



CITY OF TEXARKANA
CITY COUNCIL
AGENDA • SEPTEMBER 8, 2014

Council Chambers	Regular Meeting	6:00 PM
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220 TEXAS BLVD.
TEXARKANA, TX 75501

Mayor

Bob Bruggeman

Ward 1

Brad Casteel

Ward 3

Tina Veal-Gooch

Ward 5

Bill Miller

Ward 2

Willie Ray

Ward 4

Brian Matthews

Ward 6

Josh Davis



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

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

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

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

II. INVOCATION AND PLEDGE BY COUNCILMEMBER JOSH DAVIS

III. MAYOR'S OPENING REMARKS

Upcoming City Council Meetings:

Monday, September 22, 2014 at 6:00 p.m.

Monday, October 13, 2014 at 6:00 p.m.

Monday, October 27, 2014 at 6:00 p.m.

Monday, November 10, 2014 at 6:00 p.m.

Monday, November 24, 2014 at 6:00 p.m.

Monday, December 8, 2014 at 6:00 p.m. (one meeting only in December)

Park & Recreation Events:

Saturday, September 20th, Softball Tournament at Wallace Park

Saturday, September 27th, Softball Tournament at Karrh Park

Other City Events: (none)

Appointments to Boards & Commissions

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

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

V. ITEMS FOR CONSIDERATION

Consent Items

1. Consider approval of the minutes of the Regular Meeting of the City Council held on August 25, 2014 at 6:00 PM.
2. Resolution 2014-094 authorizing the City Manager to enter into contracts for the purchase of chemicals for water and wastewater treatment.

Public Hearing: August 11, 2014
Second Briefing: August 25, 2014
Council Vote: September 8, 2014

3. Ordinance No. 2014-095 amending Chapter 33 "Towing Services and Vehicle Impounds" of the Code of Ordinances of the City of Texarkana, Texas by adding Paragraph "d" to Section 33-5 "Police Initiated Tow".

Public Hearing: August 11, 2014
Second Briefing: August 25, 2014
Council Vote: September 8, 2014

4. Ordinance 2014-112 amending Ordinance 2014-097 and calling for a City Election to consider City charter amendments.

Public Hearing:
Second Briefing:
Council Vote: September 8, 2014

Action Items

VI. FIRST BRIEFINGS

1. Resolution No. 2014-109 authorizing the City Manager to execute a Quit Claim Deed for an access easement commonly known as Amis Lane or Amis Road for which the City has no recorded ownership, right of way, or prescriptive rights for a street.

Public Hearing:
Second Briefing:
Council Vote: September 22, 2014

2. Resolution No. 2014-110 authorizing the City Manager to enter into a one (1) year contract with four (4) additional one (1) year renewal options with Gibson Asphalt Construction, Incorporated for paving services as needed by the street department.

Public Hearing:
Second Briefing:
Council Vote: September 22, 2014

3. Resolution No. 2014-111 authorizing the City Manager to enter into a one (1) year contract with four (4) additional one (1) year renewal options with Texarkana Auto Body Works for auto body repair and painting services as needed by the fleet services department.

Public Hearing:

Second Briefing:

Council Vote: September 22, 2014

VII. PUBLIC HEARINGS

1. Ordinance No. 2014-102 rezoning a 2.904 acre tract of land in the Willis Oldham HRS, A-458, located at 5307 and 5309 North State Line Avenue. Planned Development-General Retail and General Retail to Commercial. David Peavy, owner.

Public Hearing: September 8, 2014

Second Briefing: September 22, 2014

Council Vote: October 13, 2014

2. Resolution No. 2014-105 confirming the appointment of Mr. Bob Hay to the City of Texarkana Civil Service Commission.

Public Hearing: September 8, 2014

Second Briefing:

Council Vote: September 22, 2014

3. Resolution 2014-106 authorizing the City Manager to enter into a contract with Mid-Continental Restoration Company, Inc. of Fort Worth, Texas, in an amount not to exceed Two Hundred Fifty-Six Thousand Forty-Six and 06/100 dollars (\$256,046.06) for the repair of the underside of the roof of the north three million (3,000,000) gallon concrete clearwell at the Wright Patman water treatment plant.

Public Hearing: September 8, 2014

Second Briefing: September 22, 2014

Council Vote: October 13, 2014

VIII. SECOND BRIEFING WITH UPDATES**IX. SECOND BRIEFING WITHOUT UPDATES**

1. Ordinance No. 2014-100 fixing the tax rate and levy for the fiscal year ending September 30, 2015.

Public Hearing: August 25, 2014
Second Briefing: September 8, 2014
Council Vote: September 22, 2014

X. ITEMS FOR DISCUSSION

1. Staff Updates

College Drive Short Term & Long Term Cost Estimates

2. Appointments to Boards and Commissions

XI. ADMINISTRATIVE COMMENTS

1. Council
2. Staff

XII. ADJOURNMENT

Jennifer Evans, City Secretary

This meeting is being conducted in accordance with the Texas Open Meetings Law (V.T.C.A. Government Code 551).

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



CITY OF TEXARKANA

CITY COUNCIL

MINUTES • AUGUST 25, 2014

Council Chambers

Regular Meeting

6:00 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

Member Name	Title	Status	Arrived
Bruggeman	Mayor	Present	
Boyle	Ward 1	Present	
Day	Ward 2	Present	
Mal-Gooch	Ward 3	Absent	
Matthews	Ward 4	Present	
Miller	Ward 5	Present	
Travis	Ward 6	Present	

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Charlie Bassett, Jim Powell, Kyle Dooley, Bill King, J.D. Phillips, David Orr, Karey Parker, Sherry Jackson Hawkins, Robby Robertson, Lisa Thompson, Michael Henry, Eric Schlotter, and Jerry Sparks.

Legal Counsel: None

II. INVOCATION AND PLEDGE BY MAYOR BOB BRUGGEMAN

III. MAYOR'S OPENING REMARKS

Upcoming City Council Meetings:

Monday, September 8, 2014 at 6:00 p.m.
Monday, September 22, 2014 at 6:00 p.m.
Monday, October 13, 2014 at 6:00 p.m.
Monday, October 27, 2014 at 6:00 p.m.

Parks & Recreation Events:

Tuesday, September 2nd, After School Program begins at Southwest Center
Wednesday, September 3rd, Youth Basketball League begins at Southwest Center
Saturday, September 6th, Fall Softball Season begins at Karrh Park
Saturday, September 6th, Fall Baseball Season begins at Spring Lake Park
Saturday, September 6th, Fall Soccer Season begins at Wallace Park

Other City Events:

Minutes Acceptance: Minutes of Aug 25, 2014 6:00 PM (Consent Items)

Thursday, August 28th, 11:00 a.m., Welcoming the new fire truck, Quint 5, to the Texarkana, Texas Fire Department at Station #5, 306 S. Kenwood Road. Washing ceremony, blessing, refreshments, and fun for all who are interested in celebrating the arrival of Quint 5.

Mayor Bruggeman announced that the grand opening of the new Bringle Lake East & Bringle Lake West parks was held on Friday, August 22nd. There was a very good turnout from the community. Much hard work was put forth by Robby Robertson, Parks & Recreation Director, and park staff along with other city departments. The Mayor has received numerous compliments about the opening of the parks. The city is looking forward to the upgrades of the walking trails in the future. The Mayor thanked staff, community supporters and the Texarkana Chamber of Commerce for participating in this outstanding event.

Mayor Bruggeman also announced that this past Saturday, on August 23rd, the Kiwanis Club, partnering with The Home Depot, provided a wheelchair ramp for the Weaver family residence in the 400 block of Blanton Street. The Weaver family expressed much gratitude for the needed wheelchair ramp.

Information and Presentation

KTB Awards for July & August residences & businesses of the month

JULY: Residence - Tommy and Angie Engledowl - 2723 Magnolia Street (Ward 3)
Business - Texar Federal Credit Union - 2301 Richmond Road (Ward 4)

AUGUST: Residence - Gerane McWilliams - 6626 Lakeridge Drive (Ward 6)
Business - Gregg Orr Auto Collection Office - 3921 Mall Drive (Ward 4)

Mayor Bruggeman and Council Member Matthews presented the awards.

Tommy and Angie Engledowl and Gerane McWilliams were not in attendance to accept their awards.

Greg Nichols and Jennifer Lockman accepted the award for Texar Federal Credit Union.

Thomas Orr accepted the award for Gregg Orr Auto Collection Office.

Appointments to Boards & Commissions

Reappointment of Linda Hooks to the Community Healthcore Board of Trustees

(6:13 p.m.)

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

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

Richard Martin addressed council regarding the approximate costs for improvements on College Drive.

Mary Bruce addressed council about the status of the road project on Capps Street.

Bill Spradlin addressed council concerning the re-appointment of Mr. Bob Hay to the Civil Service Commission.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:23 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on August 11, 2014 at 6:00 PM.
2. Resolution No. 2014-083 approving the creation of a Master Fee List for the City of Texarkana, Texas permits and fees.

Public Hearing: July 28, 2014
 Second Briefing: August 11, 2014
 Council Vote: August 25, 2014

Action Items

3. Resolution No. 2014-103 approving and authorizing the City Manager to execute a contract between the City of Texarkana, Texas, on behalf of the Texarkana-Bowie County Family Health Center and the Women's Health and Family Planning Association of Texas (WHFPT) to provide Funding for the Title X Family Planning Services for eligible clients.

Public Hearing:
 Second Briefing:
 Council Vote: August 25, 2014

Robby Robertson made a few comments about this item.
 (6:26 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Willie Ray, Ward 2
SECONDER:	Brad Casteel, Ward 1
AYES:	Casteel, Ray, Matthews, Miller, Davis
ABSENT:	Veal-Gooch
EXCUSED:	Bruggeman

4. Resolution No. 2014-104 approving and authorizing the City Manager to execute Contract No. 2015-001242-00 between the City of Texarkana, Texas, for and in behalf of the Texarkana-Bowie County Family Health Center and the Department of State Health Services (DSHS) to provide funding for the community diabetes project.

Public Hearing:
 Second Briefing:
 Council Vote: August 25, 2014

Robby Robertson made a few comments about this item.
 (6:28 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Willie Ray, Ward 2
SECONDER:	Josh Davis, Ward 6
AYES:	Casteel, Ray, Matthews, Miller, Davis
ABSENT:	Veal-Gooch
EXCUSED:	Bruggeman

VI. FIRST BRIEFINGS

1. Ordinance No. 2014-102 rezoning a 2.904 acre tract of land in the Willis Oldham HRS, A-458, located at 5307 and 5309 North State Line Avenue. Planned Development-General Retail and General Retail to Commercial. David Peavy, owner.

Public Hearing: September 8, 2014
 Second Briefing: September 22, 2014
 Council Vote: October 13, 2014

Shirley Jaster briefed this item.

RESULT:	MOVED FORWARD	Next: 9/8/2014 6:00 PM
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2. Resolution No. 2014-105 confirming the appointment of Mr. Bob Hay to the City of Texarkana Civil Service Commission.

Public Hearing: September 8, 2014
 Second Briefing:
 Council Vote: September 22, 2014

Jim Powell briefed this item.

RESULT:	MOVED FORWARD	Next: 9/8/2014 6:00 PM
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3. Resolution 2014-106 authorizing the City Manager to enter into a contract with Mid-Continental Restoration Company, Inc. of Fort Worth, Texas, in an amount not to exceed Two Hundred Fifty-Six Thousand Forty-Six and 06/100 dollars (\$256,046.06) for the repair of the underside of the roof of the north three million (3,000,000) gallon concrete clearwell at the Wright Patman water treatment plant.

Public Hearing: September 8, 2014
 Second Briefing: September 22, 2014
 Council Vote: October 13, 2014

J.D. Phillips briefed this item.

RESULT:	MOVED FORWARD	Next: 9/8/2014 6:00 PM
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VII. PUBLIC HEARINGS

Ordinance No. 2014-100 fixing the tax rate and levy for the fiscal year ending September 30, 2015.

Public Hearing: August 25, 2014
 Second Briefing: September 8, 2014
 Council Vote: September 22, 2014

Charlie Bassett provided council an explanation of the purpose of fixing the tax rate and levy.

RESULT:	MOVED FORWARD	Next: 9/8/2014 6:00 PM
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VIII. SECOND BRIEFING WITH UPDATES

Resolution 2014-094 authorizing the City Manager to enter into contracts for the purchase of chemicals for water and wastewater treatment.

Public Hearing: August 11, 2014
 Second Briefing: August 25, 2014
 Council Vote: September 8, 2014

Bill King gave council a detailed report of the bidding and mailing process involving Chemtrade Chemicals US (formerly General Chemical). City Manager Whitson made a few comments. Paul Peters, with Chemtrade Chemicals US, spoke at this briefing and answered a few questions from council.

RESULT: MOVED FORWARD

Next: 9/8/2014 6:00 PM

IX. SECOND BRIEFING WITHOUT UPDATES

Move Resolution No. 2014-088 up for council vote at this meeting.

(7:03 p.m.)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Josh Davis, Ward 6
SECONDER: Bill Miller, Ward 5
AYES: Casteel, Ray, Matthews, Miller, Davis
ABSENT: Veal-Gooch
EXCUSED: Bruggeman

1. Resolution No. 2014-088 approving a Community Development Block Grant Revolving Loan to Pecan Point Brewing Company of Texarkana Texas in an amount not to exceed One Hundred Thousand and No/100 Dollars (\$100,000.00) for a period of ten (10) years at an interest rate of one percent (1%) over the rate for ten (10) year Treasury notes of which the City may adjust the rate annually and authorizing the City Manager to execute the necessary documents.

Public Hearing: August 11, 2014
 Second Briefing: August 25, 2014
 Council Vote: September 8, 2014

(7:05 p.m.)

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

2. Ordinance No. 2014-095 amending Chapter 33 "Towing Services and Vehicle Impounds" of the Code of Ordinances of the City of Texarkana, Texas by adding Paragraph "d" to Section 33-5 "Police Initiated Tow".

Public Hearing: August 11, 2014
 Second Briefing: August 25, 2014
 Council Vote: September 8, 2014

RESULT: MOVED FORWARD

Next: 9/8/2014 6:00 PM

X. ITEMS FOR DISCUSSION

Enforcement of/or Demolition of Red Tagged/Burned Out Buildings

Kyle Dooley gave council an overview of the current demolition priority list. A schedule has been made to proceed with demolition of residential structures around the city. Two homes on the top 40 council priority list have already been taken down. Mr. Casteel and citizens said "Thank You" for taking down the house on Lee Street. Mayor Bruggeman said he received a call from Ms. Scott who said "great work" on taking down the house on Lafayette Street. Mr. Dooley plans to keep council and citizens informed on demolition progress and scheduling with up-to-date information on the city's website.

Mr. Whitson proposed to council, his opinion that each taxing jurisdiction, whether it's Bowie County, Texarkana College, Liberty Eylau Independent School District, Pleasant Grove Independent School District or Texarkana Independent School District, benefits from the demolition of these properties. Therefore, each taxing jurisdiction, benefiting from the demolition in a particular neighborhood, should be participating in the cost of demolition. Each property that is demolished should increase the property values throughout the neighborhood and increase the tax base for each jurisdiction in which it resides. Council consensus was in agreement with Mr. Whitson.

Richard Martin submitted information from an AARP Bulletin article concerning tax liens on properties for council to consider.

Council Member Casteel asked if there is a way to make property owners more responsible for their burned out structures by using the insurance money they collect on the property for demolition and clean-up. City Manager Whitson responded that, while some responsible property owners do clean-up or repair the property with their insurance settlement, the city finds many other scenarios that come with each individual property. For example, the property owner could be "heirs" to an estate, the property owner cannot be located, the property owner is incarcerated, the property owner has no insurance on the property, etc. Each property case would have to be worked separately according to circumstances.

Mayor Bruggeman thanked staff for its review.

XI. INFORMATION ITEM

City of Texarkana, Texas Quarterly Investment Report for the Quarter Ended June 30, 2014 - The report can be viewed on the City's website at the following address: <http://tx-texarkana.civicplus.com/ArchiveCenter/ViewFile/Item/555>

Charlie Bassett informed council that this investment report is now on the City's website.

XII. ADMINISTRATIVE COMMENTS

1. Council

Mayor Bruggeman announced that Council Member Ray had family members in the audience: her son Don Norman and her great-granddaughters Prashansa Johnson and Makenzy Johnson.

2. Staff

City Manager Whitson reminded council that he would be out of the office for the rest of the week and that Shirley Jaster would be in charge.

XIII. ADJOURNMENT

Motion to Adjourn

(7:38 p.m.)

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

City of Texarkana, Texas

Version: D

Update Date: 8/28/2014 3:53 PM

Briefing Sheet

Lead Department: Water Utilities **Action Officer:** Pam White,
Subject: Resolution 2014-094 authorizing the City Manager to enter into contracts for
the purchase of chemicals for water and wastewater treatment.
Briefing: 9/8/2014 **Public Hearing:** 8/11/2014 **Second Briefing:** August 25,
2014 **Council Vote:** 9/8/2014

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

At the August 11, 2014 council meeting, Paul Peters spoke at the Public Hearing on this agenda item and gave the Council a handout entitled: Request for Water Treatment Chemical (Aluminum Sulfate) Re-Bid. This document has been attached to this item.

At the August 25, 2014 council meeting, TWU Executive Director Bill King gave council a detailed summary of the bidding and mailing process involving Chemtrade Chemicals. A copy of that summary is attached to this item.

Executive Summary and Background Information:

Bids were advertised and thirteen chemicals specification packages were mailed to perspective bidders in June. Bids were received and opened at 2:00 PM, July 8, 2014, on the following chemicals required for water and wastewater treatment for FY 2014-2015: Anhydrous Ammonia, Hydrated Lime and Aluminum Sulfate for water treatment. Sulphur Dioxide, HTH (100# containers) and Liquid Caustic Soda (drums) for wastewater treatment. Liquid Caustic Soda (bulk) and Liquid Chlorine for water and wastewater treatment. Prices fell moderately on four of the chemicals used in highest quantity for Texarkana's water and wastewater treatment, specifically Sulphur Dioxide, Aluminum Sulfate, Caustic Soda and Liquid Chlorine which will result is a decrease in unit cost/thousand gallons treated in water and wastewater. See Exhibit "A" for a comparison of current chemical costs and bids for FY 2014-2015 chemical costs.

Potential Options:

- NONE
-

Fiscal Implications:

Recommendations are for the low bid price per unit, from the listed vendors as show on the bid tabulation sheet – Exhibit "A", in an aggregate amount not to exceed the amount budgeted in the Texarkana Water Utilities, Departments 410, 420, 490, 520, 530 and 540 Operating Fund Budgets for FY 2014-2015.

Staff Recommendation:

Utility staff recommends approval.

City of Texarkana, Texas

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. Goals and Perspectives (DOCX)
- b. Res. No. 2014-094 Chemical Bids (DOC)
- c. Chemical Bid Tab Exhibit A.xlsx (PDF)
- d. Reso. 2014-094 RE-BID Request 081114 Attachment (PDF)
- e. Reso. 2014-094 TWU Chemical Bid Summary (PDF)

Staff Coordination

Water Utilities	Bill King 07/17/2014 2:08 PM	Department Head Review	Completed	
TWU Finance 2:18 PM	Jim Cornelius	TWU Finance Review	Completed	07/17/2014
Finance Department 8:43 AM	Charlie Bassett	Finance Review	Completed	07/18/2014
Public Information Officer		Lisa Thompson	PIO Review	Completed
	07/18/2014 8:44 AM			
City Manager 7:48 AM	John Whitson	City Manager Review	Completed	07/25/2014
City Council 4:12 PM	Jennifer Evans	Meeting	Completed	08/12/2014

Meeting History

07/28/14	City Council	MOVED FORWARD	Next: 08/11/14
08/11/14	City Council	MOVED FORWARD	Next: 08/25/14
08/25/14	City Council	MOVED FORWARD	Next: 09/08/14

Bill King gave council a detailed report of the bidding and mailing process involving Chemtrade Chemicals US (formerly General Chemical). City Manager Whitson made a few comments. Paul Peters, with Chemtrade Chemicals US, spoke at this briefing and answered a few questions from council.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:

Select One By Clicking Here

Other Potential Impacts:

NONE

Public Information Plan:

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

Other:

RESOLUTION NO. 2014 -094

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ACCEPTING BIDS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS WITH TANNER INDUSTRIES, INC. FOR ANHYDROUS AMMONIA, DPC INDUSTRIES, INC. FOR SULPHUR DIOXIDE, CAUSTIC SODA (DRUMS) AND LIQUID CHLORINE, AFFINITY CHEMICAL, LLC FOR ALUMINUM SULFATE, HARCROS CHEMICALS, INC. FOR HTH AND CAUSTIC SODA (BULK) AND U.S. LIME COMPANY FOR HYDRATED LIME FOR THE PURCHASE OF CHEMICALS FOR WATER AND WASTEWATER TREATMENT FOR THE TEXARKANA, TEXAS WATER AND SEWER OPERATIONS FOR FY 2014-2015; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texarkana Water Utilities has certain chemical requirements for proper treatment of water and wastewater; and

WHEREAS, bids have been advertised and tabulated for these chemicals; and

WHEREAS, Utility staff has recommended the lowest bid received and anticipate funds to be available in the FY 2014-2015 budget.

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

SECTION 1: That the lowest and best bid received for Anhydrous Ammonia, a chemical for the Texarkana, Texas Water and Sewer Operations for FY 2014-2015, was received from Tanner Industries, Inc. at \$0.81 per pound described in attached Exhibit "A", be and is hereby accepted.

SECTION 2: That the City Manager is hereby authorized to enter into a contract with Tanner Industries, Inc. for the purchase of Anhydrous Ammonia for Texarkana, Texas Water and Sewer Operations for the period FY 2014-2015.

SECTION 3: That the lowest and best bid received for Sulphur Dioxide, a chemical for the Texarkana, Texas Water and Sewer Operations for FY 2014-2015, was received from DPC Industries, Inc. at \$663.00 per ton described in attached Exhibit "A", be and is hereby accepted.

SECTION 4: That the City Manager is hereby authorized to enter into a contract with DPC Industries, Inc. for the purchase of Sulphur Dioxide for Texarkana, Texas Water and Sewer Operations for the period FY 2014-2015.

SECTION 5: That the lowest and best bid received for Aluminum Sulfate, a chemical for the Texarkana, Texas Water and Sewer Operations for FY 2014-2015, was received from Affinity Chemical, LLC at \$184.80 per dry ton described in attached Exhibit "A", be and is hereby accepted.

SECTION 6: That the City Manager is hereby authorized to enter into a contract with Affinity Chemical, Inc. for the purchase of Aluminum Sulfate for Texarkana, Texas Water and Sewer Operations for the period FY 2014-2015.

SECTION 7: That the lowest and best bid received for HTH (100# Containers), a chemical for the Texarkana, Texas Water and Sewer Operations for FY 2014-2015, was received from Harcros Chemicals, Inc. at \$1.45 per pound described in attached Exhibit "A", be and is hereby accepted.

SECTION 8: That the City Manager is hereby authorized to enter into a contract with Harcros Chemicals, Inc. for the purchase of HTH (100# Containers) for Texarkana, Texas Water and Sewer Operations for the period FY 2014-2015.

SECTION 9: That the lowest and best bid received for Caustic Soda (Bulk), a chemical for the Texarkana, Texas Water and Sewer Operations for FY 2014-2015, was received from Harcros Chemicals, Inc. at \$0.15325 per pound described in attached Exhibit "A", be and is hereby accepted.

SECTION 10: That the City Manager is hereby authorized to enter into a contract with Harcros Chemicals, Inc. for the purchase of Caustic Soda (Bulk) for Texarkana, Texas Water and Sewer Operations for the period FY 2014-2015.

SECTION 11: That the lowest and best bid received for Caustic Soda (Drums), a chemical for the Texarkana, Texas Water and Sewer Operations for FY 2014-2015, was received from DPC Industries, Inc. at \$0.66 per pound described in attached Exhibit "A", be and is hereby accepted.

SECTION 12: That the City Manager is hereby authorized to enter into a contract with DPC Industries, Inc. for the purchase of Caustic Soda (Drums) for Texarkana, Texas Water and Sewer Operations for the period FY 2014-2015.

SECTION 13: That the lowest and best bid received for Liquid Chlorine, a chemical for the Texarkana, Texas Water and Sewer Operations for FY 2014-2015, was received from DPC Industries, Inc. at \$397.40 per ton described in attached Exhibit "A", be and is hereby accepted.

SECTION 14: That the City Manager is hereby authorized to enter into a contract with DPC Industries, Inc. for the purchase of Liquid Chlorine for Texarkana, Texas Water and Sewer Operations for the period FY 2014-2015.

SECTION 15: That the lowest and best bid received for Hydrated Lime, a chemical for the Texarkana, Texas Water and Sewer Operations for FY 2014-2015, was received from U.S. Lime Company at \$167.12 per ton described in attached Exhibit "A", be and is hereby accepted.

SECTION 16: That the City Manager is hereby authorized to enter into a contract with U.S. Lime Company for the purchase of Hydrated Lime for Texarkana, Texas Water and Sewer Operations for the period FY 2014-2015.

SECTION 17: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 8th day of September, 2014.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

TABULATION OF BIDS
2015 CHEMICAL BIDS
JULY 8, 2014

Exhibit "A"

CHEMICAL PURCHASES PROJECTED FOR THE PERIOD OCTOBER 1, 2014 - SEPTEMBER 30, 2015

CHEMICAL	COMPANY	BID FY 2015	COST FY 2014	BIDS RECEIVED	REPS. PRESENT	BIDS MAILED
Anhydrous Ammonia	Tanner Industries, Inc. 735 Davisville Rd Southampton, PA 18966	\$0.81 cost per pound	\$0.79 cost per pound	1	0	13
CHEMICAL	COMPANY	BID FY 2015	COST FY 2014	BIDS RECEIVED	REPS. PRESENT	BIDS MAILED
Sulphur Dioxide	DPC Industries, Inc. 15838 Brittain Ct. Lindale, TX 75771	\$663.00 cost per ton	\$674.00 cost per ton	1	0	13
CHEMICAL	COMPANY	BID FY 2015	COST FY 2014	BIDS RECEIVED	REPS. PRESENT	BIDS MAILED
Aluminum Sulfate	Affinity Chemical, LLC. 82 Crenshaw Drive Flanders, NJ 07836	\$184.80 cost per dry ton	\$224.00 cost per dry ton	1	1	13
CHEMICAL	COMPANY	BID FY 2015	COST FY 2014	BIDS RECEIVED	REPS. PRESENT	BIDS MAILED
HTH (100# Containers)	Harcros Chemicals, Inc. 1011 Jack Wells Blvd. Shreveport, LA 71107	\$1.45 cost per pound	\$1.45 cost per pound	1	0	13
CHEMICAL	COMPANY	BID FY 2015	COST FY 2014	BIDS RECEIVED	REPS. PRESENT	BIDS MAILED
Caustic Soda (Bulk) Liquid Weight	Harcros Chemicals, Inc. 1011 Jack Wells Blvd. Shreveport, LA 71107	0.15325 cost per pound	0.29090 cost per pound	1	0	13
CHEMICAL	COMPANY	BID FY 2015	COST FY 2014	BIDS RECEIVED	REPS. PRESENT	BIDS MAILED
Caustic Soda (Drums) Liquid Weight	DPC Industries, Inc. 15838 Brittain Ct. Lindale, TX 75771	0.66 cost per pound	0.45 cost per pound	1	0	13
CHEMICAL	COMPANY	BID FY 2015	COST FY 2014	BIDS RECEIVED	REPS. PRESENT	BIDS MAILED
Liquid Chlorine	DPC Industries, Inc. 15838 Brittain Ct. Lindale, TX 75771	\$397.40 cost per ton	\$599.00 cost per ton	1	0	13
CHEMICAL	COMPANY	BID FY 2015	COST FY 2014	BIDS RECEIVED	REPS. PRESENT	BIDS MAILED
Hydrated Lime	U.S. Lime Company 5429 LBJ Freeway Suite 230 Dallas, TX 75240	\$167.12 cost per ton	\$162.25 cost per ton	2 *	0	13

* The Arkansas Lime Co submitted the second and higher bid for Hydrated Lime at \$173.04 per ton

Attachment: Chemical Bid Tab Exhibit A.xlsx (1160 : Resolution 2014-94 Chemicals for Water and Wastewater Treatment)

Request for Water Treatment Chemical (Aluminum Sulfate) Re-Bid

To: Texarkana Water Utilities and City of Texarkana, TX City Council

From: Paul Peters – Business Manager – Chemtrade Chemicals US (Formerly General Chemical)

RE: Re-Bid Request for Water Treatment Chemical (Aluminum Sulfate) – No notice or receipt of public bid

Timeline

- Chemtrade Account Manager, Robert Naranjo, visited Water Treatment Plant about bid extension of current bid on June 23. Met with Chief Operator, and talked to Rick Barton on phone following day.
- Request was declined, and told new bid would be coming out.
- We got notice that bid had opened on July 8 – two weeks one day time span from Plant visit.
- No indication or notice bid was out, and no bid received.
- When questioned, Paula Jeans, Purchasing Agent, said bid was sent to PO Box in Dallas.
- To this day, bid still not received...regular mail usually forwarded from drop box.
- July 8th, Robert talked to Paula Jeans about not receiving the bid. Said she would review with Managers since they only received one bid for Alum and other chemicals.
- Email and re-bid request sent to Paula Jeans/Purchasing on July 8th
- No response to email. Robert spoke with Paula on July 14th and she advised they would not re-bid. She was asked at least twice to respond to our letter to officially decline our request, which was never done.
- Lee Gossa, Chemtrade Marketing Director, spoke to Councilwoman Ray, who advised to talk to Mayor Bruggeman, but he was on vacation until July 21.
- Paul Peters sent email and letter to Mayor Bruggeman on July 18th.
- Spoke to Mayor on July 23rd. Email not received so resent.
- Mayor advised he would be happy to look into it and take the situation to the City Manager.
- Council Meeting on July 28 to approve bid. Was delayed so Chemtrade could present argument at next meeting August 11.

Speaking Points

- Timeline/Explanation of events
- Current competitive market below current bid price of \$229 per dry ton.
- Expected savings from Chemtrade on new bid offer of over \$110k.
- Chemtrade recently won bid at Paris, TX at \$181, and that is further away and has more freight than Texarkana.
- Texarkana is 2000 dry tons volume, where Paris is 1000 dry tons.

Peters, Paul

From: Peters, Paul
Sent: Tuesday, July 08, 2014 8:26 PM
To: 'jeans@txkusa.org'
Cc: 'rbarton@txkusa.org'; Naranjo, Robert; Wilson, Eric; Gossa, Lee
Subject: Water Chemicals Re-Bid Request
Attachments: Texarkana Re-Bid Request Letter.docx

July 8, 2014

Ms. Paula Jeans
Texarkana Water Utilities

Dear Ms. Jean,

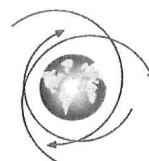
In reference to the recent bid for Water Treatment Chemicals, please see the attached letter explaining Chemtrade's position in not receiving the bid, and requesting a re-bid.

We would greatly appreciate your consideration in this matter and providing the opportunity for us to participate in the Chemical Bidding Process.

Regards,

Paul Peters
Business Manager Southeast Region - Water Chemicals
Chemtrade Chemicals US LLC - 1008 Cedar Lake Rd SE, Decatur, AL 35603
ppeters@chemtradelogistics.com
256-350-6133 (office) 256-318-4452 (mobile) 256-340-0033 (fax)

Attachment: Reso. 2014-094 RE-BID Request 081114 Attachment (1160 : Resolution 2014-94 Chemicals for Water and Wastewater Treatment)

**CHEMTRADE**

July 8, 2014

Ms. Paula Jeans
Texarkana Water Utilities – Purchasing Agent
801 Wood Street
Texarkana, TX 75501

RE: Bid - Water Treatment Plant Chemicals
Aluminum Sulfate

Dear Ms. Jeans,

As the incumbent bidder for Aluminum Sulfate, we have appreciated your business in the past and have looked forward to continuing to do business with you going forward.

It has come to my attention that the bid for Water Treatment Chemicals was due and opened on July 8, 2014. Chemtrade Solutions (formerly General Chemical) had all intentions of participating in this bid process and maintaining this business. Our Account Manager, Robert Naranjo, even visited the Water Treatment Plant on June 23, 2014, and met with Mr. Barton in regards to this bid. However, we never received the bid to be able to participate, and only heard through others that the bid even opened on July 8th. We had no idea or notification the Utility had issued the bid and were soliciting bid responses.

After Mr Naranjo checked into this situation, it was discovered that the bid packet was mailed by Texarkana Water Utilities to our attention at a PO Box in Dallas, TX. This PO Box is only for receipt of payments, by a bank, and no normal correspondence ever goes to this address. Since we have done business with Texarkana Water Utilities for so many years, we are unsure as to how this may have occurred, but it did nonetheless.

I would like to formally request a re-bid of the Water Chemicals, or more specifically the Aluminum Sulfate Liquid. We would like a fair opportunity to be able to offer pricing and participate in the bidding process. I also believe that with the state current market, should we be able to submit a bid that we would be favorable to Texarkana Water Utility by more than \$110,000/yr over the current price.

Chemtrade Chemicals US LLC
90 East Halsey Road, Parsippany, NJ 07054
T 973-515-0900 F 973-515-3232

Attachment: Reso. 2014-094 RE-BID Request 081114 Attachment (1160 : Resolution 2014-94 Chemicals for Water and Wastewater Treatment)

I appreciate your time and attention to this matter and hope you will agree that a re-bid is commercially fair and will also offer savings to your Utility. I look forward to your response to this request.

Regards,

Paul Peters
Chemtrade Solutions
Business Manager Water Chemicals

Peters, Paul

From: Peters, Paul
Sent: Friday, July 18, 2014 2:37 PM
To: 'rbbruggeman@aol.com'
Cc: 'willieray71@yahoo.com'; Gossa, Lee; Naranjo, Robert
Subject: Water Chemicals Re-Bid Request
Attachments: Texarkana Re-Bid Request Letter.docx

July 18, 2014

Mayor Bob Bruggeman
 City of Texarkana, TX
 C/O Texarkana Utilities

RE: Texarkana Chemical Bid

Dear Mayor Bruggeman,

Chemtrade Solutions, formerly General Chemical, has been a supplier of Water Treatment Chemicals to the City of Texarkana for many years. In fact we are the current supplier of Aluminum Sulfate Liquid. With the issue at hand, we contacted Councilwoman Ray, and she advised us to send this to your attention.

Recently, the new bid was sent out for chemical supply to the Water treatment Plant. Unfortunately, whoever sent the bid information packets out sent it to the incorrect address. The address where the packet was sent is strictly a bank processing center for payments. We have never had issues in receiving correspondence in the past, but this time it was obviously an issue. Long story made short, we never received notification of the bid, or were provided with an opportunity to submit pricing and participate. We didn't even know the bid was out until we heard through a third party that bids had been opened.

Per the below attached email and attached letter, I sent notification to Ms. Jeans and Mr. Barton that we were requesting a re-bid of the Aluminum Sulfate Liquid so that we would have an opportunity to participate and continue our long standing business with the City. To this date, I still have not received any acknowledgement of the letter, or any correspondence agreeing to or denying the request for a re-bid. Our Sales Account Manager, Robert Naranjo, did speak with Ms. Jeans and she advised there would not be a re-bid.

It is our understanding that there was only one bid received for Aluminum Sulfate Liquid. Without a doubt we would have submitted competitive pricing as well, had we received the bid and been afforded the opportunity to do so. In the spirit of a true competitive bid, we would like to ask for your assistance, along with the City Council, in considering our request for a re-bid of this chemical. Given the nature of what happened, and the fact that Texarkana Utilities is a large long standing customer of ours, we feel slighted in not even being able to participate. Not to mention the financial impact of such a loss. We also believe that we would have offered pricing for the current bid that would have offered substantial financial savings and benefit to the City and the Utility, which I'm sure is of interest to you and the other City leaders.

We would appreciate the consideration of this, or even hearing on this matter, and would like the opportunity to be able to attend and be a part of the hearing when a decision is made. We will be more than happy to present our argument to you and the Council, as well.

Thank you for your time, looking into this situation, and your consideration of our request for a re-bid. All we are asking for the opportunity to continue to provide quality product to the City and Utility, and to be able to offering competitive pricing like anyone else. I look forward to your response and hearing from you soon.

Regards,

Paul Peters
Business Manager Southeast Region - Water Chemicals
Chemtrade Chemicals US LLC - 1008 Cedar Lake Rd SE, Decatur, AL 35603
ppeters@chemtradelogistics.com
256-350-6133 (office) 256-318-4452 (mobile) 256-340-0033 (fax)

From: Peters, Paul
Sent: Tuesday, July 08, 2014 8:26 PM
To: 'jeans@txkusa.org'
Cc: 'rbarton@txkusa.org'; Naranjo, Robert; Wilson, Eric; Gossa, Lee
Subject: Water Chemicals Re-Bid Request

July 8, 2014

Ms. Paula Jeans
Texarkana Water Utilities

Dear Ms. Jean,

In reference to the recent bid for Water Treatment Chemicals, please see the attached letter explaining Chemtrade's position in not receiving the bid, and requesting a re-bid.

We would greatly appreciate your consideration in this matter and providing the opportunity for us to participate in the Chemical Bidding Process.

Regards,

Paul Peters
Business Manager Southeast Region - Water Chemicals
Chemtrade Chemicals US LLC - 1008 Cedar Lake Rd SE, Decatur, AL 35603
ppeters@chemtradelogistics.com
256-350-6133 (office) 256-318-4452 (mobile) 256-340-0033 (fax)

Chemical Bid Summary

The “Notice to Bidders” for chemicals to be used at five TWU locations, specifically the South Regional Wastewater Treatment Plant, the North Texarkana Wastewater Treatment Plant, the Wagner Creek Wastewater Treatment Plant, the Millwood Water Treatment Plant, the International Paper Raw Water Station and the Wright Patman Water Treatment Plant, was published in the Texarkana Gazette on Sunday, June 15th and Sunday, June 22nd, 2014 as required by Texas Local Government Code Chapter 262 Sec 262.025. Eight (8) different chemicals, or types of chemicals, were bid. Although the specifications state, “Upon request, prospective bidders will be furnished with Notice to Bidders, Proposal Forms, General Conditions and Information for Bidders and Specifications for the entire group of Chemicals”, as a courtesy, bid specification packages were mailed to known vendors, at addresses believed to be correct, on Monday, June 16th, 2014.

Bids were accepted until 2:00 p.m. Tuesday, July 8th, 2014 at which time they were opened and read at the Texarkana Water Utilities main office at 801 Wood Street, Texarkana, Texas 75501. At least one (1) bid was received for each of the listed eight chemicals.

On July 8th, shortly after the bid opening, Mr. Naranjo, Chemtrade Account Manager, contacted Mrs. Paula Jeans by telephone and stated Chemtrade had not received a bid package. Mrs. Jeans carefully explained to Mr. Naranjo that bid packages are mailed out as a courtesy, in the interest of the city, to attract as many prospective bidders as possible but that it is the responsibility of prospective bidders to request bid packages and provide correct contact information.

Chemtrade stated that they mailed contact information to customers early in 2014 when they purchased General Chemical. A search of Chemtrade and General Chemical vendor files, in the Utility Accounting Division, by the Executive Director and Accounting personnel produced no communication from, or address from Chemtrade, other than the remit address on the invoice

from Chemtrade. At the time bid packages were mailed, the remit address was the only address available to Utility personnel.

The bid package mailed to Chemtrade on June 16th, 2014 by the Utility was returned to the Utility on July 14th, 2014 marked *Return to Sender, Insufficient Address, Unable to Forward, Return to Sender*.

In summary, the two publications of the notice to bidders meets the legal requirement of notice by the Utility as set forth in Texas Local Government Code, Chapter 262. It is a vendor's responsibility to track potential bidding opportunities and request appropriate bidding packages.

The current price from Chemtrade for Alum (liquid Aluminum Sulfate), which is used as a coagulant in water treatment, is \$224.00 per dry ton. The recent bid received on July 8th was \$184.80 per dry ton or a 17.5% reduction for the upcoming fiscal year. It is possible that a rebid of alum could result in a lower price for alum at the Wright Patman Water Treatment Plant. However, when the legal requirements have been met by the City, and other vendors have bid in good faith, to set a precedent of rebidding for the sole reason that a lower bid might be received is to invite a large number of challenges to any number of bids in the future.

Legal requirements of the bidding process were followed by the City and the responding bidders did so in good faith. Utility staff recommends that the bids for chemicals be accepted as submitted to Council.

City of Texarkana, Texas

Version: C

Update Date: 7/18/2014 11:30 AM

Briefing Sheet

Lead Department: Police **Action Officer:** Michael Henry, Captain
Ordinance No. 2014-095 amending Chapter 33 "Towing Services and Vehicle
Subject: Impounds" of the Code of Ordinances of the City of Texarkana, Texas by
adding Paragraph "d" to Section 33-5 "Police Initiated Tow".
Public **Second** August 25, **Council**
Briefing: 9/8/2014 **Hearing:** 8/11/2014 **Briefing:** 2014 **Vote:** 9/8/2014

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

"NOT APPLICABLE"

Executive Summary and Background Information:

Texas Law requires that people who drive in Texas pay for the crashes they may cause by maintaining financial responsibility for the vehicles they operate. Most drivers fulfill that requirement by purchasing liability insurance. Recent statistics show that over fourteen percent of the vehicles registered in Bowie County are not properly insured. The Police Department in recent years has averaged issuing seven citations per day to uninsured drivers. Uninsured motorists who are at fault in motor vehicle crashes cause undue financial hardship on law abiding citizens. This hardship is felt even more by those lower income families who may have their only means of transportation disabled by another driver who failed to acquire the mandated insurance. Impounding the vehicles of drivers who have been stopped for other violations will help reduce the threat of a law abiding citizen becoming the victim of an uninsured driver. Ordinances of this type have been used in other Texas cities over the last few years and have had a positive impact on the motoring public.

Potential Options:

- "None"
-

Fiscal Implications:

Towing uninsured vehicles will create an additional demand on Police Department resources, but it is believed the benefit to our citizens will be worth it. The additional workload is not expected to create any significant fiscal implications.

Staff Recommendation:

The Police Department recommends approval of the Ordinance to allow the impoundment of uninsured vehicles.

Advisory Board/Committee Review:

NONE

City of Texarkana, Texas

Board/Committee Recommendation:

NONE

Advisory Board/Committee Meeting Date and Minutes:

"NOT APPLICABLE"

Attachments

- a. Goals and Perspectives (DOCX)
- b. Ordinance 2014-095 Impounding Uninsured Vehicles (DOCX)

Staff Coordination

Police	Michael Henry	Department Head Review	Completed	
	07/17/2014 3:04 PM			
Police	Dan Shiner	Review	Completed	07/17/2014
3:39 PM				
Public Information Officer		Lisa Thompson	PIO Review	Completed
	07/17/2014 3:46 PM			
City Manager	John Whitson	City Manager Review	Completed	07/17/2014
4:05 PM				
City Council	Jennifer Evans	Meeting	Completed	08/12/2014
4:12 PM				

Meeting History

07/28/14	City Council	MOVED FORWARD	Next: 08/11/14
08/11/14	City Council	MOVED FORWARD	Next: 08/25/14
08/25/14	City Council	MOVED FORWARD	Next: 09/08/14

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:

Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

ORDINANCE NO. 2014-095

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 33 “TOWING SERVICES AND VEHICLE IMPOUNDS” OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS BY ADDING PARAGRAPH “D” TO SECTION 33-5 “POLICE INITIATED TOW”; PROVIDING FOR PUBLICATION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texas law requires people who drive in Texas to pay for the crashes they cause; and

WHEREAS, state law requires drivers to maintain financial responsibility for the vehicles they operate, and most drivers fulfill that requirement by purchasing liability insurance; and

WHEREAS, uninsured motorists who are at fault in motor vehicle crashes cause undue financial hardship on law abiding citizens; and

WHEREAS, the most recent statistics show that over 14 percent of the vehicles operated in Bowie County, Texas are uninsured; and

WHEREAS, the Police Department averages issuing seven citations per day to uninsured motorists in the City; and

WHEREAS, it is the intention of the City Council to decrease the number of uninsured motorists on the roadways of Texarkana, Texas by authorizing the Police Department to impound uninsured vehicles; and

WHEREAS, the City Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Texarkana, Texas that law enforcement personnel have lawful authority to impound vehicles when it has been determined that the owner/operator of said vehicles fail to show proof of maintaining the minimum liability insurance as required by state law;

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

SECTION 1: That Chapter 33 “TOWING SERVICES AND VEHICLE IMPOUNDS” of the Code of Ordinances of the City of Texarkana, Texas, be and is hereby amended by adding the following paragraph to Section 33-5 “Police Initiated Tow”:

- (d) When a police officer stops a vehicle for an alleged violation of a City Ordinance or State traffic law or other law applicable to the operation of a vehicle on the roadway and the vehicle’s owner or operator fails**

to show evidence of financial responsibility as required under Chapter 601 of the Texas Transportation Code as amended, the officer is authorized to impound the vehicle using the towing service company under contract with the city.

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

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

SECTION 4: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 5: That this Ordinance, upon publication as provided herein, shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the 8th day of September, 2014.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Version: C

Update Date: 9/4/2014 10:48 AM

Briefing Sheet

Lead Department: City Manager **Action Officer:** John Whitson, City Manager
Subject: Ordinance 2014-112 amending Ordinance 2014-097 and calling for a City Election to consider City charter amendments.
Briefing: 9/8/2014 **Public Hearing:** **Second Briefing:** **Council Vote:** 9/8/2014

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

The City of Texarkana, Texas and the County of Bowie, Texas have entered into an intergovernmental agreement for the county to conduct a city election in conjunction with the county general election. The city must conduct a Local Option Election (alcoholic beverage sales) as petitioned by citizens of the city. In conjunction with the Local Option election the city decided that would be an appropriate time for citizens to consider a number of city charter amendments. The city council adopted Ordinance 2014-097 calling for voters to consider, in a city-wide election, six proposed charter amendments.

Once all federal, state, county, school, college, and city election items were consolidated by the county elections office it was determined that there is inadequate ballot space for all proposed items to be published on the ballot. Staff worked with the county elections staff and their publishing contractor and was able to fit three of six charter amendments on the ballot.

The city attorney and the city manager have reviewed the governing statutes and coordinated closely with the Secretary of State's elections staff attorney to determine the appropriate actions related to the city council's charter amendments election order. Given the county decision and the potential cost of conducting a separate city election the three remaining charter amendments are considered moot because of impossibility of county performance on those items, thus relieving any requirement for those items to be shown on the ballot.

Potential Options:

- None

Fiscal Implications:

City of Texarkana, Texas

None

Staff Recommendation:

Adopt the Ordinance as presented.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. Goals and Perspectives (DOCX)
- b. 2014-112 ORD Amending Ordinance 2014-097 Calling for City Election to Amend the City Charter (DOCX)
- c. Ord. 2014-097 Signed(PDF)

Staff Coordination

City Manager	John Whitson	Department Head Review	Completed	
	09/02/2014 3:03 PM			
City Attorney	Jeffery C. Lewis	Review	Completed	09/02/2014
	3:05 PM			
Public Information Officer	Lisa Thompson	PIO Review	Completed	
	09/02/2014 3:06 PM			
City Manager	John Whitson	City Manager Review	Completed	09/02/2014
	3:12 PM			
City Council	Pam Burns	Meeting	Pending	

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: [Select One By Clicking Here](#)

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

ORDINANCE NO. 2014 - 112

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING ORDINANCE NO. 2014-097, DECLARING MOOT PROPOSED CHARTER AMENDMENTS 1, 2, AND 4 BECAUSE OF IMPOSSIBILITY OF PERFORMANCE OF JOINT ELECTION AGREEMENT PERTAINING TO THOSE ITEMS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Texarkana, Texas, by Ordinance No. 2014-097 effective August 11, 2014, ordered a special election to be held on November 4, 2014, for the purpose of amending the City Charter, and by Ordinance No. 2014-098, also effective August 11, 2014, entered into a Joint Election Agreement with Bowie County, Texas, to conduct the election and thereby defray the election costs borne by the City's taxpayers; and

WHEREAS, while the Council proposed six Charter amendments set out in Exhibit A to Ordinance No. 2014-097, Bowie County has informed the City that available ballot space will only accommodate proposed amendments 3, 5, and 6, and that it will be impossible to provide for ballot preparation and election administration for the remaining proposed amendments pursuant to the Joint Election Agreement; and

WHEREAS, the City Council finds and determines that the cost to the City's taxpayers of independently preparing a separate ballot, employing election judges and workers, and administering a separate election for proposed amendments 1, 2, and 4 outweighs the benefit to the City, and that the submission to the voters at this time of those proposed amendments has been mooted because of the impossibility of Bowie County's performance of the Joint Election Agreement relating to those proposed amendments.

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

SECTION 1: That Ordinance No. 2014-097 is amended (specifically, Exhibit "A" to Ordinance No. 2014-097) to delete proposed City Charter amendments nos. 1, 2, and 4. No other changes or amendments are made to Ordinance No. 2014-097.

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

PASSED AND APPROVED in Regular Council Session on this the 8th day of September, 2014.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

ORDINANCE NO. 2014 - 097

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ORDERING A SPECIAL ELECTION FOR A PROPOSED UPDATE AND REVISION OF THE EXISTING CITY CHARTER, AMENDING AND RESTATING SECTIONS OF THE CITY CHARTER, TO BE PLACED ON THE SPECIAL ELECTION BALLOT NOVEMBER 4, 2014, AND PRESENTED TO THE QUALIFIED VOTERS OF THE CITY OF TEXARKANA, TEXAS; PRESCRIBING THE FORM FOR THE PROPOSITIONS ON THE BALLOT; DIRECTING THE CITY SECRETARY TO PROVIDE FOR THE TIMELY PRINTING OF BALLOTS; PROVIDING FOR EARLY VOTING; PROVIDING FOR PUBLICATION OF PUBLIC NOTICE OF THIS ELECTION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Home Rule Charter of the City of Texarkana, Texas, originally adopted in May 1960, and subsequently amended to its present form, contains provisions which need to be clarified or modified to reflect changes in law over the past fifty years and to make City operations more efficient and effective; and

WHEREAS, pursuant to Texas Local Government Code Chapter 9, Section 9.004(a), the governing body of a municipality on its own motion may submit a proposed charter amendment to the municipality's qualified voters for their approval at an election; and

WHEREAS, pursuant to Texas Local Government Code Chapter 9, Section 9.004(b), the ordinance ordering the election shall provide for the election to be held on the first authorized uniform election date prescribed by the Election Code or on the earlier of the date of the next municipal general election or presidential general election and the election date must allow sufficient time to comply with other requirements of law and must occur on or after the 30th day after the date the ordinance is adopted; and

WHEREAS, pursuant to Texas Local Government Code Chapter 9, Section 9.004(c), notice of election shall be published in a newspaper of general circulation published in the municipality, the notice must include a substantial copy of the proposed amendment, an estimate of the anticipated fiscal impact to the municipality if the proposed amendment is approved at the election, and be published on the same day in each of two successive weeks, with the first publication occurring before the 14th day before the date of the election; and

WHEREAS, pursuant to Texas Local Government Code Chapter 9, Section 9.004(d), an amendment may not contain more than one subject; and

WHEREAS, pursuant to Texas Local Government Code Chapter 9, Section 9.004(e), the ballot shall be prepared so that a voter may approve or disapprove any one or more amendments without having to approve or disapprove all of the amendments; and

WHEREAS, the City Council, having given due consideration to the recommendations of the city staff, has determined to submit to the qualified voters of the City of Texarkana, Texas, for their adoption or rejection ('yes' or 'no' vote), the proposed amendments to the Charter for the City of Texarkana, Texas, pursuant to the provisions the Texas Local Government Code, Chapter 9, Section 9.004, as amended;

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

SECTION 1: That the presented City Charter amendments, a copy of which is attached hereto as Exhibit "A" and to which reference is made for all purposes, be and the same is hereby accepted and approved.

SECTION 2: That a special election is hereby ordered to be held within the jurisdiction of the City of Texarkana, Texas, on the 4th day of November, 2014, pursuant to the laws of the State of Texas and the Charter of the City of Texarkana, Texas, with said election to be held for the purpose of amending the Charter. In all City elections, the Mayor, City Secretary, or City Council shall perform each act as is required to be performed, in connection with the holding and consummation of such election, and to give effect to the intent of this Ordinance.

SECTION 3: That said special election shall be held on the next Texas uniform election date in conjunction with the Bowie County General Election on said same date.

SECTION 4: That the specimen ballot shall be made available for public inspection in the office of the City Secretary and on the bulletin board in the City Hall as soon as practicable after the official ballots have been prepared for the election, as required by Section 52.007, Texas Election Code.

SECTION 5: That the City Secretary shall give notice of this election by publication of a copy of this ordinance on the same day in each of two successive weeks in the Texarkana Gazette, a newspaper of general circulation in the City of Texarkana, with the date of the first publication occurring before the 14th day before the date of the election as required by Texas Local Government Code, Section 9.004 (c).

SECTION 6: That the election precincts and polling locations for the respective precincts as established by Bowie County for the November 2014 general election that are within the City are the election precincts for this special election:

Precinct	Location
1A / 4E	Academic Learning Center 3201 Lincoln St. Texarkana, TX 75503

1B	Liberty-Eylau C.K. Bender Elementary School 2300 Buchanan Rd. Texarkana, TX 75501
2A	Liberty Eylau Pre-Kindergarten Center/Grandview Campus 3105 Norris Cooley Dr. Texarkana, TX 75501
2B / 4D / 5A	Westlawn Elementary School 410 Westlawn Dr. Texarkana, TX 75503
2C	Theron Jones Early Literacy Center 2600 W. 15th St. Texarkana, TX 75501
2D / 4A / 4C / 5B	Texarkana College Truman Arnold Center 2500 N. Robison Rd. Texarkana, TX 75599
3A	Collins Memorial Bldg. 3000 Texas Blvd. Texarkana, TX 75501
3B	Texarkana City Hall Municipal Building 220 Texas Blvd. Texarkana, TX 75501
4A	<< with 2D / 4C / 5B >>
4B	Spring Lake Park School 4324 Ghio-Fish Blvd. Texarkana, TX 75503
4C	<< with 2D / 4A / 5B >>
4D	<< with 2B / 5A >>
4E	<< with 1A >>
5A	<< with 2B / 4D >>
5B	<< with 4C >>

- 5C Pleasant Grove High School
5406 McKnight Road
Texarkana, TX 75503
- 6A First Baptist Church [Texarkana]
3015 Moores Lane
Texarkana, TX 75503
- 6B Pleasant Grove Middle School
5605 Cooks Lane
Texarkana, TX 75503
- 10 Pleasant Grove Fire Department
3123 FM 5559
Texarkana, TX 75503

SECTION 7: That the City Council shall, at its next regular meeting after the election returns are delivered to the City Secretary's office, canvass the returns and declare the official results of the election. If one or more proposed Charter amendments are approved by a majority of the qualified voters voting in the election, the Charter as amended shall be considered adopted when an official order has been entered upon the records of the City by the City Council declaring the same adopted.

SECTION 8: That the ballots for said election shall be prepared by Bowie County in sufficient number and in conformity with Chapter 52 of the Texas Election Code so that a voter may approve or disapprove each proposed charter amendment without having to approve or disapprove all of the proposed charter amendments.

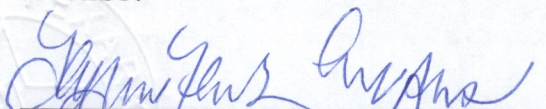
SECTION 9: That it is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

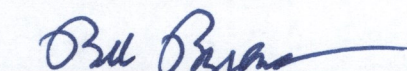
SECTION 10: That all ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 11: 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 August, 2014.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

6:55pm

Exhibit A

Amendment Question 1:

Texarkana, Texas, City Charter, Article II, Section 8 shall be as follows and all other provisions rescinded and removed:

Sec. 8. Meetings of the Council.

(a) *General.* The City Council shall meet at least once per month. Meeting dates, times, and locations shall be specified by resolution. A newly-elected Councilmember (including the Mayor) shall assume the duties of office on the next regular council meeting day immediately following the canvass of the election.

(b) *Special Meetings.* The Mayor, the Mayor Pro Tempore, any two Councilmembers, or the City Manager may at any time call a special council meeting by submitting to the City Secretary a signed statement specifying the time and place of the meeting and the subjects to be considered. The meeting notice shall be prepared and posted by the City Secretary and shall contain for City Council deliberation only the subjects specified in the signed statement. Councilmembers shall be informed of the meeting in any manner consistent with state law or as otherwise approved by resolution of the City Council.

(c) *Emergency Meeting.* The Mayor or City Manager may call an Emergency Meeting of the City Council as allowed by law.

(d) *Public Meetings.* All meetings of the City Council, boards, and commissions shall be open to the public and noticed as provided by law. The City Council, boards, and commissions may adopt rules of procedure consistent with the City Charter and state law.

(e) *Public Participation.* The Council shall adopt rules and procedures for public comment during regular Council meetings.

(f) *Attendance of City Manager.* The City Manager shall attend all meetings of the City Council and may take part in the discussion of all matters coming before the Council but shall have no vote.

Ballot Language:

City Charter Amendment 1: Revising the City Charter, Article II, Section 8 – Meetings of the Council. Providing for regular, special, and emergency meetings of the City Council and the manner in which the meetings are scheduled or called. Designating all meetings of the City Council, boards, and commissions to be public meetings subject to rules and regulations of the City Charter, state law, and adopted rules of procedure. Permitting the City Council to adopt rules and procedures for public comments to be heard during regular council meetings.

Amendment Question 2:

Texarkana, Texas, City Charter, Article IV, Section 1 shall be as follows and all other provisions rescinded and removed:

Sec. 1. Administrative departments

The City Council may create, abolish, or combine administrative departments and may assign or transfer duties of any City department from one department to another by ordinance. All City departments shall be under the control and direction of the City Manager.

Ballot Language:

City Charter Amendment 2: Revising the City Charter, Article IV, Section 1 – Administrative departments. Removing from the current Charter the listing of specific department names and providing that the City may create, abolish, or combine departments and assign or transfer duties of any department.

Amendment Question 3:

Texarkana, Texas, City Charter, Article VIII shall be as follows and all other provisions rescinded and removed:

ARTICLE VIII. BUDGET**Sec. 1. Fiscal year.**

The fiscal year of the City shall begin on the first day of October and end on the last day of September of each calendar year. The fiscal year established by this Charter shall also constitute the budget and accounting year.

Sec. 2. Preparation and submission of the annual budget calendar.

The City Manager shall prepare and submit a budget development calendar for the City Council's review and approval. The budget development calendar shall show the key dates of budget preparation including, but not limited to, the dates of budget preparation, proposed budget presentation, public hearing, and adoption by the City Council.

Sec. 3. Budget

The budget shall provide a complete financial plan for the fiscal year. It shall include, but not be limited to, the following:

- (a) The City Manager's budget message which shall explain the budget, include an outline of the proposed financial objectives of the City for the budget year, and describe in connection therewith the important features of the budget plan;
- (b) A statement of all anticipated receipts and all proposed expenditures by department, office, and/or agency of the City displayed in a manner that shows prior year actual values, current year estimates, and budget year estimates and appropriations;
- (c) A contingent appropriation not to exceed three per cent (3%) of the total general fund expenditure. Expenditures from this fund shall be used only in cases of unforeseen items of expenditures or established emergencies. This fund shall be under the control of the City Manager, and shall be disbursed only by transfer to other departmental appropriations;
- (d) An analysis of the tax rate;
- (e) A table showing the tax levies and tax collections by years for the past five (5) years;

(f) A description of all bond issues and other debt instruments outstanding, showing rate of interest, date of issue, maturity date, amount authorized, amount issued, and amount outstanding;

(g) A special funds section that describes fully the status of any existing special fund; and

(h) A list of capital projects which should be undertaken within the budget year and also within the next five (5) succeeding years.

Sec. 4. – Adoption of budget.

The budget shall be finally adopted by the favorable votes of at least a majority of all members of the Council before the end of the current fiscal year.

Sec. 5. – Transfer of appropriations.

The City Manager may at any time transfer any unencumbered appropriated balance or portion thereof between general classifications of expenditures within and/or across any office, department or agency of the City.

Sec. 6. – Budget amendments.

The City Manager may submit requests for budget amendments at any time provided the total city budget remains balanced, that is, total expenditures shall equal total revenues (unassigned fund balance may be designated as a revenue). Budget amendments may be approved in the same manner as the budget is approved.

Ballot Language:

City Charter Amendment 3: Revising the City Charter, Article VIII – Budget. Removing specific instructions which are generally defined by other authorities such as the State of Texas, Governmental Accounting Standards Board (GASB), and others. Establishing a requirement that the City Council shall adopt an annual budget development calendar. Expanding the debt reporting requirement to include all debt not only bond debt. Providing for budgetary funds transfers throughout the fiscal year to be an administrative action. Providing the authority for the City Council to approve budget amendments while maintaining a balanced budget.

Amendment Question 4:

Texarkana, Texas, City Charter, Article X, Section 2 shall be as follows and all other provisions rescinded and removed:

Sec. 2. – City attorney.

The Council shall appoint a city attorney to serve at its pleasure and to be its legal adviser.

Ballot Language:

City Charter Amendment 4: Revising the City Charter, Article X, Section 2 – City attorney. Providing for the City Council to appoint a city attorney to serve at its pleasure and to be its legal adviser and removing all other stated duties and authorities of the city attorney.

Amendment Question 5:

Texarkana, Texas, City Charter, Article II, Section 2(a), and Article XVIII shall be as follows and all other provisions rescinded and removed:

Article II**Sec. 2. - Number, selection, term of office, and remuneration.**

(a) The council shall be composed of seven (7) members, consisting of six (6) ward Councilmembers and a Mayor. Candidates for Mayor shall be voted on by the qualified voters of the City at-large. Candidates for Councilmember shall be voted on only by the qualified voters residing in the ward from which the candidate seeks election. Each Councilmember and the Mayor shall serve for a four-year term, which term shall begin on the first weekday following the regular City election in which the Councilmember or Mayor was elected. Three (3) Councilmembers shall be elected in one regular City election and three (3) Councilmembers and the Mayor shall be elected in the regular City election that follows two years later.

Article XVIII**Sec. 1. - Implementation of amendment to Article II, Sec. 2(a)**

(a) Upon adoption of the amendment to Article II, Section 2(a): the current two-year terms of the Mayor and Councilmembers for Wards 1, 4, and 6 are extended to three years, expiring immediately after the 2017 regular City election; the four-year terms of office for the Mayor and Councilmembers for Wards 1, 4, and 6 shall begin with the 2017 regular City election; and the four-year terms of office for Councilmembers for Wards 2, 3, and 5 shall begin with the 2015 regular City election.

(b) The current expiration of the terms of office for all Councilmembers, the transitional one-year extension of the current terms of office for the Mayor and Councilmembers for Wards 1, 4, and 6, and the next election dates for all Councilmembers, are as indicated below:

	Current Term Expires	Term Extended One Year to:	Next Election (4-yr terms)
Mayor	2016	2017	2017
Ward 1	2016	2017	2017
Ward 4	2016	2017	2017
Ward 6	2016	2017	2017
Ward 2	2015		2015
Ward 3	2015		2015
Ward 5	2015		2015

Ballot Language:

City Charter Amendment 5: Revising the City Charter, Article II (The Council), Section 2 (Number, selection, term of office, and remuneration), Subsection (a), and Article XVIII, Section 1 (Implementation of amendment to Article II, Sec. 2(a)). Changing the term of office of city elected officials from two years to four years, staggering implementation of the change of the terms of office for the 2015 and 2017 regular City elections, and extending by one year the current terms of office of the Mayor and Councilmembers for Wards 1, 4, and 6 to facilitate the transition to four-year terms.

Amendment Question 6:

Texarkana, Texas, City Charter, Article II, Section 6 shall be as follows and all other provisions rescinded and removed:

Sec. 6. Vacancy.

- (a) The City Council may, by majority vote of the remaining councilmembers (including the Mayor as a temporary, full-voting member), fill a vacancy in council membership, including the office of Mayor.
- (b) The City Council may order a special election to fill a vacancy in council membership.
- (c) The City Council may defer filling a vacancy in council membership until the next regular City election.
- (d) A person elected to fill a vacancy in council membership shall serve for the remainder of the unexpired term of the vacated office.
- (e) If the membership of the City Council is reduced to less than a quorum (that is, less than five councilmembers), the following persons, in the order of succession listed, may appoint additional councilmembers to raise the membership to a quorum: (1) the Mayor; (2) the Mayor Pro Tempore if the office of Mayor is vacant; (3) a unanimous vote of the remaining councilmembers, with the Charter's quorum requirement suspended for such vote, if the offices of both the Mayor and Mayor Pro Tempore are vacant; (4) the Governor, upon the petition of any remaining councilmember or any five registered voters of the City, provided the preceding methods have failed to raise the membership to a quorum.
- (f) A person appointed to fill a vacancy in council membership shall serve for the remainder of the unexpired term of office if the remaining term expires immediately following the next regular City election. Otherwise, a person appointed to fill a vacancy shall serve only until a successor is elected.

Ballot Language:

City Charter Amendment 6: Revising the City Charter, Article II (The Council), Section 6 – Vacancy. Clarifying how vacancies on the City Council or the Mayor's office are to be filled, authorizing discretionary appointment and election procedures, authorizing special appointment procedures if the City Council membership is reduced to less than a quorum, and clarifying the terms of office to be served by appointed and elected persons.

City of Texarkana, Texas

Version: D

Update Date: 9/4/2014 1:37 PM

Briefing Sheet

Lead Department: Economic Development **Action Officer:** Jerry Sparks, Economic Developer
Resolution No. 2014-109 authorizing the City Manager to execute a Quit Claim Deed for an access easement commonly known as Amis Lane or Amis Road for which the City has no recorded ownership, right of way, or prescriptive rights for a street.

Subject: for a street.

Briefing: 9/8/2014 **Public Hearing:** **Second Briefing:** **Council Vote:** 9/22/2014

Item ScheduleSchedule 2: Brief once - vote once (two weeks)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

An access easement commonly called Amis Lane or Amis Road appears on a survey of the City of Texarkana as a street, lane, driveway or alley. Staff found no indication that the City had any ownership, dedicated rights of way, or prescriptive rights as a City street to said property.

The current owners of the, through their counsel, have requested documentation from the City that the City has no ownership, no dedicated right of way, and no prescriptive rights as a street to said access easement.

The Quit Claim Deed will not have any monetary value. It will be used for the sole purpose of eliminating any potential property title questions on the access easement shown on the aforementioned survey as Amis Lane or Amis Road.

Potential Options:

- Comply with the request of the property owners for execution of the Quit Claim Deed
- Deny the request of property owners for execution of the Quit Claim Deed

Fiscal Implications:

NONE

Staff Recommendation:

Staff recommends approval

City of Texarkana, Texas

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NONE

Advisory Board/Committee Meeting Date and Minutes:

NONE

Attachments

- a. 2014-109 Goals & Perspectives (DOCX)
- b. 2014-109 Resolution for Amis Lane Quit Claim (DOC)
- c. QUITCLAIM DEED BY CITY (PDF)

Staff Coordination

Economic Development	Jerry Sparks	Department Head Review
Completed	08/29/2014 8:36 AM	
Assistant City Manager	Shirley Jaster	Review Completed
09/03/2014 9:03 AM		
Planning and Community Development	David Orr	Review Pending
Finance Department Charlie Bassett	Finance Review	Pending
Public Information Officer	PIO Review	Pending
City Manager	City Manager Review	Pending
City Council Pam Burns	Meeting	Pending

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

(Insert Text Here/or say "NONE")

Resource Impact:Staff time required if item is approved: **Other Potential Impacts:**

List or say "NONE APPLICABLE"

Public Information Plan:

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

Other:

RESOLUTION NO. 2014 - 109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A QUIT CLAIM DEED FOR AN ACCESS EASEMENT COMMONLY KNOWN AS AMIS LANE OR AMIS ROAD FOR WHICH THE CITY HAS NO RECORDED OWNERSHIP, RIGHT OF WAY, OR PRESCRIPTIVE RIGHTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an access easement commonly known as Amis Lane or Amis Road is indicated as a street, driveway, private lane, or other such property on a Texarkana survey; and

WHEREAS, the current owners of said property desires to eliminate any question of ownership, dedicated right of way, or prescriptive rights for a public street by the City of Texarkana, Texas; and

WHEREAS, there is no indication nor documents available to City staff that provide any ownership, dedicated right of way, or prescriptive rights for a public street or right of way.

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

SECTION 1: That the City Council of the City of Texarkana, Texas authorizes the City Manager to execute a Quit Claim Deed prepared by the property owner's counsel relinquishing any and all rights to the property known as Amis Lane or Amis Road within the City Limits of Texarkana, Texas without compensation.

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

PASSED AND APPROVED in Regular Council Session on this the 22nd day of September, 2014.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

QUITCLAIM DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BOWIE

The City of Texarkana, Texas, a Texas municipal corporation, Grantor herein, acting by and through its City Manager, duly authorized by Resolution passed by the City Council on the ____ day of September, 2014, a copy of said Resolution being marked as Exhibit A and attached hereto and incorporated herein for all purposes, for and in consideration of the sum of One and No/100 Dollars (\$1.00), and other good and valuable consideration paid by John C. Meadors and Bryce's Cafeteria, Inc., Grantees herein, the receipt of which is hereby acknowledged, has quitclaimed, and by these presents does quitclaim, to John C. Meadors an undivided three-fourths (3/4) interest and to Bryce's Cafeteria, Inc., an undivided one-fourth (1/4) interest of Grantor's right, title and interest in and to the following described property located in Bowie County, Texas (the "Property"):

All that certain lot, tract or parcel of land lying and situated in the R. G. Cannon Headright Survey, Abstract 733, Bowie County, Texas, being a part of that certain tract of land described as Tract Two in the Quitclaim Deed from Jack Watson to John C. Meadors, an undivided three-fourths (3/4) interest, and Bryce's Cafeteria, Inc., an undivided one-fourth (1/4) interest, dated September 1, 1987, recorded in Volume 1069, Page 337 of the Real Property Records of Bowie County, Texas, same being a part of that certain tract of land described as Tract 2 in the Deed from Lena Hughes, surviving wife of George H. Hughes, deceased, and Emily Hughes Wilson, wife of Murph Wilson, to Ed Warmack, dated July 14, 1973, recorded in Volume 562, Page 817 of the Deed Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1 inch steel pipe found for a corner, lying in the North line of the said Tract Two and the West line of that certain tract of land described as 0.5308 in the Deed from Jim T. Lindsey, et ux, to Wayne Poe, dated September 23, 1981, recorded in Volume 680, Page 901 of the Deed Records of Bowie County, Texas, the Southeast corner of that certain tract of land described as an undivided one-fourth (1/4) interest in 8.2167 acres in the Deed from John C. Meadors to Bryce's Cafeteria, Inc., a Texas corporation, dated August 31, 1987, recorded in Volume 1066, Page 221 of the Real Property Records of Bowie County, Texas, same being that certain tract of land described as 8.2167 acres in the Deed from James R.

Vreeland to John C. Meadors dated July 1, 1987, recorded in Volume 1061, Page 284 of the Real Property Records of Bowie County, Texas;

THENCE: South 04 degrees 57 minutes 04 seconds East a distance of 11.81 feet along the West line of the said 0.5308 acre tract to a 1/2 inch square pipe found for a corner, lying in the called occupied North right-of-way line of Amis Road, the Southwest corner of the said 0.5308 acre tract;

THENCE: North 84 degrees 03 minutes 56 seconds East a distance of 151.36 feet along the South line of the said 0.5308 acre tract and the called occupied North right-of-way line of Amis Road to a punch mark set for a corner in a concrete drainage flume, lying in the West right-of-way line of Summerhill Road (Texas State Highway 93), the Southeast corner of the said 0.5308 acre tract;

THENCE: South 03 degrees 15 minutes 39 seconds East, a distance of 29.63 feet along the West right-of-way line of the said Summerhill Road to a 1/2 inch square pipe found for a corner, lying in the called South boundary line of Amis Road, the Southeast corner of the said Tract Two and the Northeast corner of that certain tract of land described as 10.014 acres in the Deed from Ryden Properties, LLC, an Arkansas limited liability company, to Ryden Properties II, L.L.C., a Texas limited liability company, dated September 24, 2013, recorded in Volume 6524, Page 283 of the Real Property Records of Bowie County, Texas, same being that certain tract of land described as 10.014 acres in the Deed from Judge B. Fite, Trustee to Epoch Properties, Inc., a Florida corporation, dated April 19, 1978, recorded in Volume 632, Page 6 of the Deed Records of Bowie County, Texas;

THENCE: North 89 degrees 48 minutes 03 seconds West a distance of 140.97 feet along the South line of the said Tract Two, the said called South boundary line of Amis Road, and the North line of the said 10.014 acre tract, to a 30D nail in a concrete gate post foundation, found for a corner, at an angle point;

THENCE: South 77 degrees 41 minutes 07 seconds West a distance of 294.31 feet along the South line of the said Tract Two, the said called South boundary line of Amis Road, and the North line of the said 10.014 acre tract, to a mag spike set for a corner, an angle point of the said Tract Two, and angle point of the said called South boundary line of Amis Road, and an angle point of the said 10.014 acre tract;

THENCE: South 80 degrees 11 minutes 42 seconds West a distance of 299.93 feet along the South line of the said Tract Two, the said called South boundary line of Amis Road and the North line of the said 10.014 acre tract, to a 1/2 inch steel rod found for a corner (control monument), an angle point of the said Tract Two, an angle point of the said called South boundary line of Amis Road, and an angle point of the said 10.014 acre tract;

THENCE: South 75 degrees 38 minutes 55 seconds (basis of bearings) West a distance of 169.40 feet along the South line of the said Tract Two, the said called South boundary line of Amis Road, and the North line of the said 10.014 acre tract to a 1/2 inch square pipe found for a corner (control monument), an angle point of the said Tract Two, an angle point of the said called South boundary line of Amis Road, and an angle point of the said 10.014 acre tract;

THENCE: South 77 degrees 50 minutes 22 seconds West a distance of 140.44 feet along the South line of the said Tract Two, the said called South boundary line of Amis Road, and the North line of the said 10.014 acre tract to a 1/2 inch steel rod capped MTG 101011-00 set for a corner, lying in the West line of the said R. G. Cannon Headright Survey, the East line of the Adolphus Hope Headright Survey, Abstract 261, Bowie County, Texas, and the East line of that certain tract of land

described as 13.988 acres in the Deed from Bill Feazell to The Estate of Ann Raffaelli, dated February 10, 2009, recorded in Volume 5557, Page 210 of the Real Property Records of Bowie County, Texas, same being that certain tract of land described as 13.988 acres in the Deed from W. O. Rhodes to Don A. Clark and Archie C. Lashford dated January 4, 1966, recorded in Volume 463, Page 362 of the Deed Records of Bowie County, Texas, the Southwest corner of the said Tract Two, and the Northwest corner of the said 10.014 acre tract, said corner bears South 74 degrees 21 minutes 48 seconds West to a 1/2 inch steel rod found for a reference, an inside ell corner of the said 10.014 acre tract, the Southeast corner of the said 13.988 acre tract;

THENCE: North 01 degrees 47 minutes 39 seconds West a distance of 36.36 feet along the West line of the said R. G. Cannon Headright Survey, the East line of the said Adolphus Hope Headright Survey, and the East line of the said 13.988 acre tract to a 1/2 inch steel rod capped MTG 101011-00 set for a corner, lying in the said called North boundary line of Amis Road, the Southwest corner of the said 8.2167 acre tract;

THENCE: North 78 degrees 59 minutes 35 seconds East a distance of 361.07 feet along the said called North boundary line of Amis Road and the South line of the said 8.2167 acre tract to a 1 inch steel pipe found for a corner, an angle point of the said 8.2167 acre tract;

THENCE: South 02 degrees 32 minutes 36 seconds East a distance of 2.46 feet along the South line of the said 8.2167 acre tract to a 1 inch steel pipe found for a corner, an angle point of the said 8.2167 acre tract;

THENCE: North 78 degrees 15 minutes 40 seconds East a distance of 529.89 feet along the said called North boundary line of Amis Road and the South line of the said 8.2167 acre tract to the POINT OF BEGINNING, and containing 0.657 acres of land.

The bearings are based on the Texas Coordinate System of 1983, North Central Zone, NAD83, with a bearing of South 75 degrees 38 minutes 55 seconds West.

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the Property unto the Grantees, their heirs, successors and assigns forever. Neither Grantor nor Grantor's successors or assigns will have, claim or demand any right or title to the Property or any part of it.

EXECUTED this _____ day of September, 2014.

CITY OF TEXARKANA, TEXAS

ATTEST:

By: _____
John A. Whitson, City Manager

Jennifer Evans, City Secretary

STATE OF TEXAS

§

ACKNOWLEDGMENT

§

COUNTY OF BOWIE

§

The foregoing instrument was acknowledged before me on the ____ day of September, 2014, by John A. Whitson, City Manager of the City of Texarkana, Texas, a Texas municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

Printed Name: _____

My Commission Expires: _____

Addresses of Grantees:

John C. Meadors
301 West Travis Street
Fredericksburg, TX 78624

Bryce's Cafeteria, Inc.
2021 Mall Drive
Texarkana, Texas 75503

City of Texarkana, Texas

Version: A

Update Date: 9/2/2014 10:25 AM

Briefing Sheet

Lead Department: Purchasing and Contracting **Action Officer:** Sharon Moore, Purchasing Manager
Resolution No. 2014-110 authorizing the City Manager to enter into a one (1) year contract with four (4) additional one (1) year renewal options with Gibson Asphalt Construction, Incorporated for paving services as needed by the street department.

Subject: department.

Briefing: 9/8/2014 **Public Hearing:** **Second Briefing:** **Council Vote:** 9/22/2014

Item ScheduleSchedule 2: Brief once - vote once (two weeks)**Updates/History of Briefing:**

Not Applicable

Executive Summary and Background Information:

The bid opportunity was advertised on June 29th and July 6th in the Texarkana Gazette as well as emailed to an internal list of two potential bidders. Tatum Excavating and Tri-State Asphalt called for a bid packet as a result of that advertising. One bid was received by Gibson Asphalt Construction of Texarkana, Texas.

Gibson Asphalt Construction has been the paving services contractor for the past ten years. They have worked well with staff, schedules and the work is excellent.

Potential Options:

- None
-

Fiscal Implications:**Staff Recommendation:**

Public Works, Street Maintenance and Purchasing recommend award to Gibson Asphalt Construction.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

- a. Goals and Perspectives (DOCX)

City of Texarkana, Texas

- b. Resolution No. 2014-110 Paving Services (DOC)
- c. Bid Tab Paving Services (PDF)

Staff Coordination

Purchasing and Contracting	Sharon Moore	Department Head Review	
Completed	08/29/2014 1:03 PM		
Finance Department	Charlie Bassett	Finance Review	Completed 08/29/2014
1:20 PM			
Public Information Officer	Lisa Thompson	PIO Review	Completed
08/29/2014 1:22 PM			
City Manager	John Whitson	City Manager Review	Completed 09/02/2014
2:43 PM			
City Council	Pam Burns	Meeting	Pending

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

None

Resource Impact:

Staff time required if item is approved:

Low

Other Potential Impacts:

None Applicable

Public Information Plan:

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

Other:

RESOLUTION NO. 2014 - 110

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR CONTRACT WITH FOUR (4) ADDITIONAL ONE (1) YEAR RENEWAL OPTIONS WITH GIBSON ASPHALT CONSTRUCTION OF TEXARKANA, TEXAS FOR PAVING SERVICES AS NEEDED BY THE PUBLIC WORKS AND STREET DEPARTMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, issued invitations for bids on an annual paving services contract; and

WHEREAS, in response to the four (4) invitations for bids sent, one bid was received and is summarized in the Bid Tabulation Worksheet on the attached bid tab (Exhibit "A"); and

WHEREAS, funds are available in street maintenance for fiscal year 2015;

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

SECTION 1: That the responsible bid to supply paving services for the street maintenance department of the City of Texarkana, Texas for items on the attached bid tab hereto as Exhibit "A", is hereby declared to be Gibson Asphalt Construction of Texarkana, Texas and bid is accepted.

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

PASSED AND APPROVED in Regular Council Session on this the 22nd day of September, 2014.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Bid Tabulation for Paving Services

		Gibson Asphalt Texarkana, Tx
Item #	Description	Unit Price
1	500-1000 per Square Yard per location	\$16.89
2	Over 1,000 per Square Yard per location	\$13.68

No Response
Hart Construction- Hooks, Texas
Tatum Excavating - Texarkana, Texas
Tri-State Asphalt - Locksburg, Arkansas

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 8/29/2014 10:54 AM

Lead Department: Purchasing and Contracting **Action Officer:** Sharon Moore, Purchasing Manager
Subject: Resolution No. 2014-111 authorizing the City Manager to enter into a one (1) year contract with four (4) additional one (1) year renewal options with Texarkana Auto Body Works for auto body repair and painting services as needed by the fleet services department.
Briefing: 9/8/2014 **Public Hearing:** **Second Briefing:** **Council Vote:** 9/22/2014

Item Schedule

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

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

The bid opportunity was advertised on August 10, 2014 and August 17, 2014 in the Texarkana Gazette. Eight bids were mailed to potential bidders. One bid was received from Texarkana Auto Body Works of Texarkana, Texas.

Texarkana Auto Body Works is the City's current contractor. They have been responsive to our repair needs and the urgency of getting emergency response vehicles back in service.

Potential Options:

- None
-

Fiscal Implications:

Funds appropriated in fleet maintenance budget.

Staff Recommendation:

Fleet Services and Purchasing recommend award to Texarkana Auto Body Works.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

City of Texarkana, Texas

- a. Goals and Perspectives (DOCX)
- b. Res. No. 2014-111 Auto Body Repair (DOC)
- c. Bid Tab Auto Body Repair & Painting (PDF)

Staff Coordination

Purchasing and Contracting	Completed	Sharon Moore	Department Head Review	
		08/29/2014 10:55 AM		
Finance Department	Charlie Bassett	Finance Review	Completed	08/29/2014
Public Information Officer				
	08/29/2014 1:21 PM	Lisa Thompson	PIO Review	Completed
City Manager	John Whitson	City Manager Review	Completed	09/02/2014
City Council	Pam Burns	Meeting	Pending	

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

None

Resource Impact:

Staff time required if item is approved:

Low

Other Potential Impacts:

Non Applicable

Public Information Plan:

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

Other:

RESOLUTION NO. 2014 - 111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE (1) YEAR CONTRACT WITH FOUR (4) ADDITIONAL ONE (1) YEAR RENEWAL OPTIONS WITH TEXARKANA AUTO BODY WORKS FOR AUTO BODY REPAIR AND PAINTING SERVICES AS NEEDED BY THE FLEET SERVICES DEPARTMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, issued invitations for bids on an annual pricing contract for body repair and painting of City-owned passenger vehicles, trucks and specialty vehicles; and

WHEREAS, in response to the eight (8) invitations for bids sent to area body shops, one bid was received and is summarized in the Bid Tabulation Worksheet on the attached bid tab (Exhibit "A"); and

WHEREAS, funds are available in fleet services for fiscal year 2015;

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

SECTION 1: That the responsible bid to supply auto body repair and painting services for fleet services of the City of Texarkana, Texas for items on the attached bid tab hereto as Exhibit "A", is hereby declared to be Texarkana Auto Body Works of Texarkana, Texas and bid is accepted.

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

PASSED AND APPROVED in Regular Council Session on this the 22nd day of September, 2014.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: Res. No. 2014-111 Auto Body Repair (1182 : Res. No. 2014-111 Auto Body Repair Contract Award)

Bid Tabulation

for

Auto Body Repair and Painting Services

				Texarkana Auto Body Works Texarkana, Texas	
Item #	Description	Qty.	U/M	Unit Price	Total
1	Passenger Vehicles				
	Parts shall be provided at crash guide list less __%	6000	Dollars	0%	\$6,000.00
	Body Repair Labor shall be provided at \$ ____ per hour	300	Hours	\$50.00	\$15,000.00
	Paint Labor shall be provided at \$ ____ per hour	150	Hours	\$50.00	\$7,500.00
	Paint Material Hourly Rate shall be provided at \$ ____ per hour	60	Hours	\$38.00	\$2,280.00
	Mechanical Repair Labor shall be provided at \$ ____ per hour	30	Hours	\$70.00	\$2,100.00
	Frame Repair Labor shall be provided at \$ ____ per hour	60	Hours	\$70.00	\$4,200.00
	TOTAL				\$37,080.00
2	Trucks				
	Parts shall be provided at crash guide list less __%	4000	Dollars	0%	\$4,000.00
	Body Repair Labor shall be provided at \$ ____ per hour	100	Hours	\$50.00	\$5,000.00
	Paint Labor shall be provided at \$ ____ per hour	50	Hours	\$50.00	\$2,500.00
	Paint Material Hourly Rate shall be provided at \$ ____ per hour	20	Hours	\$38.00	\$760.00
	Mechanical Repair Labor shall be provided at \$ ____ per hour	10	Hours	\$70.00	\$700.00
	Frame Repair Labor shall be provided at \$ ____ per hour	20	Hours	\$70.00	\$1,400.00
	TOTAL				\$14,360.00
3	Specialty Vehicles				
	Parts shall be provided at crash guide list less __%	5000	Dollars	0%	\$5,000.00
	Body Repair Labor shall be provided at \$ ____ per hour	100	Hours	\$50.00	\$5,000.00
	Paint Labor shall be provided at \$ ____ per hour	50	Hours	\$50.00	\$2,500.00
	Paint Material Hourly Rate shall be provided at \$ ____ per hour	20	Hours	\$38.00	\$760.00
	Mechanical Repair Labor shall be provided at \$ ____ per hour	10	Hours	\$50.00	\$500.00
	Frame Repair Labor shall be provided at \$ ____ per hour	20	Hours	\$50.00	\$1,000.00
	TOTAL				\$14,760.00
GRAND TOTAL					\$66,200.00

No bid response from the following:

Frank's Paint & Body Works, 711 W 9th, Texarkana, Texas

Haley's Body Shop LTD, 530 Sowell Lane, Texarkana, Texas

Kemp Bros Body Shop, Inc. 2007 Texas Blvd, Texarkana, Texas

Hadaway Collision, 3407 S. Lake Drive, Texarkana, Texas

Twin City Collision Repair, 3602 Summerhill Road, Texarkana, Texas

Auto Improvers Pain, Body and Glass Shop, 605 E. New Boston Road, Nash, Texas

Wright Auto Body and Glass, 112 E. New Boston Road, Nash, Texas

Attachment: Bid Tab Auto Body Repair & Painting (1182 : Res. No. 2014-111 Auto Body Repair Contract Award)

City of Texarkana, Texas

Version: B

Update Date: 8/18/2014 8:37 AM

Briefing Sheet

Lead Department: Assistant City Manager **Action Officer:** Debbie Burk,
Ordinance No. 2014-102 rezoning a 2.904 acre tract of land in the Willis
Oldham HRS, A-458, located at 5307 and 5309 North State Line Avenue.
Planned Development-General Retail and General Retail to Commercial. David
Subject: Peavy, owner.

Public **Second** September 22, **Council**
Briefing: 9/8/2014 **Hearing:** 9/8/2014 **Briefing:** 2014 **Vote:** 10/13/2014

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Z-14-8: This is a request by David Peavy, owner, to rezone a 2.904 acre tract of land in the Willis Oldham HRS, A-458, located at 5307 and 5309 North State Line Avenue from Planned Development-General Retail and General Retail to Commercial. The front portion of this property adjacent to State Line Avenue is zoned General Retail and a barbeque business (Namans) currently operates on the property. The rear part of the property is zoned Planned Development-General Retail and a single family residence is currently located on this portion.

Mr. Peavy has stated that the proposed use of the property is an open-air market or other type of commercial use. A pavilion or additional structures to allow the market area may be constructed at the site. It should be noted that any type of outside storage requires Commercial zoning.

The adjacent zoning is Commercial to the north and south and Industrial-1 to the west. Texarkana, Arkansas is located to the east. The adjacent land use is motels and a restaurant to the north, a hotel to the south and the Northgate manufactured home park to the west.

The Comprehensive Plan has designated this as a Mixed Use Development area.

The applicant should be aware that commercial code upgrades would be required if the residence is to be used for business purposes.

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

Potential Options:

Approve the request for rezoning. Deny the request for rezoning.

Fiscal Implications:

None

Staff Recommendation:

City of Texarkana, Texas

Most of the businesses in this area and along State Line Avenue are zoned Commercial. This use is consistent with others in the area and the Comprehensive Plan. Staff recommends for approval of the request.

Advisory Board/Committee Review:

Planning and Zoning Commission at their August 4, 2014 meeting.

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

August 4, 2014

Attachments

- a. Goals and Perspectives (DOCX)
- b. Ord. #2014-102 (DOCX)
- c. Exhibit "A" to attach to Ord. 2014-102 (PDF)
- d. Maps for Ord. 2014-102 (PDF)

Staff Coordination

Assistant City Manager	Shirley Jaster	Department Head Review
Completed	08/11/2014 3:28 PM	
Public Information Officer	Lisa Thompson	PIO Review Completed
08/12/2014 8:59 AM		
City Manager	John Whitson	City Manager Review Completed 08/18/2014
8:37 AM		
City Council	Jennifer Evans	Meeting Completed 08/29/2014
12:36 PM		

Meeting History

08/25/14 City Council MOVED FORWARD Next: 09/08/14
Shirley Jaster briefed this item.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

None

Resource Impact:

Staff time required if item is approved:

Select One By Clicking Here

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Z-14-8

ORDINANCE NO. 2014-102

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 2.904 ACRE TRACT OF LAND IN THE WILLIS OLDHAM HRS, A-458, (EXHIBIT “A”), LOCATED AT 5307 AND 5309 NORTH STATE LINE AVENUE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM PLANNED DEVELOPMENT-GENERAL RETAIL (PD-98-7) AND GENERAL RETAIL TO COMMERCIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone a 2.904 acre tract of land located in the Willis Oldham HRS, A-458, (Exhibit “A”), located at 5307 and 5309 North State Line Avenue in the City of Texarkana, Bowie County, Texas, from **Planned Development-General Retail and General Retail to Commercial**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted six (6) to zero (0) to recommend the application for rezoning from Planned Development-General Retail and General Retail to Commercial** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Planned Development-General Retail and General Retail to Commercial** is in the best interest of the public health, safety, morals and general welfare of the City;

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a

Attachment: Ord. #2014-102 [Revision 2] (1170 : Ord. No. 2014-102 Z-14-8: 5307 & 5309 N. State Line. PD-GR & GR to Commercial)

2.904 acre tract of land located in the Willis Oldham HRS, A-458, (Exhibit “A”), located at 5307 and 5309 North State Line Avenue in the City of Texarkana, Bowie County, Texas, from **Planned Development-General Retail and General Retail to Commercial.**

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

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

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

PASSED AND APPROVED in Regular Council Session on this the 13th day of October, 2014.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

EXHIBIT "A"

THIS IS TO CERTIFY: That this plat correctly reflects the results of a survey made by us on the ground covering all that certain tract or parcel of land situated in the Willis Oldham Headright Survey A-458, Bowie County, Texas, being a portion of a certain called 3.4 acre tract of land conveyed to Carlton J. Fountain, et ux, by deed dated February 6, 1956, of record in Volume 333, page 440, Deed Records Bowie County, Texas, being more particularly described by metes and bounds as follows:

Tract No. 1

BEGINNING at a 1/2 inch iron pin set for corner on the North line of said 3.4 acre tract, N 90° 00' 00" E, (East) 280.45 feet from the Northwest corner of said 3.4 acre tract;
 THENCE: N 90° 00' 00" E, (East) with the North line of said 3.4 acre tract, 326.94 feet to an iron pin found for corner on the West right-of-way line of U.S. Highways No. 59 and 71 (Stateline);
 THENCE: S 00° 09' 29" W, with said right-of-way line, 119.11 feet to a right-of-way marker found at an angle point;
 THENCE: S 50° 19' 02" W, continuing with said right-of-way line, 154.88 feet to a 1/2 inch iron pin set for corner on the South line of said 3.4 acre tract;
 THENCE: N 90° 00' 00" W, (West) with the South line of said 3.4 acre tract, 207.42 feet to 1/2 inch iron pin set for corner;
 THENCE: N 00° 00' 00" W, (North) 218.00 feet to the PLACE OF BEGINNING and containing 1.50 acres of land, more or less.

Tract No. 2

BEGINNING at a 1/2 inch iron pin set for corner at the Northwest corner of said 3.4 acre tract;
 THENCE: N 90° 00' 00" E, (East) with the North line of said 3.4 acre tract, 280.45 feet to a 1/2 inch iron pin set for corner;
 THENCE: S 00° 00' 00" E, (South) 218.00 feet to a 1/2 inch iron pin set for corner on the South line of said 3.4 acre tract;
 THENCE: S 90° 00' 00" W, (West) with the South line of said 3.4 acre tract, 280.80 feet to an iron pin found for corner in a fence line, said point being the Southwest corner of said 3.4 acre tract;
 THENCE: N 00° 05' 34" E, with the West line of said 3.4 acre tract, same being along a fence line, 218.00 feet to the PLACE OF BEGINNING and containing 1.404 acres of land, more or less.

The fences along the North and South lines of subject tracts are not on the property line as shown.

All dimensions are correct as shown.

Scale: 1" = 40'
 October 20, 1998
 982090

MHA TECHNICAL GROUP - TEXARKANA
 MURRAY, THOMAS & GRIFFIN, INC.
 P.O. Box 3786
 Texarkana, Texas 75501

Jerry H. Griffin
 Jerry H. Griffin, R.P.L.S.
 Texas Reg. No. 1715



SF-3
S-609

541

A

5403

C

Hotels

5401

5329

Waffle House

GR

PD-98-7

RESIDENCE

5309
BBQ

Hotel



5301

1-1

400

ST. MICHAEL DR.

N STATE LINE AVE

51ST ST

E 51ST-9



Attachment: Maps for Ord. 2014-102 (1170 : Ord. No. 2014-102 Z-14-8: 5307 & 5309 N. State Line, PD-GR & GR to Commercial)

City of Texarkana, Texas

Briefing Sheet

Version: A

Update Date: 8/18/2014 8:46 AM

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

Subject: Resolution No. 2014-105 confirming the appointment of Mr. Bob Hay to the City of Texarkana Civil Service Commission.

Briefing: 9/8/2014 **Public Hearing:** 9/8/2014 **Second Briefing:** 9/22/2014 **Council Vote:** 9/22/2014

Item Schedule

Updates/History of Briefing:

Not applicable

Executive Summary and Background Information:

Commissioner Mr. Bob Hay's current appointment to the Civil Service Commission expires on 30 SEP 14. City Manager, John Whitson, has reappointed Mr. Hay to serve a fourth consecutive term. In accordance with Texas Local Government Code, Section 143.006 the reappointment must be confirmed by a two-thirds majority vote of the City Council.

Potential Options:

- Confirm Appointment
- Reject Appointment

Fiscal Implications:

None

Staff Recommendation:

Confirm Appointment

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- Goals and Perspectives (DOCX)
- Res. No. 2014-105 Bob Hay Civil Service Commission Appointment (DOCX)

City of Texarkana, Texas

Staff Coordination

Human Resources	Jim Powell	Department Head Review	Completed
	08/13/2014 4:13 PM		
Public Information Officer		Lisa Thompson	PIO Review Completed
	08/13/2014 4:28 PM		
City Manager	John Whitson	City Manager Review Completed	08/18/2014
8:46 AM			
City Council	Jennifer Evans	Meeting	Completed 08/29/2014
12:36 PM			

Meeting History

08/25/14 City Council MOVED FORWARD Next: 09/08/14
 Jim Powell briefed this item.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

To maintain continuity of the Civil Service Commission.

Resource Impact:

None

Select One By Clicking Here

Other Potential Impacts:

None applicable.

Public Information Plan:

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

Other:

RESOLUTION NO. 2014-105**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CONFIRMING THE APPOINTMENT OF MR. BOB HAY TO THE CITY OF TEXARKANA, TEXAS CIVIL SERVICE COMMISSION; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Texas Local Government Code, Section 143.006 states that the Fire Fighters' and Police Officers' Civil Service Commission (hereinafter "Commission") shall consist of three members appointed by the municipality's chief executive; and

WHEREAS, the Commission members serve staggered three-year terms with the term of one member expiring each year; and

WHEREAS, the municipality's chief executive may reappoint a Commission member to consecutive terms; and

WHEREAS, a Commission member may not be reappointed to more than a third consecutive term unless the member's reappointment to a fourth or subsequent consecutive term is confirmed by a two-thirds majority of all the members of the municipality's governing body; and

WHEREAS, Mr. Bob Hay's third term expires on 30 SEP 14 (two full terms plus 23 months); and

WHEREAS, City Manager John A. Whitson has reappointed Mr. Bob Hay to a three-year term;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF TEXARKANA, TEXAS hereby confirms the City Manager's reappointment of Mr. Bob Hay to the Civil Service Commission for the period beginning 1 OCT 14 and ending 30 SEP 17 and thanks him for his dedication and continued service to the community.

PASSED AND APPROVED in Regular Council Session on this the 22nd day of September, 2014.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Version: D

Update Date: 8/19/2014 8:59 AM

Briefing Sheet

Lead Department: Water Utilities **Action Officer:** Pam White,
Resolution 2014-106 authorizing the City Manager to enter into a contract with
Mid-Continental Restoration Company, Inc. of Fort Worth, Texas, in an amount
not to exceed Two Hundred Fifty-Six Thousand Forty-Six and 06/100 dollars
(\$256,046.06) for the repair of the underside of the roof of the north three
million (3,000,000) gallon concrete clearwell at the Wright Patman water
treatment plant.

Subject:

Briefing: 9/8/2014 **Public Hearing:** 9/8/2014 **Second Briefing:** September 22, 2014 **Council Vote:** 10/13/2014

Item Schedule

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

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

Bids were received Tuesday, July 29, 2014 for the Repair of the Underside of the Roof of the North Three Million (3,000,000) Gallon Concrete Clearwell at the Wright Patman Water Treatment Plant (WPWTP). Seven (7) bid packages for the project were sent out and one (1) contractor bid on the project. Mid-Continental Restoration Company of Fort Worth, Texas was the apparent low bidder for the project with a total bid of \$256,046.06. The project will consist of repairing the concrete beams and roof slab on the underside of the top of the north three million gallon concrete clearwell at the WPWTP. The clearwell was constructed in the early 1970's and the concrete on the underside of the tank roof has deteriorated due to the harsh environment present in the upper areas of the clearwell. The chlorine vapors present attack the surface of the concrete and allow the high humidity of the interior area to damage the reinforcing steel in the roof beams and roof slab causing the concrete to "spall" off. This project will repair those areas of the beams and roof slab that have been damaged over the years. The Texas Commission on Environmental Quality (TCEQ) has instructed the Utility to repair the beams and roof slab on this clearwell. Mid-Continental Restoration Company, Inc. is a national company that specializes in concrete and masonry repairs.

Potential Options:

- None
-

Fiscal Implications:

Adequate funds for this project are designated in the Lake Texarkana Water Supply Corporation (LTWSC) Capital Improvement Fund labeled Repair Clearwell Tops of the Utility's recently passed 2014-2015 budget.

Staff Recommendation:

Utility staff recommends approval.

City of Texarkana, Texas

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NONE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. Goals and Perspectives (DOCX)
- b. Resolution 2014-106 Wright Patman Water Treatment Plant Clearwell Repairs (DOC)
- c. Exhibit "A" Clearwell Bid tab (DOCX)

Staff Coordination

Water Utilities 12:02 PM	JD Phillips	Review	Completed	08/14/2014
Water Utilities	Bill King 08/14/2014 1:11 PM	Water Utilities Review	Completed	
TWU Finance 3:08 PM	Jim Cornelius	TWU Finance Review	Completed	08/14/2014
Finance Department 3:37 PM	Charlie Bassett	Finance Review	Completed	08/14/2014
Public Information Officer		Lisa Thompson	PIO Review	Completed
	08/14/2014 3:38 PM			
City Manager 8:59 AM	John Whitson	City Manager Review	Completed	08/19/2014
City Council 12:36 PM	Jennifer Evans	Meeting	Completed	08/29/2014

Meeting History

08/25/14 City Council MOVED FORWARD Next: 09/08/14
J.D. Phillips briefed this item.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

(Insert Text Here/or say "NONE")

Resource Impact:Staff time required if item is approved: [Select One By Clicking Here](#)**Other Potential Impacts:**

List or say "NONE APPLICABLE"

Public Information Plan:

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

Other:

RESOLUTION NO. 2014 - 106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND ENTER INTO A CONTRACT WITH MID-CONTINENTAL RESTORATION COMPANY, INC. OF FORT WORTH, TEXAS, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY-SIX THOUSAND FORTY-SIX AND 06/100 DOLLARS (\$256,046.06) FOR THE REPAIR OF THE UNDERSIDE OF THE ROOF OF THE NORTH THREE MILLION GALLON (3,000,000) CONCRETE CLEARWELL AT THE WRIGHT PATMAN WATER TREATMENT PLANT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on July 29, 2014, one (1) bid was received by the Texarkana Water Utilities for the Wright Patman Water Treatment Plant North Clearwell repairs; and

WHEREAS, the project will consist of repairing the concrete beams and roof slab of the north three million (3,000,000) gallon clearwell at the Wright Patman Water Treatment Plant; and

WHEREAS, the lowest and only bid by a responsible vendor for this project was submitted by MID-CONTINENTAL RESTORATION COMPANY, INC. of Fort Worth, Texas, a copy of which is attached hereto as Exhibit "A", in an amount not to exceed TWO HUNDRED FIFTY-SIX THOUSAND FORTY-SIX AND 06/100 DOLLARS (\$256,046.06); and

WHEREAS, there are funds budgeted in the Texarkana Water Utilities 2014-2015 budget at THREE HUNDRED SIXTY-ONE THOUSAND FOUR HUNDRED THIRTY-EIGHT DOLLARS (\$361,438.00) in the Lake Texarkana Water Supply Corporation Capital Improvement Fund for the repair of the clearwell tops.

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

SECTION 1: That the lowest and only bid by a responsible vendor, submitted by MID-CONTINENTAL RESTORATION COMPANY, INC. of Fort Worth, Texas, a copy of which is attached hereto as Exhibit "A", be and is hereby approved in an amount not to exceed TWO HUNDRED FIFTY-SIX THOUSAND FORTY-SIX AND 06/100 DOLLARS (\$256,046.06) for the repair of the concrete beams and roof slab of the north three million (3,000,000) gallon clearwell at the Wright Patman Water Treatment Plant.

SECTION 2: That the City Manager be and is authorized to contract with MID-CONTINENTAL RESTORATION COMPANY, INC. of Fort Worth, Texas for the above-described services.

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

PASSED AND APPROVED in Regular Council Session on this the 13th day of October, 2014.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: Resolution 2014-106 Wright Patman Water Treatment Plant Clearwell Repairs [Revision 3] (1175 : Resolution 2014-106 Wright

TEXARKANA WATER UTILITIES**Bid Tabulation****Wright Patman Water Treatment Plant****North Three Million Gallon Clearwell Repair****2:00 P.M., Tuesday, July 29, 2014**

1. KKM Construction, Inc.	No Bid
2. DN Tanks/Concrete Tank Service	No Bid
3. Jeans Waterproofing of Texas, LLP	No Bid
4. Mobile Enterprises, Inc.	No Bid
5. Mid-Continental Restoration Co., Inc.	\$256,046.06
6. Southwest Construction Services	No Bid
7. Restek, Inc.	No Bid

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

Number of Bidders: 1

Apparent Low Bidder: Mid-Continental Restoration Co., Inc.

City of Texarkana, Texas

Version: C

Update Date: 8/21/2014 10:28 AM

Briefing Sheet

Lead Department: Finance Department **Action Officer:** Charlie Bassett, CFO
Subject: Ordinance No. 2014-100 fixing the tax rate and levy for the fiscal year ending September 30, 2015.
Briefing: 9/8/2014 **Public Hearing:** 8/25/2014 **Second Briefing:** September 8, 2014 **Council Vote:** 9/22/2014

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

NOT APPLICABLE

Executive Summary and Background Information:

After adoption of the budget the City Council is required to adopt a tax rate that is sufficient to fund that budget for the next fiscal year. The rate that is proposed to be adopted is \$.669293 cents on each \$100 of assessed value of property in the City. This is the same rate as last year, and is lower than the calculated effective tax rate of \$.669446 cents/\$100, and also less than the calculated rollback rate of \$.945998/\$100.

Potential Options:

- Adopt the proposed tax rate, which will fund the proposed budget for fiscal year 2015.
- Do not adopt the proposed tax rate, which causes a rollback to last year's rate (same rate).

Fiscal Implications:

Adoption of this tax rate provides adequate funding for the fiscal year 2015 budget.

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

- Goals and Perspectives (DOCX)
- 2014-100 Tax Rate (DOCX)

City of Texarkana, Texas

Staff Coordination

Finance Department	Charlie Bassett	Department Head Review	Completed	
	07/31/2014 3:35 PM			
Finance Department	Charlie Bassett	Finance Review	Completed	08/01/2014
	3:54 PM			
Public Information Officer		Lisa Thompson	PIO Review	Completed
	08/01/2014 7:03 PM			
City Manager	John Whitson	City Manager Review	Completed	08/04/2014
	8:37 AM			
City Council	Jennifer Evans	Meeting	Completed	08/26/2014
	11:59 AM			

Meeting History

08/11/14	City Council	MOVED FORWARD	Next: 08/25/14
08/25/14	City Council	MOVED FORWARD	Next: 09/08/14

Charlie Bassett provided council an explanation of the purpose of fixing the tax rate and levy.

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:

ORDINANCE NO. 2014-100

AN ORDINANCE FIXING THE TAX RATE AND LEVY IN AND FOR THE CITY OF TEXARKANA, TEXAS, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015, UPON ALL TAXABLE PROPERTY IN THE CITY OF TEXARKANA, TEXAS, FOR THE PURPOSE OF PAYING THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015; MAINTAINING A SINKING FUND TO RETIRE THE PRINCIPAL AND INTEREST OF THE BONDED INDEBTEDNESS AND CERTIFICATES OF OBLIGATION OF THE CITY; PROVIDING FOR THE RENDITION AND ASSESSMENT OF TAXES IN ACCORDANCE WITH THE STATE LAW; PROVIDING THAT IN THE EVENT ANY PROVISIONS OF THIS ORDINANCE BE HELD UNCONSTITUTIONAL AND INVALID SUCH HOLDING SHALL NOT AFFECT THE REMAINING PROVISIONS THEREOF IN CONFLICT HERewith; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1: There is hereby levied for the fiscal year ending September 30, 2015, upon all real property situated within the corporate limits of said City of Texarkana, Texas, and on all personal property which was owned within the corporate limits of said City of Texarkana, Texas, on the first day of October, A.D. 2014, except so much thereof as may be exempt by the Constitution and Laws of the State of Texas, a total tax of \$.669293 CENTS on each ONE HUNDRED DOLLARS (\$100.00) of assessed valuations on all of said property, which said total tax is here and now levied respectively as follows:

a. An ad valorem tax of and at the rate of \$.445789 CENTS on each ONE HUNDRED DOLLARS (\$100.00) of assessed valuation of said taxable property is hereby levied for the fiscal year ending September 30, 2015 for the general City purposes to pay the current operating expenses of said City of Texarkana, Texas, for the fiscal year beginning on October 1, 2014, and ending September 30, 2015, which tax, when collected shall be appropriated to and deposited in and to the credit of the General Fund of said City of Texarkana, Texas.

b. An ad valorem tax of and at the rate of \$.012824 CENTS on each ONE HUNDRED DOLLARS (\$100.00) of assessed valuation of said taxable property is hereby levied for the fiscal year ending September 30, 2015 for the operating expenses of Tax Increment Reinvestment Zone #1, for the fiscal year beginning on October 1, 2014, and ending September 30, 2015, which tax, when collected shall be appropriated to and deposited in and to the credit of the Tax Increment Reinvestment Zone #1 Fund of the City of Texarkana, Texas.

c. An ad valorem tax of and at the rate of \$.210680 CENTS on each ONE HUNDRED DOLLARS (\$100.00) of assessed valuation of said taxable property is hereby levied for the fiscal year ending September 30, 2015, for the purpose of maintaining an Interest and Sinking Fund with which to pay the interest and retire the principal of the valid bonded and warrant indebtedness and Certificates of Obligation of the City of Texarkana, Texas, now outstanding, and such tax, when collected, shall be appropriated and deposited in and to the credit of the Interest and Sinking Fund of the said City of Texarkana, Texas.

Publish

SECTION 2: Property situated in the City of Texarkana, Texas, shall be rendered and assessed in accordance with the laws of the State of Texas, and the Charter and Ordinances of the City of Texarkana, Texas.

SECTION 3: In the event any provision of this Ordinance shall be held unconstitutional and invalid by a Court of competent jurisdiction, the same shall not affect the remaining provisions hereof.

SECTION 4: All Ordinances or parts thereof in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of such conflict.

PASSED AND APPROVED and ordered published by the City Council of the City of Texarkana, Texas, in Regular Council Session on this the 22nd day of September, 2014.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Publish



CITY OF TEXARKANA, TEXAS

PROPOSED TAX RATE FOR FY 2015

GENERAL FUND	\$0.445789
TIRZ #1	0.012824
DEBT SERVICE	<u>0.210680</u>
TOTAL RATE	<u>\$0.669293</u> Per \$100 Valuation

COUNCIL MEMBERS	SIGNATURE	RECORD VOTE		
		FOR	AGAINST	ABSTAIN
Mayor, Bob Bruggeman				
Member, Brad Casteel				
Member, Ms. Willie Ray				
Member, Ms. Tina Veal-Gooch				
Member, Brian Matthews				
Member, Bill Miller				
Member, Josh Davis				

APPROVED THE _____ OF _____, 2014

College Drive Short Term and Long Term Cost Estimates

Street		To	From	Short Term Repair Method	Short Term Life Expectancy	Short Term Cost			
						PW Cost	TWU Water Cost	TWU Sewer Cost	Total Project Cost
College Drive		State Line Ave.	Texas Blvd.	Cement Stabilization & Asphalt Overlay	5 - 10 Years	\$280,000	\$10,000	\$410,000	\$700,000
College Drive		Texas Blvd.	Summerhill Rd.	Edge Mill and Repave	5 - 10 Years	\$220,000	\$280,000	\$5,000	\$505,000
College Drive		Summerhill Rd.	Richmond Rd.	Edge Mill and Repave	5 - 10 Years	\$140,000	\$5,000	\$5,000	\$150,000
Grand Total:									\$1,355,000

Street		To	From	Long Term Repair Method	Long Term Life Expectancy	Long Term Cost			
						PW Cost	TWU Water Cost	TWU Sewer Cost	Total Project Cost
College Drive		State Line Ave.	Texas Blvd.	Total Reconstruction	20 - 25 Years	\$1,002,000	\$711,000	\$410,000	\$2,123,000
College Drive		Texas Blvd.	Summerhill Rd.	Total Reconstruction	20 - 25 Years	\$1,287,000	\$950,000	\$78,000	\$2,315,000
College Drive		Summerhill Rd.	Richmond Rd.	Total Reconstruction	20 - 25 Years	\$820,000	\$5,000	\$5,000	\$830,000
Grand Total:									\$5,268,000

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 9/2/2014 1:44 PM

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

Subject: Appointments to Boards and Commissions

Attachments

- a. Discussion Schedule 20140815 (PDF)

8/14/14 9:39 AM

TEXARKANA, TEXAS CITY COUNCIL DISCUSSION TOPICS SCHEDULE

Topic	Sponsor	Date Added	Scheduled Discussion	Discussion Notes	Disposition	Staff Lead
Enforcement of/or Demolition of Red Tagged/Burned Out Buildings	Miller	28-Jan-14	25-Aug-14	The number of red tagged or burned out buildings is not acceptable and the city council should discuss its interest in appropriate enforcement of city ordinances to either bring the buildings up to usable standards or causing owner removal of the structures. Any such buildings that have historical designations might should be restored to their historical appearance and/or use. Of particular interest are the structures known as (1) Pine Street School, (2) McCarthy Hotel, (3) Grimm Hotel, and (4) residential structures such as the one on 40th Street. (10 FEB 14) CM Miller lead the council discussion. Councilmembers generally expressed concern about the city's inventory of burned-out and/or delapidated structures. There appears to be two huge problems in that there are commercial type buildings and residential type structures. Clearly the cost to remove or upfit a large commercial type building will be significant. These many structures represent risks to the community's health, safety, and welfare. There is concern that someone will get hurt while trespassing on these properties. Councilmembers stated that they are prepared to stand behind the ordinance regardless of property ownership. Current enforcement procedures were discussed with the council. Council consensus is that staff is to work this situation extensively. Mr. Whitson reported that the staff will finish some of the other previous discussion items and then will move onto this particular item. (15 JUL 14) Reassigned to Public Works Director Dooley.	Staffing	Dooley
Appointments to Boards and Commissions	Matthews	12-Dec-13	8-Sep-14	The manner that citizens are appointed by the City Council to committees, boards, and commissions appear to lack a high level of transparency. (14 OCT 13) CM Miller lead the discussion concerning the manner in which citizens are appointed to the various boards, commissions, and committees. He stated that he had discussed the matter with the City Manager and asked that Mr. Whitson share with the city council his experience and thoughts and the matter. Mr. Whitson reported that he has worked in a system that included advertising or noticing the public that certain positions would open for appointment and that citizens interested in serving should provide an application of interest. The process certainly could be automated such that applicants would provide information uniformly and for those citizens who did not apply via the internet could email and application or appear in person wherein a staff person would create the on-line application for the interested party. When it comes times for the city council to appoint the staff could prepare a briefing item permitting a high level of transparency to the public. The City Council, by consensus, directed staff to work toward developing a briefing item for consideration aimed toward improving the transparency of the process. (27 JAN 14) Mr. Whitson reported that he and the city secretary have researched creation documents for city commissions, boards, and committees and continue to research similar documents for outside agencies where the city appoints members to their governing boards. As a first step the staff has redesigned the Excel file used to track membership. The new design will quickly identify any appointment that will expire within 90 days and also further identify by color code any appointments that have expired. The 90-day notice will permit the city secretary to advertise pending vacancies thus seek applications from interested citizens who want to be considered for appointment. Mr. Whitson stated that he is drafting a policy for council consideration that will be intended to improve the transparency of the appointment process. he expects to have a briefing item ready in March, 2014.	Staffing	Whitson

8/14/14 9:39 AM

TEXARKANA, TEXAS CITY COUNCIL DISCUSSION TOPICS SCHEDULE

Topic	Sponsor	Date Added	Scheduled Discussion	Discussion Notes	Disposition	Staff Lead
Animal Shelter	Bruggeman	8-Jul-13		Currently Texarkana, Texas Animal Control uses the Texarkana, Arkansas Animal Shelter to house animals that cannot be immediately placed with good homes. The use of the Arkansas shelter is on a fee basis. A number of Texas residents have expressed concern with the euthanasia policies of the Arkansas shelter and feel that it is time for Texas to operate its own shelter with policies that meet the desires of Texas residents. (26 AUG 13) City Council and staff discussion was led by Council Member Veal-Gooch. In general the staff feels that the current annual cost of in-putting animals at the Texarkana, Arkansas shelter now represents an amount that might support the annual debt service costs of financing related to capital funding of a Texas-side facility. Some residents have registered concern that the Arkansas facility cannot continue to accommodate Texas-side animal shelter requirements, especially if the city council adopts a "no-kill" animal control/shelter policy. Council and staff agreed that staff will continue its research on the matter and develop a project plan for the city council to consider for adoption. The plan is expected to identify the key project development milestones which will extend over a number years from research to ribbon cutting. (28 OCT 13) Craig Lindholm reported that the initial research indicates that the annual costs associated with using the Arkansas shelter represents sufficient funding to pay the debt service related to financing the construction of a Texas shelter. Also the staff has researched a number of shelters state-wide seeking a shelter supporting a no-kill policy. Considering the holidays and other activities Mr. Lindholm estimates that a briefing would be coming forward early next calendar year. (27 JAN 14) Mr. Lindholm reported that the staff continues to evaluate the cost associated with using the Texarkana, Arkansas animal shelter and that the annual costs appear to be escalating. There has been no discussion concerning renewing or updating the current contract between Texarkana, Texas and Texarkana, Arkansas. Staff continues to review plans and designs of recently constructed or soon to be constructed animal shelters in Texas. There is an option, should the city council desire, to have some design firms make presentations to the city council. (14 AUG 14) Texarkana, AR city manager has appointed a citizen's committee to review the operations of the current animal shelter. The committee will be reviewing the feasibility of establishing a "No Kill" facility. Staff is putting this effort on hold optioning to hear the outcome of the Texarkana, AR review. We have offered to participate in the current review and have suggested that it would not be appropriate for both Texarkana's to pursue building new shelters or for Texas build a new one while Arkansas improves the existing shelter.	Staffing	Ryan