower on a 0.1469-acre tract of land on the west portion of a 0.9-acre tract of land (being Lot 5), Wellsford Subdivision, located at 3118 Norton Street. This property is currently vacant land.

The adjacent zoning is General Retail to the north, Single Family-2 to the south, east, and west. The adjacent land use is parking to the north and vacant land to the south, east, and west.

The Future Land Use Map has designated this property as "Neighborhood Residential"

The tower will be a 200' ft. self-support, telecommunications tower within an 80'x80'ft. area of the larger parcel. Access will be from Norton Street and one parking area for a service vehicle. Towers are allowed in the current zoning district but requires a Specific Use Permit. Therefore, staff recommends for approval of this request.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff Recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission voted four to one for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

May 2, 2022

Attachments

a. 2022-060 ORD SUP for Telecommunication Tower at 3118 Norton St (DOCX)
b. 2022-060 EXH 'A' (Legal Description) (PDF)
c. 2022-060 ATTH 01 (Maps) (PDF)
d. 2022-060 Goals & Perspectives (DOCX)
e. 2022-060 ORD SUP 3118 Norton signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	06/03/2022 11:05 AM
City Manager	David Orr	Reviewer	Completed	06/09/2022 9:32 PM
City Council	Jennifer Evans	Meeting	Completed	06/13/2022 6:00 PM

Meeting History

06/13/22 City Council MOVED FORWARD Next: 07/11/22

S-752

ORDINANCE NO. 2022-060

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-752 TO ALLOW THE LOCATION OF A TELECOMMUNICATION TOWER ON A 0.1469-ACRE LEASE AREA LOCATED ON THE WEST PORTION OF A 0.9-ACRE TRACT OF LAND (BEING LOT 5), WELLSFORD SUBDIVISION, LOCATED AT 3118 NORTON 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 to grant a **Specific Use Permit** to allow the location of a telecommunication tower on a **0.1469-acre lease area located on the west portion of a 0.9-acre tract of land (being lot 5), Wellsford Subdivision (Exhibit 'A')**, **located at 3118 Norton 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 have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **four (4) to one (1) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a telecommunications tower** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-752 for the location of a telecommunications tower on a 0.1469-acre lease area located on the west portion of a 0.9-acre tract of land (being lot 5), Wellsford Subdivision** (**Exhibit 'A'**), located at 3118 Norton Street**,** in the City of Texarkana, Bowie County, Texas.

Attachment: 2022-060 ORD SUP for Telecommunication Tower at 3118 Norton St (3711 : 2022-060 ORD SUP cell tower location 3118 Norton)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2022-060 ORD SUP for Telecommunication Tower at 3118 Norton St (3711 : 2022-060 ORD SUP cell tower location 3118 Norton)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE WILLIAM M. WOOTEN SURVEY, ABSTRACT NO. 652, CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, BEING A PORTION OF THE LANDS OF D&TB PROPERTIES, LLC, AS RECORDED IN DOCUMENT NO. 2019-00007271, BOWIE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A ½-INCH REBAR FOUND ON THE EASTERLY RIGHT-OF-WAY LINE OF NORTON STREET, SAID REBAR MARKING THE NORTHWEST CORNER OF LOT 5 OF WELLSFORD SUBDIVISION, AN ADDITION TO THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, ACCORDING TO THE PLAT OF RECORD IN VOLUME 28, PAGE 498, BOWIE COUNTY RECORDS, SAID REBAR HAVING A TEXAS GRID NORTH, NAD83, NORTH CENTRAL ZONE VALUE OF N=7238244.6858, E=3322368.6685; THENCE ALONG SAID THE EASTERLY RIGHT-OF-WAY LINE OF NORTON STREET, SOUTH 01°38'39" EAST, 46.60 FEET TO A POINT; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF NORTON STREET AND RUNNING, SOUTH 89°00'25" EAST, 60.57 TO A POINT ON THE WEST LINE OF THE LEASE AREA; THENCE ALONG SAID LEASE AREA, NORTH 02°13'37" WEST, 40.00 FEET TO A POINT HAVING A TEXAS GRID NORTH, NAD83, NORTH CENTRAL ZONE VALUE OF N=7238237.0248, E=3322429.0117 AND THE TRUE POINT OF BEGINNING;

THENCE RUNNING, NORTH 87°46'23" EAST, 80.00 FEET TO A POINT;

THENCE, SOUTH 02°13'37" EAST, 80.00 FEET TO A POINT;

THENCE, SOUTH 87°46'23" WEST, 80.00 FEET TO A POINT;

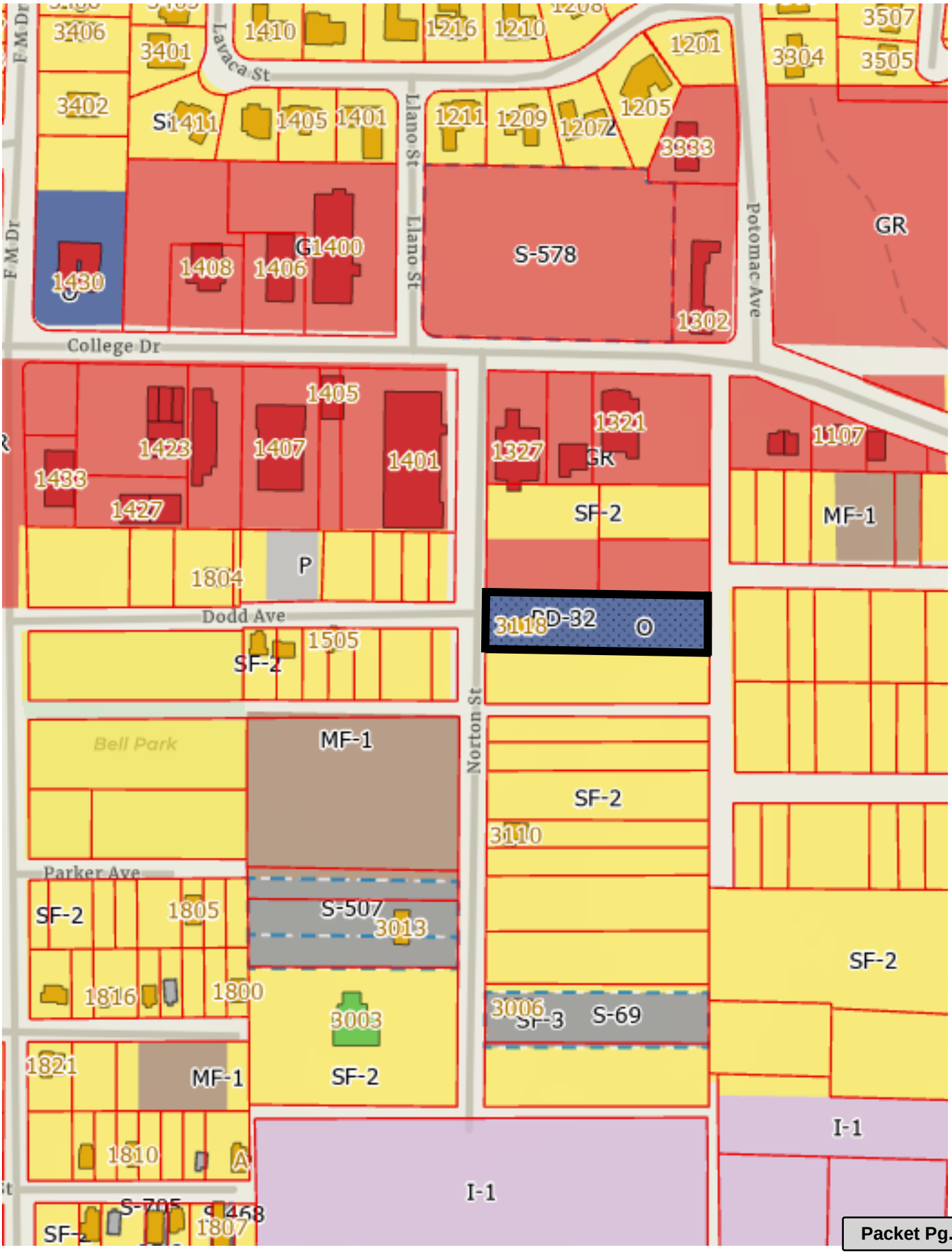
THENCE, NORTH 02°13'37" WEST, 80.00 FEET TO A POINT AND THE POINT OF BEGINNING

BEARINGS BASED ON TEXAS GRID NORTH, NAD83, NORTH CENTRAL ZONE.

SAID TRACT CONTAINS 0.1469 ACRES (6,400 SQUARE FEET), MORE OR LESS.

Attachment: 2022-060 EXH 'A' (Legal Description) (3711 : 2022-060 ORD SUP cell tower location 3118 Norton)

3118 Norton Street



Attachment: 2022-060 ATTH 01 (Maps) (3711 : 2022-060 ORD SUP cell tower location 3118 Norton)

2022-060 ATTH 001
S-752

3118 Norton Street



Attachment: 2022-060 ATTH 01 (Maps) (3711 : 2022-060 ORD SUP cell tower location 3118 Norton)

City of Texarkana, Texas

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

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

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

Attachment: 2022-060 Goals & Perspectives (3711 : 2022-060 ORD SUP cell tower location 3118 Norton)

S-752

ORDINANCE NO. 2022-060

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-752 TO ALLOW THE LOCATION OF A TELECOMMUNICATION TOWER ON A 0.1469-ACRE LEASE AREA LOCATED ON THE WEST PORTION OF A 0.9-ACRE TRACT OF LAND (BEING LOT 5), WELLSFORD SUBDIVISION, LOCATED AT 3118 NORTON 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 to grant a **Specific Use Permit** to allow the location of a telecommunication tower on a **0.1469-acre lease area located on the west portion of a 0.9-acre tract of land (being lot 5), Wellsford Subdivision (Exhibit 'A'), located at 3118 Norton 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 have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **four (4) to one (1) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow the location of a telecommunications tower** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-752 for the location of a telecommunications tower on a 0.1469-acre lease area located on the west portion of a 0.9-acre tract of land (being lot 5), Wellsford Subdivision** (**Exhibit 'A'**), located at 3118 Norton Street**,** in the City of Texarkana, Bowie County, Texas.

Attachment: 2022-060 ORD SUP 3118 Norton signed (3711 : 2022-060 ORD SUP cell tower location 3118 Norton)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:23p.m.

Attachment: 2022-060 ORD SUP 3118 Norton signed (3711 : 2022-060 ORD SUP cell tower location 3118 Norton)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE WILLIAM M. WOOTEN SURVEY, ABSTRACT NO. 652, CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, BEING A PORTION OF THE LANDS OF D&TB PROPERTIES, LLC, AS RECORDED IN DOCUMENT NO. 2019-00007271, BOWIE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A ½-INCH REBAR FOUND ON THE EASTERLY RIGHT-OF-WAY LINE OF NORTON STREET, SAID REBAR MARKING THE NORTHWEST CORNER OF LOT 5 OF WELLSFORD SUBDIVISION, AN ADDITION TO THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, ACCORDING TO THE PLAT OF RECORD IN VOLUME 28, PAGE 498, BOWIE COUNTY RECORDS, SAID REBAR HAVING A TEXAS GRID NORTH, NAD83, NORTH CENTRAL ZONE VALUE OF N=7238244.6858, E=3322368.6685; THENCE ALONG SAID THE EASTERLY RIGHT-OF-WAY LINE OF NORTON STREET, SOUTH 01°38'39" EAST, 46.60 FEET TO A POINT; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF NORTON STREET AND RUNNING, SOUTH 89°00'25" EAST, 60.57 TO A POINT ON THE WEST LINE OF THE LEASE AREA; THENCE ALONG SAID LEASE AREA, NORTH 02°13'37" WEST, 40.00 FEET TO A POINT HAVING A TEXAS GRID NORTH, NAD83, NORTH CENTRAL ZONE VALUE OF N=7238237.0248, E=3322429.0117 AND THE TRUE POINT OF BEGINNING;

THENCE RUNNING, NORTH 87°46'23" EAST, 80.00 FEET TO A POINT;

THENCE, SOUTH 02°13'37" EAST, 80.00 FEET TO A POINT;

THENCE, SOUTH 87°46'23" WEST, 80.00 FEET TO A POINT;

THENCE, NORTH 02°13'37" WEST, 80.00 FEET TO A POINT AND THE POINT OF BEGINNING

BEARINGS BASED ON TEXAS GRID NORTH, NAD83, NORTH CENTRAL ZONE.

SAID TRACT CONTAINS 0.1469 ACRES (6,400 SQUARE FEET), MORE OR LESS.

Attachment: 2022-060 ORD SUP 3118 Norton signed (3711 : 2022-060 ORD SUP cell tower location 3118 Norton)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 6/7/2022 1:17 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-061 approving an amendment to PD-02-13 (General Retail) for site plan approval on Lots 7, and 8, Block 5, Richmond Subdivision 4th, located on the two lots north of 4414 Galleria Oaks Drive. Jennifer Carrillo, owner, and Kayla Wood, MTG Engineers and Surveyors, agent.		

Briefing: 7/11/2022 **Public Hearing:** 7/11/2022 **Council Vote:** 7/11/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request for site plan approval by Jennifer Carrillo, owner, and Kayla Wood with MTG Engineers and Surveyors, agent, on Lots 7 and 8, Block 5, Richmond Subdivision 4th, located on the two lots north of 4414 Galleria Oaks. This property is currently vacant land.

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

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

The site plan lists the following:

1. Construction of a new 480 sq. ft. building.
2. Façade will be white limestone and brick.
3. Access will be from Arista Boulevard.
4. Six (6) parking spaces including one (1) handicapped space.
5. A 5’X5’ ft. circular sign affixed to the side of the coffee shop building. No CEVMS.
6. A screened dumpster site to the east of the parking lot.

See attached Texarkana Water Utility comments.

Staff recommends for approval of the site plan.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

May 2, 2022

Attachments

a. 2022-061 ORD Amendment to PD-02-13(GR) (DOCX)
b. 2022-061 EXH 'A' (Site Plan)(PDF)
c. 2022-061 ATTH 01 (Maps) (PDF)
d. 2022-061 ATTH 02 (Floorplan) (PDF)
e. 2022-061 ATTH 03 (Elevations) (PDF)
f. 2022-061 Goals & Perspectives (DOCX)
g. 2022-061 ORD SPA 2 lots no. of 4414 Galleria Oaks signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	06/03/2022 11:06 AM
City Manager	David Orr	Reviewer	Completed	06/09/2022 9:33 PM
City Council	Jennifer Evans	Meeting	Completed	06/13/2022 6:00 PM

Meeting History

06/13/22 City Council MOVED FORWARD Next: 07/11/22

Amendment to
PD-02-13(GR)

ORDINANCE NO. 2022-061

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-02-13 GENERAL RETAIL FOR SITE PLAN APPROVAL ON LOTS 7 AND 8, BLOCK 5, RICHMOND SUBDIVISION 4TH, LOCATED ON THE TWO LOTS NORTH OF 4414 GALLERIA OAKS DRIVE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lots 7 and 8, Block 5, Richmond Subdivision 4th, located on the two lots north of 4414 Galleria Oaks Drive** in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-General Retail; and

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

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

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

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

SECTION 1: The site plan for **(Exhibit 'A') on Lots 7 and 8, Block 5, Richmond Subdivision 4th, located on the two lots north of 4414 Galleria Oaks Drive** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-02-13(GR).

Attachment: 2022-061 ORD Amendment to PD-02-13(GR) (3713 : 2022-061 ORD site plan approval on two lots north of 4414 Galleria Oaks)

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

1. Construction of a new 480 sq. ft. building.
2. Façade will be white limestone and brick.
3. Access will be from Arista Boulevard.
4. Six (6) parking spaces including one (1) handicapped space.
5. A 5'X5' ft. circular sign affixed to the side of the coffee shop building. No CEVMS.
6. A screened dumpster site to the east of the parking lot.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

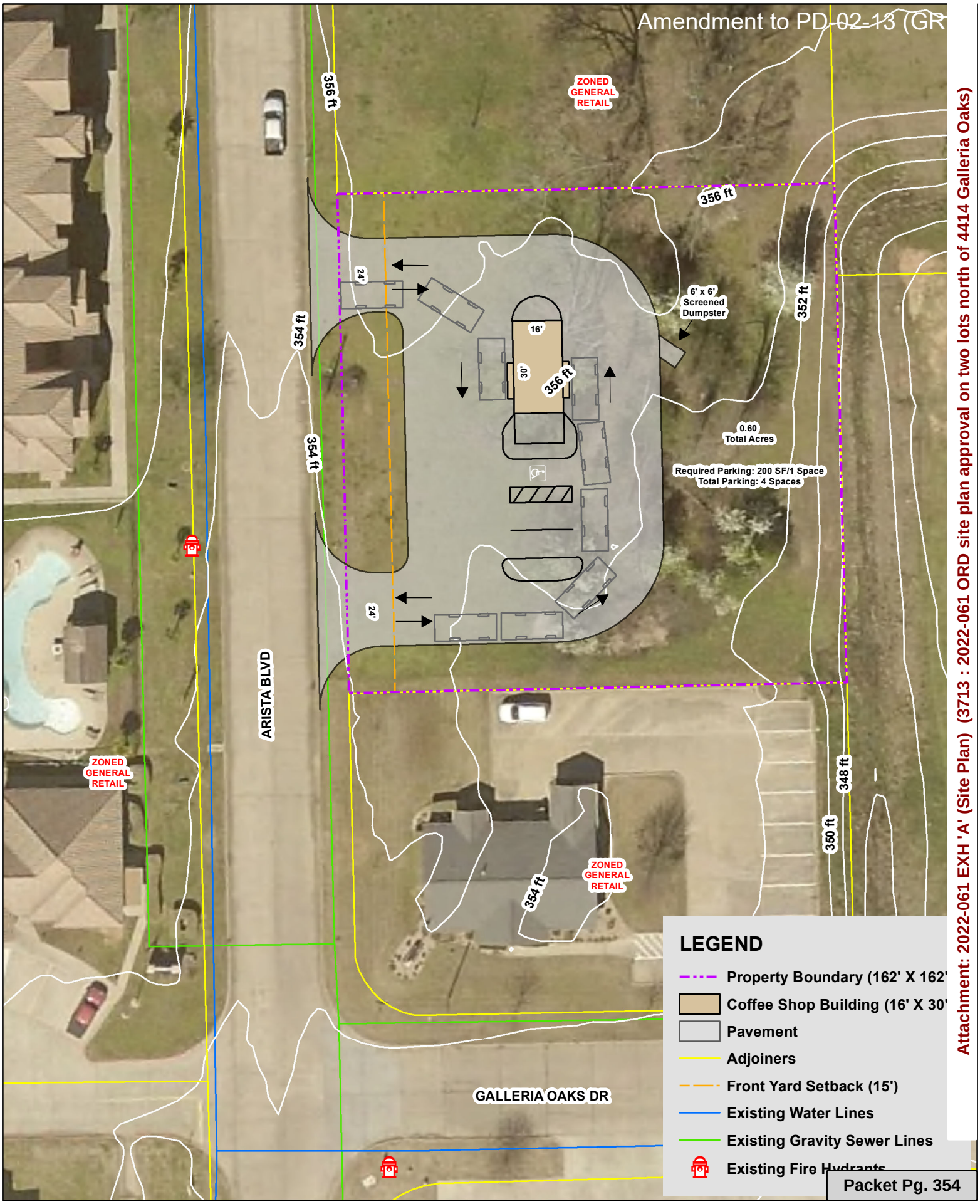
Attachment: 2022-061 ORD Amendment to PD-02-13(GR) (3713 : 2022-061 ORD site plan approval on two lots north of 4414 Galleria Oaks)

MTG | ENGINEERS & SURVEYORS

THE ROASTED GOAT
TEXARKANA, TEXAS

2022-061 EXH 'A'

0 12.5 25 50 F



Attachment: 2022-061 EXH 'A' (Site Plan) (3713 : 2022-061 ORD site plan approval on two lots north of 4414 Galleria Oaks)

2022-061 ATTH 001
Amendment to PD-02-13 (GR)

Two parcels North of 4414 Galleria Oaks



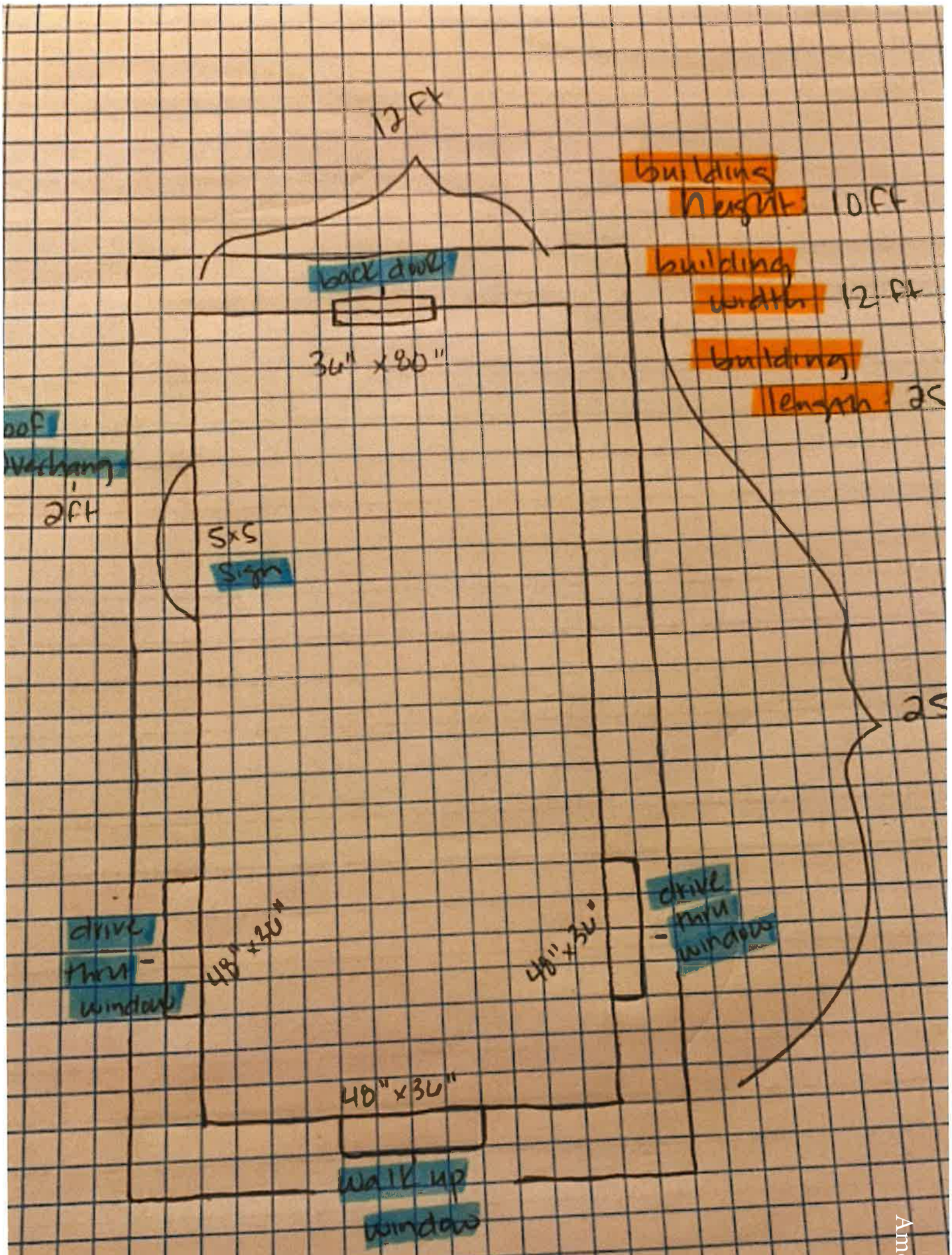
Attachment: 2022-061 ATTH 01 (Maps) (3713 : 2022-061 ORD site plan approval on two lots north of 4414 Galleria Oaks)

2022-061 ATTH 001
Amendment to PD-02-13 (GR)

Two parcels North of 4414 Galleria Oaks



Attachment: 2022-061 ATTH 01 (Maps) (3713 : 2022-061 ORD site plan approval on two lots north of 4414 Galleria Oaks)

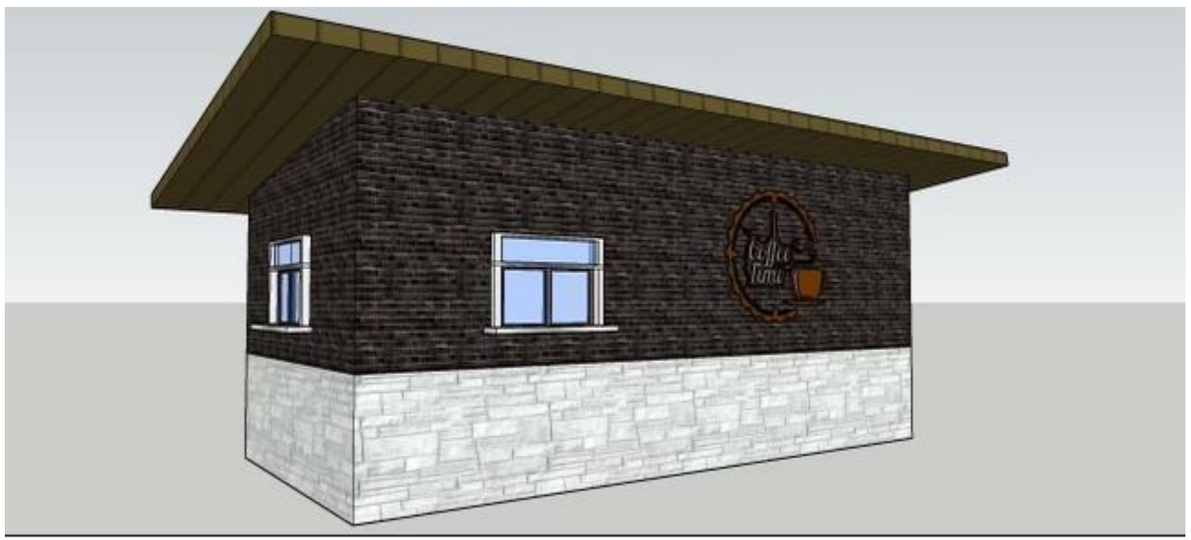


Amendment to PD-02-13 (GR)
2022-061 ATTH 002

Attachment: 2022-061 ATTH 02 (Floorplan) (3713 : 2022-061 ORD site plan approval on two lots north of







Attachment: 2022-061 ATTH 03 (Elevations) (3713 : 2022-061 ORD site plan approval on two lots north of

City of Texarkana, Texas

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

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

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

Attachment: 2022-061 Goals & Perspectives (3713 : 2022-061 ORD site plan approval on two lots north of 4414 Galleria Oaks)

Amendment to
PD-02-13(GR)

ORDINANCE NO. 2022-061

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-02-13 GENERAL RETAIL FOR SITE PLAN APPROVAL ON LOTS 7 AND 8, BLOCK 5, RICHMOND SUBDIVISION 4TH, LOCATED ON THE TWO LOTS NORTH OF 4414 GALLERIA OAKS DRIVE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lots 7 and 8, Block 5, Richmond Subdivision 4th, located on the two lots north of 4414 Galleria Oaks Drive** in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-General Retail; and

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

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

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

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

SECTION 1: The site plan for **(Exhibit 'A') on Lots 7 and 8, Block 5, Richmond Subdivision 4th, located on the two lots north of 4414 Galleria Oaks Drive** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-02-13(GR).

Attachment: 2022-061 ORD SPA 2 lots no. of 4414 Galleria Oaks signed (3713 : 2022-061 ORD site plan approval on two lots north of 4414

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

1. Construction of a new 480 sq. ft. building.
2. Façade will be white limestone and brick.
3. Access will be from Arista Boulevard.
4. Six (6) parking spaces including one (1) handicapped space.
5. A 5'X5' ft. circular sign affixed to the side of the coffee shop building. No CEVMS.
6. A screened dumpster site to the east of the parking lot.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

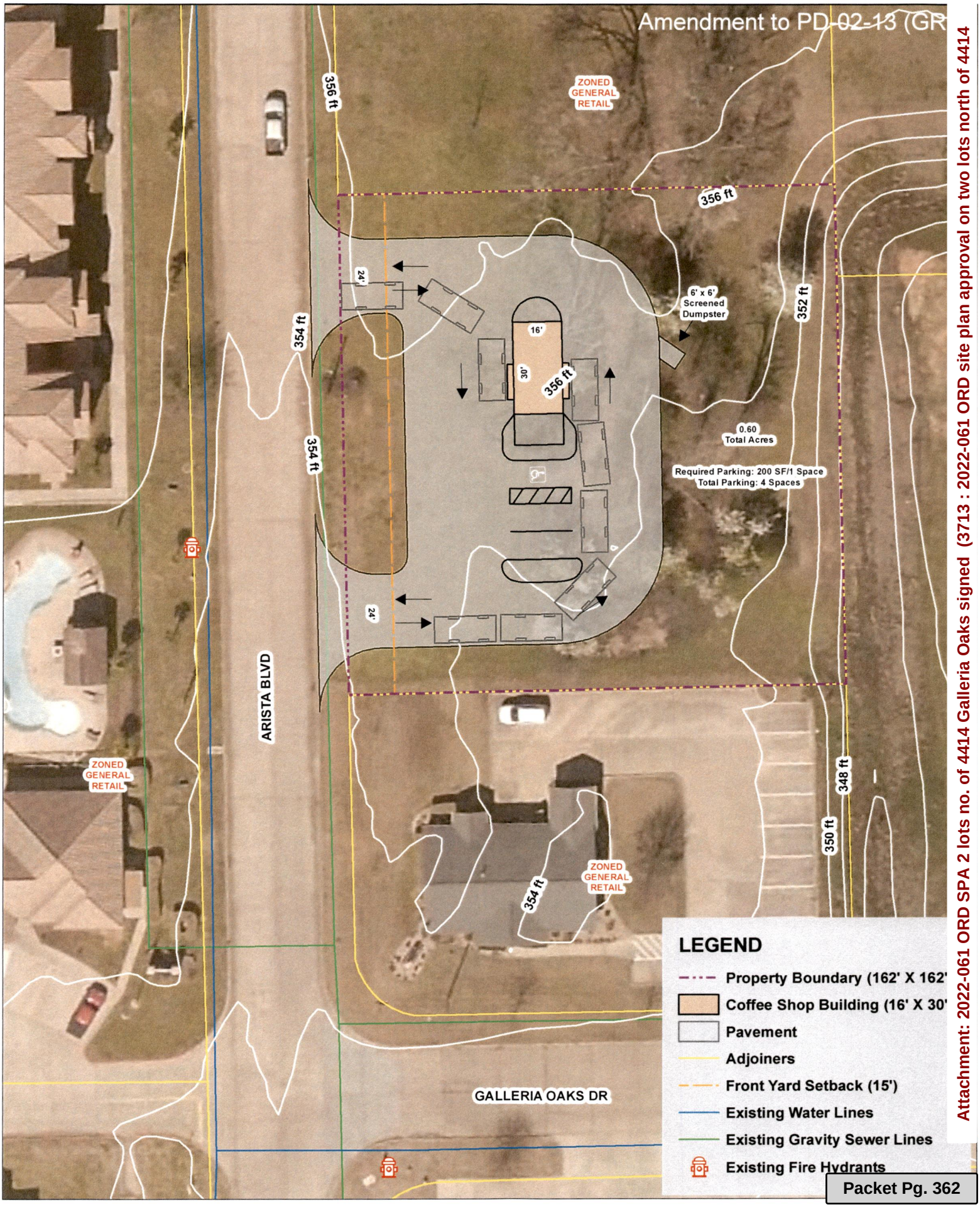
7:25p.m.

Attachment: 2022-061 ORD SPA 2 lots no. of 4414 Galleria Oaks signed (3713 : 2022-061 ORD site plan approval on two lots north of 4414

MTG | ENGINEERS & SURVEYORS

THE ROASTED GOAT
TEXARKANA, TEXAS

0 12.5 25 50 Feet



Attachment: 2022-061 ORD SPA 2 lots no. of 4414 Galleria Oaks signed (3713 : 2022-061 ORD site plan approval on two lots north of 4414

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 6/3/2022 8:36 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-062 approving an amendment to PD-86-3 (General Retail) for site plan approval on Lot 1 Richmond-Kwik Addition, located at 2903 Richmond Road. Paige Hobbs with American Goods, LLC, owners, and Greg Ryden, Ryden Architecture, agent.		

Briefing: 7/11/2022 **Public Hearing:** 7/11/2022 **Council Vote:** 7/11/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request for site plan approval by Paige Hobbs with American Goods, LLC, owners, and Greg Ryden with Ryden Architecture, agent, on Lot 1 Richmond-Kwik Addition, located at 2903 Richmond Road. This property was previously a Pizza Hut. The intended use is a Popeyes.

The adjacent zoning is Planned Development General Retail to the north, and east, General Retail to the south, and Multiple Family-1 to the west. The adjacent land use is oil changer to the north, a restaurant to the east, office to the south and apartments to the west.

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

The site plan consists of the following:

1. The construction of a 3,060 sq. ft. building.
2. The façade will be EIFS and Faux brick.
3. The access driveway will be off Richmond Road. Any driveway improvements on Richmond will need TXDOT approval.
4. 56 parking spaces including 3 handicapped spaces. Each parking space must be a minimum of 180 sq. ft. (9’x20’ or 10’x18’).
5. An 8’X4’ monument style sign. Wall signs as indicated on the elevations.
6. Screened dumpster located in the southwest corner of the parking lot.
7. Drive thru located at the south side of building.
8. If the most remote part of the building is more than 150 feet “travel distance” away from the centerline of the roadway it will require a fire lane that is big enough for a 40 ft WB.

9. If the most remote part of the building is more than 400 feet “travel distance” away from the nearest fire hydrant one will have to be added.

See attached Texarkana Water Departments comments.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

May 2, 2022

Attachments

a. 2022-062 ORD Amendment to PD-86-3(GR) 2903 Richmond Rd (DOCX)
b. 2022-062 EXH 'A' (Site Plan)(PDF)
c. 2022-062 ATTH 01 (Maps) (PDF)
d. 2022-062 ATTH 02 (Elevations) (PDF)
e. 2022-062 ATTH 03 (Signs) (PDF)
f. 2022-062 ATTH 04 (Elevations) (PDF)
g. 2022-062 Goals & Perspectives (DOCX)
h. 2022-062 ORD SPA 2903 Richmond Rd signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	06/03/2022 11:08 AM
City Manager	David Orr	Reviewer	Completed	06/09/2022 9:34 PM

City of Texarkana, Texas

City Council 6:00 PM	Jennifer Evans	Meeting	Completed	06/13/2022

Meeting History

06/13/22	City Council	MOVED FORWARD	Next: 07/11/22

Amendment to
PD-86-3(GR)

ORDINANCE NO. 2022-062

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-86-3 GENERAL RETAIL FOR SITE PLAN APPROVAL ON LOT 1, RICHMOND-KWIK ADDITION, LOCATED AT 2903 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lot 1, Richmond-Kwik Addition, located at 2903 Richmond Road,** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-86-3(GR)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-86-3(GR); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-General Retail; and

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

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

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

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

SECTION 1: The site plan for **(Exhibit 'A') on a Lot 1, Richmond-Kwik Addition, located at 2903 Richmond Road,** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-86-3(GR).

Attachment: 2022-062 ORD Amendment to PD-86-3(GR) 2903 Richmond Rd (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)

SECTION 2: PD-86-3(GR) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes, and includes the following:

1. The construction of a 3,060 sq. ft. building.
2. The façade will be EIFS and Faux brick.
3. The access driveway will be off Richmond Road. Any driveway improvements on Richmond will need TxDOT approval.
4. Fifty-six (56) parking spaces including three (3) handicapped spaces. Each parking space must be a minimum of 180 sq. ft. (9'x20' or 10'x18').
5. An 8'X4' monument style sign. Wall signs as indicated on the elevations.
6. Screened dumpster located in the southwest corner of the parking lot.
7. Drive thru located at the south side of building.
8. If the most remote part of the building is more than 150 feet "travel distance" away from the centerline of the roadway it will require a fire lane that is big enough for a 40 ft WB.
9. If the most remote part of the building is more than 400 feet "travel distance" away from the nearest fire hydrant, one will have to be added.

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

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

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

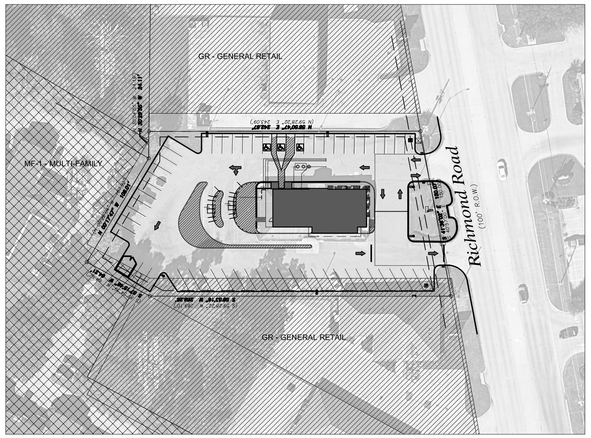
PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-062 ORD Amendment to PD-86-3(GR) 2903 Richmond Rd (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)



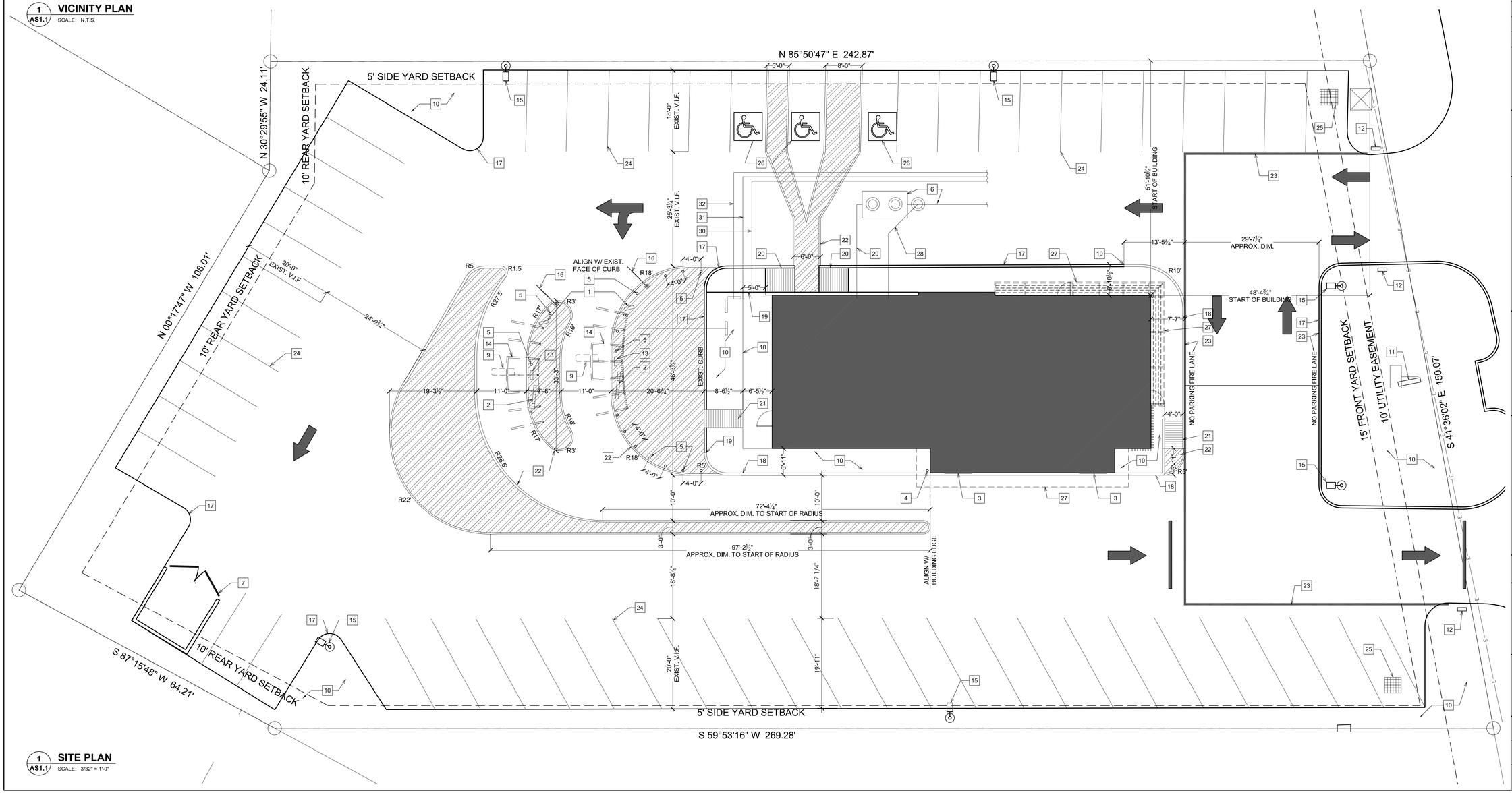
1 AS1.1 **VICINITY PLAN**
SCALE: N.T.S.

NOTES

1. DT DIGITAL PRE-SELL MENU BOARD LOCATION. SEE DETAILS ON SHEET AS2.1.
2. DT DIGITAL MENU BOARD LOCATION. SEE DETAILS ON SHEET AS2.1.
3. POPEYE'S RESTAURANT DRIVE THRU WINDOW LOCATION. SEE FLOOR PLAN ON SHEET A1 FOR ADDITIONAL INFORMATION.
4. 6" STEEL PIPE BOLLARD AT PULL-UP WINDOW. SEE DETAIL 13/AS2.3, FLOOR PLAN A1 AND EXTERIOR ELEVATIONS A5 SERIES.
5. TYPICAL 6" STEEL PIPE BOLLARD, RE: AS2.2 & 2.3
6. APPROXIMATE LOCATION OF NEW GREASE INTERCEPTOR & SANITARY LINE BELOW SITE PAVING. . COORDINATE LOCATION OF SAMPLE WELL WITH PLUMBING DRAWINGS AND LOCATION OF NEW SANITARY LINE WITH EXISTING LINE.
7. EXISTING DUMPSTER ENCLOSURE TO BE RE-USED. PAINT EXISTING CMU WHITE, PROVIDE NEW CEDAR WOOD GATE, AND RE-USE EXISTING GATE HARDWARE.
8. N/A
9. VEHICLE LOOP. REFER TO DETAIL 5/AS2.1.
10. LANDSCAPED AREA; REFER TO SHEET LP1.0.
11. PYLON / MONUMENT SIGN / SIGN BASE.RE-USE EXISTING ELECTRICAL WIRING FROM EXISTING SIGNAGE AS POSSIBLE. REFER TO POPEYES SIGNAGE PACKAGE FOR DETAILS.
12. APPROX. LOCATION OF SITE SIGNAGE. RE-USE ELECTRICAL WIRING FROM EXISTING SIGNAGE AS POSSIBLE. REFER TO DETAIL 9/AS2.1 AND SIGNAGE PACKAGE BY POPEYES FOR DETAILS.
13. SPEAKER POST. REFER TO DETAILS ON SHEET AS2.1.
14. DRIVE THRU CANOPY. REFER TO POPEYES SIGNAGE DRAWINGS.
15. EXISTING SITE POLE LIGHTING TO BE CLEANED AND RE-FINISHED. METAL POLE AND HEAD TO BE PAINTED BLACK; HEAD LAMP OR ENTIRE HEAD TO BE REPLACED.
16. HEIGHT RESTRICTION BAR. REFER TO POPEYES SIGNAGE DRAWINGS.
17. EXISTING PEDESTRIAN WALKWAY AND CURB TO REMAIN. CLEAN TO MATCH APPEARANCE OF NEW CURBS AND WALKWAYS TO THE FULLEST EXTENT POSSIBLE.
18. PROVIDE NEW PEDESTRIAN WALKWAY AND CURB; REFER TO SHEET SD2.4 FOR DETAILS.
19. TIE NEW WALKWAY AND/OR CURB INTO EXISTING; REFER TO SHEET SD2.4 FOR DETAILS.
20. ADJUST EXISTING CURB TO MEET CURRENT T.A.S. REGULATIONS AS REQUIRED.
21. PROVIDE NEW RAMP WITH MAXIMUM SLOPE OF 1:12. RE: SHEET SD2.3
22. PROVIDE NEW 4" WHITE STRIPING
23. RE-STRIPE EXISTING FIRE-LANE STRIPING IN ACCORDANCE WITH CITY STANDARDS/REQUIREMENTS
24. EXISTING PARKING SPACES TO BE RE-STRIPED; 4" WIDE WHITE PAINT.
25. EXISTING STORM GRATE TO REMAIN
26. PROVIDE NEW PAINTED ACCESSIBLE PARKING SYMBOL IN WHITE
27. LINE OF BUILDING CANOPY
28. APPROXIMATE LOCATION OF EXISTING SANITARY SEWER LINE
29. APPROXIMATE LOCATION OF EXISTING GREASE LINE
30. APPROXIMATE LOCATION OF EXISTING UNDERGROUND GAS LINE
31. APPROXIMATE LOCATION OF EXISTING UNDERGROUND ELECTRICAL LINE
32. APPROXIMATE LOCATION OF EXISTING INCOMING DOMESTIC WATER LINE

GENERAL NOTE

ALL EXISTING CONDITIONS ARE TO BE FIELD VERIFIED PRIOR TO CONSTRUCTION OF TRADE. REPORT ANY DISCREPANCIES TO THE ARCHITECT AND OWNER PRIOR TO PERFORMING THE ANTICIPATED WORK.



1 AS1.1 **SITE PLAN**
SCALE: 3/32" = 1'-0"

ISSUE TABLE

No.	Date (mm/dd/yy)	Description
01	03-25-2022	OWNER REVIEW

REVISIONS

No.	Date	Description

DRAWINGS REVISED AS PER DESIGN BULLETIN

No.	Date	Description

PROJECT NORTH

NOT FOR REGULATORY APPROVAL, PERMITTING, or CONSTRUCTION
GREG RYDEN, ARCHITECT
DATE: 03/25/2022

RYDEN ARCHITECTURE
commercial | residential | planning
909 Wakefield Drive
Houston, Texas 77018
713.993.6690 (o)
contact: Greg Ryden, AIA
greg@rydenarchitecture.com

Project
LOUISIANA 19 72 KITCHEN
Popeyes

Store Type
US 2136 PROTOTYPE
2136-22

Location
POPEYE'S TEXARKANA
2903 RICHMOND RD.
TEXARKANA, TX, 75503

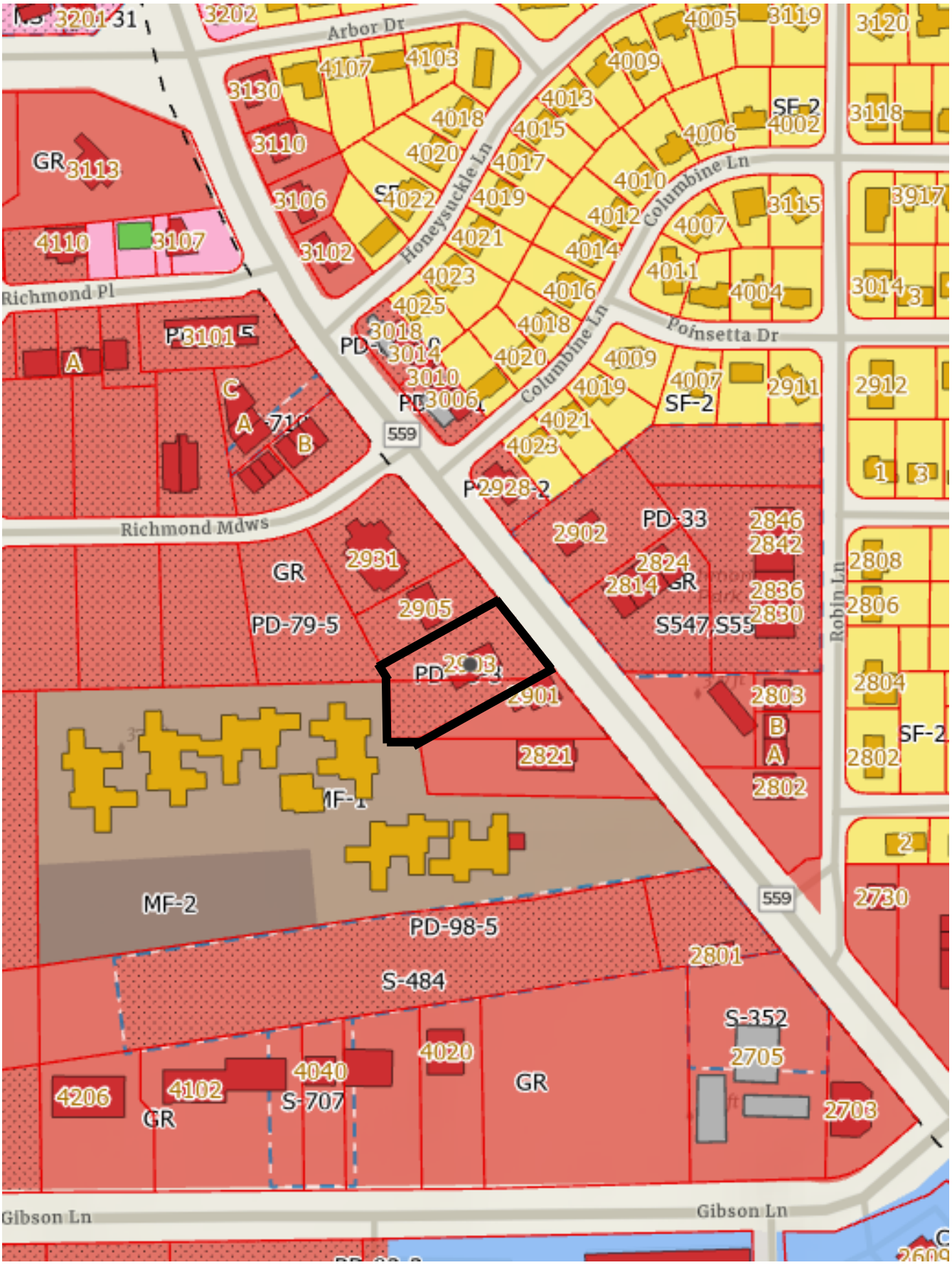
Drawing Title
ARCHITECTURAL SITE PLAN

Drawn	Checked
SR	GR
Scale	Date
AS NOTED	MAR 2022
Project No.	Drawing No.
21027	AS1.1

Attachment: 2022-062 EXH 'A' (Site Plan) (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)

2022-062 ATTH 01
Amendment to PD-86-3(GR)

2903 Richmond Road



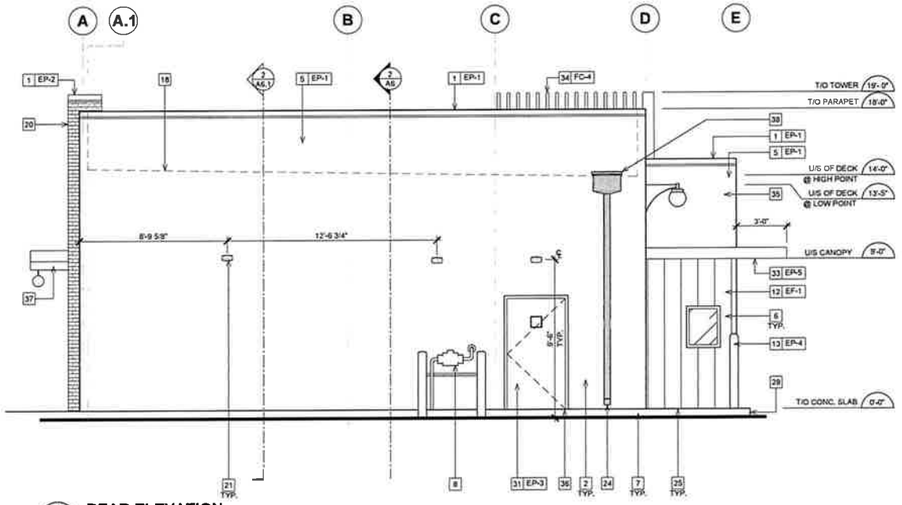
Attachment: 2022-062 ATTH 01 (Maps) (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)

Amendment to PD-86-3(GR)

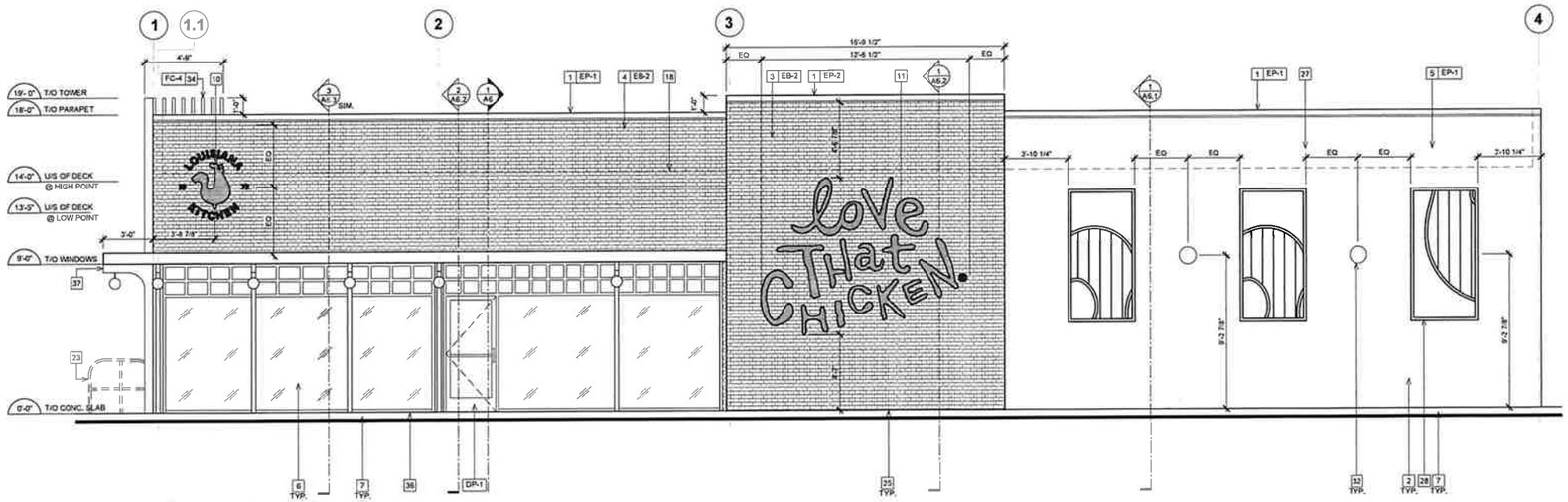
2903 Richmond Road



Attachment: 2022-062 ATTH 01 (Maps) (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)



1 A5.1 **REAR ELEVATION**
SCALE: 1/4"=1'-0"



2 A5.1 **SIDE ELEVATION**
SCALE: 1/4"=1'-0"

EXTERIOR FINISH SCHEDULE

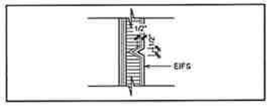
TAG	MATERIAL	APPLICATION	MANUFACTURER	PRODUCT	COLOR/FINISH	DIMENSION
FINISH MATERIALS						
EF-1	EXTERIOR WOOD SIDING	FRONT FACADE EXTERIOR WALLS	NICHIHA FIBER CEMENT	VINTAGE WOOD AWP 3030	CEDAR	17-7/8" H x 119 5/16" L
EB-1	BRICK (CLIP-SYSTEM)	ACCENT TOWER BRICK	NICHIHA FIBER CEMENT	VINTAGE BRICK	ALEXANDRIA BLUFF	7 3/8" x 2 1/2" x 3/4"
EB-2	BRICK (CLIP-SYSTEM)	FRONT OF BUILDING	NICHIHA FIBER CEMENT	VINTAGE BRICK	WHITE WASH (PAINT P-1)	7 3/8" x 2 1/2" x 3/4"
EXTERIOR PAINTS						
EP-1	EXTERIOR PAINT	MAIN WALL SURFACE	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N456)	OC-125 MOONLIGHT WHITE	
EP-2	EXTERIOR PAINT	BRICK TOWER PARAPET	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	2105-20 ROOT BEER CANDY	
EP-3	EXTERIOR PAINT	DUMPSTER WALLS, REAR DOOR	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	HC-170 STONINGTON GREY	
EP-4	METAL PAINT	BOLLARDS	BENJAMIN MOORE	COROTECH HIGH SOLIDS RAPID DRY ENAMEL	SAFETY YELLOW	
EP-5	METAL PAINT	DUMPSTER GATES AND PYLON POLE	BENJAMIN MOORE	COROTECH HIGH SOLIDS RAPID DRY ENAMEL	FACTORY FINISH BLACK	
EP-6	ANTI-GRAFFITI COAT	EXTERIOR WALLS	BENJAMIN MOORE	ALIPHATIC ACRYLIC URETHANE - GLOSS	V500-00 CLEAR	
EP-7	EXTERIOR PAINT	EXTERIOR WALLS	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	"TEAL" COLOR CODE TBD	
EXTERIOR MISC.						
C-1	CANOPY - METAL	DRIVE-THRU CANOPY	BY MANUFACTURER	BY MANUFACTURER	ORANGE, PANTONE #3564 C	
C-2	CANOPY - METAL	BUILDING CANOPIES	BY MANUFACTURER	BY MANUFACTURER	TEAL, PANTONE #326 C	
S-1	SHUTTERS - POPPY	EXTERIOR WALLS REAR OF BUILDING	BY MANUFACTURER	BY MANUFACTURER	PROVIDED BY MANUFACTURER	
DP-1	DOOR	MAIN ENTRANCE DOORS	BY MANUFACTURER	BY MANUFACTURER	BLACK ANODIZED	

GENERAL NOTES

1. SEALANT / CAULKING AROUND DOOR / WINDOW FRAMES, COLOUR TO MATCH WINDOW / DOOR FRAMES.
2. THE CONTRACTOR SHALL BECOME FAMILIAR WITH AND FOLLOW ALL DRAWINGS AND SPECIFICATIONS.

SYMBOL LEGEND

1	NOTE REFERENCE REFER TO ELEVATION NOTES
FN#	FINISH TYPE



3 A5 **SECTION DETAIL @ TYPICAL EIFS REVEAL**
SCALE: 2½"=1'-0"

EXTERIOR ELEVATION NOTES

1. PRE-FINISHED METAL CAP FLASHING C/W DRIP.
2. G.C TO PROVIDE AND INSTALL DOUBLE LAYER OF REINFORCING MESH TO MIN. 2'-0" ABOVE GRADE AT ALL EIFS LOCATIONS (TYP.) IN ORDER TO ATTAIN ABUSE RESISTANCE STUCCO SYSTEM.
3. NICHIHA VINTAGEBRICK, COLOR: ALEXANDRIA BUFF, REFER TO POPEYES EXTERIOR FINISH SCHEDULE.
4. NICHIHA VINTAGEBRICK, COLOR: WHITE WASH, REFER TO POPEYES EXTERIOR FINISH SCHEDULE.
5. EIFS, REFER TO POPEYES EXTERIOR FINISH SCHEDULE.
6. PRE-FINISHED 'BLACK ANODIZED' ALUMINUM STOREFRONT SYSTEM WITH INSULATED GLAZING.
7. EXPOSED FOUNDATION TO BE PARGED AND FREE OF IMPERFECTIONS.
8. GAS UTILITY METER.
9. REFER TO STRUCTURAL DRAWINGS FOR FOUNDATION WALL AND FOOTING DETAILS.
10. INTERNALLY ILLUMINATED BUILDING SIGNAGE PROVIDED AND INSTALLED BY SIGN COMPANY. G.C TO PROVIDE AND INSTALL ¾" EXTERIOR GRADE PRESSURE TREATED PLYWOOD BACKING AND ALL FINAL ELECTRICAL CONNECTION. SIGN MANUFACTURER SHALL OBTAIN STRUCTURALLY SEALED DRAWINGS AND SIGNAGE PERMITS FROM THE CITY BASED ON LOCAL REQUIREMENTS. G.C SHALL VERIFY ACTUAL LOCATION & SIZE OF SIGNS WITH SIGN MANUFACTURER'S APPROVED DRAWINGS AND COORDINATE LOCATIONS OF BLOCKING AND UTILITIES. G.C TO COORDINATE WITH SIGN INSTALLER TO USE VHM DRILL BIT WHILE DRILLING FOR ELECTRICAL FEED LINES AND SIGNAGE FASTENERS. ALL ELEMENTS PROVIDED BY SIGNAGE FABRICATOR TO BE REVIEWED AND APPROVED BY POPEYES PRIOR TO PRODUCTION
11. NON-ILLUMINATED BUILDING SIGNAGE PROVIDED AND INSTALLED BY SIGN COMPANY. G.C TO PROVIDE AND INSTALL ¾" EXTERIOR GRADE PRESSURE TREATED PLYWOOD BACKING. SIGN MANUFACTURER SHALL OBTAIN STRUCTURALLY SEALED DRAWINGS AND SIGNAGE PERMITS FROM THE CITY BASED ON LOCAL REQUIREMENTS. G.C SHALL VERIFY ACTUAL LOCATION & SIZE OF SIGNS WITH SIGN MANUFACTURER'S APPROVED DRAWINGS AND COORDINATE LOCATIONS OF BLOCKING AND UTILITIES. G.C TO COORDINATE WITH SIGN INSTALLER TO USE VHM DRILL BIT WHILE DRILLING FOR ELECTRICAL FEED LINES AND SIGNAGE FASTENERS. ALL ELEMENTS PROVIDED BY SIGNAGE FABRICATOR TO BE REVIEWED AND APPROVED BY POPEYES PRIOR TO PRODUCTION
12. NICHIHA VINTAGE WOOD, COLOR: CEDAR, REFER TO POPEYES EXTERIOR FINISH SCHEDULE.
13. PROVIDE & INSTALL 6" DIAMETER STEEL PIPE BOLLARD TOP AT 4'-6" A.F.F, G.C. TO PAINT "SAFETY YELLOW", REFER TO POPEYES MASTER SCHEDULE.
14. DRIVE-THRU WINDOW. REFER TO DRIVE-THRU WINDOW SCHEDULE ON SHEET A11.
15. LOCATION OF HORIZONTAL ROOF DRAIN OUTFLOW. PROVIDE NICKLE-PLATED COWS TONGUE W/ ESCUTCHEON PLATE AND INNER SLEEVE.
16. PRE-FINISHED GALVANIZED STEEL DOWNSPOUT & COLLECTOR BOX. G.C. TO COORDINATE WITH CIVIL ENGINEERS TO CONFIRM IF DOWNSPOUTS ARE SPLASHING ON CONCRETE PAD OR TIED TO THE STORM SEWER LINE. REFER TO MECHANICAL DRAWINGS.
17. N/A.
18. DASHED LINE INDICATES T/O OF ROOF BEHIND PARAPET.
19. C/T CABINET AND METER.
20. LINE OF PARAPET WALLS BEYOND.
21. GENERAL PURPOSE EXTERIOR LIGHTING FIXTURES.
22. WALK-IN COOLER/FREEZER FINISH TO BE COMPLETED BY MANUFACTURER.
23. N/A
24. PRE-FINISHED GALVANIZED STEEL DOWNSPOUT & COLLECTOR BOX. PROVIDE SPLASH BLOCK AT PAVEMENT. REFER TO PLUMBING DRAWINGS.
25. ALL BASE FLASHING TO MATCH ADJACENT MATERIAL COLORS.
26. HOSE BIB. G.C. TO PAINT, COLOUR TO MATCH ADJACENT STUCCO COORDINATE EXACT LOCATION WITH G.C. REFER TO MECHANICAL DRAWINGS.
27. N/A
28. DECORATIVE PANELS SUPPLY AND INSTALL BY SIGN COMPANY.
29. G.C TO PROVIDE CONCRETE CURB ALONG DRIVE-THRU LANE. CURB TO PROJECT 6" FROM FACE OF PANELS AND LENGTH OF CURB IS EXTENT OF FEATURE WALL.
30. MURAL GRAPHIC SUPPLY AND INSTALL BY SIGN COMPANY.
31. REAR EXIT DOOR, PAINT ACCORDING TO THE EXTERIOR FINISH SCHEDULE.
32. WALL SCONCE SUPPLY AND INSTALL BY SIGN COMPANY.
33. PRE-FABRICATED CANOPIES W/ PRE-WIRED RECESSED LIGHTS ABOVE DRIVE-THRU SUPPLY BY SIGN COMPANY AND INSTALL BY G.C. ALL CANOPIES IN WALL SUPPORT BY G.C. REFER TO STRUCTURAL DRAWINGS.
34. VERTICAL SIMULATED WOOD SLATS. REFER TO POPEYES EXTERIOR FINISH SCHEDULE.
35. WALL SCONCE LIGHTING. REFER TO ELECTRICAL SCHEDULE.
36. CONCRETE SIDEWALK (BY G.C). REFER TO SITE PLAN.
37. HORIZONTAL WOOD GRAIN ENTRANCE CANOPY W/ TEAL VERTICAL & HORIZONTAL SUPPORTS SUPPLY BY SIGN COMPANY AND INSTALL BY G.C. PRE-WIRED LED LIGHT GLOBE FIXTURE.
38. PRE-FINISHED METAL COLLECTION OVERFLOW BOX AND DOWNSPOUT. REFER TO ROOF PLAN

ISSUE TABLE

No.	Date (mm/dd/yy)	Description
01	03-25-2022	OWNER REVIEW

REVISIONS

No.	Date	Description

DRAWINGS REVISED AS PER DESIGN BULLETIN

No.	Date	Description

PROJECT NORTH

NOT FOR REGULATORY APPROVAL, PERMITTING, or CONSTRUCTION
GREG RYDEN, ARCHITECT
DATE: 03/25/2022

RYDEN ARCHITECTURE
commercial | residential | planning
909 Wakefield Drive
Houston, Texas 77018
713.993.6690 (o)
contact: Greg Ryden, AIA
greg@rydenarchitecture.com

Project
LOUISIANA KITCHEN 19 72
POPEYES

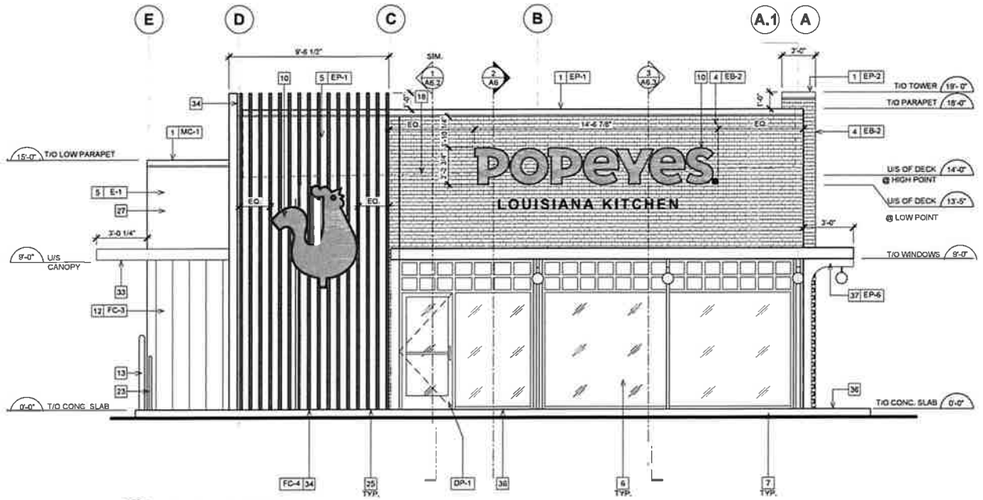
Store Type
US 2136 PROTOTYPE
2136-22

Location
POPEYE'S TEXARKANA
2903 RICHMOND RD.
TEXARKANA, TX, 75503

Drawing Title
EXTERIOR ELEVATIONS

Drawn	Checked
SR	GR
Scale: AS NOTED	Date: MAR 2022
Project No.: 21027	Drawing No.: A5.1

Attachment: 2022-062 ATTH 02 (Elevations) (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)



1 / A5 **FRONT ELEVATION**
SCALE: 1/4"=1'-0"

EXTERIOR FINISH SCHEDULE

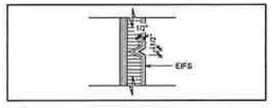
TAG	MATERIAL	APPLICATION	MANUFACTURER	PRODUCT	COLOR/FINISH	DIMENSION
FINISH MATERIALS						
EF-1	EXTERIOR WOOD SIDING	FRONT FACADE EXTERIOR WALLS	NICHIHA FIBER CEMENT	VINTAGE WOOD AWP 3030	CEDAR	17-7/8" H x 119 5/16" L
EB-1	BRICK (CLIP-SYSTEM)	ACCENT TOWER BRICK	NICHIHA FIBER CEMENT	VINTAGE BRICK	ALEXANDRIA BLUFF	7 3/8" x 2 1/2" x 3/4"
EB-2	BRICK (CLIP-SYSTEM)	FRONT OF BUILDING	NICHIHA FIBER CEMENT	VINTAGE BRICK	WHITE WASH (PAINT P-1)	7 3/8" x 2 1/2" x 3/4"
EXTERIOR PAINTS						
EP-1	EXTERIOR PAINT	MAIN WALL SURFACE	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	OC-125 MOONLIGHT WHITE	
EP-2	EXTERIOR PAINT	BRICK TOWER PARAPET	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	2105-20 ROOT BEER CANDY	
EP-3	EXTERIOR PAINT	DUMPSTER WALLS, REAR DOOR	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	HC-170 STONINGTON GREY	
EP-4	METAL PAINT	BOLLARDS	BENJAMIN MOORE	COROTECH HIGH SOLIDS RAPID DRY ENAMEL	SAFETY YELLOW	
EP-5	METAL PAINT	DUMPSTER GATES AND PYLON POLE	BENJAMIN MOORE	COROTECH HIGH SOLIDS RAPID DRY ENAMEL	FACTORY FINISH BLACK	
EP-6	ANTI-GRAFFITI COAT	EXTERIOR WALLS	BENJAMIN MOORE	ALIPHATIC ACRYLIC URETHANE - GLOSS	V500-00 CLEAR	
EP-7	EXTERIOR PAINT	EXTERIOR WALLS	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	"TEAL" COLOR CODE TBD	
EXTERIOR MISC						
C-1	CANOPY - METAL	DRIVE-THRU CANOPY	BY MANUFACTURER	BY MANUFACTURER	ORANGE, PANTONE #3564 C	
C-2	CANOPY - METAL	BUILDING CANOPIES	BY MANUFACTURER	BY MANUFACTURER	TEAL PANTONE #326 C	
S-1	SHUTTERS - POPPY	EXTERIOR WALLS REAR OF BUILDING	BY MANUFACTURER	BY MANUFACTURER	PROVIDED BY MANUFACTURER	
DP-1	DOOR	MAIN ENTRANCE DOORS	BY MANUFACTURER	BY MANUFACTURER	BLACK ANODIZED	

GENERAL NOTES

1. SEALANT / CAULKING AROUND DOOR / WINDOW FRAMES, COLOUR TO MATCH WINDOW / DOOR FRAMES
2. THE CONTRACTOR SHALL BECOME FAMILIAR WITH AND FOLLOW ALL DRAWINGS AND SPECIFICATIONS

SYMBOL LEGEND

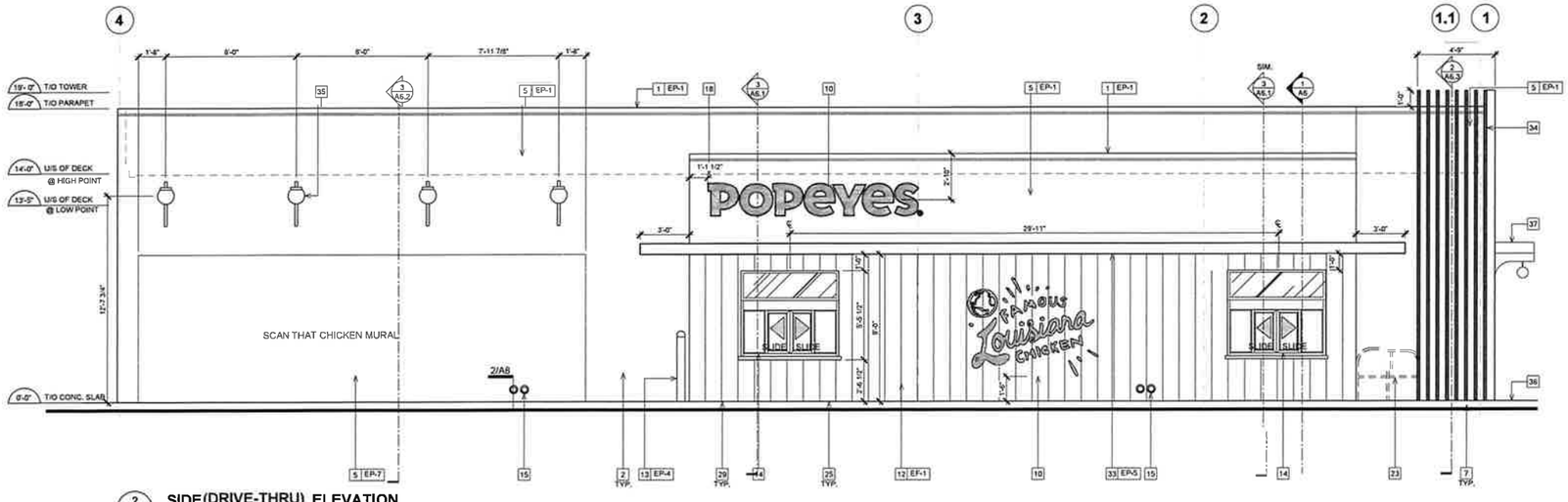
1	NOTE REFERENCE REFER TO ELEVATION NOTES
FN#	FINISH TYPE



3 / A5 **SECTION DETAIL @ TYPICAL EIFS REVEAL**
SCALE: 2½"=1'-0"

EXTERIOR ELEVATION NOTES

1. PRE-FINISHED METAL CAP FLASHING C/W DRIP
2. G.C TO PROVIDE AND INSTALL DOUBLE LAYER OF REINFORCING MESH TO MINIMUM 12"-0" ABOVE GRADE AT ALL EIFS LOCATIONS (TYP.) IN ORDER TO ATTAIN ABUSE RESISTANCE STUCCO SYSTEM.
3. NICHIHA VINTAGEBRICK, COLOR ALEXANDRIA BUFF REFER TO POPEYES EXTERIOR FINISH SCHEDULE
4. NICHIHA VINTAGEBRICK, COLOR WHITE WASH REFER TO POPEYES EXTERIOR FINISH SCHEDULE
5. EIFS REFER TO POPEYES EXTERIOR FINISH SCHEDULE
6. PRE-FINISHED BLACK ANODIZED ALUMINUM STOREFRONT SYSTEM WITH INSULATED GLAZING
7. EXPOSED FOUNDATION TO BE PARGED AND FREE OF IMPERFECTIONS
8. GAS UTILITY METER
9. REFER TO STRUCTURAL DRAWINGS FOR FOUNDATION WALL AND FOOTING DETAILS
10. INTERNALLY ILLUMINATED BUILDING SIGNAGE PROVIDED AND INSTALLED BY SIGN COMPANY. G.C TO PROVIDE AND INSTALL ½" EXTERIOR GRADE PRESSURE TREATED PLYWOOD BACKING AND ALL FINAL ELECTRICAL CONNECTION. SIGN MANUFACTURER SHALL OBTAIN STRUCTURALLY SEALED DRAWINGS AND SIGNAGE PERMITS FROM THE CITY BASED ON LOCAL REQUIREMENTS. G.C SHALL VERIFY ACTUAL LOCATION & SIZE OF SIGNS WITH SIGN MANUFACTURER'S APPROVED DRAWINGS AND COORDINATE LOCATIONS OF BLOCKING AND UTILITIES. G.C TO COORDINATE WITH SIGN INSTALLER TO USE VHM DRILL BIT WHILE DRILLING FOR ELECTRICAL FEED LINES AND SIGNAGE FASTENERS. ALL ELEMENTS PROVIDED BY SIGNAGE FABRICATOR TO BE REVIEWED AND APPROVED BY POPEYES PRIOR TO PRODUCTION
11. NON-ILLUMINATED BUILDING SIGNAGE PROVIDED AND INSTALLED BY SIGN COMPANY. G.C TO PROVIDE AND INSTALL ½" EXTERIOR GRADE PRESSURE TREATED PLYWOOD BACKING. SIGN MANUFACTURER SHALL OBTAIN STRUCTURALLY SEALED DRAWINGS AND SIGNAGE PERMITS FROM THE CITY BASED ON LOCAL REQUIREMENTS. G.C SHALL VERIFY ACTUAL LOCATION & SIZE OF SIGNS WITH SIGN MANUFACTURER'S APPROVED DRAWINGS AND COORDINATE LOCATIONS OF BLOCKING AND UTILITIES. G.C TO COORDINATE WITH SIGN INSTALLER TO USE VHM DRILL BIT WHILE DRILLING FOR ELECTRICAL FEED LINES AND SIGNAGE FASTENERS. ALL ELEMENTS PROVIDED BY SIGNAGE FABRICATOR TO BE REVIEWED AND APPROVED BY POPEYES PRIOR TO PRODUCTION
12. NICHIHA VINTAGE WOOD, COLOR CEDAR REFER TO POPEYES EXTERIOR FINISH SCHEDULE
13. PROVIDE 6" DIAMETER STEEL PIPE BOLLARD TOP AT 4'-6" A.F.F. G.C TO PAINT "SAFETY YELLOW" REFER TO POPEYES MASTER SCHEDULE.
14. DRIVE-THRU WINDOW, REFER TO DRIVE-THRU WINDOW SCHEDULE ON SHEET A11.
15. LOCATION OF HORIZONTAL ROOF DRAIN OUTFLOW, PROVIDE NICKLE-PLATED COWS TONGUE W/ ESCUTCHEON PLATE AND INNER SLEEVE.
16. PRE-FINISHED GALVANIZED STEEL DOWNSPOUT & COLLECTOR BOX. G.C. TO COORDINATE WITH CIVIL ENGINEERS TO CONFIRM IF DOWNSPOUTS ARE SPLASHING ON CONCRETE PAD OR TIED TO THE STORM SEWER LINE. REFER TO MECHANICAL DRAWINGS
17. N/A
18. DASHED LINE INDICATES T/O OF ROOF BEHIND PARAPET.
19. C/T CABINET AND METER
20. LINE OF PARAPET WALLS BEYOND
21. GENERAL PURPOSE EXTERIOR LIGHTING FIXTURES
22. WALK-IN COOLER/FREEZER FINISH TO BE COMPLETED BY MANUFACTURER
23. N/A
24. PRE-FINISHED GALVANIZED STEEL DOWNSPOUT & COLLECTOR BOX. PROVIDE SPLASH BLOCK AT PAVEMENT. REFER TO PLUMBING DRAWINGS.
25. ALL BASE FLASHING TO MATCH ADJACENT MATERIAL COLORS
26. HOSE BIB G.C TO PAINT COLOUR TO MATCH ADJACENT STUCCO COORDINATE EXACT LOCATION WITH G.C. REFER TO MECHANICAL DRAWINGS
27. N/A
28. DECORATIVE PANELS SUPPLY AND INSTALL BY SIGN COMPANY
29. G.C TO PROVIDE CONCRETE CURB ALONG DRIVE-THRU LANE. CURB TO PROJECT 8" FROM FACE OF PANELS AND LENGTH OF CURB IS EXTENT OF FEATURE WALL.
30. MURAL GRAPHIC SUPPLY AND INSTALL BY SIGN COMPANY.
31. REAR EXIT DOOR PAINT ACCORDING TO THE EXTERIOR FINISH SCHEDULE
32. WALL SCONCE SUPPLY AND INSTALL BY SIGN COMPANY
33. PRE-FABRICATED CANOPIES WITH PRE-WIRED RECESSED LIGHTS ABOVE. DRIVE-THRU SUPPLY BY SIGN COMPANY AND INSTALL BY G.C. ALL CANOPIES IN WALL SUPPORT BY G.C. REFER TO STRUCTURAL DRAWINGS
34. VERTICAL SIMULATED WOOD SLATS REFER TO POPEYES EXTERIOR FINISH SCHEDULE
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36. CONCRETE SIDEWALK (BY G.C) REFER TO SITE PLAN
37. HORIZONTAL WOOD GRAIN ENTRANCE CANOPY WITH TEAL VERTICAL & HORIZONTAL SUPPORTS SUPPLY BY SIGN COMPANY AND INSTALL BY G.C. PRE-WIRED LED LIGHT GLOBE FIXTURE.
38. PRE-FINISHED METAL COLLECTION OVERFLOW BOX AND DOWNSPOUT REFER TO ROOF PLAN



2 / A5 **SIDE (DRIVE-THRU) ELEVATION**
SCALE: 1/4"=1'-0"

ISSUE TABLE

No	Date (mm/dd/yy)	Description
01	03-25-2022	OWNER REVIEW

REVISIONS

No	Date	Description

DRAWINGS REVISED AS PER DESIGN BULLETIN

No	Date	Description

N
PROJECT NORTH

NOT FOR REGULATORY APPROVAL, PERMITTING, or CONSTRUCTION
GREG RYDEN, ARCHITECT
DATE: 03/25/2022

RYDEN ARCHITECTURE
commercial | residential | planning

909 Wakefield Drive
Houston, Texas 77018
713 993 6690 (o)
contact: Greg Ryden, AIA
greg@rydenarchitecture.com

Project
LOUISIANA KITCHEN 19 72
POPEYES

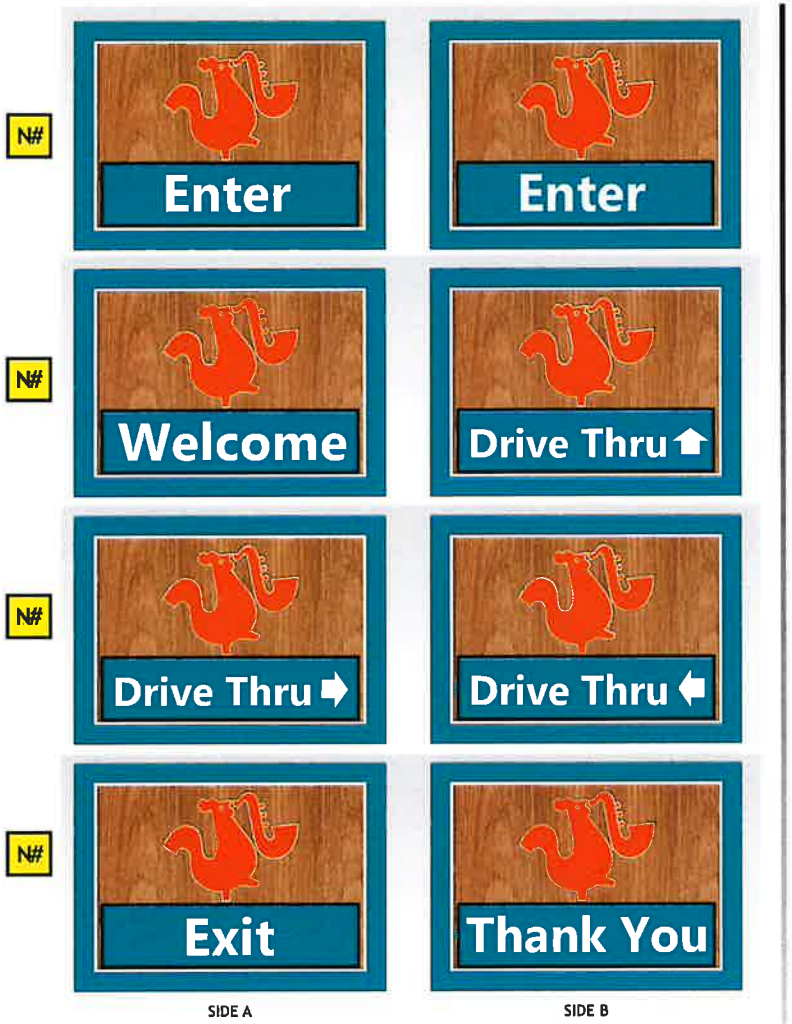
Store Type
US 2136 PROTOTYPE
2136-22

Location
POPEYE'S TEXARKANA
2903 RICHMOND RD.
TEXARKANA, TX, 75503

Drawing Title
EXTERIOR ELEVATIONS

Drawn	Checked
SR	GR
Scale	Date
AS NOTED	MAR 2022
Project No	Drawing No
21027	A5

Attachment: 2022-062 ATTH 02 (Elevations) (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)

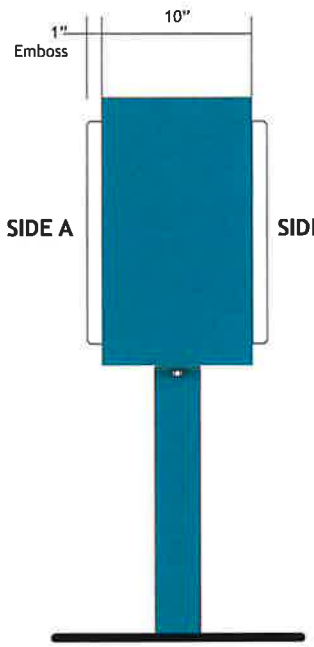


☐ FACES

Scale: 1"=1'-0"



Front View



Side View

Scale: 1½" = 1'-0"

COLOR SPECIFICATIONS: DIGITAL PRINT 2ND SURFACE

- PMS 3564C - 33M 3630–84 TANGERINE
- PMS 326C - TEAL
- WOOD GRAIN
- WHITE - BACK SPRAYED PAINT

☐ DIRECTIONAL SIGN

SIGN AREA = 3.12 SQ. FT. EA.

Scale: VARIES

LOREN INDUSTRIES

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Whittier, CA 90601
Tel: (562) 946-7545
Fax: (562) 949-5707
St. Lic.: 455415
Los Angeles, CA

DRAWING/REVISION NO.:
02-20-0002R5

PAGE NO.:
23 OF 34

CLIENT:
POPEYES

ADDRESS
5707 Blue Lagoon Drive
Miami, FL 33126

Approval Signature

DATE:
02/14/2020

PROJECT MANAGER
Dave P.

DESIGNER:
EC

REVISION DATE:
03/26/2021

REVISION BY:
Adrian C.

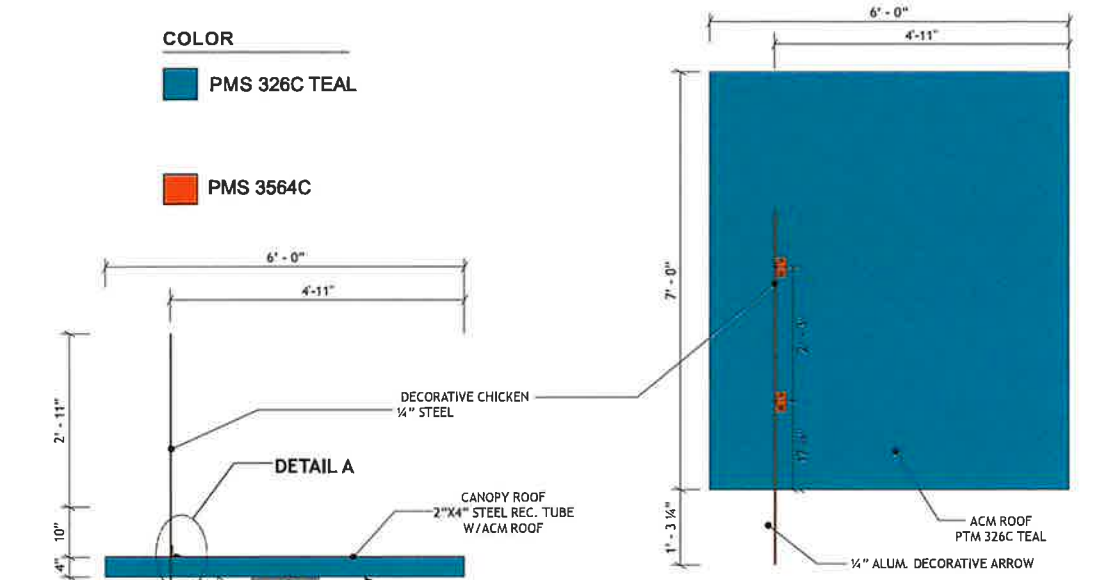
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Attachment: 2022-062 ATTH 03 (Signs) (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)

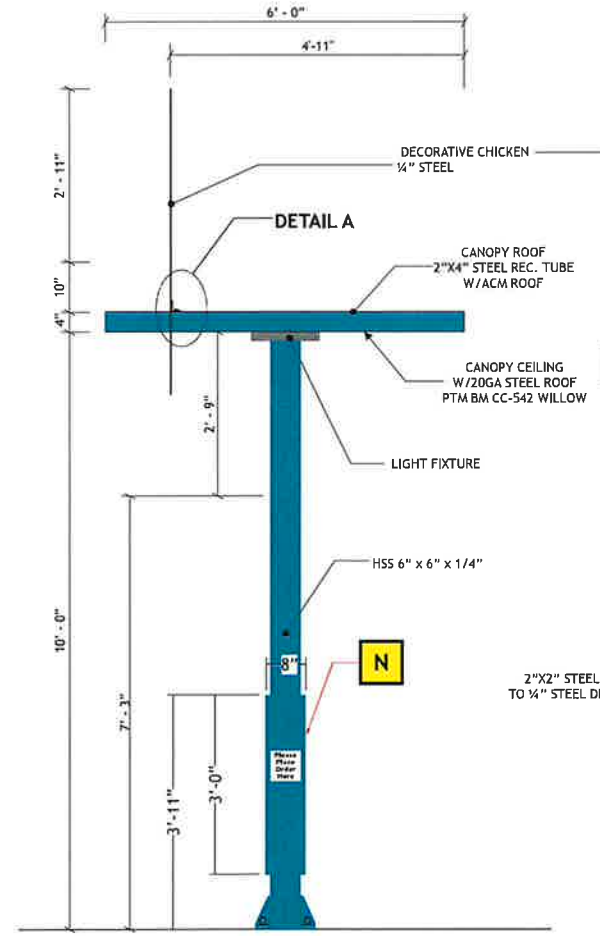
COLOR

PMS 326C TEAL

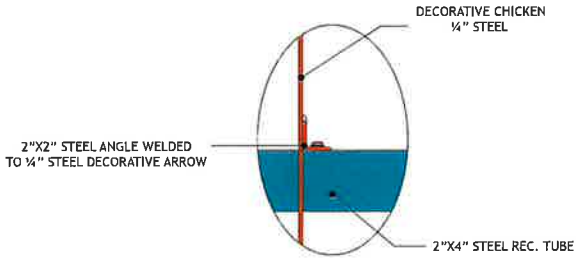
PMS 3564C



DRIVE-THRU CANOPY
TOP VIEW
SCALE: 1/2" = 1'-0"

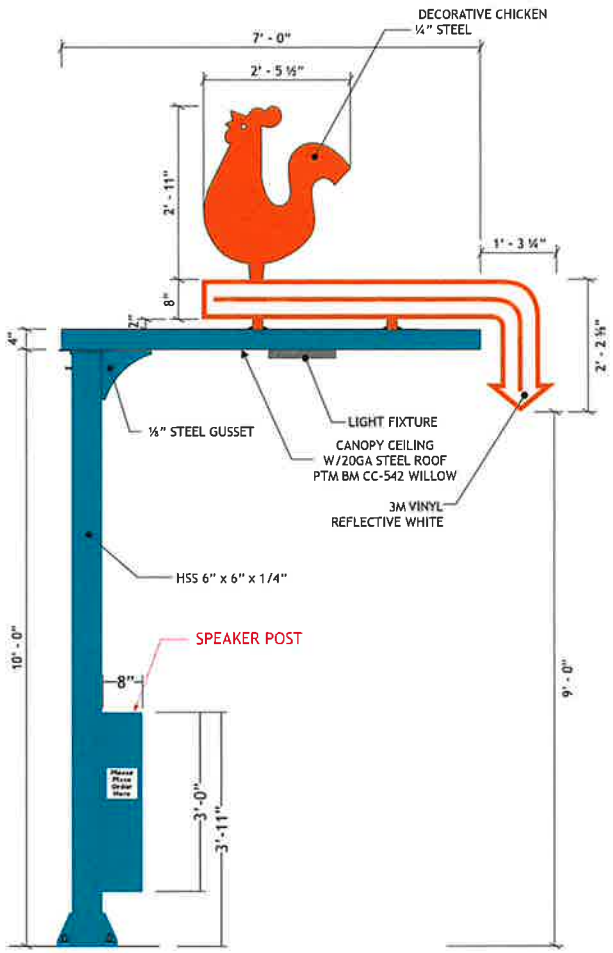


N DRIVE-THRU CANOPY
FRONT VIEW
QTY. 2
SCALE: 1/2" = 1'-0"



DETAIL A
Scale: 1 1/2" = 1'-0"

FOOTING BY OTHERS



N DRIVE-THRU CANOPY
SIDE VIEW
SCALE: 1/2" = 1'-0"

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St. Lic.: 455415
Los Angeles, CA

POPEYES

DRAWING/REVISION NO.:
02-20-0002R5

PAGE NO.:
24 OF 34

CLIENT:
POPEYES

ADDRESS
5707 Blue Lagoon Drive
Miami, FL 33126

Approval Signature

DATE:
02/14/2020

PROJECT MANAGER
Dave P.

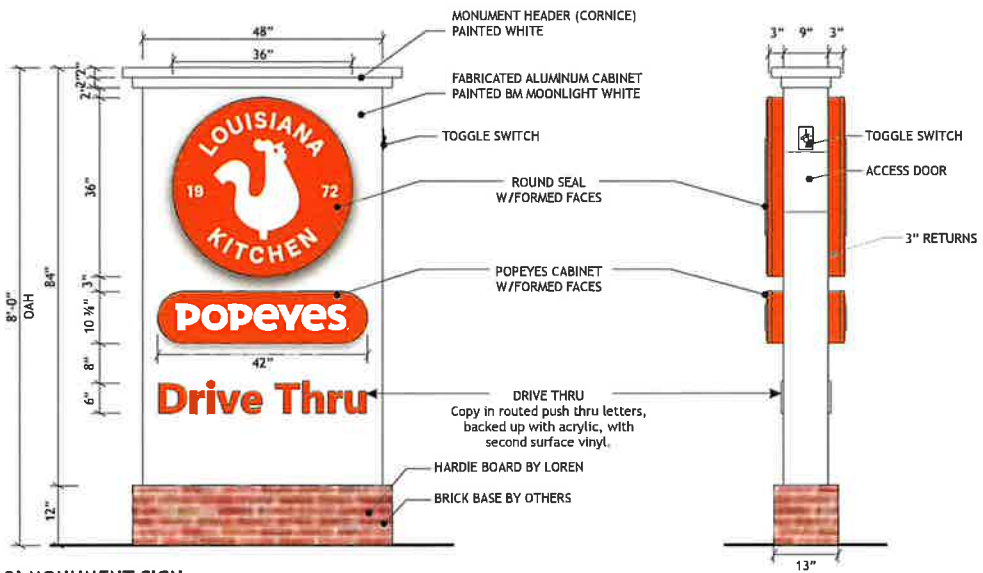
DESIGNER:
EC

REVISION DATE:
03/26/2021

REVISION BY:
Adrian C.

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Attachment: 2022-062 ATTH 03 (Signs) (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)



COLOR SPECIFICATIONS:

- PMS 3564C - 3M 3630-84 TANGERINE
- WHITE CORNICE
- EXTERIOR PAINT (EP-2) BENJAMIN MOORE FACTORY BLACK
- EXTERIOR PAINT (EP-1) BENJAMIN MOORE MOONLIGHT WHITE
- BRICK (EB-1) BY OTHERS BRICK FLAGSAFF



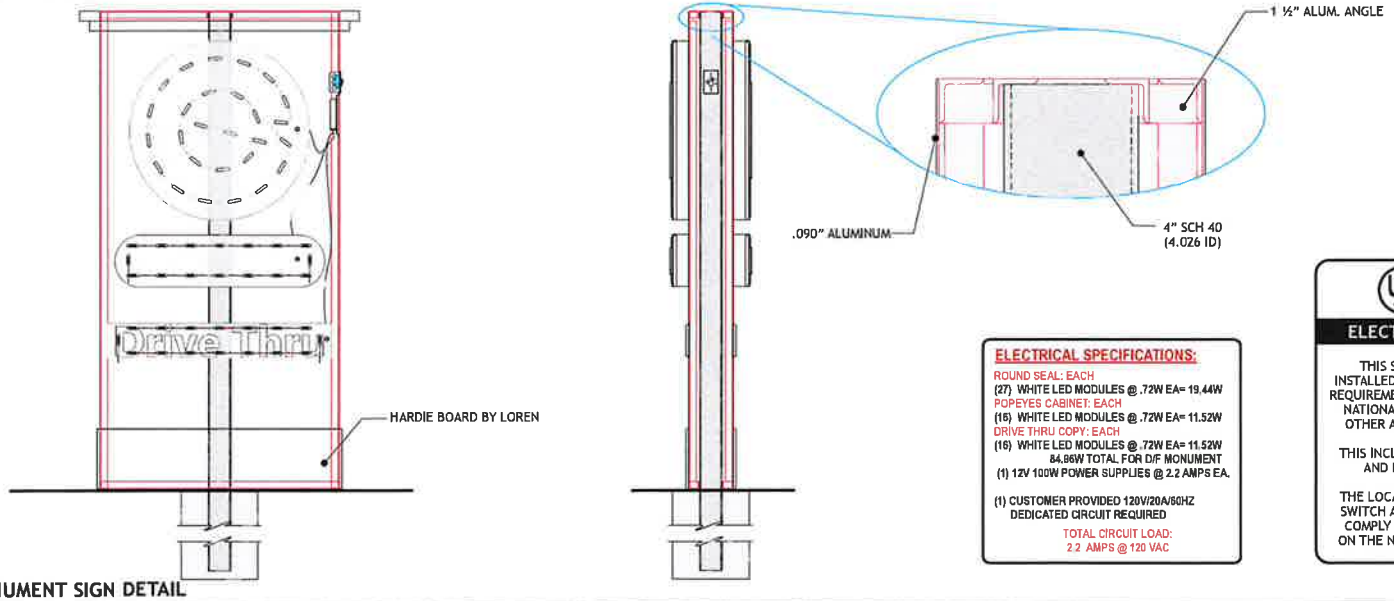
NIGHT TIME VIEW

SCOPE OF WORK

1.) Manufacture and install type double faced monument as shown.
2.) Cabinet to be fabricated w/1 ½" alum. angle & skinned w/.090" alum.
3.) Illuminated Round seal & POPEYES cabinet to be mounted to monument.
4.) Pushed thru "Drive Thru" letters on routed out aluminum cabinet face.

N# **8' MONUMENT SIGN**
SIGN AREA: 32 SQ. FT.

Scale: 1/2" = 1'-0"



MONUMENT SIGN DETAIL

Scale: 1/2" = 1'-0"

ELECTRICAL SPECIFICATIONS:

ROUND SEAL: EACH
(27) WHITE LED MODULES @ .72W EA= 19.44W
POPEYES CABINET: EACH
(16) WHITE LED MODULES @ .72W EA= 11.52W
DRIVE THRU COPY: EACH
(16) WHITE LED MODULES @ .72W EA= 11.52W
84.96W TOTAL FOR D/F MONUMENT
(1) 12V 100W POWER SUPPLIES @ 2.2 AMPS EA.

(1) CUSTOMER PROVIDED 120V/20A/60HZ
DEDICATED CIRCUIT REQUIRED

TOTAL CIRCUIT LOAD:
2.2 AMPS @ 120 VAC

UL LISTED
ELECTRIC SIGN SECTION

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE & ALL OTHER APPLICABLE LOCAL CODES.

THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

THE LOCATION OF THE DISCONNECT SWITCH AFTER INSTALLATION SHALL COMPLY WITH ARTICLE 600.6(A)(1) ON THE NATIONAL ELECTRICAL CODE

LOREN
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12226 Coast Drive
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POPEYES

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Approval Signature

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PROJECT MANAGER
Dave P.

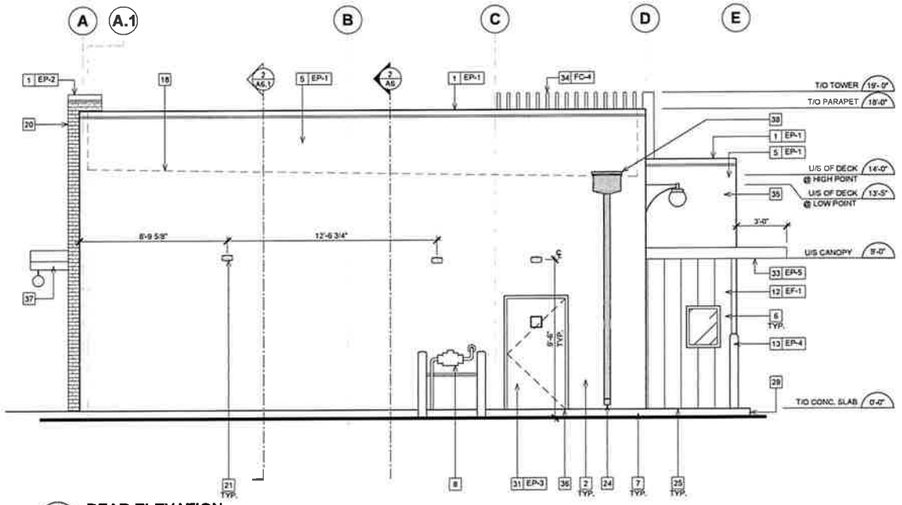
DESIGNER:
EC

REVISION DATE:
03/26/2021

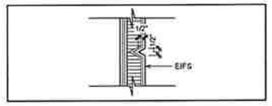
REVISION BY:
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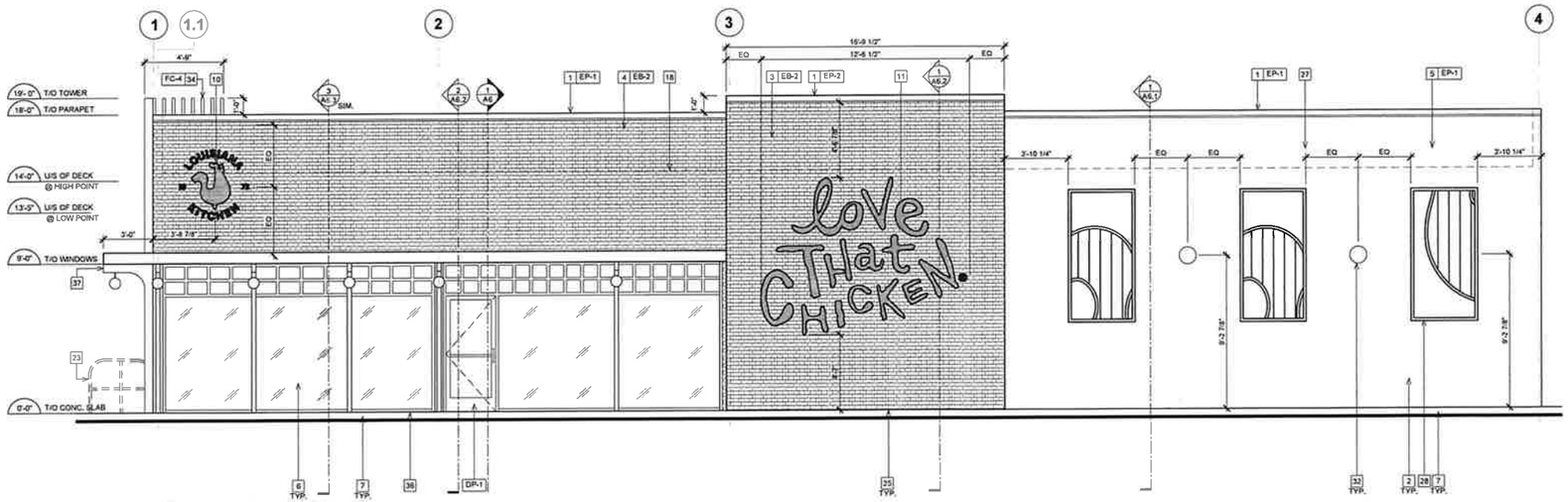
Attachment: 2022-062 ATTH 03 (Signs) (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)



1 A5.1 **REAR ELEVATION**
SCALE: 1/4"=1'-0"



3 A5 **SECTION DETAIL @ TYPICAL EIFS REVEAL**
SCALE: 2½"=1'-0"



2 A5.1 **SIDE ELEVATION**
SCALE: 1/4"=1'-0"

EXTERIOR FINISH SCHEDULE

TAG	MATERIAL	APPLICATION	MANUFACTURER	PRODUCT	COLOR/FINISH	DIMENSION
FINISH MATERIALS						
EF-1	EXTERIOR WOOD SIDING	FRONT FACADE EXTERIOR WALLS	NICHIHA FIBER CEMENT	VINTAGE WOOD AWP 3030	CEDAR	17-7/8" H x 119 5/16" L
EB-1	BRICK (CLIP-SYSTEM)	ACCENT TOWER BRICK	NICHIHA FIBER CEMENT	VINTAGE BRICK	ALEXANDRIA BLUFF	7 3/8" x 2 1/2" x 3/4"
EB-2	BRICK (CLIP-SYSTEM)	FRONT OF BUILDING	NICHIHA FIBER CEMENT	VINTAGE BRICK	WHITE WASH (PAINT P-1)	7 3/8" x 2 1/2" x 3/4"
EXTERIOR PAINTS						
EP-1	EXTERIOR PAINT	MAIN WALL SURFACE	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N456)	OC-125 MOONLIGHT WHITE	
EP-2	EXTERIOR PAINT	BRICK TOWER PARAPET	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	2105-20 ROOT BEER CANDY	
EP-3	EXTERIOR PAINT	DUMPSTER WALLS, REAR DOOR	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	HC-170 STONINGTON GREY	
EP-4	METAL PAINT	BOLLARDS	BENJAMIN MOORE	COROTECH HIGH SOLIDS RAPID DRY ENAMEL	SAFETY YELLOW	
EP-5	METAL PAINT	DUMPSTER GATES AND PYLON POLE	BENJAMIN MOORE	COROTECH HIGH SOLIDS RAPID DRY ENAMEL	FACTORY FINISH BLACK	
EP-6	ANTI-GRAFFITI COAT	EXTERIOR WALLS	BENJAMIN MOORE	ALIPHATIC ACRYLIC URETHANE - GLOSS	V500-00 CLEAR	
EP-7	EXTERIOR PAINT	EXTERIOR WALLS	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	"TEAL" COLOR CODE TBD	
EXTERIOR MISC.						
C-1	CANOPY - METAL	DRIVE-THRU CANOPY	BY MANUFACTURER	BY MANUFACTURER	ORANGE, PANTONE #3564 C	
C-2	CANOPY - METAL	BUILDING CANOPIES	BY MANUFACTURER	BY MANUFACTURER	TEAL, PANTONE #326 C	
S-1	SHUTTERS - POPPY	EXTERIOR WALLS REAR OF BUILDING	BY MANUFACTURER	BY MANUFACTURER	PROVIDED BY MANUFACTURER	
DP-1	DOOR	MAIN ENTRANCE DOORS	BY MANUFACTURER	BY MANUFACTURER	BLACK ANODIZED	

GENERAL NOTES

1. SEALANT / CAULKING AROUND DOOR / WINDOW FRAMES, COLOUR TO MATCH WINDOW / DOOR FRAMES.
2. THE CONTRACTOR SHALL BECOME FAMILIAR WITH AND FOLLOW ALL DRAWINGS AND SPECIFICATIONS.

SYMBOL LEGEND

1	NOTE REFERENCE REFER TO ELEVATION NOTES
FN#	FINISH TYPE

EXTERIOR ELEVATION NOTES

1. PRE-FINISHED METAL CAP FLASHING C/W DRIP.
2. G.C TO PROVIDE AND INSTALL DOUBLE LAYER OF REINFORCING MESH TO MIN. 2'-0" ABOVE GRADE AT ALL EIFS LOCATIONS (TYP.) IN ORDER TO ATTAIN ABUSE RESISTANCE STUCCO SYSTEM.
3. NICHIHA VINTAGEBRICK, COLOR: ALEXANDRIA BUFF, REFER TO POPEYES EXTERIOR FINISH SCHEDULE.
4. NICHIHA VINTAGEBRICK, COLOR: WHITE WASH, REFER TO POPEYES EXTERIOR FINISH SCHEDULE.
5. EIFS, REFER TO POPEYES EXTERIOR FINISH SCHEDULE.
6. PRE-FINISHED 'BLACK ANODIZED' ALUMINUM STOREFRONT SYSTEM WITH INSULATED GLAZING.
7. EXPOSED FOUNDATION TO BE PARGED AND FREE OF IMPERFECTIONS.
8. GAS UTILITY METER.
9. REFER TO STRUCTURAL DRAWINGS FOR FOUNDATION WALL AND FOOTING DETAILS.
10. INTERNALLY ILLUMINATED BUILDING SIGNAGE PROVIDED AND INSTALLED BY SIGN COMPANY. G.C TO PROVIDE AND INSTALL ¾" EXTERIOR GRADE PRESSURE TREATED PLYWOOD BACKING AND ALL FINAL ELECTRICAL CONNECTION. SIGN MANUFACTURER SHALL OBTAIN STRUCTURALLY SEALED DRAWINGS AND SIGNAGE PERMITS FROM THE CITY BASED ON LOCAL REQUIREMENTS. G.C SHALL VERIFY ACTUAL LOCATION & SIZE OF SIGNS WITH SIGN MANUFACTURER'S APPROVED DRAWINGS AND COORDINATE LOCATIONS OF BLOCKING AND UTILITIES. G.C TO COORDINATE WITH SIGN INSTALLER TO USE VHM DRILL BIT WHILE DRILLING FOR ELECTRICAL FEED LINES AND SIGNAGE FASTENERS. ALL ELEMENTS PROVIDED BY SIGNAGE FABRICATOR TO BE REVIEWED AND APPROVED BY POPEYES PRIOR TO PRODUCTION
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14. DRIVE-THRU WINDOW. REFER TO DRIVE-THRU WINDOW SCHEDULE ON SHEET A11.
15. LOCATION OF HORIZONTAL ROOF DRAIN OUTFLOW. PROVIDE NICKLE-PLATED COWS TONGUE W/ ESCUTCHEON PLATE AND INNER SLEEVE.
16. PRE-FINISHED GALVANIZED STEEL DOWNSPOUT & COLLECTOR BOX. G.C. TO COORDINATE WITH CIVIL ENGINEERS TO CONFIRM IF DOWNSPOUTS ARE SPLASHING ON CONCRETE PAD OR TIED TO THE STORM SEWER LINE. REFER TO MECHANICAL DRAWINGS.
17. N/A.
18. DASHED LINE INDICATES T/O OF ROOF BEHIND PARAPET.
19. C/T CABINET AND METER.
20. LINE OF PARAPET WALLS BEYOND.
21. GENERAL PURPOSE EXTERIOR LIGHTING FIXTURES.
22. WALK-IN COOLER/FREEZER FINISH TO BE COMPLETED BY MANUFACTURER.
23. N/A
24. PRE-FINISHED GALVANIZED STEEL DOWNSPOUT & COLLECTOR BOX. PROVIDE SPLASH BLOCK AT PAVEMENT. REFER TO PLUMBING DRAWINGS.
25. ALL BASE FLASHING TO MATCH ADJACENT MATERIAL COLORS.
26. HOSE BIB. G.C. TO PAINT, COLOUR TO MATCH ADJACENT STUCCO COORDINATE EXACT LOCATION WITH G.C. REFER TO MECHANICAL DRAWINGS.
27. N/A
28. DECORATIVE PANELS SUPPLY AND INSTALL BY SIGN COMPANY.
29. G.C TO PROVIDE CONCRETE CURB ALONG DRIVE-THRU LANE. CURB TO PROJECT 6" FROM FACE OF PANELS AND LENGTH OF CURB IS EXTENT OF FEATURE WALL.
30. MURAL GRAPHIC SUPPLY AND INSTALL BY SIGN COMPANY.
31. REAR EXIT DOOR, PAINT ACCORDING TO THE EXTERIOR FINISH SCHEDULE.
32. WALL SCONCE SUPPLY AND INSTALL BY SIGN COMPANY.
33. PRE-FABRICATED CANOPIES W/ PRE-WIRED RECESSED LIGHTS ABOVE DRIVE-THRU SUPPLY BY SIGN COMPANY AND INSTALL BY G.C. ALL CANOPIES IN WALL SUPPORT BY G.C. REFER TO STRUCTURAL DRAWINGS.
34. VERTICAL SIMULATED WOOD SLATS. REFER TO POPEYES EXTERIOR FINISH SCHEDULE.
35. WALL SCONCE LIGHTING. REFER TO ELECTRICAL SCHEDULE.
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37. HORIZONTAL WOOD GRAIN ENTRANCE CANOPY W/ TEAL VERTICAL & HORIZONTAL SUPPORTS SUPPLY BY SIGN COMPANY AND INSTALL BY G.C. PRE-WIRED LED LIGHT GLOBE FIXTURE.
38. PRE-FINISHED METAL COLLECTION OVERFLOW BOX AND DOWNSPOUT. REFER TO ROOF PLAN

ISSUE TABLE

No.	Date (mm/dd/yy)	Description
01	03-25-2022	OWNER REVIEW

REVISIONS

No.	Date	Description

DRAWINGS REVISED AS PER DESIGN BULLETIN

No.	Date	Description

PROJECT NORTH

NOT FOR REGULATORY APPROVAL, PERMITTING, or CONSTRUCTION
GREG RYDEN, ARCHITECT
DATE: 03/25/2022

RYDEN ARCHITECTURE
commercial | residential | planning

909 Wakefield Drive
Houston, Texas 77018
713.993.6690 (o)
contact: Greg Ryden, AIA
greg@rydenarchitecture.com

Project

LOUISIANA KITCHEN 19 72 POPEYES

Store Type
US 2136 PROTOTYPE
2136-22

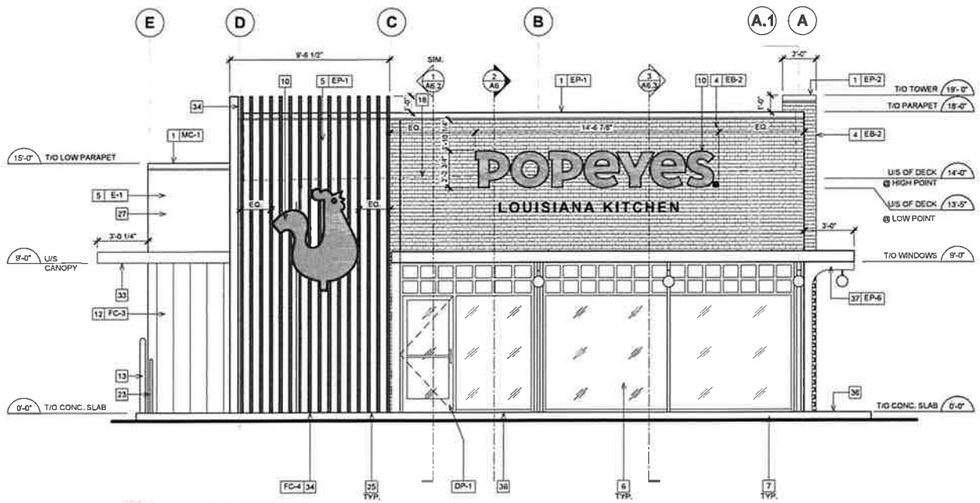
Location
POPEYE'S TEXARKANA
2903 RICHMOND RD.

TEXARKANA, TX, 75503

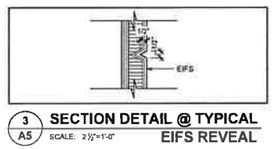
Drawing Title
EXTERIOR ELEVATIONS

Drawn	Checked
SR	GR
Scale	**Date**
AS NOTED	MAR 2022
Project No.	**Drawing No.**
21027	A5.1

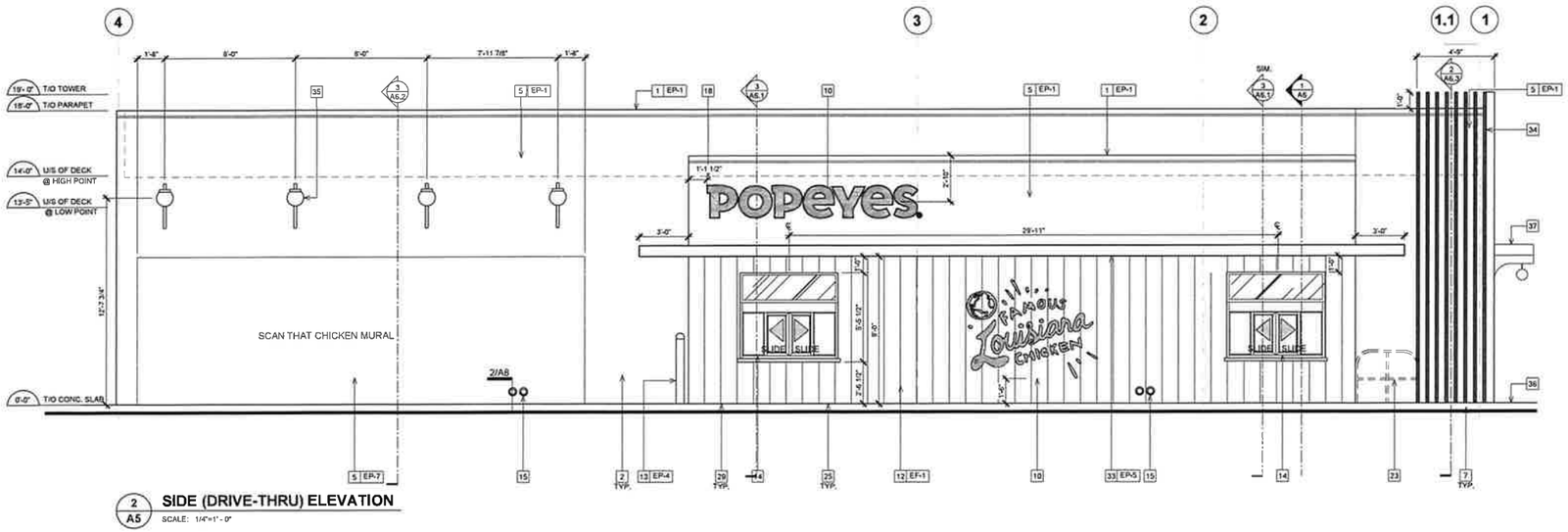
Attachment: 2022-062 ATTH 04 (Elevations) (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)



1 / A5 FRONT ELEVATION
SCALE: 1/4"=1'-0"



3 / A5 SECTION DETAIL @ TYPICAL EIFS REVEAL
SCALE: 2 1/2"=1'-0"



2 / A5 SIDE (DRIVE-THRU) ELEVATION
SCALE: 1/4"=1'-0"

EXTERIOR FINISH SCHEDULE

TAG	MATERIAL	APPLICATION	MANUFACTURER	PRODUCT	COLOR/FINISH	DIMENSION
FINISH MATERIALS						
EF-1	EXTERIOR WOOD SIDING	FRONT FACADE EXTERIOR WALLS	NICHIHA FIBER CEMENT	VINTAGE WOOD AWP 3030	CEDAR	17-7/8" H x 119 5/16" L
EB-1	BRICK (CLIP-SYSTEM)	ACCENT TOWER BRICK	NICHIHA FIBER CEMENT	VINTAGE BRICK	ALEXANDRIA BLUFF	7 3/8" x 2 1/2" x 3/4"
EB-2	BRICK (CLIP-SYSTEM)	FRONT OF BUILDING	NICHIHA FIBER CEMENT	VINTAGE BRICK	WHITE WASH (PAINT P-1)	7 3/8" x 2 1/2" x 3/4"
EXTERIOR PAINTS						
EP-1	EXTERIOR PAINT	MAIN WALL SURFACE	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	OC-125 MOONLIGHT WHITE	
EP-2	EXTERIOR PAINT	BRICK TOWER PARAPET	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	2105-20 ROOT BEER CANDY	
EP-3	EXTERIOR PAINT	DUMPSTER WALLS, REAR DOOR	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	HC-170 STONINGTON GREY	
EP-4	METAL PAINT	BOLLARDS	BENJAMIN MOORE	COROTECH HIGH SOLIDS RAPID DRY ENAMEL	SAFETY YELLOW	
EP-5	METAL PAINT	DUMPSTER GATES AND PYLON POLE	BENJAMIN MOORE	COROTECH HIGH SOLIDS RAPID DRY ENAMEL	FACTORY FINISH BLACK	
EP-6	ANTI-GRAFFITI COAT	EXTERIOR WALLS	BENJAMIN MOORE	ALIPHATIC ACRYLIC URETHANE - GLOSS	V500-00 CLEAR	
EP-7	EXTERIOR PAINT	EXTERIOR WALLS	BENJAMIN MOORE	ULTRA SPEC EXTERIOR LOW LUSTRE (N455)	"TEAL" COLOR CODE TBD	
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01	03-25-2022	OWNER REVIEW

REVISIONS

No.	Date	Description

DRAWINGS REVISED AS PER DESIGN BULLETIN

No.	Date	Description

PROJECT NORTH

NOT FOR REGULATORY APPROVAL, PERMITTING, or CONSTRUCTION
GREG RYDEN, ARCHITECT
DATE: 03/25/2022

RYDEN ARCHITECTURE
commercial | residential | planning
909 Wakefield Drive
Houston, Texas 77018
713.993.6690 (o)
contact: Greg Ryden, AIA
greg@rydenarchitecture.com

Project
LOUISIANA KITCHEN 19 72 POPEYES

Store Type
US 2136 PROTOTYPE
2136-22

Location
POPEYE'S TEXARKANA
2903 RICHMOND RD.
TEXARKANA, TX, 75503

Drawing Title
EXTERIOR ELEVATIONS

Drawn	Checked
SR	GR
Scale	Date
AS NOTED	MAR 2022
Project No.	Drawing No.
21027	A5

Attachment: 2022-062 ATTH 04 (Elevations) (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)

City of Texarkana, Texas

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

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

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

Attachment: 2022-062 Goals & Perspectives (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)

Amendment to
PD-86-3(GR)

ORDINANCE NO. 2022-062

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-86-3 GENERAL RETAIL FOR SITE PLAN APPROVAL ON LOT 1, RICHMOND-KWIK ADDITION, LOCATED AT 2903 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lot 1, Richmond-Kwik Addition, located at 2903 Richmond Road,** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-86-3(GR)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-86-3(GR); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-General Retail; and

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

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

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

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

SECTION 1: The site plan for **(Exhibit 'A') on a Lot 1, Richmond-Kwik Addition, located at 2903 Richmond Road,** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-86-3(GR).

Attachment: 2022-062 ORD SPA 2903 Richmond Rd signed (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)

SECTION 2: PD-86-3(GR) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes, and includes the following:

1. The construction of a 3,060 sq. ft. building.
2. The façade will be EIFS and Faux brick.
3. The access driveway will be off Richmond Road. Any driveway improvements on Richmond will need TxDOT approval.
4. Fifty-six (56) parking spaces including three (3) handicapped spaces. Each parking space must be a minimum of 180 sq. ft. (9'x20' or 10'x18').
5. An 8'X4' monument style sign. Wall signs as indicated on the elevations.
6. Screened dumpster located in the southwest corner of the parking lot.
7. Drive thru located at the south side of building.
8. If the most remote part of the building is more than 150 feet "travel distance" away from the centerline of the roadway it will require a fire lane that is big enough for a 40 ft WB.
9. If the most remote part of the building is more than 400 feet "travel distance" away from the nearest fire hydrant, one will have to be added.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **11th day of July, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

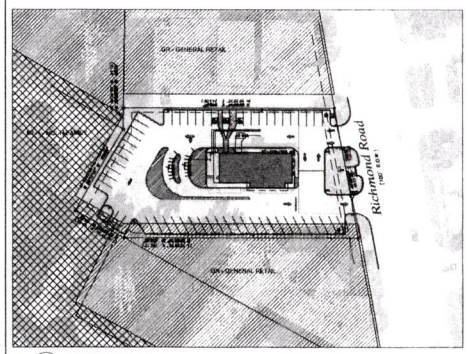
BOB BRUGGEMAN, MAYOR

7:24 p.m.

Attachment: 2022-062 ORD SPA 2903 Richmond Rd signed (3714 : 2022-062 ORD site plan approval at 2903 Richmond Rd)

2022-062 EXH 'A'

Amendment to Pd86-3 (GR)



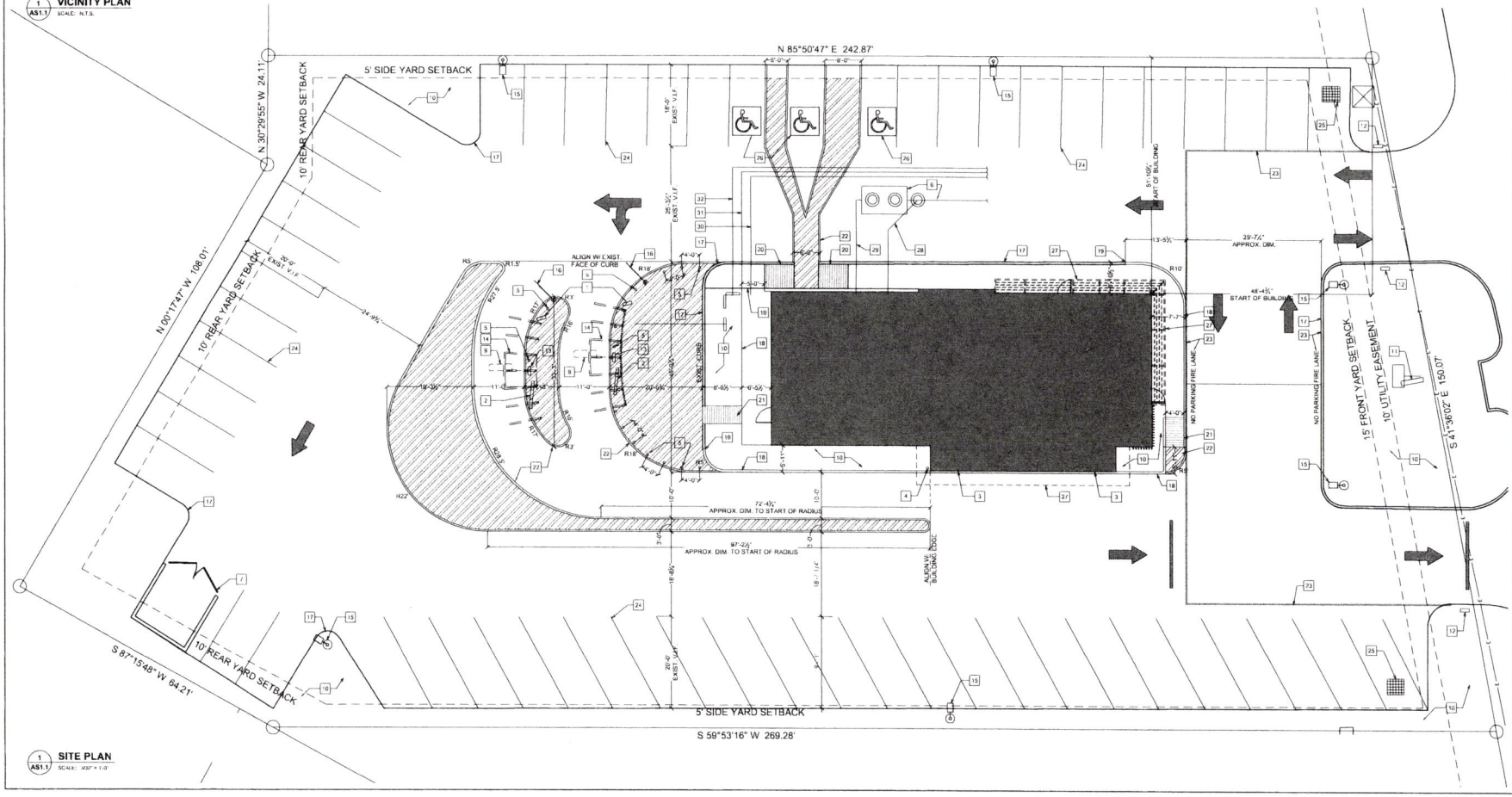
1 AS1.1 VICINITY PLAN
SCALE: N.T.S.

NOTES

1. DT DIGITAL PRE-SELL MENU BOARD LOCATION. SEE DETAILS ON SHEET AS2.1.
2. DT DIGITAL MENU BOARD LOCATION. SEE DETAILS ON SHEET AS2.1.
3. POPEYE'S RESTAURANT DRIVE THRU WINDOW LOCATION. SEE FLOOR PLAN ON SHEET A1 FOR ADDITIONAL INFORMATION.
4. 6" STEEL PIPE BOLLARD AT PULL-UP WINDOW. SEE DETAIL 13/AS2.3, FLOOR PLAN A1 AND EXTERIOR ELEVATIONS AS SERIES.
5. TYPICAL 6" STEEL PIPE BOLLARD. RE: AS2.2 & 2.3
6. APPROXIMATE LOCATION OF NEW GREASE INTERCEPTOR & SANITARY LINE BELOW SITE PAVING. COORDINATE LOCATION OF SAMPLE WELL WITH PLUMBING DRAWINGS AND LOCATION OF NEW SANITARY LINE WITH EXISTING LINE.
7. EXISTING DUMPSTER ENCLOSURE TO BE RE-USED. PAINT EXISTING CMU WHITE. PROVIDE NEW CEDAR WOOD GATE AND RE-USE EXISTING GATE HARDWARE.
8. N/A
9. VEHICLE LOOP. REFER TO DETAIL 9/AS2.1.
10. LANDSCAPED AREA. REFER TO SHEET LP1.0.
11. PYLON / MONUMENT SIGN / SIGN BASE. RE-USE EXISTING ELECTRICAL WIRING FROM EXISTING SIGNAGE AS POSSIBLE. REFER TO POPEYES SIGNAGE PACKAGE FOR DETAILS.
12. APPROX. LOCATION OF SITE SIGNAGE. RE-USE ELECTRICAL WIRING FROM EXISTING SIGNAGE AS POSSIBLE. REFER TO DETAIL 8/AS2.1 AND SIGNAGE PACKAGE BY POPEYES FOR DETAILS.
13. SPEAKER POST. REFER TO DETAILS ON SHEET AS2.1.
14. DRIVE THRU CANOPY. REFER TO POPEYES SIGNAGE DRAWINGS.
15. EXISTING SITE POLE LIGHTING TO BE CLEANED AND RE-FINISHED. METAL POLE AND HEAD TO BE PAINTED BLACK. HEAD LAMP OR ENTIRE HEAD TO BE REPLACED.
16. HEIGHT RESTRICTION BAR. REFER TO POPEYES SIGNAGE DRAWINGS.
17. EXISTING PEDESTRIAN WALKWAY AND CURB TO REMAIN. CLEAN TO MATCH APPEARANCE OF NEW CURBS AND WALKWAYS TO THE FULLEST EXTENT POSSIBLE.
18. PROVIDE NEW PEDESTRIAN WALKWAY AND CURB. REFER TO SHEET SD2.4 FOR DETAILS.
19. TIE NEW WALKWAY AND/OR CURB INTO EXISTING. REFER TO SHEET SD2.4 FOR DETAILS.
20. ADJUST EXISTING CURB TO MEET CURRENT T.A.S. REGULATIONS AS REQUIRED.
21. PROVIDE NEW RAMP WITH MAXIMUM SLOPE OF 1:12. RE: SHEET SD2.3
22. PROVIDE NEW 4" WHITE STRIPING
23. RE-STRIPE EXISTING FIRE-LANE STRIPING IN ACCORDANCE WITH CITY STANDARDS/REQUIREMENTS
24. EXISTING PARKING SPACES TO BE RE-STRIPED. 4" WIDE WHITE PAINT.
25. EXISTING STORM GRATE TO REMAIN
26. PROVIDE NEW PAINTED ACCESSIBLE PARKING SYMBOL IN WHITE
27. LINE OF BUILDING CANOPY
28. APPROXIMATE LOCATION OF EXISTING SANITARY SEWER LINE
29. APPROXIMATE LOCATION OF EXISTING GREASE LINE
30. APPROXIMATE LOCATION OF EXISTING UNDERGROUND GAS LINE
31. APPROXIMATE LOCATION OF EXISTING UNDERGROUND ELECTRICAL LINE
32. APPROXIMATE LOCATION OF EXISTING INCOMING DOMESTIC WATER LINE

GENERAL NOTE

ALL EXISTING CONDITIONS ARE TO BE FIELD VERIFIED PRIOR TO CONSTRUCTION OF TRADE. REPORT ANY DISCREPANCIES TO THE ARCHITECT AND OWNER PRIOR TO PERFORMING THE ANTICIPATED WORK.



2 AS1.1 SITE PLAN
SCALE: 1/32" = 1'-0"

ISSUE TABLE		
No.	Date (mm-dd-yy)	Description
01	03-25-2022	OWNER REVIEW

REVISIONS		Description
No.	Date	

DRAWINGS REVISED AS PER DESIGN BULLETIN		
No.	Date	Description

PROJECT NORTH

NOT FOR REGULATORY APPROVAL, PERMITTING, or CONSTRUCTION
GREG RYDEN, ARCHITECT
DATE: 03/25/2022

RYDEN ARCHITECTURE
commercial | residential | planning
909 Wakefield Drive
Houston, Texas 77018
/ 3.993.6690 (o)
contact: Greg Ryden, AIA
greg@rydenarchitecture.com

Project
LOUISIANA KITCHEN
POPEYES

Store Type
US 2136 PROTOTYPE
2136-22

Location
POPEYE'S TEXARKANA
2903 RICHMOND RD.
TEXARKANA, TX. 75503

Drawing Title
ARCHITECTURAL SITE PLAN

Drawn	Checked
SR	GR
Scale	Date
AS NOTED	MAR 2022
Project No.	Drawing No.
21027	AS1.1

Attachment: 2022-062 ORD SPA 2903 Richmond Rd signed (3714 : 2022-062 ORD site plan approval at