CITY OF TEXARKANA

CITY COUNCIL

AGENDA ● SEPTEMBER 9, 2024

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

220 TEXAS BLVD., TEXARKANA, TX 75501

Mayor
Bob Bruggeman

Ward 1	**Ward 3**	**Ward 5**
Jean H. Matlock	Steve Thompson	Cole Meador
Ward 2	**Ward 4**	**Ward 6**
Mary Hart	Christie Page	Jay Davis

Vision

The vision of the City is to be a thriving regional center for education, business, and culture which attracts and serves our residents and visitors.

Mission

The mission of the City is to provide customer-focused public services and regional leadership that serve our residents and visitors while offering a safe, vibrant, and welcoming community.

The City Council reserves the right to convene into closed session on any agenda item or issue if applicable pursuant to authorization by the Texas Open Meetings Act (Title 5, Chapter 551 of the Texas Government Code), and will reconvene into open session before taking any final action, decision, or vote on a matter deliberated.

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

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER JEAN MATLOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings
Monday, September 23, 2024, at 6:00 p.m.
Monday, October 14, 2024, at 6:00 p.m,
Monday, October 28, 2024, at 6:00 p.m,

Parks & Recreation Activities

Tuesdays in Sept	Fall Farmers Market - 4pm to 7pm	Spring Lake Park
Sept 13th	Texas High Tigers - Cross Country Invitational - 7am to 12pm	Spring Lake Park
Sept 14th	Run Teal There's a Cure 5K 9am to 11am - hosted by Newk's Eatery Register at runsignup.com	Spring Lake Park
Sept 20th & 27th	Cycle Through History Tours 5:30pm	City Hall Parking Lot
Sept 21st & 25th	Walk Through History Tours 5:30pm	City Hall Parking Lot
Sept 21st	The Walk to End Alzheimer's 6:30am to 12pm - hosted by the Alzheimer's Association Register at act.alz.org	Spring Lake Park

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

Perot Theatre Event
The "Magic of Motown" will be featured on Tuesday, September 10th. The show will begin at 7:30pm. Tickets for Perot Theatre shows are available at perottheatre.org.

Active Transportation "Virtual" Workshop
The Texas Chapter American Planning Association will have an Active Transportation Virtual Workshop on September 12th from 12pm to 1:30pm. The focus will be building a culture around active transportation.

Senior Health and Wellness Expo
The Senior Health and Wellness Expo will be held on Friday, September 13th at the Texarkana Texas Convention Center from 9am to 12pm.

The 3rd Annual Texarkana Resource Day
The Texarkana Homeless Coalition will host its 3rd Annual Texarkana Resource Day on September 19th from 8am to 2pm. It will be held at the Crossties Event Center located at 324 East Broad Street, Texarkana, Arkansas.

Help the community provide access to numerous local services for underserved community members, by donating, volunteering, or being a vendor. For more information, call (903) 798.3904.

IV. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

V. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

VI. ITEMS FOR CONSIDERATION

Consent Items

1. Consider approval of the minutes of the Regular Meeting of the City Council held on August 26, 2024 at 6:00 PM.

2. Resolution No. 2024-103 authorizing the 2024 Homeland Security Grant application for the Emergency Communications Project in an amount not to exceed $87,575.50.

   Public Hearing:
   Council Vote: September 9, 2024

3. Order No. 2024-104 for the City Council receiving and accepting the Certification of Unopposed Candidates [Mayor, Councilmember for Ward One (1) and Councilmember for Ward Two (2)], ordering cancellation of the General Election to be held on November 5, 2024, and certifying as unopposed and hereby elected Bob Bruggeman, Mayor, Jean Matlock, Councilmember for Ward One (1) and Mary Hart, Councilmember for Ward Two (2).

Action Items

4. Ordinance No. 2024-092 amending the budget estimate of the revenues and expenditures for the fiscal year ending September 30, 2024, and adopting the budget and appropriating resources for the fiscal year beginning October 1, 2024, and ending September 30, 2025. (ROLL CALL VOTE)

   Public Hearing: August 26, 2024
   Council Vote: September 9, 2024

5. Ordinance No. 2024-105 discussing and considering all matters incident and related to the issuance and sale of "City of Texarkana, Texas, Tax Notes, Series 2024", including the adoption of an ordinance authorizing the issuance of such tax notes.

   Public Hearing:
   Council Vote: September 9, 2024

VII. FIRST BRIEFINGS

1. Resolution No. 2024-106 approving a Memorandum of Understanding with Texarkana College.

   Public Hearing: September 23, 2024
   Council Vote: September 23, 2024

VIII. PUBLIC HEARINGS

1. Ordinance No. 2024-093 fixing the tax rate and levy in and for the City of Texarkana, Texas, for the fiscal year ending September 30, 2025, upon all taxable property in the City of Texarkana, Texas. (ROLL CALL VOTE)

Public Hearing: September 9, 2024
Council Vote: September 9, 2024

2. Ordinance No. 2024-095 ratifying the recently adopted budget that contains a property tax rate that raises more total property taxes than the previous year. [Note: As of the posting date of this agenda, the referenced property tax proposed for the Fiscal Year 2024-25 budget is a tax rate of $0.6500 per $100 of assessed valuation — the same tax rate adopted for Fiscal Year 2023-24.] (ROLL CALL VOTE)

   Public Hearing: September 9, 2024
   Council Vote: September 9, 2024

3. Ordinance No. 2024-098 amending PD-99-14 for site plan approval on Lot 6, Block 1, Brookwood Acres, located at 210-212 Cheyenne Place. Jason Nguyen, owner and Kayla Wood, MTG Engineers and Surveyors, agent.

   Public Hearing: September 9, 2024
   Council Vote: September 9, 2024

4. Ordinance No. 2024-099 amending PD-79-6 for site plan approval on an approximate 5.643-acre tract of land (being Tracts 71A and 72), Thomas Price HRS, A-466, located at 524 Sowell Lane. Jason Simmons, representative of the Westside Church of Christ, owner and David Williams, MTG Engineers and Surveyors, agent.

   Public Hearing: September 9, 2024
   Council Vote: September 9, 2024

5. Ordinance No. 2024-100 granting a Specific Use Permit for one additional use of tattooing on Lots 7 and 8, Block 108, City Triggs Addition, located at 1002 Wood Street. Bryan Callaway, owner and Joaquin Hernandez, agent.

   Public Hearing: September 9, 2024
   Council Vote: September 9, 2024

6. Resolution No. 2024-101 authorizing continuation of applying FY 2024 water production rate of $1.2606 per 1,000 gallons to the FY 2025 water supply contract billing for all Member Entities with joint ownership interest in the Highway 82 water transmission line, with the funds accumulated in excess of the calculated FY 2025 water production cost of $1.0895 per 1,000 gallons deposited in an interest-bearing account dedicated to fund the upcoming project to relocate a portion of the jointly-owned Highway 82 water transmission line.

Public Hearing: September 9, 2024
Council Vote: September 9, 2024

IX. CITY MANAGER'S REPORT

X. ADMINISTRATIVE COMMENTS

1. City Council
2. City Staff

XI. ADJOURNMENT

Jennifer Evans
City Secretary

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

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

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

Pursuant to Section 46.03, Penal Code (places weapons prohibited), subsection (a)(14), a person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, location-restricted knife, club, or prohibited weapon [listed in Penal Code Section 46.05(a)] in the room or rooms where a meeting of a governmental entity is held, if the meeting is an open meeting subject to Chapter 551, Government Code, and if the entity provided notice as required by that chapter.

This facility is wheelchair accessible and handicap parking is available. If you plan to attend this public meeting and you have a disability that requires special arrangements or accommodations, please call 903-798-3900 or (TTY) 1-800-RELAY TX (1-800-735-2989) at least 48 hours in advance.

CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● AUGUST 26, 2024

Council Chambers	Regular Meeting	6:00 PM

220 TEXAS BLVD., TEXARKANA, TX 75501

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

ee Name	Title	Status	Arrived
uggeman	Mayor	Present	
Matlock	Ward 1	Present	
art	Ward 2	Present	
hompson	Ward 3	Present	
Page	Ward 4	Present	
eador	Ward 5	Present	
is	Ward 6	Present	

Staff Present: City Manager David Orr, Jennifer Evans, Kristin Peeples, Reed Russell, Dusty Henslee, Ross Cowling, Brooke Stone, Kenny Icenhower, Mashell Daniel, Lisa Thompson, J.W. Bramlett, Tricia Briggs, Chris Black, Karey Parker, Vashil Fernandez, and David Waldroup.

Municipal Court: Judge Sherry Jackson Hawkins.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER MARY HART

III. WATER SERVICE LINE INVENTORY PROJECT - BY TWU

David Waldroup, Environmental Engineer of Texarkana Water Utilities, shared a presentation about the water service line inventory project that is a nationwide requirement for all water utilities. This water service line inventory is mandated by directives issued by the U.S. Environmental Protection Agency.

Mayor Bruggeman asked Mr. Waldroup to provide future updates on the progress of the project.

IV. RITTER COMMUNICATIONS - BY MARK MCHALE

Mark McHale, Vice President of Public Affairs and Community Relations, shared a presentation about the work Ritter Communications is doing in Texarkana and future projects planned for the community. Ritter Communications is a telecommunications provider offering broadband fiber, telecom, video, and cloud and data center services.

V. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings
Monday, September 9, 2024, at 6:00 p.m.
Monday, September 23, 2024, at 6:00 p.m.

VI. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

There were no public comments made at Open Forum.

VII. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Council Member Page recommended the reappointment of Alice Coleman to the Historic Landmark Preservation Committee.

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

Motion to make reappointments to various boards, commissions, and committees.

(6:25 p.m.)

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

VIII. ITEMS FOR CONSIDERATION

Consent Items

(6:27 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on August 12, 2024 at 6:00 PM.

2. Ordinance No. 2024-097 acknowledging receipt of a grant in the amount of Seven Thousand Five Hundred Dollars ($7,500) from the AKC Reunite Organization to purchase a K9 dog and amending budgeted revenue and expenditures in the General Fund (Fund 101) for the fiscal year ending September 30, 2024 to include the grant.

   Public Hearing:
   Council Vote: August 26, 2024

3. Resolution No. 2024-102 authorizing the City Manager to execute a one-time agreement with MTG Engineers and Surveyors, Inc. of Texarkana, Texas, in an amount not to exceed $165,000, with funds budgeted from the 2022 Bond Fund (Fund 425), to supply the design, surveying, and drawings for the Waco Street Reconstruction Project.

   Public Hearing:
   Council Vote: August 26, 2024

Action Items

[There were no action items considered at this meeting.]

IX. FIRST BRIEFINGS

1. Ordinance No. 2024-098 amending PD-99-14 for site plan approval on Lot 6, Block 1, Brookwood Acres, located at 210-212 Cheyenne Place. Jason Nguyen, owner and Kayla Wood, MTG Engineers and Surveyors, agent.

   Public Hearing: September 9, 2024
   Council Vote: September 9, 2024

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 9/9/2024 6:00 PM**

2. Ordinance No. 2024-099 amending PD-79-6 for site plan approval on an approximate 5.643-acre tract of land (being Tracts 71A and 72), Thomas Price HRS, A-466, located at 524 Sowell Lane. Jason Simmons, representative of the Westside Church of Christ, owner and David Williams, MTG Engineers and Surveyors, agent.

   Public Hearing: September 9, 2024
   Council Vote: September 9, 2024

   Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 9/9/2024 6:00 PM

3. Ordinance No. 2024-100 granting a Specific Use Permit for one additional use of tattooing on Lots 7 and 8, Block 108, City Triggs Addition, located at 1002 Wood Street. Bryan Callaway, owner and Joaquin Hernandez, agent.

   Public Hearing: September 9, 2024
   Council Vote: September 9, 2024

   Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 9/9/2024 6:00 PM

4. Resolution No. 2024-101 authorizing continuation of applying FY 2024 water production rate of $1.2606 per 1,000 gallons to the FY 2025 water supply contract billing for all Member Entities with joint ownership interest in the Highway 82 water transmission line, with the funds accumulated in excess of the calculated FY 2025 water production cost of $1.0895 per 1,000 gallons deposited in an interest-bearing account dedicated to fund the upcoming project to relocate a portion of the jointly-owned Highway 82 water transmission line.

   Public Hearing: September 9, 2024
   Council Vote: September 9, 2024

   City Manager Orr briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 9/9/2024 6:00 PM

X. PUBLIC HEARINGS

1. Resolution No. 2024-077 updating the Citizens Petition Policy focusing on petition requirements to address matters currently before the City Council for consideration at an upcoming meeting.

   Public Hearing: August 26, 2024
   Council Vote: August 26, 2024

   There were no public comments made at this hearing.
   (6:36 p.m.)

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

2. Resolution No. 2024-089 adopting revisions to the Employee Policy Manual for an effective date of October 1, 2024.

   Public Hearing: August 26, 2024
   Council Vote: August 26, 2024

   There were no public comments made at this hearing.
   (6:37 p.m.)

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

3. Resolution No. 2024-091 authorizing the City Manager to execute a contract with Johnson Controls, Inc., of Fort Worth, Texas, to install an Advanced Metering Infrastructure System with a Leak Detection Monitoring System in combination with Satellite Based Leak Detection, in an amount not to exceed $18,169,793, with the Texas portion not to exceed $10,231,625, with funds available in the 2023 Bond Construction Fund.

   Public Hearing: August 26, 2024
   Council Vote: August 26, 2024

   There were no public comments made at this hearing.
   (6:38 p.m.)

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

4. Ordinance No. 2024-092 amending the budget estimate of the revenues and expenditures for the fiscal year ending September 30, 2024, and adopting the budget and appropriating resources for the fiscal year beginning October 1, 2024, and ending September 30, 2025. (The law requires action to be taken after the public hearing. Recommendation will be to postpone until the September 9th meeting.)

   Public Hearing: August 26, 2024
   Council Vote: September 9, 2024

   There were no public comments made at this hearing.

(6:39 p.m.)

RESULT:	**POSTPONED**	**Next: 9/9/2024 6:00 PM**

5. Resolution No. 2024-096 approving the fiscal year 2025 Master Fee List, including reauthorization of building permit fees.

   Public Hearing: August 26, 2024
   Council Vote: August 26, 2024

   There were no public comments made at this hearing. Kristin Peeples updated council about the five new fees, added to the Master Fee List, for Swanger Baseball Complex.
   (6:42 p.m.)

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

XI. CITY MANAGER'S REPORT

August Sales Tax Update
Sales tax receipts for the month of August (June sales) totaled $1,999,617.60 a decrease of 2.22% compared to the same month in the prior year. Fiscal year to date collections totaled $16,174,539.82, a decrease of $237,555.33 (-1.45%) compared to last year. Excluding the February adjustments from a local energy company, fiscal year to date collections would have totaled $16,592,284.82, an increase of $180,189.67 (1.10%) compared to last year.

TIFMAS (Texas Intrastate Fire Mutual Aid System) Deployments
The city has had multiple TTFD teams deployed to Burkburnett (North of Wichita Falls) since August 1st that are all part of TIFMAS Strike Team 183. Over the past week, more than 60 wildfires have burned more than 10,000 acres across Texas.

TIFMAS is the Texas Intrastate Fire Mutual Aid System, which is a collaboration of fire departments across the state. Texarkana is a member of the east branch of the TIFMAS system which covers from Paris to Beaumont. TIFMAS deployments are fully covered financially and reimbursable to the city. Staff members are proud to help other Texas communities in need and they represent the city well.

Texarkana Youth Advisory Council Applications Open
Texarkana Youth Advisory Council (TYAC) applications are now open for high school students in grades 10-12 through September 6th. Students are encouraged to visit the website below or see their high school counselor to apply.
<https://texarkanatexas.gov/formcenter/city-management-7/city-of-texarkana-board--commission--c-75>

Save the Dates: Parks Master Plan public meetings are scheduled for the following dates: Wednesday, September 4th, Thursday, December 5th and Tuesday, February 11th.

Meetings will begin at 6:30 p.m. and will be held at the Texarkana Convention Center. Please join in as the Texarkana Parks & Recreation Master Plan is updated for future growth and capital park projects.

XII. ADMINISTRATIVE COMMENTS

1. City Council

   Council had no administrative comments for staff.

2. City Staff

   Staff had no administrative comments for council.

XIII. ADJOURNMENT

A motion was made to adjourn the meeting.
(6:45 p.m.)

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

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 9/3/2024 7:33 AM

Lead Department: Fire Department **Action Officer:** Chris Black, Fire Chief

Subject: Resolution No. 2024-103 authorizing the 2024 Homeland Security Grant application for the Emergency Communications Project in an amount not to exceed $87,575.50.

Briefing: 9/9/2024 **Public Hearing:** **Council Vote:** 9/9/2024

Item Schedule
Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Executive Summary and Background Information:

The item before you if approved would allow staff to submit the 2024 Homeland Security Grant Application to the ARTEX Council of Governments.

The Homeland Security Grant is a perennial grant is 100% funded and there is no cost to the City.

This year's grant is titled Emergency Communications Project and would allow the Fire Department to replace 10 portable radios. These radios have become obsolete and are no longer supported by the manufacturer.

Potential Options:

- Approve
- Reject

Fiscal Implications:

None, the grant provides 100% funding of the project.

Staff Recommendation:

Approval

Advisory Board/Committee Review:

The Homeland Security Advisory Committee has reviewed and approved the project.

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

City of Texarkana, Texas

Attachments

a. 2024-103 RES Authorizing Homeland Security Grant Application (jcl rev)(DOC)
b. 2024-103 Goals & Perspectives (DOCX)

Staff Coordination

Fire Department	Chris Black	Department Head Review	Completed	08/27/2024 8:36 AM
City Attorney	Jeffery C. Lewis	Review	Completed	08/27/2024 10:54 AM
City Manager	David Orr	City Manager Review	Completed	08/28/2024 8:44 AM
City Council	Jennifer Evans	Meeting	Pending	09/09/2024 6:00 PM

Meeting History

RESOLUTION NO. 2024-103

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE 2024 ARK-TEX COUNCIL OF GOVERNMENTS HOMELAND SECURITY GRANT PROJECT SUBMISSION TO THE OFFICE OF THE GOVERNOR; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has received for several years funds from the Homeland Security Grant, a 100% federally funded perennial grant program, following submission of applications for grant funds approved by the City Council; and

WHEREAS, this year's grant is titled **Emergency Communications Project** and would garner grant funds not to exceed $87,575.50 that would allow the Fire Department to replace ten portable radios which have become obsolete and are no longer supported by the manufacturer; and

WHEREAS, the City Council finds the **Emergency Communications Project** to be operated from October 1, 2024, through September 30, 2025, to be in the best interest of the citizens of Texarkana and that the grant project submission should be approved; and

WHEREAS, the City Council agrees to return, in full, any grant funds lost or otherwise misused to the Office of the Governor.

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

SECTION 1: The City Council approves the 2024 Ark-Tex Council of Governments Homeland Security Grant Project Submission for **Emergency Communications Project** to the Office of the Governor.

SECTION 2: The City Council designates the City of Texarkana's Mayor as the grantee's authorized official.

SECTION 3: The authorized official is granted the authority to apply for, reject, alter, or terminate the grant on behalf of the applicant agency.

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of September, 2024.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 9/5/2024 11:58 AM

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

Subject: Order No. 2024-104 for the City Council receiving and accepting the Certification of Unopposed Candidates [Mayor, Councilmember for Ward One (1) and Councilmember for Ward Two (2)], ordering cancellation of the General Election to be held on November 5, 2024, and certifying as unopposed and hereby elected Bob Bruggeman, Mayor, Jean Matlock, Councilmember for Ward One (1) and Mary Hart, Councilmember for Ward Two (2).

Attachments

a. 2024-104 ORD of Cancellation G.E. 110524 (DOCX)
b. 2024-104 EXH 'A' Cert. of Unopposed Cand. 110524 (PDF)

13-2
Prescribed by Secretary of State
Section 2.051 – 2.053, Texas Election Code
9/0023

ORDER OF CANCELLATION
ORDEN DE CANCELACIÓN
2024-104

The City Council of Texarkana, Texas, hereby cancels the election scheduled to be held on November 5, 2024, in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

El Consejo de la Cuidad de Texarkana, Texas, por la presente cancela la elección que, de lo contrario, se hubiera celebrado el 5 de noviembre de 2024 de conformidad, con la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado a continuación:

Candidate *(Candidato)*	Office Sought *(Cargo al que presenta candidatura)*
Bob Bruggeman	**Mayor** *(alcalde)*
Jean Matlock	**Council Member Ward 1** *(miembro del Consejo pata distrito 1)*
Mary Hart	**Council Member Ward 2** *(miembro del Consejo para distrito 2)*

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

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

____
President (*Presidente*)

____
Secretary (*Secretario*) (seal) (*sello*)

September 9, 2024
____
Date of adoption (*Fecha de adopción*)

2024-104 EXH 'A'

13-1
Prescribed by Secretary of State
Section 2.051 – 2.053, Texas Election Code
9/2023

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

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

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on November 5, 2024**.**

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el November 5, 2024**.**

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

Office(s) ***Cargo(s)***	**Candidate(s)** ***Candidato(s)***
Mayor *(alcalde)*	Bob Bruggeman
Councilmember Ward 1 *(miembro del Consejo para distrito 1)*	Jean Matlock
Councilmember Ward 2 *(miembro del Consejo para distrito 2)*	Mary Hart

Jennifer Evans
Signature *(Firma)*

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

City Secretary
Title *(Puesto)*

August 27, 2024
Date of signing *(Fecha de firma)*

TEXARKANA TEXAS
(Seal) (sello)

See reverse side for instructions
(Instrucciones en el reverso)

Attachment: 2024-104 EXH 'A' Cert. of Unopposed Cand. 110524 (4309 : 2024-104 ORD cancelling Gen. Elect. for 110524)

City of Texarkana, Texas

Version:
Update Date: 9/4/2024 8:54 AM

Briefing Sheet

Lead Department: Finance Department **Action Officer:** Kristin Peeples,

Subject: Ordinance No. 2024-092 amending the budget estimate of the revenues and expenditures for the fiscal year ending September 30, 2024, and adopting the budget and appropriating resources for the fiscal year beginning October 1, 2024, and ending September 30, 2025. (ROLL CALL VOTE)

Briefing: 9/9/2024 **Public Hearing:** 8/26/2024 **Council Vote:** 9/9/2024

Item Schedule

Updates/History of Briefing:

- Addition of the Member Cities Highway 82 Project Fund (Fund 811) to be used for the collection of revenue to be set aside for the Highway 82 water line project. Estimated revenue to be collected in fiscal year 25 is $132,951 with an offsetting expenditure for debt service.
- Addition of SECO grant award of $250,000. Budget neutral - expenditures offset by grant revenue.
- Addition of the K9 grant award of $7,500. Budget neutral – expenditures offset by grant revenue.
- Addition of the zoonosis grant award. Multi-year grant of $14,128.00 in fiscal years 24, 25, and 26. Budget neutral – expenditures offset by grant revenue.
- Immaterial changes within the TWU budget.

Executive Summary and Background Information:

The proposed budget for the fiscal year ending September 30, 2025, includes the following:

- 101 General Fund revenue proposed of $43,677,094, an increase of $1,372,623 from revenue proposed in FY 24.
    - Maintain property tax rate of $0.65
    - Increase in overall property valuation of $297,610,594 and revenue of $1,934,469 (8.58%) when comparing the official tax roll issued in October 2023 to the certified values issued in July 2024.
        - Texarkana City
            - $204,777,626 increased valuation
            - $1,331,055 increased gross revenue
        - T1
            - $90,081,270 increased valuation
            - $585,528 increased gross revenue
        - T2
            - $2,751,698 increased valuation
            - $17,886 increased gross revenue
        - Net revenue increase after allowances for frozen taxes and delinquent collections is estimated at $1,666,590

        - Allocated to General Fund = $670,937
        - Allocated to Interest & Sinking = $405,304
        - Allocated to TIRZ 1 = $572,952
        - Allocated to TIRZ 2 = $17,397
      - The property tax collection rate is budgeted at 98%, which is consistent with prior years.
    - Revised sales tax revenue for FY 2024 is budgeted to decline $198,838 or just under 1% compared to the prior year due to audit adjustments of $417,745 from a local energy company. Sales tax revenue for FY 2025 is projected to increase by 2.0% on base collections or $442,191. This projected increase, along with removal of the prior year audit adjustment of $417,745, equates to a total increase of $859,936 over FY 2024 revised.
- 101 General Fund expenditures proposed of $51,766,536, an increase of $9,633,674 from expenditures proposed in FY 24. This increase is due to several large one-time expenditures budgeted to be paid from existing fund balance in FY 25 compared to FY 24.
    - All departments are budgeted to maintain current levels of service.
    - Personnel costs:
      - Personnel is budgeted at full employment
      - Non-Civil Service Personnel
        - 3% increase to base salary
        - Additional compensation adjustments to bring employees to minimum of grade
        - Estimated cost of $385,000 annually
      - Fire Department Personnel
        - 5% increase to base salary
        - Step increases
        - Estimated cost of $300,000 annually
      - Police Department
        - 5% increase to base salary
        - Step increases
        - Additional compensation adjustments for the lower half of the police officer grade
        - Estimated cost of approximately $475,000 annually
      - TWU
        - 3% increase to base salary
        - Additional compensation adjustments to bring employees to minimum of grade
        - Estimated cost of $340,000 annually
    - Annual allocations:
      - Capital & Equipment
        - Major street maintenance - $425,000 from General Funds and $500,000 from a proposed Tax Note issuance for a total of $925,000
        - Fleet operations - $1,355,000
        - Fleet capital replacement - $2,200,000
        - Building maintenance - $252,000
        - Public safety equipment (non-fleet expenditures) - $207,500

        - Technology - $500,000
    - Neighborhood & Community
        - Creation of a Community Development Fund with a transfer of $2,000,000 from General Fund fund balance
            - Demolition of substandard properties – $100,000
            - Neighborhood revitalization - $100,000
            - Downtown enhancement - $125,000
    - Partnerships
        - Bi-State building and jail operations - $2,311,000
        - Bi-State building and jail roofing project - $1,040,314
        - Public library - $600,000
        - T-Line bus system - $223,710
        - Airport operations - $691,128
        - Airport capital projects - $357,202
        - Airport runway project- $1,832,308
        - Health Department - $100,000
        - Bowie Central Appraisal District - $414,284

- One time use of fund balance FY 2024 revised, and FY 2025 proposed (projects not completed in FY 2024 will roll into FY 2025):
    - $1,272,388 – Water Department dead end looping and capital projects
    - $18,343 – Police Department gear and equipment
    - $832,716 – Building improvements for Fire Stations
    - $218,025 – Building improvements for City Hall and Alaska Printing building
    - $72,000 – Fire Department gear extractors
    - $450,000 – Animal services building
    - $203,901 – Bringle Lake trail and mountain bike system
    - $40,000 – Master planning
    - $146,584 – Storm sirens
    - $1,832,308 – Airport runway project
    - $1,968,715 – Drainage improvements for College Drive and Potomac
    - $1,241,947 – Grant matching funds for sidewalks
    - $1,040,314 – Bi-State building roofing project
    - $1,500,000 – Wallace Park soccer complex improvements
    - $6,000,000 – Transfer to establish an Economic Development Corporation
    - $2,000,000 – Transfer to establish a Community Development Corporation

- Proposed issuance of tax notes of approximately $510,000 to be used for major street maintenance projects throughout the city.
- Estimated days of expenditures in General Fund Balance at the end of FY 2025 is approximately 160 days.

Potential Options:

- Adopt budget as presented
- Adopt budget with requested changes

Fiscal Implications:

City of Texarkana, Texas

To provide proper documentation and approval of authorized expenditures for the fiscal year beginning October 1, 2024, and ending September 30, 2025.

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

Budget Advisory Committee

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Staff met with the Budget Advisory Committee on the following dates:

May 8, 2024

May 15, 2024

May 28, 2024

Attachments

a. 2024-092 ORD Adopting FY 25 Budget (DOC)
b. 2024-092 ATTH 01 FY 2025 Budget Draft 09 03 24
c. 2024-092 ATTH 02 Notice of Public Hearing on Proposed Budget FY 2025 (DOCX)
d. 2024-092 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department	Kristin Peeples	Department Head Review	Completed	08/07/2024 2:40 PM
Finance Department	Kristin Peeples	Finance Review	Completed	08/07/2024 2:40 PM
City Manager	David Orr	City Manager Review	Completed	08/07/2024 3:29 PM
City Council	Jennifer Evans	Meeting	Completed	08/12/2024 6:00 PM

Meeting History

08/12/24	City Council	MOVED FORWARD	Next: 08/26/24
08/26/24	City Council	POSTPONED	Next: 09/09/24

ORDINANCE NO. 2024-092

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE BUDGET ESTIMATE OF THE REVENUES AND EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2024, AND ADOPTING THE BUDGET AND APPROPRIATING RESOURCES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; APPROVING FLEET CAPITAL REPLACEMENT PURCHASES AND AUTHORIZING THE CITY MANAGER TO MAKE CERTAIN PURCHASES AUTHORIZED BY LAW; APPROVING CAPITAL IMPROVEMENT PLAN PROJECTS AND AUTHORIZING THE CITY MANAGER TO INCORPORATE PROJECTS INTO EXECUTION OF THE ANNUAL OPERATING BUDGET AS FUNDING IS AVAILABLE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; CONTAINING A SEVERABILITY CLAUSE; CONTAINING A SUPERSEDING CLAUSE; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1: That the budget estimate of the revenues and expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2024, and ending September 30, 2025, be and is hereby adopted and approved as the budget for such fiscal year.

SECTION 2: That a copy of said final adopted budget shall be filed with the City Secretary, the Texarkana Public Library, and published on the City's website.

SECTION 3: Appropriations:

Fund No.	Fund Name	Anticipated Revenue	Authorized Expenditures	Appropriated Fund Balance
101	General Fund	43,691,222	51,780,664	8,089,442
102	Narcotics Division Operations Fund	54,400	65,000	10,600
103	Personnel Policy Fund	777,000	697,250	-
104	Workers Compensation Fund	503,900	500,000	-
107	Court Security Fund	29,250	32,893	3,643
108	Public Safety Equipment Fund	211,000	211,000	-

109	**Real Estate Sales and Acquisition Fund**		27,650	27,650
110	**Central Records & Communications Fund**	2,592,817	2,592,818	1
113	**Conservation Revolving Loan Fund**		38,677	38,677
114	**Court Technology Fund**	29,500	28,206	-
115	**City Technology Fund**	512,206	641,349	129,143
116	**TIRZ #1 Fund**	2,968,083	4,487,585	1,519,502
117	**Donation Fund**	50,275	50,275	-
118	**TIRZ #2 Fund**	66,527	75,000	8,473
120	**Major Street Maintenance Fund**	425,000	425,000	-
121	**Fire Department Training Fund**	1,300	22,616	21,316
199	**Homeland Security Grant Fund**	87,576	87,576	-
200	**Perot Enhancement**	27,375	50,000	22,625
204	**Community Development Block Grant Fund**	363,451	363,429	-
207	**EPA Revolving Loan Grant Fund**	89,574	89,574	-
209	**Home Program Fund**	1,225	63,563	62,338
210	**Opioid Settlement Fund**		22,034	22,034
211	**Perot Theatre Fund**	363,125	355,519	-
212	**Hotel Occupancy Tax Fund**	2,040,000	2,905,313	865,313
213	**Perot Theatre Building Maintenance Fund**	63,750	100,000	36,250
214	**COC Homeless Assistance Grant Fund**	261,978	261,978	-
215	**Housing Fund**	15,406	25,000	9,594
216	**Police Training Fund**	2,685	12,610	9,925
217	**Law Enforcement Block Grant Fund**	16,607	17,000	393
218	**CDBG 108 Loan Fund**	29,014		-
219	**Law Enforcement Program Fund**	14,150	16,000	1,850
220	**Metropolitan Planning Organization Fund**	389,000	389,000	-

221	**Community Development Fund**	2,000,000	225,000	-
222	**TIFMAS Fund**	242,500	295,725	53,225
223	**Economic Development Fund**	6,421,267	1,014,813	-
228	**Building Maintenance Fund**	255,750	255,750	-
229	**Public Safety Radio Fund**	116,820	126,000	9,180
235	**Farmer's Market Fund**	46,625	46,625	-
240	**TCA Grant Fund**		107,914	107,914
243	**TACF Grant RLF Fund**		1,500	1,500
245	**EPA RLF BIL Fund**	995,000	995,000	-
246	**Union Station Fund**	8,000	412,237	404,237
247	**SECO Grant Fund**	250,000	250,000	-
301	**Debt Service Fund**	8,532,590	7,996,836	-
423	**2017 Bond Fund**	4,354	150,000	145,646
424	**2019 TIRZ Bond Fund**	-	689,743	689,743
425	**2022 Bond Fund**	400,000	11,317,110	10,917,110
426	**2023 Bond Fund**	300,000	4,714,786	4,414,786
427	**2024 Tax Note Fund**	510,000	510,000	-
501	**Health Department Fund**	1,580,008	1,608,523	28,515
502	**Public Library Fund**	925,006	925,006	-
604	**Federal Asset Forfeiture Fund - Treasury**	30	6,161	6,131
605	**Federal Asset Forfeiture Fund - DOJ**	12,000	30,000	18,000
702	**Employee Health Claim Fund**	7,314,365	7,099,286	-
703	**Fleet Services Fund**	1,545,806	1,545,805	-
704	**Fleet Capital Replacement Fund**	2,350,000	2,418,865	68,865
810	**Member Cities Water Revenue Fund**	1,017,898	1,017,898	-
811	**Member Cities Water Highway 82 Project Fund**	132,951	132,951	-

TWU	**Texas Revenue Fund**	30,388,293	29,152,476	-
TWU	**GP Revenue Fund**	2,298,255	2,298,255	-
TWU	**2013 Bond Fund**	163,714	163,681	-
TWU	**2023 Bond Fund**	1,324,087	1,383,562	59,475
TWU	**2023 Bond Construction Fund**	325,000	20,000,000	19,675,000
TWU	**Millwood Depreciation Fund**	511,772	632,224	120,452
TWU	**North Texarkana WWTP Depreciation Fund**	29,250	35,100	5,850
TWU	**Equipment Fund**	605,663	584,078	-
TWU	**Technology Fund**	586,499	868,790	282,291
TWU	**South Regional WWTP Depreciation Fund**	409,530	381,414	-
TWU	**Compost Fund**	118,580	98,242	-
TWU	**Personnel Policy Fund**	135,000	124,861	-
TWU	**TX Infrastructure Fund**	612,204	600,000	-
TWU	**TX Capital Improvement Fund**	3,713,374	4,359,707	646,333
TWU	**Wright Patman Corps of Engineers Cost Fund**	1,652,758	60,000	-
TWU	**Lake Texarkana Capital Improvement Fund**	516,000	498,000	-
TWU	**Waggoner Creek WWTP Capital Impr. Fund**	631,662	200,000	-
	Grand Total	134,660,007	171,768,503	48,533,022

SECTION 4: The funding and purchases for the 2024-2025 fiscal year Fleet Capital Replacement Schedule are hereby approved. Pursuant to article III, section 4, subsection (j) of the City Charter of the City of Texarkana, Texas, the powers and duties of the City Manager shall include taking any and all action within total budgeted parameters to implement the Council-approved Fleet Capital Replacement Schedule; and notwithstanding any ordinance, resolution, or administrative policy, this ordinance shall be construed as a delegation of authority to the City Manager or designee to exercise discretion to expend public funds expressly designated, approved, and appropriated in this budget for Fleet Capital Replacement purchases and to sign and execute any documentation necessary for such purchases without securing any additional approvals from the City Council, provided such purchases are made in compliance with Texas competitive purchasing laws and are within total budgeted parameters of the Fleet Capital Replacement Schedule.

SECTION 5: The funding and purchase for the 2024-2025 fiscal year Pavement Management Program Study, and the proposed vendor to perform the study, ICC-IMS, selected through the TXShare Cooperative Purchasing Program in compliance with Texas purchasing laws, are hereby approved. The City Manager is authorized to sign and execute any documentation necessary for procuring the services of ICC-IMS to perform the Pavement Management Program Study without securing any additional approvals from the City Council.

SECTION 6: The ongoing Capital Improvement Plan (CIP) is hereby approved and the City Manager or his designee is authorized and directed to incorporate the projects into the execution of the annual operating budget as funding is available, in all aspects of capital project execution, including the appropriate debt funding procedures as may be required by state law.

SECTION 7: Operating funds encumbered on the financial records as of September 30, 2024, are hereby re-appropriated to Fiscal Year 2025.

SECTION 8: 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 9: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 10: This Ordinance supersedes and controls over all resolutions, parts of resolutions, or policies in conflict herewith to the extent of such conflict.

SECTION 11: This Ordinance shall be in full force and effect from and after its passage and approval, and after the adoption of this budget or budget amendment, budget officer shall provide for the filing of a true copy of the approved budget or amendment in the Office of the City Secretary.

PASSED AND APPROVED in Regular Council Session on this the **9th day of September, 2024**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

NOTICE OF PUBLIC HEARING
FISCAL YEAR 2024-2025
CITY OF TEXARKANA, TEXAS
ANNUAL OPERATING BUDGET

The City of Texarkana, Texas will conduct a public hearing on the fiscal year 2024-2025 annual budget on Monday, August 26, 2024, at 6:00 PM at Texas City Hall, 220 Texas Boulevard, Texarkana, Texas 75501.

This budget will raise more revenue from property taxes than last year's budget by an amount of $1,728,044 which is an 8.00% increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is $643,224.

Copies of the proposed budget are available for review with the City Secretary of the City of Texarkana, Texas and on the City's website at texarkanatexas.gov. The public is invited to review and make comments on the proposed budget.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 9/6/2024 1:19 PM

Lead Department: Finance Department **Action Officer:** Kristin Peeples,

Subject: Ordinance No. 2024-105 discussing and considering all matters incident and related to the issuance and sale of "City of Texarkana, Texas, Tax Notes, Series 2024", including the adoption of an ordinance authorizing the issuance of such tax notes.

Briefing: 9/9/2024 **Public Hearing:** **Council Vote:** 9/9/2024

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

On May 28, 2024, during a joint meeting with the City Council and the Budget Advisory Committee, staff discussed the details of the upcoming fiscal year 2025 budget. During that process, staff recommended a proposal to issue new debt, with the sale of the debt to occur in September 2024 and proceeds to be received in October 2024. Anticipated ad valorem revenue will fund the annual debt service payment. The proposed issuance is a tax note that will generate approximately $496,000 in proceeds to the City and will mature on February 15, 2026. The proceeds may be used for street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor and professional services rendered in relation to such projects.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Anticipated ad valorem revenue will fund the annual debt service payment.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

Budget Advisory Committee

Board/Committee Recommendation:

Committee recommends approval.

Advisory Board/Committee Meeting Date and Minutes:

City of Texarkana, Texas

May 8, 2024
May 15, 2024
May 28, 2024

Attachments

a. 2024-105 ORD Issuance of 2024 Tax Notes (DOCX)
b. 2024-105 EXH A TEXARKANA TAX NOTES 2024 - Paying Agent Registrar Agreement (DOCX)
c. 2024-105 EXH B TEXARKANA TAX NOTES 2024 - Purchase Letter (DOCX)
d. 2024-105 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department Kristin Peeples Department Head Review Completed 09/06/2024 1:23 PM
Finance Department Kristin Peeples Finance Review Completed 09/06/2024 1:23 PM
City Manager David Orr City Manager Review Completed 09/06/2024 2:11 PM
City Council Jennifer Evans Meeting Pending 09/09/2024 6:00 PM

Meeting History

ORDINANCE NO. 2024-105

AN ORDINANCE authorizing the issuance of "CITY OF TEXARKANA, TEXAS, TAX NOTES, SERIES 2024"; specifying the terms and features of said notes; levying a continuing direct annual ad valorem tax for the payment of said notes; and resolving other matters incident and related to the issuance, sale, payment and delivery of said notes, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Letter; and providing an effective date.

WHEREAS, pursuant to Texas Government Code, Chapter 1431, as amended, (hereinafter called the "Act"), the City Council (the "Council) of the City of Texarkana, Texas (the "City") is authorized and empowered to issue anticipation notes to pay contractual obligations to be incurred (i) for the construction of any public work and (ii) for the purchase of materials, supplies, equipment, machinery, buildings, lands and rights-of-way for the City's authorized needs and purposes; and

WHEREAS, in accordance with the provisions of the Act, the Council hereby finds and determines that anticipation notes should be issued and sold at this time to finance the costs of paying contractual obligations to be incurred for (i) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor and (ii) professional services rendered in relation to such projects and the financing thereof; now, therefore,

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

SECTION 1: Authorization - Designation - Principal Amount - Purpose. Tax notes of the City shall be and are hereby authorized to be issued in the aggregate principal amount of $525,000 to be designated and bear the title "CITY OF TEXARKANA, TEXAS TAX NOTES, SERIES 2024" (hereinafter referred to as the "Notes"), for the purpose of paying contractual obligations to be incurred for (i) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor and (ii) professional services rendered in relation to such projects and the financing thereof, in conformity with the Constitution and laws of the State of Texas, including the Act.

SECTION 2: Fully Registered Obligations - Note Date - Authorized Denominations - Stated Maturity - Interest Rate. The Notes are issuable in fully registered form only; shall be dated October 1, 2024 (the "Note Date"), shall be in denominations of $100,000 or any integral multiple of $1,000 in excess thereof, and shall become due and payable on February 15, 2026 (the "Stated Maturity").

The Notes shall bear interest from the date of their delivery to the initial purchasers until maturity or prior redemption, paid at the per annum rate of 5.320%. The amount of interest to be paid on the Notes shall be calculated on the basis of a 360-day year of twelve 30-day months, and such accrued interest shall be payable on February 15 and August 15 of each year, commencing on February 15, 2025.

SECTION 3: Terms of Payment - Paying Agent/Registrar. The principal of, premium, if any, and the interest on the Notes, due and payable by reason of maturity, redemption or otherwise, shall be payable only to the registered owners or holders of the Notes (hereinafter called the "Holders") appearing on the registration and transfer books maintained by the Paying

Agent/Registrar and the payment thereof shall be in any coin or currency of the United States of America, which at the time of payment is legal tender for the payment of public and private debts, and shall be without exchange or collection charges to the Holders.

The selection and appointment of Zions Bancorporation, N.A., Dallas, Texas, to serve as Paying Agent/Registrar for the Notes is hereby approved and confirmed. Books and records relating to the registration, payment, transfer and exchange of the Notes (the “Security Register”) shall at all times be kept and maintained on behalf of the City by the Paying Agent/Registrar, as provided herein and in accordance with the terms and provisions of a “Paying Agent/Registrar Agreement”, substantially in the form attached hereto as **Exhibit A**, and such reasonable rules and regulations as the Paying Agent/Registrar and the City may prescribe. The Mayor or Mayor Pro Tem and City Secretary or Deputy City Secretary are authorized to execute and deliver such Paying Agent/Registrar Agreement in connection with the delivery of the Notes. The City covenants to maintain and provide a Paying Agent/Registrar at all times until the Notes are paid and discharged, and any successor Paying Agent/Registrar shall be a bank, trust company, financial institution or other entity qualified and authorized to serve in such capacity and perform the duties and services of Paying Agent/Registrar. Upon any change in the Paying Agent/Registrar for the Notes, the City agrees to promptly cause a written notice thereof to be sent to each Holder by United States mail, first class postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

Principal of and interest on the Notes shall be payable to the Holder whose name appears in the Security Register at the close of business on the Record Date (the last business day of the month next preceding the interest payment date) and shall be paid by the Paying Agent/Registrar (i) by check sent United States mail, first class postage prepaid, to the address of the Holder recorded in the Security Register or (ii) by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Holder provided, however, the final installment of principal or upon the redemption of the Notes shall be paid only upon presentation and surrender of the Notes to the Paying Agent/Registrar for cancellation at its designated offices, initially in Salt Lake City, Utah (the “Designated Payment/Transfer Office”). If the date for the payment of the principal of or interest on the Notes shall be a Saturday, Sunday, a legal holiday, or a day when banking institutions in the city where the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day when banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

In the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a “Special Record Date”) will be established by the Paying Agent/ Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each Holder appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

SECTION 4: Redemption.

(a) Optional Redemption. The Notes shall be subject to redemption prior to maturity, at the option of the City, in whole or in part, on any date at the redemption price of par plus accrued interest to the date of redemption

(b) Exercise of Redemption Option. At least forty five (45) days prior to an optional redemption date for the Notes (unless a shorter notification period shall be satisfactory to the Paying Agent/Registrar), the City shall notify the Paying Agent/Registrar in writing of the decision to redeem Notes, the principal amount of the Stated Maturity to be redeemed, and the date of redemption therefor. The decision of the City to exercise the right to redeem Notes shall be entered in the minutes of the governing body of the City.

(c) Mandatory Redemption. The Notes shall be subject to mandatory redemption in part prior to maturity at the redemption price of par and accrued interest to the date of redemption on the respective dates and in principal amounts as follows:

Redemption Date	Principal Amount ($)
February 15, 2025	500,000
February 15, 2026*	25,000

* maturity date

Approximately forty-five (45) days prior to each mandatory redemption date for the Notes, the Paying Agent/Registrar shall select by lot the numbers of the Notes within to be redeemed on the next following February 15 from moneys set aside for that purpose in the Interest and Sinking Fund (as hereinafter defined). Any Note not selected for prior redemption shall be paid on the date of Stated Maturity.

The principal amount of the Notes required to be redeemed on a mandatory redemption date may be reduced, at the option of the City, by the principal amount of Notes which, at least 50 days prior to the mandatory redemption date, shall have been acquired by the City at a price not exceeding the principal amount of such Notes plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation.

(d) Notice of Redemption. Not less than thirty (30) days prior to a redemption date for the Notes, a notice of redemption shall be sent by United States mail, first class postage prepaid, in the name of the City and at the City's expense, to each Holder of a Note to be redeemed at the address of the Holder appearing on the Register at the close of business on the business day next preceding the date of mailing such notice, and any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Holder.

All notices of redemption shall (i) specify the date of redemption for the Notes, (ii) identify the Notes to be redeemed and, in the case of a portion of the principal amount to be redeemed, the principal amount thereof to be redeemed, (iii) state the redemption price, (iv) state that the Notes to be redeemed shall become due and payable on the redemption date specified, and the interest thereon, shall cease to accrue from and after the redemption date, and (v) specify that payment of the redemption price for the Notes, shall be made at the principal office of the Paying Agent/Registrar only upon presentation and surrender thereof by the Holder. If a Note is subject by its terms to prior redemption, and has been called for redemption, and notice of redemption thereof has been duly given as hereinabove provided, such Note shall become due and payable and interest thereon shall cease to accrue from and after the redemption date therefor; provided moneys sufficient for the payment of such Note at the then applicable redemption price are held for the purpose of such payment by the Paying Agent/Registrar.

(e) Conditional Notice of Redemption. With respect to any optional redemption of the Notes, unless certain prerequisites to such redemption required by this Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Notes to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice may state that said redemption may, at the option of the City, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon any prerequisite set forth in such notice of redemption. If a conditional notice of redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Notes and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Notes have not been redeemed.

SECTION 5: Registration - Transfer - Exchange of Notes - Predecessor Notes. The Paying Agent/Registrar shall obtain, record, and maintain in the Security Register the name and address of each and every owner of the Notes issued under and pursuant to the provisions of this Ordinance, or if appropriate, the nominee thereof. Any Note may be transferred or exchanged for Notes of other authorized denominations by the Holder, in person or by his duly authorized agent, upon surrender of such Note to the Paying Agent/Registrar for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his duly authorized agent, in form satisfactory to the Paying Agent/Registrar.

Upon surrender of any Note (other than the Initial Note authorized in Section 7 hereof) for transfer at the Designated Payment/Transfer Office of the Paying Agent/Registrar, the Paying Agent/Registrar shall register and deliver, in the name of the designated transferee or transferees, one or more new Notes of authorized denominations and having the same Stated Maturity and of a like aggregate principal amount as the Note or Notes surrendered for transfer.

At the option of the Holder, Notes (other than the Initial Note authorized in Section 7 hereof) may be exchanged for other Notes of authorized denominations and having the same Stated Maturity, bearing the same rate of interest and of like aggregate principal amount as the Notes surrendered for exchange, upon surrender of the Notes to be exchanged at the Designated Payment/Transfer Office of the Paying Agent/Registrar. Whenever any Notes are surrendered for exchange, the Paying Agent/Registrar shall register and deliver new Notes to the Holder requesting the exchange.

All Notes issued in any transfer or exchange of Notes shall be delivered to the Holders at the Designated Payment/Transfer Office of the Paying Agent/Registrar or sent by United States mail, first class, postage prepaid to the Holders, and, upon the registration and delivery thereof, the same shall be the valid obligations of the City, evidencing the same obligation to pay, and entitled to the same benefits under this Ordinance, as the Notes surrendered in such transfer or exchange.

All transfers or exchanges of Notes pursuant to this Section shall be made without expense or service charge to the Holder, except as otherwise herein provided, and except that the Paying Agent/Registrar shall require payment by the Holder requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange.

Notes canceled by reason of an exchange or transfer pursuant to the provisions hereof are hereby defined to be "Predecessor Notes," evidencing all or a portion, as the case may be, of the same obligation to pay evidenced by the new Note or Notes registered and delivered in the exchange or transfer therefor. Additionally, the term "Predecessor Notes" shall include any mutilated, lost, destroyed, or stolen Note for which a replacement Note has been issued, registered, and delivered in lieu thereof pursuant to the provisions of Section 10 hereof and such new replacement Note shall be deemed to evidence the same obligation as the mutilated, lost, destroyed, or stolen Note.

SECTION 6: Execution - Registration. The Notes shall be executed on behalf of the City by the Mayor or Mayor Pro Tem under its seal reproduced or impressed thereon and countersigned by the City Secretary or the Deputy City Secretary. The signature of said officers on the Notes may be manual or facsimile. Notes bearing the manual or facsimile signatures of individuals who are or were the proper officers of the City on the Note Date shall be deemed to be duly executed on behalf of the City, notwithstanding that such individuals or either of them shall cease to hold such offices at the time of delivery of the Notes to the initial purchaser and with respect to Notes delivered in subsequent exchanges and transfers, all as authorized and provided in Texas Government Code, Chapter 1201, as amended.

No Note shall be entitled to any right or benefit under this Ordinance, or be valid or obligatory for any purpose, unless there appears on such Note either a certificate of registration substantially in the form provided in Section 8(c), executed manually or by facsimile by the Comptroller of Public Accounts of the State of Texas, or his duly authorized agent, or a certificate of registration substantially in the form provided in Section 8(d), manually executed by an authorized officer, employee or representative of the Paying Agent/Registrar, and either such certificate duly signed upon any Note shall be conclusive evidence, and the only evidence, that such Note has been duly certified, registered, and delivered.

SECTION 7: Initial Note. The Notes herein authorized shall be initially issued as a single fully registered note in the total principal amount stated in Section 1 hereof and numbered T-1 (hereinafter called the “Initial Note”) and the Initial Note shall be registered in the name of the initial purchaser or the designee thereof. The Initial Note shall be the Note submitted to the Office of the Attorney General of the State of Texas for approval, certified and registered by the Office of the Comptroller of Public Accounts of the State of Texas and delivered to the initial purchaser. Any time after the delivery of the Initial Note, the Paying Agent/Registrar, pursuant to written instructions from the initial purchaser, or the designee thereof, shall cancel the Initial Note delivered hereunder and exchange therefor a definitive Note of authorized denomination, the Stated Maturity, principal amount and bearing the interest rate for transfer and delivery to the Holders named at the addresses identified therefor; all pursuant to and in accordance with such written instructions from the initial purchaser, or the designee thereof, and such other information and documentation as the Paying Agent/Registrar may reasonably require.

SECTION 8: Forms.

(a) Forms Generally. The Notes, the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the Registration Certificate of Paying Agent/Registrar, and the form of Assignment to be printed on each of the Notes, shall be substantially in the forms set forth in this Section with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance and may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including insurance legends in the event the Notes, or any maturities thereof, are purchased with insurance and any reproduction of an opinion of counsel) thereon as may, consistently herewith, be established by the City or determined by the officers executing such Notes as evidenced by their execution. Any portion of the text of any Notes may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Note.

The definitive Note and the Initial Note shall be printed, lithographed, engraved, typewritten, photocopied or otherwise reproduced in any other similar manner, all as determined by the officers executing such Notes as evidenced by their execution thereof.

(b) Form of Notes.

REGISTERED
NO. [R-__] [T-1]

REGISTERED
$525,000

UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF TEXARKANA, TEXAS,
TAX NOTE, SERIES 2024

Note Date:	Interest Rate:	Stated Maturity:	Delivery Date:
October 1, 2024	5.320%	February 15, 2026	October 8, 2024

Registered Owner: ZIONS BANCORPORATION, N.A.

Principal Amount: FIVE HUNDRED TWENTY FIVE THOUSAND DOLLARS

The City of Texarkana (hereinafter referred to as the "City"), a body corporate and municipal corporation in the County of Bowie, State of Texas, for value received, hereby promises to pay to the Registered Owner named above, or the registered assigns thereof, solely from the revenues hereinafter identified, on the Stated Maturity date specified above the Principal Amount stated above (or so much thereof as shall not have been paid upon prior redemption) and to pay interest on the unpaid principal amount hereof from the interest payment date next preceding the "Registration Date" of this Note appearing below (unless this Note bears a "Registration Date" as of an interest payment date, in which case it shall bear interest from such date, or unless the "Registration Date" of this Note is prior to the initial interest payment date in which case it shall bear interest from the Delivery Date) at the per annum rate of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 in each year, commencing February 15, 2025. Principal of this Note is payable in the year of its Stated Maturity or redemption to the registered owner hereof by Zions Bancorporation, N.A., Dallas, Texas (the "Paying Agent/Registrar"), upon presentation and surrender, at its designated offices, initially in Salt Lake City, Utah, or, with respect to a successor Paying Agent/Registrar, at the designated offices of such successor (the "Designated Payment/Transfer Office"). Principal installments and interest on this note are payable to the registered owner of this Note whose name appears on the "Security Register" maintained by the Paying Agent/Registrar at the close of business on the "Record Date", which is the last business day of the month next preceding each interest payment date, and interest shall be paid by the Paying Agent/Registrar by check sent United States mail, first class postage prepaid, to the address of the registered owner recorded in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. provided, however, the final principal installment of the Note or principal upon prior redemption shall be paid only upon presentation and surrender of the Note to the Paying Agent/Registrar for cancellation at its Designated Payment and Transfer Office. If the date for the payment of the principal of or interest on the Notes shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the Designated Payment/Transfer Office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due. All payments of principal of, premium, if any, and interest on this Note shall be without exchange or collection charges to the owner hereof and in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

This Note is one of the series specified in its title issued in the aggregate principal amount of $525,000 (herein referred to as the "Notes") for the purpose of paying contractual obligations to be incurred for (i) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor and (ii) professional services rendered in relation to such projects and the financing thereof, under and in strict conformity with the Constitution and laws of the State of Texas and pursuant to an Ordinance adopted by the City Council of the City (herein referred to as the "Ordinance").

The Notes shall be subject to mandatory redemption prior to maturity at the redemption price of par and accrued interest to the date of redemption on the respective dates and in principal amounts as follows:

Redemption Date	Principal Amount ($)
February 15, 2025	500,000
February 15, 2026*	25,000

____
* maturity date

The particular Notes to be redeemed on each redemption date shall be chosen by lot by the Paying Agent/Registrar; provided, however, that the principal amount of Notes required to be redeemed pursuant to the operation of such mandatory redemption provisions may be reduced, at the option of the City, by the principal amount of Notes which, at least 50 days prior to a mandatory redemption date shall have been acquired by the City at a price not exceeding the principal amount of such Notes plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation.

The Notes may be redeemed prior to their Stated Maturity, at the option of the City, in whole or in part, on any date at the redemption price of par, together with accrued interest to the date of redemption.

At least thirty (30) days prior to a redemption date, the City shall cause a written notice of such redemption to be sent by United States mail, first class postage prepaid, to the registered owners of each Certificate to be redeemed at the address shown on the Security Register and subject to the terms and provisions relating thereto contained in the Ordinance. If a Note shall have been duly called for redemption and notice of such redemption duly given, then upon the redemption date such Note shall become due and payable, and, if moneys for the payment of the redemption price and the interest accrued on the principal amount to be redeemed to the date of redemption are held for the purpose of such payment by the Paying Agent/Registrar, interest shall cease to accrue and be payable from and after the redemption date on the principal amount redeemed.

With respect to any optional redemption of the Notes, unless moneys sufficient to pay the principal of and premium, if any, and interest on the Notes to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice may state that said redemption is conditional upon the receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon the satisfaction of any prerequisites set forth in such notice of redemption; and, if sufficient moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Notes and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Notes have not been redeemed.

The Notes are payable from the proceeds of an ad valorem tax levied, within the limitations prescribed by law, upon all taxable property in the City. Reference is hereby made to the Ordinance, a copy of which is on file in the Designated Payment/Transfer Office of the Paying Agent/Registrar, and to all of the provisions of which the owner or holder of this Note by the acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied for the payment of the Notes; the terms and conditions relating to the transfer or exchange of this Note; the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the Holders; the rights, duties, and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which this Note may be discharged at or prior to its maturity, and deemed to be no longer Outstanding thereunder; and for other terms and provisions contained therein. Capitalized terms used herein have the meanings assigned in the Ordinance.

This Note, subject to certain limitations contained in the Ordinance, may be transferred on the Security Register only upon its presentation and surrender at the Designated Payment/Transfer Office of the Paying Agent/Registrar, with the Assignment hereon duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by, the registered owner hereof, or his duly authorized agent. When a transfer on the Security Register occurs, one or more new fully registered Notes of the same Stated Maturity, of authorized denominations, bearing the same rate of interest, and of the same aggregate principal amount will be issued by the Paying Agent/Registrar to the designated transferee or transferees.

The City and the Paying Agent/Registrar, and any agent of either, shall treat the registered owner whose name appears on the Security Register (i) on the Record Date as the owner entitled to payment of interest hereon, (ii) on the date of surrender of this Note as the owner entitled to payment of principal hereof at its Stated Maturity, and (iii) on any other date as the owner for all other purposes, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary. In the event of nonpayment of interest on a scheduled payment date and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each Holder appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

It is hereby certified, recited, represented and declared that the City is a body corporate and political subdivision duly organized and legally existing under and by virtue of the Constitution and laws of the State of Texas; that the issuance of the Notes is duly authorized by law; that all acts, conditions and things required to exist and be done precedent to and in the issuance of the Notes to render the same lawful and valid obligations of the City have been properly done, have happened and have been performed in regular and due time, form and manner as required by the Constitution and laws of the State of Texas, and the Ordinance; that the Notes do not exceed any Constitutional or statutory limitation; and that due provision has been made for the payment of the principal of and interest on the Notes by the levy of a tax as aforestated. In case any provision in this Note shall be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. The terms and provisions of this Note and the Ordinance shall be construed in accordance with and shall be governed by the laws of the State of Texas.

IN WITNESS WHEREOF, the City Council of the City has caused this Note to be duly executed under the official seal of the City as of the Note Date.

CITY OF TEXARKANA, TEXAS

____
[Mayor][Mayor Pro Tem]

COUNTERSIGNED:

____
[City Secretary][Deputy City Secretary

(City Seal)

(c) Form of Registration Certificate of Comptroller of Public Accounts to appear on Initial Note only.

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER	(	
OF PUBLIC ACCOUNTS	(	REGISTER NO. _________
THE STATE OF TEXAS	(	

I HEREBY CERTIFY that this Note has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and duly registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS my signature and seal of office this ____________________.

____
Comptroller of Public Accounts
of the State of Texas

(SEAL)

(d) Form of Certificate of Paying Agent/Registrar to appear on definitive Note only.

REGISTRATION CERTIFICATE OF PAYING AGENT/REGISTRAR

This Note has been duly issued and registered under the provisions of the within-mentioned Ordinance; the note or notes of the above entitled and designated series originally delivered having been approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts, as shown by the records of the Paying Agent/Registrar.

The designated office of the Paying Agent/Registrar in Salt Lake City, Utah, is the Designated Payment/Transfer Office for this Note.

ZIONS BANCORPORATION, N.A.,
Dallas, Texas,
as Paying Agent/Registrar

Registration Date:

____________________________ By: ______________________________________

(e) Form of Assignment.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns, and transfers unto (Print or typewrite name, address, and zip code of transferee:) _____________________________

____

(Social Security or other identifying number: ____) the within Note and all rights thereunder, and hereby irrevocably constitutes and appoints _____

____

attorney to transfer the within Note on the books kept for registration thereof, with full power of substitution in the premises.

DATED:

____

Signature guaranteed:

____

____

NOTICE: The signature on this assignment must correspond with the name of the registered owner as it appears on the face of the within Note in every particular.

SECTION 9: Levy of Taxes. To provide for the payment of the “Debt Service Requirements” of the Notes, being (i) the interest on the Notes and (ii) a sinking fund for their payment at maturity or redemption or a sinking fund of 2% (whichever amount is the greater), there is hereby levied, and there shall be annually assessed and collected in due time, form, and manner, a tax on all taxable property in the City, within the limitations prescribed by law, and such tax hereby levied on each one hundred dollars’ valuation of taxable property in the City for the Debt Service Requirements of the Notes shall be at a rate from year to year as will be ample and sufficient to provide funds each year to pay the principal of and interest on said Notes while Outstanding; full allowance being made for delinquencies and costs of collection; separate books and records relating to the receipt and disbursement of taxes levied, assessed and collected for and on account of the Notes shall be kept and maintained by the City at all times while the Notes are Outstanding, and the taxes collected for the payment of the Debt Service Requirements on the Notes shall be deposited to the credit of a “Special 2024 Note Account” (the “Interest and Sinking Fund”) maintained on the records of the City and deposited in a special fund maintained at an official depository of the City’s funds; and such tax hereby levied, and to be assessed and collected annually, is hereby pledged to the payment of the Notes.

The Mayor, Mayor Pro Tem, City Manager, Chief Financial Officer and City Secretary of the City, individually or jointly, are hereby authorized and directed to cause to be transferred to the Paying Agent/Registrar for the Notes, from funds on deposit in the Interest and Sinking Fund, amounts sufficient to fully pay and discharge promptly each installment of interest and principal of the Notes as the same accrues or matures; such transfers of funds to be made in such manner as will cause collected funds to be deposited with the Paying Agent/Registrar on or before each principal and interest payment date for the Notes.

SECTION 10: Mutilated - Destroyed - Lost and Stolen Notes. In case any Note shall be mutilated, or destroyed, lost or stolen, the Paying Agent/Registrar may execute and deliver a replacement Note of like form and tenor, and in the same denomination and bearing a number not contemporaneously outstanding, in exchange and substitution for such mutilated Note, or in lieu of and in substitution for such destroyed, lost or stolen Note, only upon the approval of the City and after (i) the filing by the Holder thereof with the Paying Agent/Registrar of evidence satisfactory to the Paying Agent/Registrar of the destruction, loss or theft of such Note, and of the authenticity of the ownership thereof and (ii) the furnishing to the Paying Agent/Registrar of indemnification in an amount satisfactory to hold the City and the Paying Agent/Registrar harmless in their reasonable judgement. All expenses and charges associated with such indemnity and with the preparation, execution and delivery of a replacement Note shall be borne by the Holder of the Note mutilated, or destroyed, lost or stolen.

Every replacement Note issued pursuant to this Section shall be a valid and binding obligation, and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Notes; notwithstanding the enforceability of payment by anyone of the destroyed, lost, or stolen Notes.

The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost or stolen Notes.

SECTION 11: Satisfaction of Obligation of City. If the City shall pay or cause to be paid, or there shall otherwise be paid to the Holders, the principal of, premium, if any, and interest on the Notes, at the times and in the manner stipulated in this Ordinance, then the pledge of taxes levied under this Ordinance and all covenants, agreements, and other obligations of the City to the Holders shall thereupon cease, terminate, and be discharged and satisfied.

Notes or any principal amount(s) thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section when (i) money sufficient to pay in full such Notes or the principal amount(s) thereof at maturity, together with all interest due thereon, shall have been irrevocably deposited with and held in trust by the Paying Agent/Registrar, or an authorized escrow agent, or (ii) Government Securities shall have been irrevocably deposited in trust with the Paying Agent/Registrar, or an authorized escrow agent, which Government Securities have been certified by an independent accounting or consulting firm to mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money, together with any moneys deposited therewith, if any, to pay when due the principal of and interest on such Notes, or the principal amount(s) thereof, on and prior to the Stated Maturity thereof. The City covenants that no deposit of moneys or Government Securities will be made under this Section and no use made of any such deposit which would cause the Notes to be treated as “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, or regulations adopted pursuant thereto.

The term “Government Securities”, as used herein, means (i) direct noncallable obligations of the United States of America, including obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States, including obligations unconditionally guaranteed or insured by the agency or instrumentality and on the date of their acquisition or purchase by the City are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and on the date of their acquisition or purchase by the City, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (iv) any other authorized securities or obligations under applicable law that may be used to defease obligations such as the Notes.

Any moneys so deposited with the Paying Agent/Registrar, or an authorized escrow agent, and all income from Government Securities held in trust by the Paying Agent/Registrar, or an authorized escrow agent, pursuant to this Section which is not required for the payment of the Notes, or any principal amount(s) thereof, or interest thereon with respect to which such moneys have been so deposited shall be remitted to the City or deposited as directed by the City. Furthermore, any money held by the Paying Agent/Registrar for the payment of the principal of and interest on the Notes and remaining unclaimed for a period of three (3) years after the Stated Maturity or applicable redemption date of the Notes such moneys were deposited and are held in trust to pay shall upon the request of the City be remitted to the City against a written receipt therefor. Notwithstanding the above and foregoing, any remittance of funds from the Paying Agent/Registrar to the City shall be subject to any applicable unclaimed property laws of the State of Texas.

SECTION 12: Ordinance a Contract - Amendments - Outstanding Notes. This Ordinance shall constitute a contract with the Holders from time to time, be binding on the City, and shall not be amended or repealed by the City so long as any Note remains Outstanding except as permitted in this Section. The City may, without the consent of or notice to any Holders, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Holders, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the written consent of Holders holding a majority in aggregate principal amount of the Notes then Outstanding, amend, add to, or rescind any of the provisions of this Ordinance; provided that, without the consent of all Holders of Outstanding Notes, no such amendment, addition, or rescission shall (1) extend the time or times of payment of the principal of, premium, if any, and interest on the Notes, reduce the principal amount thereof, or the rate of interest thereon, or in any other way modify the terms of payment of the principal of, premium, if any, or interest on the Notes, (2) give any preference to any Note over any other Note, or (3) reduce the aggregate principal amount of Notes required to be held by Holders for consent to any such amendment, addition, or rescission.

The term "Outstanding" when used in this Ordinance with respect to Notes means, as of the date of determination, all Notes theretofore issued and delivered under this Ordinance, except:

(1) those Notes cancelled by the Paying Agent/Registrar or delivered to the Paying Agent/Registrar for cancellation;

(2) those Notes deemed to be duly paid by the City in accordance with the provisions of Section 11 hereof; and

(3) those mutilated, destroyed, lost, or stolen Notes which have been replaced with Notes registered and delivered in lieu thereof as provided in Section 10 hereof.

SECTION 13: Covenants to Maintain Tax-Exempt Status.

(a) Definitions. When used in this Section 13, the following terms have the following meanings:

"Closing Date" means the date on which the Notes are first authenticated and delivered to the initial purchasers against payment therefor.

"Code" means the Internal Revenue Code of 1986, as amended by all legislation, if any, effective on or before the Closing Date.

"Computation Date" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Gross Proceeds" means any proceeds as defined in Section 1.148-1(b) of the Regulations, and any replacement proceeds as defined in Section 1.148-1(c) of the Regulations, of the Notes.

"Investment" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Nonpurpose Investment" means any investment property, as defined in Section 148(b) of the Code, in which Gross Proceeds of the Notes are invested and which is not acquired to carry out the governmental purposes of the Notes.

"Rebate Amount" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Regulations" means any proposed, temporary, or final Income Tax Regulations issued pursuant to Sections 103 and 141 through 150 of the Code, and 103 of the Internal Revenue Code of 1954, which are applicable to the Notes. Any reference to any specific Regulation shall also mean, as appropriate, any proposed, temporary or final Income Tax Regulation designed to supplement, amend or replace the specific Regulation referenced.

"Yield" of (1) any Investment has the meaning set forth in Section 1.148-5 of the Regulations and (2) the Notes has the meaning set forth in Section 1.148-4 of the Regulations.

(b) Not to Cause Interest to Become Taxable. The City shall not use, permit the use of, or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which if made or omitted, respectively, would cause the interest on any Note to become includable in the gross income, as defined in Section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the City receives a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Note, the City shall comply with each of the specific covenants in this Section.

(c) No Private Use or Private Payments. Except as permitted by Section 141 of the Code and the Regulations and rulings thereunder, the City shall at all times prior to the last Stated Maturity of Notes:

(1) exclusively own, operate and possess all property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds of the Notes, and not use or permit the use of such Gross Proceeds (including all contractual arrangements with terms different than those applicable to the general public) or any property acquired, constructed or improved with such Gross Proceeds in any activity carried on by any person or entity (including the United States or any agency, department and instrumentality thereof) other than a state or local government, unless such use is solely as a member of the general public; and

(2) not directly or indirectly impose or accept any charge or other payment by any person or entity who is treated as using Gross Proceeds of the Notes or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with such Gross Proceeds, other than taxes of general application within the City or interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

(d) No Private Loan. Except to the extent permitted by Section 141 of the Code and the Regulations and rulings thereunder, the City shall not use Gross Proceeds of the Notes to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, such Gross Proceeds are considered to be "loaned" to a person or entity if: (1) property acquired, constructed or improved with such Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes; (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output or similar contract or arrangement; or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or any property acquired, constructed or improved with such Gross Proceeds are otherwise transferred in a transaction which is the economic equivalent of a loan.

(e) Not to Invest at Higher Yield. Except to the extent permitted by Section 148 of the Code and the Regulations and rulings thereunder, the City shall not at any time prior to the final Stated Maturity of the Notes directly or indirectly invest Gross Proceeds in any Investment (or use Gross Proceeds to replace money so invested), if as a result of such investment the Yield from the Closing Date of all Investments acquired with Gross Proceeds (or with money replaced thereby), whether then held or previously disposed of, exceeds the Yield of the Notes.

(f) Not Federally Guaranteed. Except to the extent permitted by Section 149(b) of the Code and the Regulations and rulings thereunder, the City shall not take or omit to take any action which would cause the Notes to be federally guaranteed within the meaning of section 149(b) of the Code and the Regulations and rulings thereunder.

(g) Information Report. The City shall timely file the information required by Section 149(e) of the Code with the Secretary of the Treasury on Form 8038-G or such other form and in such place as the Secretary may prescribe.

(h) Rebate of Arbitrage Profits. Except to the extent otherwise provided in Section 148(f) of the Code and the Regulations and rulings thereunder:

(1) The City shall account for all Gross Proceeds (including all receipts, expenditures, and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures, and investments thereof) and shall retain all records of accounting for at least six (6) years after the day on which the last outstanding Note is discharged. However, to the extent permitted by law, the City may commingle Gross Proceeds of the Notes with other money of the City, provided that the City separately accounts for each receipt and expenditure of Gross Proceeds and the obligations acquired therewith.

(2) Not less frequently than each Computation Date, the City shall calculate the Rebate Amount in accordance with rules set forth in Section 148(f) of the Code and the Regulations and rulings thereunder. The City shall maintain such calculations with its official transcript of proceedings relating to the issuance of the Notes until six (6) years after the final Computation Date.

(3) As additional consideration for the purchase of the Notes by the Purchaser and the loan of the money represented thereby and in order to induce such purchase by measures designed to insure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, the City shall pay to the United

States from the construction fund, other appropriate fund, or if permitted by applicable Texas statute, regulation or opinion of the Attorney General of the State of Texas, the Interest and Sinking Fund, the amount that when added to the future value of previous rebate payments made for the Notes equals (i) in the case of a Final Computation Date as defined in Section 1.148-3(e)(2) of the Regulations, one hundred percent (100%) of the Rebate Amount on such date; and (ii) in the case of any other Computation Date, ninety percent (90%) of the Rebate Amount on such date. In all cases, the rebate payments shall be made at the times, in the installments, to the place and in the manner as is or may be required by Section 148(f) of the Code and the Regulations and rulings thereunder, and shall be accompanied by Form 8038-T or such other forms and information as is or may be required by Section 148(f) of the Code and the Regulations and rulings thereunder.

(4) The City shall exercise reasonable diligence to assure that no errors are made in the calculations and payments required by paragraphs (2) and (3), and if an error is made, to discover and promptly correct such error within a reasonable amount of time thereafter (and in all events within one hundred eighty (180) days after discovery of the error), including payment to the United States of any additional Rebate Amount owed to it, interest thereon, and any penalty imposed under Section 1.148-3(h) of the Regulations.

(i) Elections. The City hereby directs and authorizes the Mayor, Mayor Pro Tem, City Manager and Chief Financial Officer, either or any combination of them, to make elections permitted or required pursuant to the provisions of the Code or the Regulations, as they deem necessary or appropriate in connection with the Notes, in the Certificate as to Tax Exemption or similar or other appropriate certificate, form or document.

(j) Qualified Tax Exempt Obligations. In accordance with the provisions of paragraph (3) of subsection (b) of Section 265 of the Code, the City hereby designates the Notes to be "qualified tax exempt obligations" in that the Notes are not "private activity bonds" as defined in the Code and represents the amount of "tax exempt obligations" (excluding private activity bonds) to be issued by the City (including all subordinate entities of the City) for the calendar year 2024 will not exceed $10,000,000.

SECTION 14: Sale of Notes. The offer of Zions Bancorporation, N.A. (the "Purchaser") to purchase the Notes in accordance with a Purchase Letter, dated as of September 9, 2024, attached hereto as **Exhibit B** and incorporated herein by reference as a part of this Ordinance for all purposes is hereby accepted, and the sale of the Notes to said Purchaser is hereby approved and authorized, and declared to be in the best interest of the City. The Mayor or Mayor Pro Tem and City Secretary or Deputy City Secretary are hereby authorized and directed to execute the acceptance clause thereof for and on behalf of the City and as the act and deed of the Council. Delivery of the Notes to the Purchaser shall occur as soon as possible upon payment being made therefor in accordance with the terms of sale.

SECTION 15: Control and Custody of Notes. The Mayor of the City shall be and is hereby authorized to take and have charge of all necessary orders and records pending investigation by the Attorney General of the State of Texas, including the printing and supply of definitive Notes, and shall take and have charge and control of the Initial Note pending the approval thereof by the Attorney General, the registration thereof by the Comptroller of Public Accounts and the delivery thereof to the initial purchasers.

SECTION 16: Proceeds of Sale. The proceeds of sale of the Notes, excluding amounts to pay costs of issuance, shall be deposited in a construction fund maintained at the City's depository bank. Pending expenditure for authorized projects and purposes, such proceeds of sale may be invested in authorized investments in accordance with the provisions of Texas Government Code, Chapter 2256, as amended, and the City's investment policies and guidelines, and any investment earnings realized shall be expended for such authorized projects and purposes or deposited in the Interest and Sinking Fund as shall be determined by the Council. Any excess note proceeds, including investment earnings, remaining after completion of all authorized projects or purposes shall be deposited to the credit of the Interest and Sinking Fund.

SECTION 17: Notices to Holders - Waiver. Wherever this Ordinance provides for notice to Holders of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and sent by United States mail, first class postage prepaid, to the address of each Holder appearing in the Security Register at the close of business on the business day next preceding the mailing of such notice.

In any case where notice to Holders is given by mail, neither the failure to mail such notice to any particular Holders, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Notes. Where this Ordinance provides for notice in any manner, such notice may be waived in writing by the Holder entitled to receive such notice, either before or after the event with respect to which such notice is given, and such waiver shall be the equivalent of such notice. Waivers of notice by Holders shall be filed with the Paying Agent/Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 18: Cancellation. All Notes surrendered for payment, transfer, exchange or replacement, if surrendered to the Paying Agent/Registrar, shall be promptly canceled by it and, if surrendered to the City, shall be delivered to the Paying Agent/Registrar and, if not already canceled, shall be promptly canceled by the Paying Agent/Registrar. The City may at any time deliver to the Paying Agent/Registrar for cancellation any Notes previously certified or registered and delivered which the City may have acquired in any manner whatsoever, and all Notes so delivered shall be promptly canceled by the Paying Agent/Registrar. All canceled Notes held by the Paying Agent/Registrar shall be returned to the City.

SECTION 19: Legal Opinion. The Purchaser's obligation to accept delivery of the Notes is subject to being furnished a final opinion of Norton Rose Fulbright US LLP, Dallas, Texas, approving the Notes as to their validity, said opinion to be dated and delivered as of the date of delivery and payment for the Notes. The City Council confirms the continuation of the engagement of Norton Rose Fulbright US LLP as the City's bond counsel.

SECTION 20: CUSIP Numbers. CUSIP numbers may be printed or typed on the definitive Notes. It is expressly provided, however, that the presence or absence of CUSIP numbers on the definitive Notes shall be of no significance or effect as regards the legality thereof and neither the City nor attorneys approving the Notes as to legality are to be held responsible for CUSIP numbers incorrectly printed or typed on the definitive Notes.

SECTION 21: Benefits of Ordinance. Nothing in this Ordinance, expressed or implied, is intended or shall be construed to confer upon any person other than the City, the Paying Agent/Registrar and the Holders, any right, remedy, or claim, legal or equitable, under or by reason of this Ordinance or any provision hereof, this Ordinance and all its provisions being intended to be and being for the sole and exclusive benefit of the City, the Paying Agent/Registrar and the Holders.

SECTION 22: Inconsistent Provisions. All ordinances, orders or resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters contained herein.

SECTION 23: Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 24: Effect of Headings. The Section headings herein are for convenience of reference only and shall not affect the construction hereof.

SECTION 25: Construction of Terms. If appropriate in the context of this Ordinance, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine or neuter gender shall be considered to include the other genders.

SECTION 26: Severability. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, and the Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 27: Further Procedures. Any one or more of the Mayor, Mayor Pro Tem, City Manager, Chief Financial Officer, City Secretary and Deputy City Secretary are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the City all agreements, instruments, certificates or other documents, whether mentioned herein or not, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance and the issuance, sale and delivery of the Notes. In addition, prior to the initial delivery of the Notes, the Mayor, Mayor Pro Tem, City Manager, Chief Financial Officer, City Secretary and Deputy City Secretary or Bond Counsel to the City are each hereby authorized and directed to approve any changes or corrections to this Ordinance or to any of the documents authorized and approved by this Ordinance: (i) in order to cure any ambiguity, formal defect, or omission in this Ordinance or such other document; or (ii) as requested by the Attorney General of the State of Texas or his representative to obtain the approval of the Notes by the Attorney General. In the event that any officer of the City whose signature shall appear on any document shall cease to be such officer before the delivery of such document, such signature nevertheless shall be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 28: Incorporation of Findings and Determinations. The findings and determinations of the Council contained in the preamble hereof are hereby incorporated by reference and made a part of this Ordinance for all purposes as if the same were restated in full in this Section.

SECTION 29: Public Meeting. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 30: Effective Date. This Ordinance shall take effect and be in full force from and after its adoption on the date shown below in accordance with Texas Government Code, Section 1201.028, as amended.

[Remainder of page left blank intentionally]

PASSED AND APPROVED, this the 9th day of September, 2024.

CITY OF TEXARKANA, TEXAS

____
Mayor

ATTEST:

____
City Secretary

(City Seal)

EXHIBIT A

PAYING AGENT/REGISTRAR AGREEMENT

EXHIBIT B

PURCHASE LETTER

PAYING AGENT/REGISTRAR AGREEMENT

THIS AGREEMENT is entered into as of September 9, 2024 (this "Agreement"), by and between Zions Bancorporation, National Association, a national banking association organized and existing under the laws of the United States of America, and authorized to transact business in the State of Texas, or its successors (the "Bank") and the City of Texarkana, Texas (the "Issuer"),

RECITALS

WHEREAS, the Issuer has duly authorized and provided for the issuance of its "City of Texarkana, Texas Tax Notes, Series 2024" (the "Securities"), dated October 1, 2024, such Securities scheduled to be delivered to the initial purchasers thereof on or about October 8, 2024; and

WHEREAS, the Issuer has selected the Bank to serve as Paying Agent/Registrar in connection with the payment of the principal of, premium, if any, and interest on said Securities and with respect to the registration, transfer and exchange thereof by the registered owners thereof; and

WHEREAS, the Bank has agreed to serve in such capacities for and on behalf of the Issuer and has full power and authority to perform and serve as Paying Agent/Registrar for the Securities;

NOW, THEREFORE, it is mutually agreed as follows:

ARTICLE ONE
APPOINTMENT OF BANK AS PAYING AGENT AND REGISTRAR

Section 1.01 **Appointment**. The Issuer hereby appoints the Bank to serve as Paying Agent with respect to the Securities, and, as Paying Agent for the Securities, the Bank shall be responsible for paying on behalf of the Issuer the principal, premium (if any), and interest on the Securities as the same become due and payable to the registered owners thereof; all in accordance with this Agreement and the "Authorizing Document" (hereinafter defined). The Issuer hereby appoints the Bank as Registrar with respect to the Securities and, as Registrar for the Securities, the Bank shall keep and maintain for and on behalf of the Issuer books and records as to the ownership of said Securities and with respect to the transfer and exchange thereof as provided herein and in the Authorizing Document.

The Bank hereby accepts its appointment, and agrees to serve as the Paying Agent and Registrar for the Securities.

Section 1.02 **Compensation**. As compensation for the Bank's services as Paying Agent/Registrar, the Issuer hereby agrees to pay the Bank the fees and amounts set forth in **Annex A** attached hereto; provided however, notwithstanding anything herein or in Annex A to the contrary, the aggregate value of this agreement shall be less than the dollar limitation set forth in Sections 2271.002(a)(2), 2274.002(a)(2) and 2276.002(a)(2) of the Texas Government Code, as amended.

In addition, the Issuer agrees to reimburse the Bank upon its request for all reasonable expenses, disbursements and advances incurred or made by the Bank in accordance with any of the provisions hereof (including the reasonable compensation and the expenses and disbursements of its agents and counsel).

ARTICLE TWO
DEFINITIONS

Section 2.01 **Definitions**. For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires:

"Acceleration Date" on any Security means the date, if any, on and after which the principal or any or all installments of interest, or both, are due and payable on any Security which has become accelerated pursuant to the terms of the Security.

"Authorizing Document" means the resolution, order, or ordinance of the governing body of the Issuer pursuant to which the Securities are issued, as the same may be amended or modified, including any pricing certificate related thereto, certified by the secretary or any other officer of the Issuer and delivered to the Bank.

"Bank Office" means the designated office of the Bank at the address shown in Section 3.01 hereof. The Bank will notify the Issuer in writing of any change in location of the Bank Office.

"Holder" and "Security Holder" each means the Person in whose name a Security is registered in the Security Register.

"Person" means any individual, corporation, partnership, joint venture, association, joint stock company, trust, unincorporated organization or government or any agency or political subdivision of a government.

"Predecessor Securities" of any particular Security means every previous Security evidencing all or a portion of the same obligation as that evidenced by such particular Security (and, for the purposes of this definition, any mutilated, lost, destroyed, or stolen Security for which a replacement Security has been registered and delivered in lieu thereof pursuant to Section 4.06 hereof and the Authorizing Document).

"Redemption Date", when used with respect to any Security to be redeemed, means the date fixed for such redemption pursuant to the terms of the Authorizing Document.

"Responsible Officer", when used with respect to the Bank, means the Chairman or Vice-Chairman of the Board of Directors, the Chairman or Vice-Chairman of the Executive Committee of the Board of Directors, the President, any Vice President, the Secretary, any Assistant Secretary, the Treasurer, any Assistant Treasurer, the Cashier, any Assistant Cashier, any Trust Officer or Assistant Trust Officer, or any other officer of the Bank customarily performing functions similar to those performed by any of the above designated officers and also means, with respect to a particular corporate trust matter, any other officer to whom such matter is referred because of his knowledge of and familiarity with the particular subject.

"Security Register" means a register maintained by the Bank on behalf of the Issuer providing for the registration and transfers of Securities.

"Stated Maturity" means the date specified in the Authorizing Document the principal of a Security is scheduled to be due and payable.

Section 2.02 Other Definitions. The terms "Bank," "Issuer," and "Securities (Security)" have the meanings assigned to them in the recital paragraphs of this Agreement.

The term "Paying Agent/Registrar" refers to the Bank in the performance of the duties and functions of this Agreement.

ARTICLE THREE
PAYING AGENT

Section 3.01 Duties of Paying Agent. As Paying Agent, the Bank shall pay, provided adequate collected funds have been provided to it for such purpose by or on behalf of the Issuer, on behalf of the Issuer the principal of each Security at its Stated Maturity, Redemption Date or Acceleration Date, to the Holder upon surrender of the Security to the Bank at the following address:

Zions Bancorporation, National Association
One South Main Street, 12th Floor
Salt Lake City, UT 84133

As Paying Agent, the Bank shall, provided adequate collected funds have been provided to it for such purpose by or on behalf of the Issuer, pay on behalf of the Issuer the interest on each Security when due, by computing the amount of interest to be paid each Holder and making payment thereof to the Holders of the Securities (or their Predecessor Securities) on the Record Date (as defined in the Authorizing Document). All payments of principal and/or interest on the Securities to the registered owners shall be accomplished (1) by the issuance of checks, payable to the registered owners, drawn on the paying agent account provided in Section 5.05 hereof, sent by United States mail, first class postage prepaid, to the address appearing on the Security Register or (2) by such other method, acceptable to the Bank, requested in writing by the Holder at the Holder's risk and expense.

Section 3.02 Payment Dates. The Issuer hereby instructs the Bank to pay the principal of and interest on the Securities on the dates specified in the Authorizing Document.

ARTICLE FOUR
REGISTRAR

Section 4.01 Security Register - Transfers and Exchanges. The Bank agrees to keep and maintain for and on behalf of the Issuer at the Bank Office and at the Bank's office shown on the signature page hereof books and records (herein sometimes referred to as the "Security Register") for recording the names and addresses of the Holders of the Securities, the transfer, exchange and replacement of the Securities and the payment of the principal of and interest on the Securities to the Holders and containing such other information as may be reasonably required by the Issuer and subject to such reasonable regulations as the Issuer and the Bank may prescribe. All transfers, exchanges and replacements of Securities shall be noted in the Security Register.

Every Security surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, the signature on which has been guaranteed by an officer of a federal or state bank or a member of the Financial Industry Regulatory Authority, such written instrument to be in a form satisfactory to the Bank and duly executed by the Holder thereof or his agent duly authorized in writing.

The Bank may request any supporting documentation it feels necessary to effect a re-registration, transfer or exchange of the Securities.

To the extent possible and under reasonable circumstances, the Bank agrees that, in relation to an exchange or transfer of Securities, the exchange or transfer by the Holders thereof will be completed and new Securities delivered to the Holder or the assignee of the Holder in not more than three (3) business days after the receipt of the Securities to be cancelled in an exchange or transfer and the written instrument of transfer or request for exchange duly executed by the Holder, or his duly authorized agent, in form and manner satisfactory to the Paying Agent/Registrar.

Section 4.02 **Securities**. The Issuer shall provide additional Securities when needed to facilitate transfers or exchanges thereof. The Bank covenants that such additional Securities, if and when provided, will be kept in safekeeping pending their use and reasonable care will be exercised by the Bank in maintaining such Securities in safekeeping, which shall be not less than the care maintained by the Bank for debt securities of other governments or corporations for which it serves as registrar, or that is maintained for its own securities.

Section 4.03 **Form of Security Register**. The Bank, as Registrar, will maintain the Security Register relating to the registration, payment, transfer and exchange of the Securities in accordance with the Bank's general practices and procedures in effect from time to time. The Bank shall not be obligated to maintain such Security Register in any form other than those which the Bank has currently available and currently utilizes at the time.

The Security Register may be maintained in written form or in any other form capable of being converted into written form within a reasonable time.

Section 4.04 **List of Security Holders**. The Bank will provide the Issuer at any time requested by the Issuer, upon payment of the required fee, a copy of the information contained in the Security Register. The Issuer may also inspect the information contained in the Security Register at any time the Bank is customarily open for business, provided that reasonable time is allowed the Bank to provide an up-to-date listing or to convert the information into written form.

The Bank will not release or disclose the contents of the Security Register to any person other than to, or at the written request of, an authorized officer or employee of the Issuer, except upon receipt of a court order or as otherwise required by law. Upon receipt of a court order and prior to the release or disclosure of the contents of the Security Register, the Bank will notify the Issuer so that the Issuer may contest the court order or such release or disclosure of the contents of the Security Register, provided the Bank is not prohibited from providing such notice.

Section 4.05 Return of Cancelled Securities. The Bank will, at such reasonable intervals as it determines, surrender to the Issuer, all Securities in lieu of which or in exchange for which other Securities have been issued, or which have been paid.

Section 4.06 Mutilated, Destroyed, Lost or Stolen Securities. The Issuer hereby instructs the Bank, subject to the provisions of the Authorizing Document, to deliver and issue Securities in exchange for or in lieu of mutilated, destroyed, lost, or stolen Securities as long as the same does not result in an overissuance.

In case any Security shall be mutilated, destroyed, lost or stolen, the Bank may execute and deliver a replacement Security of like form and tenor, and in the same denomination and bearing a number not contemporaneously outstanding, in exchange and substitution for such mutilated Security, or in lieu of and in substitution for such mutilated, destroyed, lost or stolen Security, only upon the approval of the Issuer and after (i) the filing by the Holder thereof with the Bank of evidence satisfactory to the Bank of the destruction, loss or theft of such Security, and of the authenticity of the ownership thereof and (ii) the furnishing to the Bank of indemnification in an amount satisfactory to hold the Issuer and the Bank harmless. All expenses and charges associated with such indemnity and with the preparation, execution and delivery of a replacement Security shall be borne by the Holder of the Security mutilated, destroyed, lost or stolen.

Section 4.07 Transaction Information to Issuer. The Bank will, within a reasonable time after receipt of written request from the Issuer, furnish the Issuer information as to the Securities it has paid pursuant to Section 3.01, Securities it has delivered upon the transfer or exchange of any Securities pursuant to Section 4.01, and Securities it has delivered in exchange for or in lieu of mutilated, destroyed, lost, or stolen Securities pursuant to Section 4.06.

ARTICLE FIVE
THE BANK

Section 5.01 Duties of Bank. The Bank undertakes to perform the duties set forth herein and agrees to use reasonable care in the performance thereof.

Section 5.02 Reliance on Documents, Etc.

(a) The Bank may conclusively rely, as to the truth of the statements and correctness of the opinions expressed therein, on certificates or opinions furnished to the Bank.

(b) The Bank shall not be liable for any error of judgment made in good faith by a Responsible Officer, unless it shall be proved that the Bank was negligent in ascertaining the pertinent facts.

(c) No provisions of this Agreement shall require the Bank to expend or risk its own funds or otherwise incur any financial liability for performance of any of its duties hereunder, or in the exercise of any of its rights or powers.

(d) The Bank may rely and shall be protected in acting or refraining from acting upon any resolution, certificate, statement, instrument, opinion, report, notice, request, direction, consent, order, bond, note, security or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or parties. Without limiting the generality of the foregoing statement, the Bank need not examine the ownership of any Securities, but is protected in acting upon receipt of Securities containing an endorsement or instruction of transfer or power of transfer which appears on its face to be signed by the Holder or an agent of the Holder. The Bank shall not be bound to make any investigation into the facts or matters stated in a resolution, certificate, statement, instrument, opinion, report, notice, request, direction, consent, order, bond, note, security or other paper or document supplied by the Issuer.

(e) The Bank may consult with counsel, and the written advice of such counsel or any opinion of counsel shall be full and complete authorization and protection with respect to any action taken, suffered, or omitted by it hereunder in good faith and in reliance thereon.

(f) The Bank may exercise any of the powers hereunder and perform any duties hereunder either directly or by or through agents or attorneys of the Bank.

(g) The Bank is also authorized to transfer funds relating to the closing and initial delivery of the Securities in the manner disclosed in the closing memorandum or letter as prepared by the Issuer, Issuer's financial advisor or other agent. The Bank may act on a facsimile or e-mail transmission of the closing memorandum or letter acknowledged by the Issuer, the Issuer's financial advisor or other agent as the final closing memorandum or letter. The Bank shall not be liable for any losses, costs or expenses arising directly or indirectly from the Bank's reliance upon and compliance with such instructions.

Section 5.03 **Recitals of Issuer**. The recitals contained herein with respect to the Issuer and in the Securities shall be taken as the statements of the Issuer, and the Bank assumes no responsibility for their correctness.

The Bank shall in no event be liable to the Issuer, any Holder or Holders of any Security, or any other Person for any amount due on any Security from its own funds.

Section 5.04 **May Hold Securities**. The Bank, in its individual or any other capacity, may become the owner or pledgee of Securities and may otherwise deal with the Issuer with the same rights it would have if it were not the Paying Agent/Registrar, or any other agent.

Section 5.05 **Moneys Held by Bank - Paying Agent Account/Collateralization**. A paying agent account shall at all times be kept and maintained by the Bank for the receipt, safekeeping, and disbursement of moneys received from the Issuer under this Agreement for the payment of the Securities, and money deposited to the credit of such account until paid to the Holders of the Securities shall be continuously collateralized by securities or obligations which qualify and are eligible under both the laws of the State of Texas and the laws of the United States of America to secure and be pledged as collateral for paying agent accounts to the extent such money is not insured by the Federal Deposit Insurance Corporation. Payments made from such paying agent account shall be made by check drawn on such account unless the owner of the Securities shall, at its own expense and risk, request an alternative method of payment.

Subject to the applicable unclaimed property laws of the State of Texas, any money deposited with the Bank for the payment of the principal of, premium (if any), or interest on any Security and remaining unclaimed for three years after final maturity of the Security has become due and payable will be held by the Bank and disposed of only in accordance with Title 6 of the Texas Property Code, as amended. The Bank shall have no liability by virtue of actions taken in compliance with this provision.

The Bank is not obligated to pay interest on any money received by it under this Agreement.

This Agreement relates solely to money deposited for the purposes described herein, and the parties agree that the Bank may serve as depository for other funds of the Issuer, act as trustee under indentures authorizing other bond transactions of the Issuer, or act in any other capacity not in conflict with its duties hereunder.

Section 5.06 **Indemnification**. To the extent permitted by law, the Issuer agrees to indemnify the Bank for, and hold it harmless against, any loss, liability, or expense incurred without negligence or bad faith on its part, arising out of or in connection with its acceptance or administration of its duties hereunder, including the cost and expense (including the Bank's counsel fees) against any claim or liability in connection with the exercise or performance of any of its powers or duties under this Agreement.

Section 5.07 **Interpleader**. The Issuer and the Bank agree that the Bank may seek adjudication of any adverse claim, demand, or controversy over its person as well as funds on deposit, in either a Federal or State District Court located in the state and county where the administrative office of the Issuer is located, and agree that service of process by certified or registered mail, return receipt requested, to the address referred to in Section 6.03 of this Agreement shall constitute adequate service. The Issuer and the Bank further agree that the Bank has the right to file a Bill of Interpleader in any court of competent jurisdiction in the State of Texas to determine the rights of any Person claiming any interest herein.

Section 5.08 **Force Majeure**. In no event shall the Bank be liable for any failure or delay in the performance of its duties hereunder because of circumstances beyond the Bank's control, including, but not limited to, acts of God, flood, war (whether declared or undeclared), terrorism, fire, riot, strikes or work stoppages for any reason, embargo, government action, including any laws, ordinances, regulations or the like which restrict or prohibit the providing of the services contemplated by this Agreement, and other causes beyond the Bank's control whether or not the same class or kind as specifically named above.

ARTICLE SIX
MISCELLANEOUS PROVISIONS

Section 6.01 **Amendment**. This Agreement may be amended only by an agreement in writing signed by both of the parties hereto.

Section 6.02 **Assignment**. This Agreement may not be assigned by either party without the prior written consent of the other.

Section 6.03 **Notices**. Any request, demand, authorization, direction, notice, consent, waiver, or other document provided or permitted hereby to be given or furnished to the Issuer or the Bank shall be mailed or delivered to the Issuer or the Bank, respectively, at the addresses shown on the signature page(s) hereof.

Section 6.04 **Effect of Headings**. The Article and Section headings herein are for convenience of reference only and shall not affect the construction hereof.

Section 6.05 **Successors and Assigns**. All covenants and agreements herein by the Issuer shall bind its successors and assigns, whether so expressed or not.

Section 6.06 **Severability**. In case any provision herein shall be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

Section 6.07 **Merger, Conversion, Consolidation, or Succession.** Any corporation or association into which the Bank may be merged or converted or with which it may be consolidated, or any corporation or association resulting from any merger, conversion, or consolidation to which the Bank shall be a party, or any corporation or association succeeding to all or substantially all of the corporate trust business of the Bank shall be the successor of the Bank as Paying Agent under this Agreement without the execution or filing of any paper or any further act on the part of either parties hereto.

Section 6.08 **Benefits of Agreement**. Nothing herein, express or implied, shall give to any Person, other than the parties hereto and their successors hereunder, any benefit or any legal or equitable right, remedy, or claim hereunder.

Section 6.09 **Entire Agreement**. This Agreement and the Authorizing Document constitute the entire agreement between the parties hereto relative to the Bank acting as Paying Agent/Registrar and if any conflict exists between this Agreement and the Authorizing Document, the Authorizing Document shall govern.

Section 6.10 **Counterparts**. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and all of which shall constitute one and the same Agreement.

Section 6.11 **Termination**. This Agreement will terminate (i) on the date of final payment of the principal of and interest on the Securities to the Holders thereof or (ii) may be earlier terminated by either party upon sixty (60) days written notice; provided, however, an early termination of this Agreement by either party shall not be effective until (a) a successor Paying Agent/Registrar has been appointed by the Issuer and such appointment accepted and (b) notice has been given to the Holders of the Securities of the appointment of a successor Paying Agent/Registrar. However, if the Issuer fails to appoint a successor Paying Agent/Registrar within a reasonable time, the Bank may petition a court of competent jurisdiction within the State of Texas to appoint a successor. Furthermore, the Bank and the Issuer mutually agree that the effective date of an early termination of this Agreement shall not occur at any time which would disrupt, delay or otherwise adversely affect the payment of the Securities.

Upon an early termination of this Agreement, the Bank agrees to promptly transfer and deliver the Security Register (or a copy thereof), together with the other pertinent books and records relating to the Securities, to the successor Paying Agent/Registrar designated and appointed by the Issuer.

The provisions of Section 1.02 and of Article Five shall survive and remain in full force and effect following the termination of this Agreement.

Notwithstanding anything contained herein, the representations and covenants contained in this Section 6.11 shall survive the termination of this Agreement until the statute of limitations has run.

Section 6.12 **Iran, Sudan or Foreign Terrorist Organizations**. The Bank represents that neither it nor any of its parent company, wholly- or majority-owned subsidiaries, and other affiliates is a company identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Section 2252.153 or Section 2270.0201, Texas Government Code, and posted on the following page of such officer's internet website:

https://comptroller.texas.gov/purchasing/publications/divestment.php

The foregoing representation is made solely to comply with Section 2252.152, Texas Government Code, and excludes the Bank and each of its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan or Iran or any federal sanctions regime relating to a foreign terrorist organization. The Bank understands "affiliate" to mean any entity that controls, is controlled by, or is under common control with the Bank and exists to make a profit.

Notwithstanding anything contained herein, the representations and covenants contained in this Section 6.12 shall survive the termination of this Agreement until the statute of limitations has run.

Section 6.13 **Governing Law**. This Agreement shall be construed in accordance with and governed by the laws of the State of Texas.

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

ZIONS BANCORPORATION, N.A.

By:____

Title:_______________________________________

Amegy Bank Division

Address: 2501 N. Harwood, 15th Floor
Dallas, Texas 75201
Attention: Kristen Billings

With additional notice to:

Zions Bancorporation, N.A.
One South Main, 17th Floor
Salt Lake City, UT 84133
Attention: Kirsi Hansen

CITY OF TEXARKANA, TEXAS

By: ______________________________
Mayor

Address: 220 Texas Boulevard
Texarkana, Texas 75501

ANNEX A

-0-

PURCHASE LETTER

September 9, 2024

City of Texarkana, Texas
220 Texas Boulevard
Texarkana, Texas 75501

Re: $525,000 "City of Texarkana, Texas, Tax Notes, Series 2024," dated October 1, 2024

Ladies and Gentlemen:

Zions Bancorporation, N.A. (the "Purchaser") hereby offers to purchase from the City of Texarkana, Texas (the "City") the captioned tax notes (the "Notes") and, upon acceptance of this offer by the City, such offer will become a binding agreement between the Purchaser and the City. This offer must be accepted by 10:00 p.m., Texarkana, Texas, time, September 9, 2024, and if not so accepted will be subject to withdrawal.

1. <u>Purchase Price</u>: The purchase price for the Notes is par, $525,000.

2. <u>Terms of Notes</u>: The Notes shall be issued in the principal amounts, shall bear interest at such rate, mature on such date and in such amounts and have such other terms and conditions as are set forth in the ordinance adopted by the City Council of the City on September 9, 2024 (the "Ordinance"), authorizing the issuance of the Notes, a copy of which has been provided to the Purchaser. Pursuant to and as more fully described in the Ordinance, the Notes shall be payable from the proceeds of an ad valorem tax levied, within the limitations prescribed by law, upon all taxable property in the City.

   THE NOTES MAY ONLY BE TRANSFERRED TO: (I) AN AFFILIATE OF THE PURCHASER THAT CONTROLS, IS CONTROLLED BY, OR IS UNDER THE COMMON CONTROL OF, THE PURCHASER AND EXISTS TO MAKE A PROFIT; (II) A "BANK" AS DEFINED IN SECTION 3(A)(2) OF THE SECURITIES ACT OF 1933, AS AMENDED (THE "SECURITIES ACT"); (III) AN "ACCREDITED INVESTOR" AS DEFINED IN REGULATION D UNDER THE SECURITIES ACT; OR (IV) A "QUALIFIED INSTITUTIONAL BUYER" AS DEFINED IN RULE 144A UNDER THE SECURITIES ACT.

3. <u>Closing</u>: The City shall deliver the Note to, or for the account of, the Purchaser and the Purchaser shall purchase the Notes at 10:00 a.m. Dallas, Texas, time, on October 8, 2024, or at such other time as shall be mutually agreed upon (hereinafter referred to as the "Closing"). The Closing shall take place at the offices of Norton Rose Fulbright US LLP, Dallas, Texas, or such other location as may be mutually agreed upon. The City will also cause to be delivered to the Purchaser a signed copy of the Ordinance.

4. <u>Conditions to Closing</u>: The Purchaser shall not have any obligation to consummate the purchase of the Notes unless the following requirements have been satisfied prior to Closing:

   (a) The City shall have adopted the Ordinance authorizing the issuance of the Notes with both the Notes and the Ordinance being in form and substance acceptable to the Purchaser.

   (b) Norton Rose Fulbright US LLP, Bond Counsel, shall have issued its approving legal opinion as to the due authorization, issuance and delivery of the Notes and as to the exemption of the interest thereon from federal income taxation, upon which the Purchaser shall be entitled to rely.

   (c) The Notes shall have been approved by the Attorney General of the State of Texas and shall have been registered by the Comptroller of Public Accounts of the State of Texas.

   (d) Nothing shall have occurred prior to closing which in the reasonable opinion of the Purchaser has had or could have a materially adverse effect on the City's business, property or financial condition nor shall have there been a material change, in the Purchaser's opinion, in the financial condition of the City.

   (e) The City shall furnish a certificate, dated as of closing, of an appropriate official of the City, to the effect that the representations and information of the City contained in this Purchase Letter are true and correct when made and as of the closing.

   (f) There has been no event, court decision, proposed law, or rule which may have the effect of changing the federal tax incidents of the City, the Purchaser, or the interest thereon of the Notes, or the transactions contemplated by this Purchase Letter.

   (g) There has been no national or international crisis, or suspension of stock exchange trading, or banking moratorium materially affecting, in the Purchaser's opinion, the market price of the Notes.

5. <u>Nature of Purchase</u>: The Purchaser acknowledges that no official statement or other disclosure or offering document has been prepared in connection with the issuance and sale of the Notes. The Purchaser is (i) an accredited investor as defined in the Securities Act of 1933, Regulation D, 17 C.F.R. § 230.501(a), or (ii) a "qualified institutional buyer" as defined under Rule 144A under the Securities Act of 1933 accustomed to purchasing tax-exempt obligations such as the Notes. Norton Rose Fulbright US LLP, Bond Counsel, has not undertaken steps to ascertain the accuracy or completeness of information furnished to the Purchaser with respect to the City or the Notes, and the Purchaser has not looked to that firm for, nor has that firm made, any representations to the Purchaser with respect to that information. The Purchaser has satisfied itself that it may lawfully purchase the Notes. The Notes (i) are not being registered under the Securities Act of 1933 and are not being registered or otherwise qualified for sale under the "Blue Sky" laws and regulations of any state; (ii) will not be listed on any stock or other securities exchange; and (iii) will not carry any rating from any rating service. The Purchaser is familiar with the financial condition and affairs of the City, particularly with respect to its ability to pay its ad valorem tax-supported obligations such as the Notes. The Purchaser has received from the City all information that it has requested in order for it to assess and evaluate the

security and source of payment for the Notes. The Purchaser is purchasing the Notes for its own account or for that of an affiliate as evidence of a loan to the City and has no present intention to make a public distribution or sale of the Notes. In no event will the Purchaser sell the Notes to more than one subsequent purchaser, which purchaser will be a sophisticated investor, unless an official statement or other disclosure document is prepared with respect to such sale of the Notes.

6. Reporting: In consideration of the purchase of the Notes by the Purchaser during the period the Notes are outstanding, and so long as the Purchaser is the 100% owner of the Notes, the City agrees to provide the registered owners of the Notes the following:

(a) Within 270 days after the end of its fiscal year, beginning with the fiscal year ending 2024, its audited financial statements.

(b) Any other financial information that the registered owners of the Notes may reasonably request from time to time in writing.

7. No Oral Agreements: To the extent allowed by law, the parties hereto agree to be bound by the terms of the following notice: THIS PURCHASE LETTER, THE ORDINANCE OF THE CITY AUTHORIZING THE NOTES, THE ATTORNEY GENERAL OPINION, THE OPINION OF BOND COUNSEL AND THE NOTES TOGETHER REPRESENT THE FINAL AGREEMENT BETWEEN THE PARTIES REGARDING THIS TRANSACTION AND MAY NOT BE CONTRADICTED BY EVIDENCE OF PRIOR, CONTEMPORANEOUS, OR SUBSEQUENT ORAL AGREEMENTS OF THE PARTIES. THERE ARE NO UNWRITTEN ORAL AGREEMENTS BETWEEN THE PARTIES RELATING TO THIS TRANSACTION.

8. Role of Purchaser: The Purchaser and its representatives are not registered municipal advisors and do not provide advice to municipal entities or obligated persons with respect to municipal financial products or the issuance of municipal securities (including regarding the structure, timing, terms and similar matters concerning municipal financial products or municipal securities issuances) or engage in the solicitation of municipal entities or obligated persons for the provision by non-affiliated persons of municipal advisory services and/or investment advisory services. With respect to this Purchase Letter and any other information, materials or communications provided by the Purchaser to the City: (a) the Purchaser and its representatives are not recommending an action to any municipal entity or obligated person; (b) the Purchaser and its representatives are not acting as an advisor to any municipal entity or obligated person and do not owe a fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934 to any municipal entity or obligated person with respect to this Purchase Letter, information, materials or communications; (c) the Purchaser and its representatives are acting for their own interests; and (d) by its acceptance of this Purchase Letter, the City represents that it has been informed that the City should discuss this Purchase Letter and any such other information, materials or communications with any and all internal and external advisors and experts that the City deems appropriate before acting on this Purchase Letter or any such other information, materials or communications.

9. Privately Negotiated Loan. By its acceptance of this Purchase Letter, the City acknowledges and agrees that the Purchaser is purchasing the Notes in evidence of a privately negotiated loan and in that connection the Notes shall not be (i) assigned a separate rating by any municipal securities rating agency, (ii) registered with The Depository Trust Company or any other securities depository, (iii) issued pursuant to any

type of offering document or official statement or (iv) assigned a CUSIP number by CUSIP Global Services.

10. Anti-Boycott Verification. The Purchaser hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not boycott Israel and will not boycott Israel during the term of this Purchase Letter. As used in the foregoing verification, 'boycott Israel' means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes. The Purchaser understands 'affiliate' to mean an entity that controls, is controlled by, or is under common control with the Purchaser and exists to make a profit.

11. Iran, Sudan and Foreign Terrorist Organizations. As of the date of this Purchase Letter, the Purchaser represents that neither it nor any of its parent company, wholly- or majority-owned subsidiaries, and other affiliates is a company identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Section 2252.153 or Section 2270.0201, Texas Government Code, and posted on any of the following pages of such officer's internet website:

https://comptroller.texas.gov/purchasing/docs/sudan-list.pdf,
https://comptroller.texas.gov/purchasing/docs/iran-list.pdf, or
https://comptroller.texas.gov/purchasing/docs/fto-list.pdf.

The foregoing representation excludes the Purchaser and each of its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan or Iran or any federal sanctions regime relating to a foreign terrorist organization. The Purchaser understands "affiliate" to mean any entity that controls, is controlled by, or is under common control with the Purchaser and exists to make a profit.

12. No Boycott of Energy Companies. The Purchaser hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not boycott energy companies and will not boycott energy companies during the term of this Purchase Letter. As used in the foregoing verification, "boycott energy companies" shall mean, without an ordinary business purpose, refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations with a company because the company (A) engages in the exploration, production, utilization, transportation, sale, or manufacturing of fossil fuel-based energy and does not commit or pledge to meet environmental standards beyond applicable federal and state law; or (B) does business with a company described by (A) above. The Purchaser understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Purchaser within the meaning of SEC Rule 405, 17 C.F.R. § 230.405, and exists to make a profit.

13. No Discrimination against Firearm Entities or Firearm Trade Associations. The Purchaser hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate against a firearm entity or firearm trade association during the term of this Purchase Letter.

As used in the foregoing verification and the following definitions,

(a) "discriminate against a firearm entity or firearm trade association" (A) means, with respect to the firearm entity or firearm trade association, to (i) refuse to engage in the trade of any goods or services with the firearm entity or firearm trade association based solely on its status as a firearm entity or firearm trade association, (ii) refrain from continuing an existing business relationship with the firearm entity or firearm trade association based solely on its status as a firearm entity or firearm trade association, or (iii) terminate an existing business relationship with the firearm entity or firearm trade association based solely on its status as a firearm entity or firearm trade association and (B) does not include (i) the established policies of a merchant, retail seller, or platform that restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories and (ii) a company's refusal to engage in the trade of any goods or services, decision to refrain from continuing an existing business relationship, or decision to terminate an existing business relationship (aa) to comply with federal, state, or local law, policy, or regulations or a directive by a regulatory agency or (bb) for any traditional business reason that is specific to the customer or potential customer and not based solely on an entity's or association's status as a firearm entity or firearm trade association,

(b) "firearm entity" means a manufacturer, distributor, wholesaler, supplier, or retailer of firearms (i.e. weapons that expel projectiles by the action of explosive or expanding gases), firearm accessories (i.e. devices specifically designed or adapted to enable an individual to wear, carry, store, or mount a firearm on the individual or on a conveyance and items used in conjunction with or mounted on a firearm that are not essential to the basic function of the firearm, including detachable firearm magazines), or ammunition (i.e. a loaded cartridge case, primer, bullet, or propellant powder with or without a projectile) or a sport shooting range (i.e. a business establishment, private club, or association that operates an area for the discharge or other use of firearms for silhouette, skeet, trap, black powder, target, self-defense, or similar recreational shooting), and

(c) "firearm trade association" means any person, corporation, unincorporated association, federation, business league, or business organization that (i) is not organized or operated for profit (and none of the net earnings of which inures to the benefit of any private shareholder or individual), (ii) has two or more firearm entities as members, and (iii) is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c) of that code. The Purchaser understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Purchaser within the meaning of SEC Rule 405, 17 C.F.R. § 230.405, and exists to make a profit.

14. In case any provision herein, or application thereof, shall be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions or applications shall not in any way be affected or impaired thereby.

[*remainder of page intentionally left blank*]

If this Purchase Letter meets with the Purchaser's and the City's approval, please execute it in the place provided below.

ZIONS BANCORPORATION, N.A.

By: ____

Title: ______________________________________

[signatures continue on next page]

ACCEPTED BY THE CITY OF TEXARKANA, TEXAS

____
Mayor

ATTEST:

____
City Secretary

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2024-105 Goals & Perspectives (4313 : 2024-105 ORD Issuance of 2024 Tax Notes)

City of Texarkana, Texas

Version:
Update Date: 9/6/2024 9:59 AM

Briefing Sheet

Lead Department: City Manager **Action Officer:** David Orr, City Manager

Subject: Resolution No. 2024-106 approving a Memorandum of Understanding with Texarkana College.

Briefing: 9/9/2024 **Public Hearing:** 9/23/2024 **Council Vote:** 9/23/2024

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Texarkana College (TC) is a community college dedicated to advancing the region through attainable higher education and lifelong learning. With a mission to increase higher education credentials in the region, TC plays a key role in fostering educational excellence, economic development, and workforce readiness.

Both the City of Texarkana and Texarkana College recognize that their respective successes are mutually reinforcing and depend on a process that facilitates enhanced communication, continued education, and advancement of joint opportunities.

This MOU (ATTH 01) provides a framework for strengthening the relationship between the City of Texarkana, Texas, and Texarkana College. Furthermore, the parties recognize the implementation of this MOU will include educational efforts to promote the understanding of the roles of higher education and local government within their respective organizations.

Specifically, the MOU includes the following:

1. **Access to Pinkerton Health** & **Recreation Complex:** City employees will be provided access to the Pinkerton Health & Recreation Complex at a rate of $15 per person per month with the City being billed monthly for each individual that attended during that month. No setup charges will be charged to City employees. Guests of City employees will be charged $5 each time a guest accompanies a City employee.

2. Opportunities for TC students to conduct internships, fellowships and future employment throughout city departments.

3. Opportunities for TC faculty and staff to participate in boards, commissions and committees to be actively involved in the future growth and development of the community.

City of Texarkana, Texas

4. Economic development and entrepreneurship opportunities through funding the development of The Assembly Line, a regional business incubator located in downtown Texarkana.

5. Continued partnerships with workforce training grant opportunities such as the U.S. EPA Brownfields Program.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Estimated $500 annually for Pinkerton Center memberships.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

(NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2024-106 RES Approving TC MOU (DOCX)
b. 2024-106 ATTH 01 MOU (PDF)
c. 2024-106 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	David Orr 08/30/2024 2:00 PM	Department Head Review	Completed	
Finance Department	Kristin Peeples	Finance Review	Pending	
City Manager		City Manager Review	Pending	
City Council 6:00 PM	Jennifer Evans	Meeting	Pending	09/09/2024

Meeting History

RESOLUTION NO. 2024-106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) WITH TEXARKANA COLLEGE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texarkana College (TC) is a community college dedicated to advancing the region through attainable higher education and lifelong learning. With a mission to increase higher education credentials in the region, TC plays a key role in fostering educational excellence, economic development, and workforce readiness; and

WHEREAS, the City of Texarkana, Texas, a local government of the State of Texas, has core mission and vision statements to be a thriving regional center for education, business, and culture, which attracts and serves our residents and visitors; and

WHEREAS, Texarkana College has a rich history of collaboration with the City of Texarkana, dating back to its founding in 1927. The College has expanded its offerings to support a broad range of educational and career development programs, contributing significantly to the cultural, educational, and economic prosperity of the Northeast Texas Region; and

WHEREAS, both the City of Texarkana and Texarkana College recognize that their respective successes are mutually reinforcing and depend on a process that facilitates enhanced communication, continued education, and advancement of joint opportunities; and

WHEREAS, this MOU (ATTH 01) provides a framework for strengthening the relationship between the City of Texarkana, Texas, and Texarkana College. Furthermore, the parties recognize the implementation of this MOU will include educational efforts to promote the understanding of the roles of higher education and local government within their respective organizations.

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

SECTION 1: The Memorandum of Understanding with Texarkana College is approved.

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

PASSED AND APPROVED in Regular Council Session on this the **23rd day of September, 2024.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Memorandum of Understanding
by and between
TEXARKANA COLLEGE
and
CITY OF TEXARKANA, TEXAS

This Memorandum of Understanding ("MOU") is entered into and effective August 1, 2024 (the "Effective Date"), by and between **Texarkana College** ("TC"), and City of Texarkana, Texas ("City"). Hereinafter Texarkana College and City of Texarkana, Texas are sometimes referred to as "Party" individually and as "Parties" collectively.

WHEREAS, Texarkana College, established in 1927 is a regional college within Northeast Texas dedicated to providing academic and workforce training and vocational leadership to the intellectual, cultural, social, and economic life of the region, and

WHEREAS, the City of Texarkana, Texas, a local government of the state of Texas, has core mission and vision statements to be a thriving regional center for education, business and culture which attracts and serves our residents and visitors, and

WHEREAS, the parties recognize the unique contributions that each entity makes to the cultural, educational and economic prosperity of the Northeast Texas Region, and

WHEREAS, the parties acknowledge that the success in achieving respective goals, responsibilities and interests require an express commitment by both parties to establish a process that facilitates enhanced communication, continued education and advancement of mutually beneficial opportunities, and

WHEREAS, this MOU provides a framework for strengthening the relationship between the City of Texarkana, Texas and Texarkana College. Furthermore, the parties recognize the implementation of this MOU will include efforts to promote the understanding of the college and local government relationship within their respective organizations.

NOW, THEREFORE, the City of Texarkana, Texas and Texarkana College agree to the following:

This MOU consists of two articles. Article 1 is a non-binding portion of this MOU containing the general understandings and intentions of the Parties. Article 2 contains terms to which the Parties agree to be bound. The Parties agree as follows:

Article 1

1.1 This Article 1 is not intended to be legally binding on either Party.

1.2 The Parties desire to develop a strong and effective collaboration that enhances workforce productivity, educational and professional development (the "Purpose").

1.3 The Parties agree to enhanced communication and to plan strategic goals that will capitalize on educational and economic development opportunities, environmental and cultural stewardship, deepen community pride and offer hope for future collaborative opportunities.

1.4 Create partnership programs and joint projects including but not limited to economic development projects, educational internships and fellowships, cultural grant opportunities, historical exhibits, and joint proclamations.

1.5 TC intends to provide:

1. **Access to Pinkerton Health & Recreation Complex:** City employees will be provided access to the Pinkerton Health & Recreation Complex at a rate of $15 per person per month with the City being billed monthly for each individual that attended during that month. No setup charges will be charged to City employees. Guests of City employees will be charged $5 each time a guest accompanies a City employee.

2. Opportunities for TC students to conduct internships, fellowships and future employment throughout city departments.

3. Opportunities for TC faculty and staff to participate in boards, commissions and committees to be actively involved in the future growth and development of the community.

4. Economic development and entrepreneurship opportunities through funding the development of The Assembly Line, a regional business incubator located in downtown Texarkana.

5. Continued partnerships with workforce training grant opportunities such as the U.S. EPA Brownfields Program.

1.6 City of Texarkana, Texas intends to provide active promotion of the collaboration to its employees including, but not limited to:

1. Opportunities for TC student internships, fellowships and future employment throughout city departments.

2. Opportunities for TC faculty and staff to participate in boards, commissions and committees to be actively involved in the future growth and development of the community.

3. Economic development and entrepreneurship opportunities through funding the development of The Assembly Line, a regional business incubator located in downtown Texarkana.

4. Continued partnerships with workforce training grant opportunities such as the U.S. EPA Brownfields Program.

5. Promotion on the organization's website and email (electronic links, email templates, and/or logos to be provided by TC)

6. Allowing the promotion of on-site visits by a TC representative to host information sessions and discuss the institutional collaboration and related opportunities with employees.

7. Allowing the placement of brochures, flyers, posters, and/or other promotional material in gathering areas (materials to be provided by TC).

Article 2

2.1 This Article 2 is intended to be legally binding on the Parties.

2.2 Each Party acknowledges that neither Party will have any legal rights or obligations as to the understandings and intentions in Article 1, and neither Party should or may take any action or fail to take any action in detrimental reliance on Article 1.

2.3 The Parties anticipate that under this MOU it may be necessary for a Party (the "Disclosing Party") to transfer information of a confidential nature ("Confidential Information") to the other Party (the "Receiving Party"). The Disclosing Party shall clearly identify Confidential Information at the time of disclosure by (i) appropriate stamp or markings on the document exchanged, or (ii) written notice, with attached listings of all material, copies of all documents, and complete summaries of all oral disclosures (under prior assertion of the confidential nature of the same) to which each notice relates, delivered within thirty (30) days of the disclosure to the other Party.

(a) "Confidential Information" does not include information that: (i) is or becomes publicly known or available other than as a result of a breach of this MOU by the Receiving Party; (ii) was already in the possession of the Receiving Party as the result of disclosure by an individual or entity that was not then obligated to keep that information confidential; (iii) the Disclosing Party had disclosed or discloses to an individual or entity without confidentiality restrictions; or (iv) the Receiving Party had developed or develops independently before or after the Disclosing Party discloses equivalent information to the Receiving Party.

(b) The Receiving Party shall use the same reasonable efforts to protect the Disclosing Party's Confidential Information as it uses to protect its own confidential information of a similar nature. The Receiving Party may use Confidential Information only for the Purpose under this MOU and may disclose Confidential Information only to its directors, regents, officers, employees, agents, consultants, advisors, or other representatives ("Representatives") having a need to know the

Confidential Information for the Purpose, provided that they are subject to confidentiality obligations not less restrictive than those set forth herein, and that the Receiving Party remains responsible for its Representatives' compliance with such obligations.

(c) If the Receiving Party is legally required to disclose Confidential Information, the Receiving Party shall, to the extent allowed by law, promptly give the Disclosing Party written notice of the requirement so as to provide the Disclosing Party a reasonable opportunity to pursue appropriate process to prevent or limit the disclosure. If the Receiving Party complies with the terms of this Section, disclosure of that portion of the Confidential Information, which the Receiving Party is legally required to disclose, will not constitute a breach of this MOU.

(d) The Receiving Party shall, upon request of the Disclosing Party, promptly return or destroy all materials embodying Confidential Information other than materials in electronic backup systems or otherwise not reasonably capable of being readily located and segregated without undue burden or expense, except that the Receiving Party may securely retain one (1) copy in its files solely for record purposes. The Receiving Party's obligations as to Confidential Information will survive the termination or expiration of this MOU for a period of three (3) years.

2.4 Each Party acknowledges that all rights in any trademarks, service marks, slogans, logos, designs, and other similar means of distinction associated with that Party (its "Marks"), including all goodwill pertaining to the Marks, are the sole property of that Party. Neither Party may use the Marks of the other without the advance written consent of that Party, except that each Party may use the name of the other Party in factual statements that, in context, are not misleading or imply an endorsement by that Party or its employees. The Parties will mutually agree in advance upon any public announcements, or communications to the media regarding this MOU to be provided pursuant to this MOU.

2.5 Each Party shall be responsible for its own costs, risks, and liabilities as a result of its activities under this MOU without expectation of reimbursement from the other Party. There will be no exchange of funds or other resources among the Parties.

2.6 This MOU commences on the Effective Date and continues for five years (the "Term"), unless sooner terminated as provided herein, not to exceed a total Term of five (5) years. Either Party may terminate this MOU effective upon thirty (30) days' written notice to the other Party. Either Party may terminate this MOU effective upon written notice to the other Party if the other Party materially breaches any term of this MOU and fails to cure such breach within ten (10) days after receiving written notice of the breach.

2.7 Each Party shall conduct all activities in connection with this MOU in compliance with all applicable federal, state, and local laws, rules, and regulations.

2.8 Any notice required or permitted under this MOU must be in writing and in English, and is deemed given: (a) three (3) business days after it is deposited and post-marked with the United States Postal Service, postage prepaid, certified mail, return receipt requested, (b) the next business day after it is sent by overnight carrier, (c) on the date sent by email transmission with electronic confirmation of receipt by the party being notified, or (d) on the date of delivery if delivered personally. Parties can change their respective notice address by sending to the other Party a notice of the new address. Notices should be addressed as follows:

(a) Texarkana College:

Texarkana College
Attention: Dr. Jason Smith
2500 N. Robison Rd.
Texarkana, TX 75599
Phone: (903) 823-3017
Email: human.resources@texarkanacollege.edu

(b) City of Texarkana, Texas:

City of Texarkana, Texas
Attention to: David Orr
220 Texas Blvd.
Texarkana, TX 75501
Phone: (903) 798-3900
Email: david.orr@texarkanatexas.gov

2.9 This MOU is not intended to create a partnership or joint venture between the Parties. Neither Party may bind the other or otherwise act in any way as the representative of the other, unless specifically authorized, in advance and in writing, to do so, and then only for the limited purpose stated in such authorization.

2.10 This MOU contains the entire understanding of the Parties as to its subject matter and supersedes all other written and oral agreements between the Parties as to that subject matter.

2.11 This MOU is assignable only with the written consent of both Parties.

2.12 Each provision of this MOU is severable. If any provision is rendered invalid or unenforceable by statute or regulations or declared null and void by any court of competent jurisdiction, the remaining provisions will remain in full force and effect if the essential terms of this MOU remain valid, legal, and enforceable.

2.13 Neither Party is liable or responsible to the other Party for any loss or damage or for any delays or failure to perform under this MOU due to causes beyond its reasonable control, including, but not limited to, acts of God, employee strikes, epidemics, war, riots, flood, fire, sabotage, terrorist acts or any other circumstances of like character (force majeure occurrence).

2.14 Member is an agency of the state of Texas and under the Constitution and the laws of the state of Texas possesses certain rights and privileges, is subject to certain limitations and restrictions, and only has authority as is granted to it under the Constitution and the laws of the state of Texas. Collaborator expressly acknowledges that Member is an agency of the state of Texas and nothing in this MOU will be construed as a waiver or relinquishment by Member of its right to claim such exemptions, remedies, privileges, and immunities as may be provided by the Constitution and the laws of the state of Texas.

2.15 Prior to performing any specific projects or work contemplated by this MOU, the Parties will enter into a separate agreement containing definitive statements of work and associated budgets. Notwithstanding the foregoing, this MOU does not bind the Parties to negotiate or consummate any such later agreement(s).

Each Party enters into this MOU as of the Effective Date.

Texarkana College

By:______________________________
Name: Jason Smith, Ph.D.
Title: President
Date: 8/20/2024

City of Texarkana, Texas

By:______________________________
Name: David Orr, Ph.D.
Title: City Manager
Date: 8/20/2024

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2024-106 Goals & Perspectives (4314 : 2024-106 RES Approving TC MOU)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 9/3/2024 4:30 PM

Lead Department: Finance Department **Action Officer:** Kristin Peeples,

Subject: Ordinance No. 2024-093 fixing the tax rate and levy in and for the City of Texarkana, Texas, for the fiscal year ending September 30, 2025, upon all taxable property in the City of Texarkana, Texas. (ROLL CALL VOTE)

Briefing: 9/9/2024 **Public Hearing:** 9/9/2024 **Council Vote:** 9/9/2024

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

The proposed budget for the fiscal year ending September 30, 2025 includes a proposed property tax rate of $0.650000 per $100 of assessed valuation. The proposed rate is the same as the current rate. The proposed rate is more than the no-new revenue tax rate of $0.619350 by $0.030650 and is less than the voter-approval tax rate of $0.650392 by $0.000392. A public hearing on the tax rate will be held on September 9, 2024, with a vote to adopt the budget and the tax rate for fiscal year 2025 scheduled for that same evening. The City is required to give public notice regarding the September 9, 2024 public hearing with an ad in the local newspaper and a posting on the City's website. The format for the ad is provided by the State.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Adoption of the proposed rate will provide funding for expenditures proposed in the annual budget for the fiscal year ending September 30, 2025.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

Budget Advisory Committee

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

May 8, 2024

City of Texarkana, Texas

May 15, 2024
May 28, 2024

Attachments

a. 2024-093 ORD Fixing Tax Rate FY 2025 (DOCX)
b. 2024-093 ATTH 01 Tax Ad (PDF)
c. 2024-093 ATTH 02 No New Revenue and Voter Approval Tax Rate Calculation (PDF)
d. 2024-093 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department Kristin Peeples Department Head Review Completed 07/31/2024 11:35 AM
Finance Department Kristin Peeples Finance Review Completed 07/31/2024 11:35 AM
City Manager David Orr City Manager Review Completed 08/05/2024 8:03 AM
City Council Jennifer Evans Meeting Completed 08/12/2024 6:00 PM

Meeting History

08/12/24 City Council MOVED FORWARD Next: 09/09/24

ORDINANCE NO. 2024-093

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, FIXING THE TAX RATE AND LEVY IN AND FOR THE CITY OF TEXARKANA, TEXAS, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2025, 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, 2024, AND ENDING SEPTEMBER 30, 2025; 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; AND ESTABLISHING AN EFFECTIVE DATE.

NOW, THEREFORE, 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, 2025, 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. 2024, except so much thereof as may be exempt by the Constitution and Laws of the State of Texas, a total tax of $0.6500 on each one hundred dollars ($100.00) of assessed valuations on all 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 $0.431265 on each one hundred dollars ($100.00) of assessed valuation of said taxable property is hereby levied for the fiscal year ending September 30, 2025 on the total valuation of the Texarkana City jurisdiction and on the base valuation of $250,924,138 of the T1 jurisdiction and on the base valuation of $65,799,167 of the T2 jurisdiction, for the general City purposes to pay the current operating expenses of said City of Texarkana, Texas. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 7.83% AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A $100,000 HOME BY APPROXIMATELY $31.33.

b. An ad valorem tax of and at the rate of $0.218735 on each one hundred dollars ($100.00) of assessed valuation of said taxable property is hereby levied for the fiscal year ending September 30, 2025 on the total valuation of the Texarkana City jurisdiction and on the base valuation of $250,924,138 of the T1 jurisdiction and on the base valuation of $65,799,167 of the T2 jurisdiction, 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.

c. An ad valorem tax of and at the rate of $0.6500 on each one hundred dollars ($100.00) of assessed valuation of said taxable property is hereby levied for the fiscal year ending September 30, 2025 on the valuation in excess of the base valuation of $250,924,138 of the T1 jurisdiction for the purpose of providing public infrastructure and 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 for projects within the T1 jurisdiction.

d. An ad valorem tax of and at the rate of $0.6500 on each one hundred dollars ($100.00) of assessed valuation of said taxable property is hereby levied for the fiscal year ending September 30, 2025 on the valuation in excess of the base valuation of $65,799,167 of the T2 jurisdiction for the purpose of providing public infrastructure and 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 for projects within the T2 jurisdiction.

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: The City Council finds and determines that the adopted tax rate set out in Section 1 of this Ordinance will raise more taxes for maintenance and operations than last year's tax rate [*see* Tex. Tax Code §§ 26.05(b)(1)(A), (b)(1)(B), requiring specific wording in an ordinance if the adopted tax rate *raises* more taxes for maintenance and operations than the previous year's tax rate]; the maintenance and operations rate set out in Section 1a of this Ordinance is an increase of 7.83% from the previous year's rate; and with this increase of 7.83%, the taxes for maintenance and operations on a $100,000 home will increase by approximately $31.33.

SECTION 4: 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 5: 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 in Regular Council Session on this the **9th day of September, 2024.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of $0.650000 per $100 valuation has been proposed by the governing body of City of Texarkana.

PROPOSED TAX RATE	$0.650000 per $100
NO-NEW-REVENUE TAX RATE	$0.619350 per $100
VOTER-APPROVAL TAX RATE	$0.650392 per $100

The no-new-revenue tax rate is the tax rate for the 2024 tax year that will raise the same amount of property tax revenue for City of Texarkana from the same properties in both the 2023 tax year and the 2024 tax year.

The voter-approval rate is the highest tax rate that City of Texarkana may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that City of Texarkana is proposing to increase property taxes for the 2024 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 9, 2024 AT 6:00 pm AT Texas City Hall 220 Texas Blvd., Texarkana, TX 75501.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, City of Texarkana is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the Texarkana City Council of City of Texarkana at their offices or by attending the public hearing mentioned above.

YOUR TAXES OWED UNDER ANY OF THE RATES MENTIONED ABOVE CAN BE CALCULATED AS FOLLOWS:

Property tax amount= (tax rate) x (taxable value of your property)/100

FOR the proposal:

AGAINST the proposal:

PRESENT and not voting:

ABSENT:

Visit Texas.gov/PropertyTaxes to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by City of Texarkana last year to the taxes proposed to be imposed on the average residence homestead by City of Texarkana this year.

	2023	2024	Change

Total tax rate (per $100 of value)	$0.650000	$0.650000	increase of 0.000000, or 0.00%
Average homestead taxable value	$157,597	$166,743	increase of 9,146, or 5.80%
Tax on average homestead	$1,024.38	$1,083.83	increase of 59.45, or 5.80%
Total tax levy on all properties	$18,430,944	$19,960,104	increase of 1,529,160, or 8.30%

For assistance with tax calculations, please contact the tax assessor for City of Texarkana at 903-798-3900 or , or visit www.ci.texarkana.tx.us for more information.

2024 Tax Rate Calculation Worksheet
Taxing Units Other Than School Districts or Water Districts

Form 50-856

City of Texarkana	903-798-3900
Taxing Unit Name	Phone *(area code and number)*
PO Box 1967, Texarkana, TX 75504	www.ci.texarkana.tx.us
Taxing Unit's Address, City, State, ZIP Code	Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per $100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements.*

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet.*

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
1.	**Prior year total taxable value.** Enter the amount of the prior year taxable value on the prior year tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17).[1]	$ 3,464,120,200
2.	**Prior year tax ceilings.** Counties, cities and junior college districts. Enter the prior year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision last year or a prior year for homeowners age 65 or older or disabled, use this step.[2]	$ 450,857,776
3.	**Preliminary prior year adjusted taxable value.** Subtract Line 2 from Line 1.	$ 3,013,262,424
4.	**Prior year total adopted tax rate.**	$ 0.650000 /$100
5.	**Prior year taxable value lost because court appeals of ARB decisions reduced the prior year's appraised value.**	
	A. Original prior year ARB values: .... $ 0	
	B. Prior year values resulting from final court decisions: .... - $ 0	
	C. Prior year value loss. Subtract B from A.[3]	$ 0
6.	**Prior year taxable value subject to an appeal under Chapter 42, as of July 25.**	
	A. Prior year ARB certified value: .... $ 0	
	B. Prior year disputed value: .... - $ 0	
	C. Prior year undisputed value. Subtract B from A.[4]	$ 0
7.	**Prior year Chapter 42 related adjusted values.** Add Line 5C and Line 6C.	$ 0

[1] Tex. Tax Code §26.012(14)
[2] Tex. Tax Code §26.012(14)
[3] Tex. Tax Code §26.012(13)
[4] Tex. Tax Code §26.012(13)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
8.	**Prior year taxable value, adjusted for actual and potential court-ordered adjustments.** Add Line 3 and Line 7.	$ 3,013,262,424
9.	**Prior year taxable value of property in territory the taxing unit deannexed after Jan. 1, 2024.** Enter the prior year value of property in deannexed territory.[5]	$ 0
10.	**Prior year taxable value lost because property first qualified for an exemption in the current year.** If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in the current year does not create a new exemption or reduce taxable value. A. **Absolute exemptions.** Use prior year market value: $ 469,309 B. **Partial exemptions.** Current year exemption amount or current year percentage exemption times prior year value: + $ 3,361,945 C. **Value loss.** Add A and B.[6]	$ 3,831,254
11.	**Prior year taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/ scenic appraisal or public access airport special appraisal in the current year.** Use only properties that qualified for the first time in the current year; do not use proper- ties that qualified in the prior year. A. **Prior year market value:** $ 0 B. **Current year productivity or special appraised value:** - $ 0 C. **Value loss.** Subtract B from A.[7]	$ 0
12.	**Total adjustments for lost value.** Add Lines 9, 10C and 11C.	$ 3,831,254
13.	**Prior year captured value of property in a TIF.** Enter the total value of the prior year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the prior year taxes were deposited into the tax increment fund.[8] If the taxing unit has no captured appraised value in line 18D, enter 0.	$ 178,063,783
14.	**Prior year total value.** Subtract Line 12 and Line 13 from Line 8.	$ 2,831,367,387
15.	**Adjusted prior year total levy.** Multiply Line 4 by Line 14 and divide by $100.	$ 18,403,888
16.	**Taxes refunded for years preceding the prior tax year.** Enter the amount of taxes refunded by the taxing unit for tax years preceding the prior tax year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for the prior tax year. This line applies only to tax years preceding the prior tax year.[9]	$ 2,153
17.	**Adjusted prior year levy with refunds and TIF adjustment.** Add Lines 15 and 16.[10]	$ 18,406,041
18.	**Total current year taxable value on the current year certified appraisal roll today.** This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled.[11] A. **Certified values:** $ 3,764,565,319 B. **Counties:** Include railroad rolling stock values certified by the Comptroller's office: + $ C. **Pollution control and energy storage system exemption:** Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - $ 0 D. **Tax increment financing:** Deduct the current year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the current year taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below.[12] - $ 198,402,909 E. **Total current year value.** Add A and B, then subtract C and D.	$ 3,566,162,410

[5] Tex. Tax Code §26.012(15)
[6] Tex. Tax Code §26.012(15)
[7] Tex. Tax Code §26.012(15)
[8] Tex. Tax Code §26.03(c)
[9] Tex. Tax Code §26.012(13)
[10] Tex. Tax Code §26.012(13)
[11] Tex. Tax Code §26.012, 26.04(c-2)
[12] Tex. Tax Code §26.03(c)

Line	No-New-Revenue Tax Rate Worksheet		Amount/Rate
19.	**Total value of properties under protest or not included on certified appraisal roll.** [13]		
	A. Current year taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. [14]	$ 2,129,809	
	B. Current year value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. [15]	+ $ 0	
	C. Total value under protest or not certified. Add A and B.		$ 2,129,809
20.	**Current year tax ceilings.** Counties, cities and junior colleges enter current year total taxable value of homesteads with tax ceilings. These include the home- steads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in the prior year or a previous year for homeowners age 65 or older or disabled, use this step.[16]		$ 497,506,967
21.	**Current year total taxable value.** Add Lines 18E and 19C. Subtract Line 20. [17]		$ 3,070,785,252
22.	**Total current year taxable value of properties in territory annexed after Jan. 1, of the prior year.** Include both real and personal property. Enter the current year value of property in territory annexed. [18]		$ 8,711,553
23.	**Total current year taxable value of new improvements and new personal property located in new improvements.** New means the item was not on the appraisal roll in the prior year. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, of the prior year and be located in a new improvement. New improvements **do** include property on which a tax abatement agreement has expired for the current year. [19]		$ 90,245,993
24.	**Total adjustments to the current year taxable value.** Add Lines 22 and 23.		$ 98,957,546
25.	**Adjusted current year taxable value.** Subtract Line 24 from Line 21.		$ 2,971,827,706
26.	**Current year NNR tax rate.** Divide Line 17 by Line 25 and multiply by $100. [20]		$ 0.619350/$100
27.	**COUNTIES ONLY.** Add together the NNR tax rates for each type of tax the county levies. The total is the current year county NNR tax rate. [21]		$ ______/$100

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
2. **Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	**Prior year M&O tax rate.** Enter the prior year M&O tax rate.	$ 0.432659/$100
29.	**Prior year taxable value, adjusted for actual and potential court-ordered adjustments.** Enter the amount in Line 8 of the *No-New-Revenue Tax Rate Worksheet.*	$ 3,013,262,424

[13] Tex. Tax Code §26.01(c) and (d)
[14] Tex. Tax Code §26.01(c)
[15] Tex. Tax Code §26.01(d)
[16] Tex. Tax Code §26.012(6)(B)
[17] Tex. Tax Code §26.012(6)
[18] Tex. Tax Code §26.012(17)
[19] Tex. Tax Code §26.012(17)
[20] Tex. Tax Code §26.04(c)
[21] Tex. Tax Code §26.04(d)

Line	Voter-Approval Tax Rate Worksheet		Amount/Rate
30.	**Total prior year M&O levy.** Multiply Line 28 by Line 29 and divide by $100		$ 13,037,151
31.	**Adjusted prior year levy for calculating NNR M&O rate.**		
	A. M&O taxes refunded for years preceding the prior tax year. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2022. This line applies only to tax years preceding the prior tax year.	+ $ 1,577	
	B. Prior year taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no current year captured appraised value in Line 18D, enter 0.	– $ 1,153,457	
	C. Prior year transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0.	+/- $ 0	
	D. Prior year M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function.	$ -1,151,880	
	E. Add Line 30 to 31D.		$ 11,885,271
32.	**Adjusted current year taxable value.** Enter the amount in Line 25 of the *No-New-Revenue Tax Rate Worksheet.*		$ 2,971,827,706
33.	**Current year NNR M&O rate (unadjusted).** Divide Line 31E by Line 32 and multiply by $100.		$ 0.399931 /$100
34.	**Rate adjustment for state criminal justice mandate.** [23]		
	A. Current year state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose.	$ 0	
	B. Prior year state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies.	– $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100.	$ 0.000000 /$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.		$ /$100
35.	**Rate adjustment for indigent health care expenditures.** [24]		
	A. Current year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state assistance received for the same purpose. $ 0		
	B. Prior year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state assistance received for the same purpose.	– $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100.	$ 0.000000 /$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.		$ 0.000000 /$100

[22] [Reserved for expansion]
[23] Tex. Tax Code §26.044
[24] Tex. Tax Code §26.0441

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
36.	**Rate adjustment for county indigent defense compensation.** [25]	
	A. Current year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, of the prior tax year and ending on June 30,of the current tax year, less any state grants received by the county for the same purpose. . . . . $ 0	
	B. Prior year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state grants received by the county for the same purpose. . . . . $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100. . . . . $ 0.000000/$100	
	D. Multiply B by 0.05 and divide by Line 32 and multiply by $100. . . . . $ 0.000000/$100	
	E. Enter the lesser of C and D. If not applicable, enter 0.	$ 0.000000/$100
37.	**Rate adjustment for county hospital expenditures.** [26]	
	A. Current year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year. . . . . $ 0	
	B. Prior year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2022 and ending on June 30, 2023. . . . . $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100. . . . . $ 0.000000/$100	
	D. Multiply B by 0.08 and divide by Line 32 and multiply by $100. . . . . $ 0.000000/$100	
	E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.	$ 0.000000/$100
38.	**Rate adjustment for defunding municipality.** This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information.	
	A. Amount appropriated for public safety in the prior year. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year . . . . $ 0	
	B. Expenditures for public safety in the prior year. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year . . . . $ 0	
	C. Subtract B from A and divide by Line 32 and multiply by $100 . . . . $ 0.000000/$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.	$ 0.000000/$100
39.	**Adjusted current year NNR M&O rate.** Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	$ 0.399931/$100
40.	**Adjustment for prior year sales tax specifically to reduce property taxes.** Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in the prior year should complete this line. These entities will deduct the sales tax gain rate for the current year in Section 3. Other taxing units, enter zero.	
	A. Enter the amount of additional sales tax collected and spent on M&O expenses in the prior year, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent . . . . $ 7,272,034	
	B. Divide Line 40A by Line 32 and multiply by $100 . . . . $ 0.244699/$100	
	C. Add Line 40B to Line 39.	$ 0.644630/$100
41.	**Current year voter-approval M&O rate.** Enter the rate as calculated by the appropriate scenario below. **Special Taxing Unit.** If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08. **- or -** **Other Taxing Unit.** If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.	$ 0.667192/$100

[25] Tex. Tax Code §26.0442
[26] Tex. Tax Code §26.0443

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
D41.	***Disaster Line 41 (D41):* Current year voter-approval M&O rate for taxing unit affected by disaster declaration.** If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of 1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or 2) the third tax year after the tax year in which the disaster occurred If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08. [27] If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).	$ 0.000000/$100
42.	**Total current year debt to be paid with property taxes and additional sales tax revenue.** Debt means the interest and principal that will be paid on debts that: **(1)** are paid by property taxes, **(2)** are secured by property taxes, **(3)** are scheduled for payment over a period longer than one year, and **(4)** are not classified in the taxing unit's budget as M&O expenses. **A. Debt** also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here. [28] Enter debt amount .... $ 7,996,837 **B.** Subtract **unencumbered fund amount** used to reduce total debt. .... – $ 0 **C.** Subtract **certified amount spent from sales tax to reduce debt** (enter zero if none) .... – $ 0 **D.** Subtract **amount paid** from other resources .... – $ 1,279,954 **E. Adjusted debt.** Subtract B, C and D from A.	$ 6,716,883
43.	**Certified prior year excess debt collections.** Enter the amount certified by the collector. [29]	$ 0
44.	**Adjusted current year debt.** Subtract Line 43 from Line 42E.	$ 6,716,883
45.	**Current year anticipated collection rate.** **A.** Enter the current year anticipated collection rate certified by the collector. [30] .... 100.00% **B.** Enter the prior year actual collection rate. .... 100.00% **C.** Enter the 2022 actual collection rate. .... 100.00% **D.** Enter the 2021 actual collection rate. .... 100.00% **E.** If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. [31]	100.00%
46.	**Current year debt adjusted for collections.** Divide Line 44 by Line 45E.	$ 6,716,883
47.	**Current year total taxable value.** Enter the amount on Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$ 3,070,785,252
48.	**Current year debt rate.** Divide Line 46 by Line 47 and multiply by $100.	$ 0.218735/$100
49.	**Current year voter-approval tax rate.** Add Lines 41 and 48.	$ 0.885927/$100
D49.	***Disaster Line 49 (D49):* Current year voter-approval tax rate for taxing unit affected by disaster declaration.** Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.	$ 0.000000/$100

[27] Tex. Tax Code §26.042(a)
[28] Tex. Tax Code §26.012(7)
[29] Tex. Tax Code §26.012(10) and 26.04(b)
[30] Tex. Tax Code §26.04(b)
[31] Tex. Tax Code §§26.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
50.	**COUNTIES ONLY.** Add together the voter-approval tax rates for each type of tax the county levies. The total is the current year county voter-approval tax rate.	$ 0.000000 /$100

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	**Taxable Sales.** For taxing units that adopted the sales tax in November of the prior tax year or May of the current tax year, enter the Comptroller's estimate of taxable sales for the previous four quarters. [32] Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November of the prior year, enter 0.	$ 0
52.	**Estimated sales tax revenue.** Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. [33] **Taxing units that adopted the sales tax in November of the prior tax year or in May of the current tax year.** Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. [34] **- or -** **Taxing units that adopted the sales tax before November of the prior year.** Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	$ 7,232,794
53.	**Current year total taxable value.** Enter the amount from Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$ 3,070,785,252
54.	**Sales tax adjustment rate.** Divide Line 52 by Line 53 and multiply by $100.	$ 0.235535 /$100
55.	**Current year NNR tax rate, unadjusted for sales tax.**[35] Enter the rate from Line 26 or 27, as applicable, on the *No-New-Revenue Tax Rate Worksheet.*	$ 0.619350 /$100
56.	**Current year NNR tax rate, adjusted for sales tax.** **Taxing units that adopted the sales tax in November the prior tax year or in May of the current tax year.** Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November of the prior tax year.	$ 0.619350 /$100
57.	**Current year voter-approval tax rate, unadjusted for sales tax.**[36] Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the *Voter-Approval Tax Rate Worksheet*.	$ 0.885927 /$100
58.	**Current year voter-approval tax rate, adjusted for sales tax.** Subtract Line 54 from Line 57.	$ 0.650392 /$100

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	**Certified expenses from the Texas Commission on Environmental Quality (TCEQ).** Enter the amount certified in the determination letter from TCEQ. [37] The taxing unit shall provide its tax assessor-collector with a copy of the letter. [38]	$ 0
60.	**Current year total taxable value.** Enter the amount from Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$ 3,070,785,252
61.	**Additional rate for pollution control.** Divide Line 59 by Line 60 and multiply by $100.	$ 0.000000 /$100

[32] Tex. Tax Code §26.041(d)
[33] Tex. Tax Code §26.041(i)
[34] Tex. Tax Code §26.041(d)
[35] Tex. Tax Code §26.04(c)
[36] Tex. Tax Code §26.04(c)
[37] Tex. Tax Code §26.045(d)
[38] Tex. Tax Code §26.045(i)

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
62.	**Current year voter-approval tax rate, adjusted for pollution control.** Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	$ 0.650392 /$100

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the sum of the prior 3 years Foregone Revenue Amounts divided by the current taxable value. [39] The Foregone Revenue Amount for each year is equal to that year's adopted tax rate subtracted from that year's voter-approval tax rate adjusted to remove the unused increment rate multiplied by that year's current total value. [40] In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the portion of the unused increment rate that was used must be backed out of the calculation for that year.

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year in which a taxing unit affected by a disaster declaration calculates the tax rate under Tax Code Section 26.042; [41]
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a); [42] or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval. [43]

Individual components can be negative, but the overall rate will be the greater of zero or the calculated rate.

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit. [44]

Line	Unused Increment Rate Worksheet	Amount/Rate
63.	**Year 3 Foregone Revenue Amount. Subtract the 2023 unused increment rate and 2023 actual tax rate from the 2023 voter-approval tax rate. Multiply the result by the 2023 current total value**	
	A. Voter-approval tax rate (Line 67)	$ 0.650116 /$100
	B. Unused increment rate (Line 66)	$ 0.000000 /$100
	C. Subtract B from A	$ 0.650116 /$100
	D. Adopted Tax Rate	$ 0.650000 /$100
	E. Subtract D from C	$ 0.000116 /$100
	F. 2023 Total Taxable Value (Line 60)	$ 2,848,409,194
	G. Multiply E by F and divide the results by $100	$ 3,304
64.	**Year 2 Foregone Revenue Amount. Subtract the 2022 unused increment rate and 2022 actual tax rate from the 2022 voter-approval tax rate. Multiply the result by the 2022 current total value**	
	A. Voter-approval tax rate (Line 67)	$ 0.650108 /$100
	B. Unused increment rate (Line 66)	$ 0.000000 /$100
	C. Subtract B from A	$ 0.650108 /$100
	D. Adopted Tax Rate	$ 0.650000 /$100
	E. Subtract D from C	$ 0.000108 /$100
	F. 2022 Total Taxable Value (Line 60)	$ 2,602,136,891
	G. Multiply E by F and divide the results by $100	$ 2,810
65.	**Year 1 Foregone Revenue Amount. Subtract the 2021 unused increment rate and 2021 actual tax rate from the 2021 voter-approval tax rate. Multiply the result by the 2021 current total value**	
	A. Voter-approval tax rate (Line 67)	$ 0.650785 /$100
	B. Unused increment rate (Line 65)	$ 0.026000 /$100
	C. Subtract B from A	$ 0.624785 /$100
	D. Adopted Tax Rate	$ 0.650000 /$100
	E. Subtract D from C	$ -0.025215 /$100
	F. 2021 Total Taxable Value (Line 60)	$ 2,447,785,786
	G. Multiply E by F and divide the results by $100	$ -617,210
66.	**Total Foregone Revenue Amount.** Add Lines 63G, 64G and 65G	$ 0 /$100
67.	**2024 Unused Increment Rate.** Divide Line 66 by Line 21 of the *No-New-Revenue Rate Worksheet*. Multiply the result by 100	$ 0.000000 /$100
68.	**Total 2024 voter-approval tax rate, including the unused increment rate.** Add Line 67 to one of the following lines (as applicable): Line 49, Line 50 (counties), Line 58 (taxing units with additional sales tax) or Line 62 (taxing units with pollution)	$ 0.650392 /$100

[39] Tex. Tax Code §26.013(b)
[40] Tex. Tax Code §26.013(a)(1-a), (1-b), and (2)
[41] Tex. Tax Code §§26.04(c)(2)(A) and 26.042(a)
[42] Tex. Tax Code §§26.0501(a) and (c)
[43] Tex. Local Gov't Code §120.007(d)
[44] Tex. Local Gov't Code §120.007(d)

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise $500,000, and the current debt rate for a taxing unit. [44]

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit. [45]

Line	De Minimis Rate Worksheet	Amount/Rate
69.	**Adjusted current year NNR M&O tax rate.** Enter the rate from Line 39 of the *Voter-Approval Tax Rate Worksheet.*	0.399931
70.	**Current year total taxable value.** Enter the amount on Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$ 3,070,785,252
71.	**Rate necessary to impose $500,000 in taxes.** Divide $500,000 by Line 70 and multiply by $100.	$ 0.016282 /$100
72.	**Current year debt rate.** Enter the rate from Line 48 of the *Voter-Approval Tax Rate Worksheet.*	$ 0.218735 /$100
73.	**De minimis rate.** Add Lines 69, 71 and 72.	$ 0.634948 /$100

SECTION 7: Voter-Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.[48]

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year. [49]

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago.This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
74.	**2023 adopted tax rate.** Enter the rate in Line 4 of the *No-New-Revenue Tax Rate Worksheet.*	$ 0.650000 /$100
75.	**Adjusted 2023 voter-approval tax rate.** Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2023 and the taxing unit calculated its 2023 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2023 worksheet due to a disaster, complete the applicable sections or lines of *Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet.* **- or -** If a disaster occurred prior to 2023 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2023, complete form 50-856-a, *Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet* to recalculate the voter-approval tax rate the taxing unit would have calculated in 2023 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the years following the disaster. [50] Enter the final adjusted 2023 voter-approval tax rate from the worksheet. **- or -** If the taxing unit adopted a tax rate above the 2022 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	$ 0.000000 /$100
76.	**Increase in 2023 tax rate due to disaster.** Subtract Line 75 from Line 74.	$ 0.000000 /$100
77.	**Adjusted 2023 taxable value.** Enter the amount in Line 14 of the *No-New-Revenue Tax Rate Worksheet.*	$ 2,831,367,387
78.	**Emergency revenue.** Multiply Line 76 by Line 77 and divide by $100.	$ 0
79.	**Adjusted 2023 taxable value.** Enter the amount in Line 25 of the *No-New-Revenue Tax Rate Worksheet.*	$ 2,971,827,706
80.	**Emergency revenue rate.** Divide Line 78 by Line 79 and multiply by $100. [51]	$ 0.000000 /$100

[45] Tex. Tax Code §26.04(c)(2)(B)
[46] Tex. Tax Code §26.012(8-a)
[47] Tex. Tax Code §26.063(a)(1)
[48] Tex. Tax Code §26.042(b)
[49] Tex. Tax Code §26.042(f)
[50] Tex. Tax Code §§26.42(c)
[51] Tex. Tax Code §§26.42(b)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
81.	**Current year voter-approval tax rate, adjusted for emergency revenue.** Subtract Line 80 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 68 (taxing units with the unused increment rate).	$ 0.650392/$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. .... $ 0.619350/$100
As applicable, enter the current year NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).
Indicate the line number used: 26

Voter-approval tax rate .... $ 0.650392/$100
As applicable, enter the current year voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 68 (adjusted for unused increment), or Line 81 (adjusted for emergency revenue).
Indicate the line number used: 58

De minimis rate. .... $ 0.634948/$100
If applicable, enter the current year de minimis rate from Line 73.

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code. [52]

print here Suzanne K. Kinder
Printed Name of Taxing Unit Representative

sign here Suzanne Kinder
Taxing Unit Representative

07/26/2024
Date

[52] Tex. Tax Code §§26.04(c-2) and (d-2)

Reset Print

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:

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 9/3/2024 4:34 PM

Lead Department: Finance Department **Action Officer:** Kristin Peeples,

Subject: Ordinance No. 2024-095 ratifying the recently adopted budget that contains a property tax rate that raises more total property taxes than the previous year. [Note: As of the posting date of this agenda, the referenced property tax proposed for the Fiscal Year 2024-25 budget is a tax rate of $0.6500 per $100 of assessed valuation — the same tax rate adopted for Fiscal Year 2023-24.] (ROLL CALL VOTE)

Briefing: 9/9/2024 **Public Hearing:** 9/9/2024 **Council Vote:** 9/9/2024

Item Schedule

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

Local Government Code Section 102.007 requires, in a year when the adopted budget raises more property tax revenue than in the previous year, that the City Council ratify the adopted budget in a record vote that is considered separately from the vote to adopt the budget and the vote to adopt the tax rate.

Potential Options:

- Approve
- Deny

Fiscal Implications:

No specific fiscal implications. This is a statutory requirement.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

Attachments

a. 2024-095 ORD Ratifying Budget and Tax Rate FY 2025 (DOC)

City of Texarkana, Texas

b. 2024-095 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department	Kristin Peeples	Department Head Review	Completed	07/31/2024 11:34 AM
Finance Department	Kristin Peeples	Finance Review	Completed	07/31/2024 11:34 AM
City Manager	David Orr	City Manager Review	Completed	08/05/2024 8:03 AM
City Council	Jennifer Evans	Meeting	Completed	08/12/2024 6:00 PM

Meeting History

08/12/24	City Council	MOVED FORWARD	Next: 09/09/24

ORDINANCE NO. 2024-095

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, RATIFYING THE RECENTLY ADOPTED BUDGET THAT CONTAINS A PROPERTY TAX RATE THAT RAISES MORE TOTAL PROPERTY TAXES THAN THE PREVIOUS YEAR; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, has adopted its budget for the fiscal year 2024-2025; and

WHEREAS, the budget, as adopted, raises more revenue from property taxes than was raised from property taxes in the previous year; and

WHEREAS, Local Government Code Section 102.007 requires the City to ratify the budget by a separate vote.

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

SECTION 1: That in compliance with the requirements of Local Government Code Section 102.007(c), the City Council of the City of Texarkana, Texas, does hereby ratify the property tax increase reflected in the City's Budget for the fiscal year 2024-2025, which will require raising more revenue from property taxes than in the City's Budget for the fiscal year 2023-2024.

SECTION 2: That this Ordinance shall reflect the record vote of the City Council, with motion made by ___________________, seconded by______________________, to approve this resolution having received _____ ayes and _____ nays and _____ abstaining, the ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of September, 2024**.

ATTEST:

___________________________________ ______________________________

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2024-095 Goals & Perspectives (4294 : 2024-095 ORD Ratifying Budget and Tax Rate for Fiscal Year 2025)

City of Texarkana, Texas

Version: A
Update Date: 8/20/2024 10:52 AM

Briefing Sheet

Lead Department: Planning & Zoning Commission

Action Officer: Laura Puckett, Zoning Administrator

Subject: Ordinance No. 2024-098 amending PD-99-14 for site plan approval on Lot 6, Block 1, Brookwood Acres, located at 210-212 Cheyenne Place. Jason Nguyen, owner and Kayla Wood, MTG Engineers and Surveyors, agent.

Briefing: 9/9/2024 **Public Hearing:** 9/9/2024 **Council Vote:** 9/9/2024

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Jason Nguyen, owner, and Kayla Wood, MTG Engineers and Surveyors, agent, for site plan approval on Lot 6, Block 1, Brookwood Acres, located at 210/212 Cheyenne Place. The current zoning is Two Family-2. The property is currently vacant property. The proposed use is a duplex.

The Future Land Use Map designates this property as "Neighborhood Residential".

The adjacent zoning is Planned Development Two Family-2 to the west, south, and east, and Two Family-2 to the north. The adjacent land use is duplexes to the west, south, east, and north.

The site plan consists of the following:

1. The construction of a 2,500 sq ft building.
2. The access driveway will be off Cheyenne Place.
3. There will be 4 parking spaces. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. Development must meet Drainage Ordinance and Stormwater Manual Design Standards.

Staff recommends for approval of the site plan with stipulations.

The applicant should also be aware that if this site plan approval item is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

City of Texarkana, Texas

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend for approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommends approval of this request with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

August 5, 2024

Attachments

a. 2024-098 ORD site plan approval 210-212 Cheyenne Place (DOCX)
b. 2024-098 EXH 'A' (Site Plan)(PDF)
c. 2024-098 ATTH 01 (Maps) (PDF)
d. 2024-098 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed
	08/14/2024 3:24 PM			
Public Works Department		Dusty Henslee	Reviewer	Completed
	08/15/2024 7:50 AM			
City Manager	David Orr	Reviewer	Completed	08/15/2024
11:16 AM				
City Council	Jennifer Evans	Meeting	Completed	08/26/2024
6:00 PM				

Meeting History

08/26/24	City Council	MOVED FORWARD	Next: 09/09/24

Amendment to PD-99-14 (2F2)

ORDINANCE NO. 2024-098

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-99-14 (2F2) FOR SITE PLAN APPROVAL ON LOT 6, BLOCK 1, BROOKWOOD ACRES, LOCATED AT 210-212 CHEYENNE PLACE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lot 6, Block 1, Brookwood Acres, located at 210-212 Cheyenne Place** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-99-14(2F2)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-99-14(2F2); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-General Retail; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of this amendment, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously by a vote of five (5) to zero (0) to recommend for approval of the petition for a site plan (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

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

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

SECTION 1: That the site plan **(Exhibit 'A') on Lot 6, Block 1, Brookwood Acres, located at 210-212 Cheyenne Place** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-99-14(2F2).

SECTION 2: PD-99-14(2F2) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes and includes the following:

1. The construction of a 2,500 sq ft building.
2. The access driveway will be off Cheyenne Place.
3. There will be four (4) parking spaces. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. Development must meet Drainage Ordinance and Stormwater Manual Design Standards.

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

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

SECTION 5: This ordinance shall be in full force and effect from and after its passage and approval.

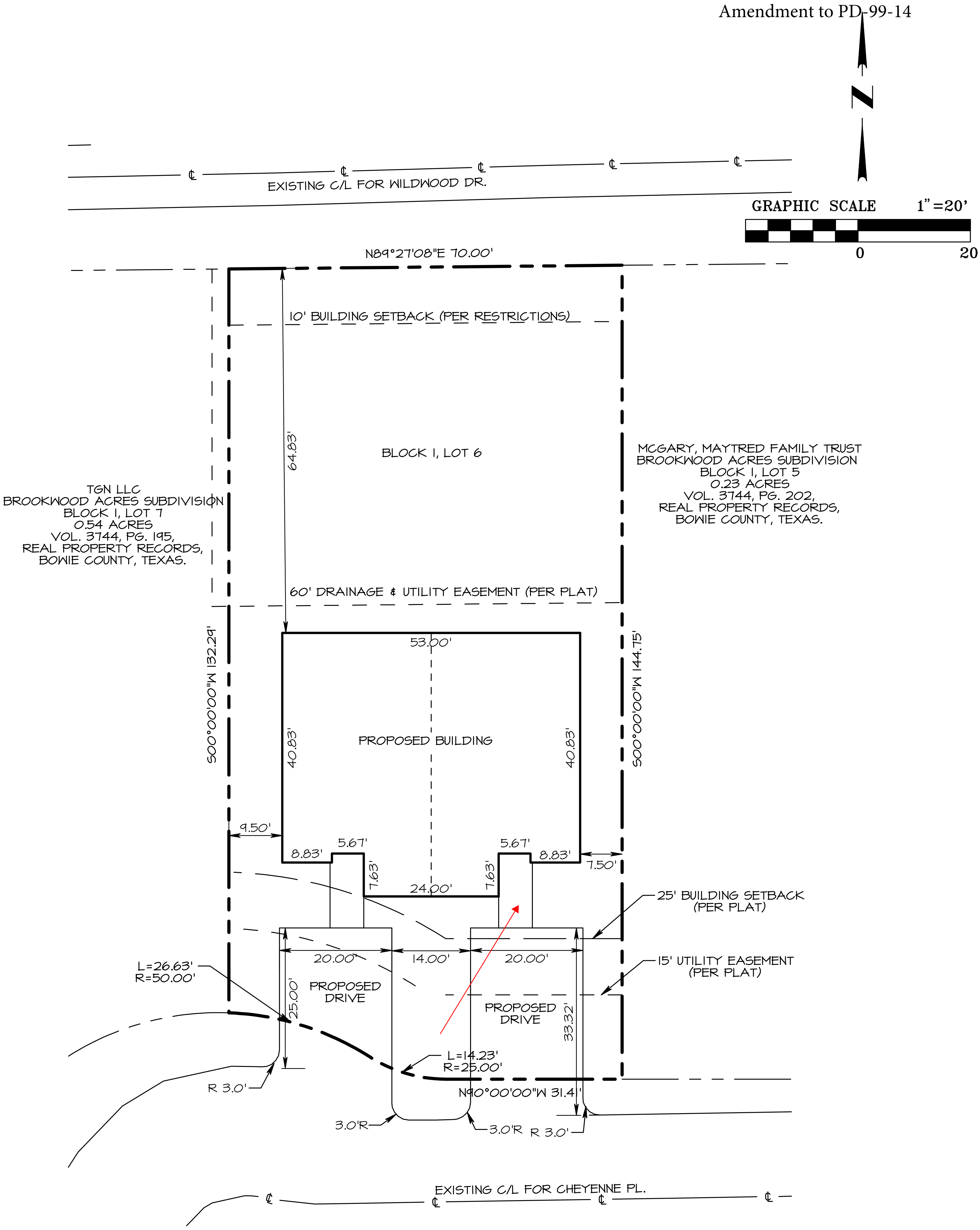
PASSED AND APPROVED in Regular Council Session on this the **9th day of September, 2024.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

2024-098 EXH 'A'

Amendment to PD-99-14



PROPERTY DESCRIPTION

ALL OF LOT NO. 6, BLOCK 1 OF BROOKWOOD ACRES, REPLAT OF LOT 20C, LOT 21A AND LOT 22 OF KENWOOD PARK ADDITION, A SUBDIVISION OF A PART OF CHANCELLOR BEACH HEADRIGHT SURVEY, ABSTRACT 731, BOWIE COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 744, PAGE 195 OF THE REAL PROPERTY RECORDS OF BOWIE COUNTY, TEXAS.

NOTE:
1.) NOTE:RESTRICTIVE CONVENANTS RECORDED IN VOLUME 744, PAGE 195 OF THE REAL PROPERTY RECORDS OF BOWIE COUNTY, TEXAS

PLOT PLAN

LOT 6, BLOCK 1
BROOKWOOD ACRES
BOWIE COUNTY, TEXAS

Date	Revision/Description

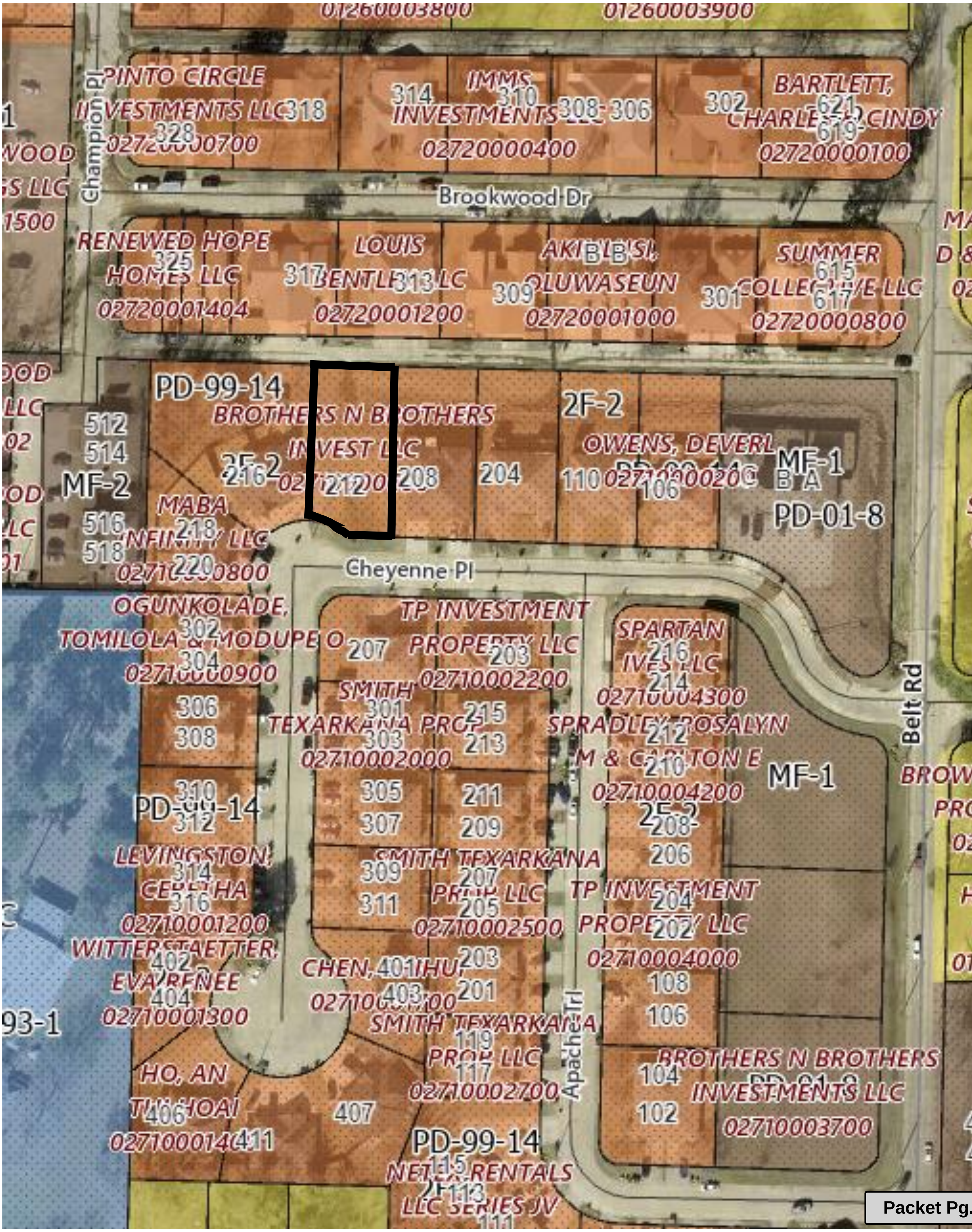
Drawn By	Checked By	Project No.	Dwg. Date	File No.	Sheet No.
B.W.	K.R.H.	246060	7/15/2024		

MTG ENGINEERS & SURVEYORS
5930 SUMMERHILL ROAD TEXARKANA,
P 903.838.8533 www.mtgengineers.c
TBPE FIRM NO. F-354 AR COA NO.
© MTG 2024

\\mtgengineers.local\mtgfileshares\DATA\2024 Projects\246060 Plot Plan Lot 6 Brookwood Acres\LOT 6 BROOKWOOD ACRES PLOT PLAN.pro
Mon Jul 15, 2024 0:48PM

2024-098 ATTH 01
Amendment to PD-99-14

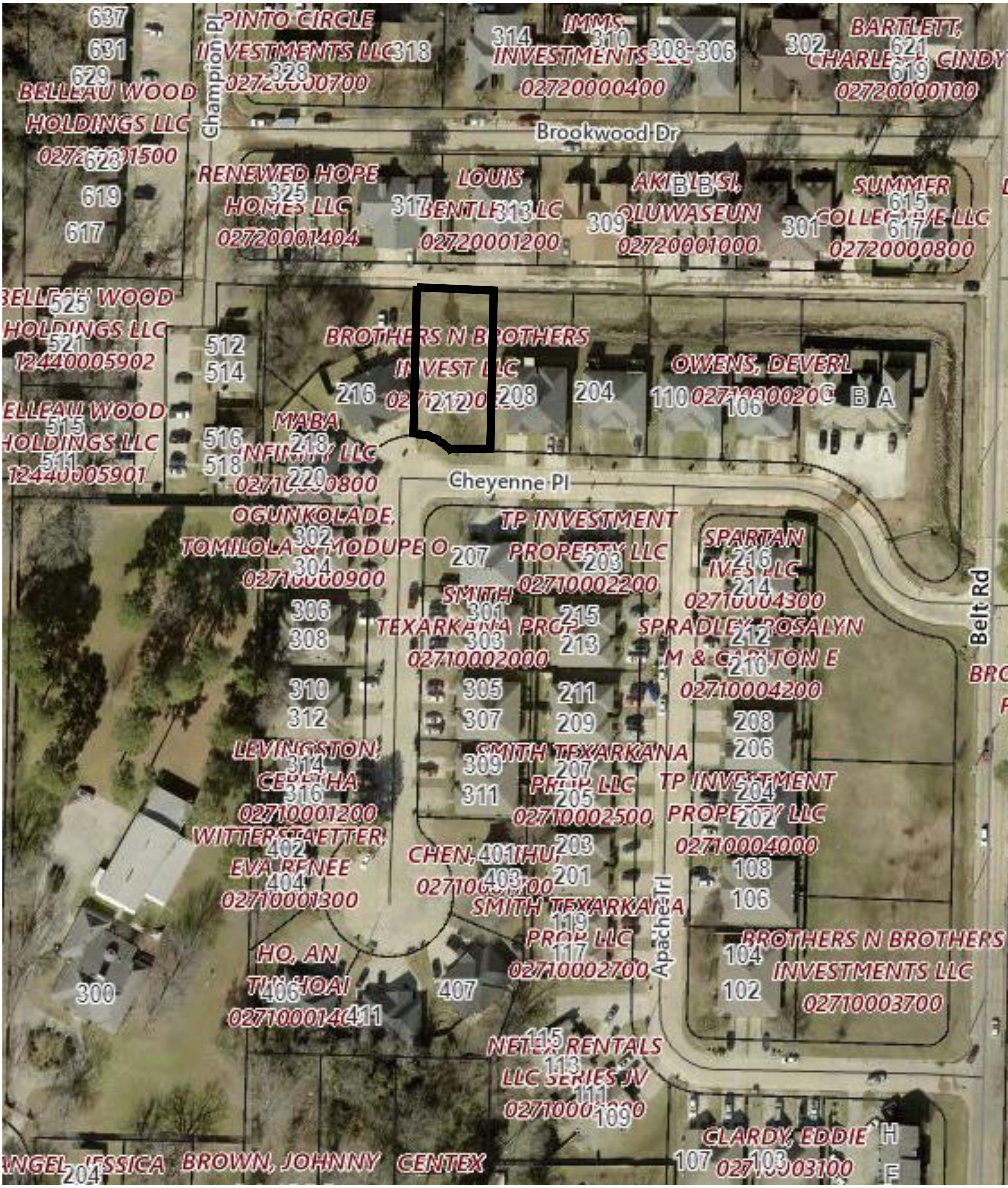
210/212 Cheyenne Place



Attachment: 2024-098 ATTH 01 (Maps) (4303 : 2024-098 ORD Amendment to PD-99-14 site plan approval 210-212 Cheyenne Place)

2024-098 ATTH 01
Amendment to PD-99-14

210/212 Cheyenne Place



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 8/20/2024 11:11 AM

Lead Department: Planning & Zoning Commission **Action Officer:** Laura Puckett, Zoning Administrator

Subject: Ordinance No. 2024-099 amending PD-79-6 for site plan approval on an approximate 5.643-acre tract of land (being Tracts 71A and 72), Thomas Price HRS, A-466, located at 524 Sowell Lane. Jason Simmons, representative of the Westside Church of Christ, owner and David Williams, MTG Engineers and Surveyors, agent.

Briefing: 9/9/2024 **Public Hearing:** 9/9/2024 **Council Vote:** 9/9/2024

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Jason Simmons, Representative for the Church/owner, and David Williams, MTG Engineers and Surveyors, agent, for site plan approval on an approximate 5.643-acre tract of land (being Tracts 71A and 72), Thomas Price HRS, A-466, located at 524 Sowell Lane. The current zoning is Planned Development-Office. The property is a church parking lot. The proposed use is an addition to the church.

The Future Land Use Map designates this property as “Regional Commercial”.

The adjacent zoning is Commercial to the north, Single Family-2 to the south and east, and Loop 369 to the west. The adjacent land use is auto body shop north, Church south and TXDOT east and south, and Loop 369 to the west.

The site plan consists of the following:

1. The construction of an 8,224 sq ft building.
2. The access driveway will be off Sowell Lane.
3. There will be 104 parking spaces, including 5 handicapped spaces. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. Development must meet Drainage Ordinance and Stormwater Manual Design Standards.

Staff recommends for approval of the site plan with stipulations.

City of Texarkana, Texas

The applicant should also be aware that if this site plan approval item is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommends for approval of this request with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

August 5, 2024

Attachments

a. 2024-099 ORD site plan approval 524 Sowell Ln (DOCX)
b. 2024-099 EXH 'A' (Site Plan)(PDF)
c. 2024-099 EXH 'B' (Legal Description) (PDF)
d. 2024-099 ATTH 01 (Maps) (PDF)
e. 2024-099 ATTH 02 (Elevations) (PDF)
f. 2024-099 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration Mashell Daniel Department Head Review Completed 08/14/2024 3:23 PM
Building Code Administration Mashell Daniel Reviewer Completed 08/14/2024 3:23 PM
Public Works Department Dusty Henslee Reviewer Completed 08/15/2024 7:50 AM
City Manager David Orr Reviewer Completed 08/15/2024 11:16 AM
City Council Jennifer Evans Meeting Completed 08/26/2024 6:00 PM

Meeting History

08/26/24	City Council	MOVED FORWARD	Next: 09/09/24

Amendment to PD-79-6 (O)

ORDINANCE NO. 2024-099

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-79-6(O) FOR SITE PLAN APPROVAL ON AN APPROXIMATE 5.643-ACRE TRACT OF LAND (BEING TRACTS 71A AND 72), THOMAS PRICE HRS, A-466, LOCATED AT 524 SOWELL LANE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on an approximate 5.643-acre tract of land (being Tracts 71A and 72), Thomas Price HRS, A-466, located at 524 Sowell Lane (Exhibit 'B')** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-79-6(O)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-79-6(O); and

WHEREAS, the proposed use is consistent with the listed uses in the Land Development Code for the zoning classification of Planned Development-General Retail; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of this amendment, have given the requisite notices by publication and otherwise, and have afforded and held full and fair hearings to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously by a vote of five (5) to zero (0) to recommend for approval of the petition for a site plan (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

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

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

SECTION 1: That the site plan **(Exhibit 'A') on an approximate 5.643-acre tract of land (being Tracts 71A and 72), Thomas Price HRS, A-466, located at 524 Sowell Lane (Exhibit 'B')** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-79-6(O).

SECTION 2: PD-79-6(O) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes and includes the following:

1. The construction of an 8,224 sq ft building.
2. The access driveway will be off Sowell Lane.
3. There will be 104 parking spaces, including five (5) handicapped spaces. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. Development must meet Drainage Ordinance and Stormwater Manual Design Standards.

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

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

SECTION 5: This ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of September, 2024.**

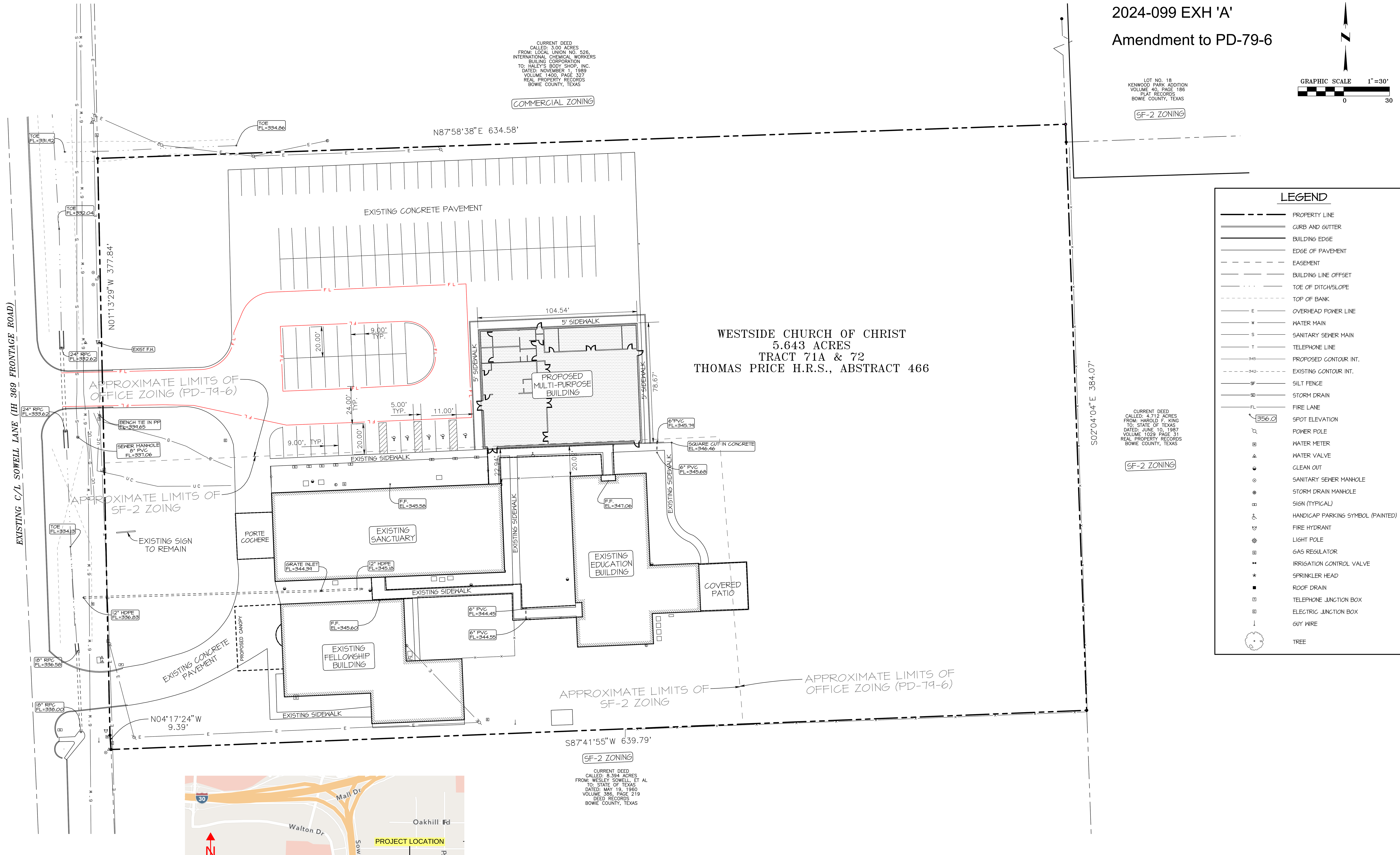
ATTEST:

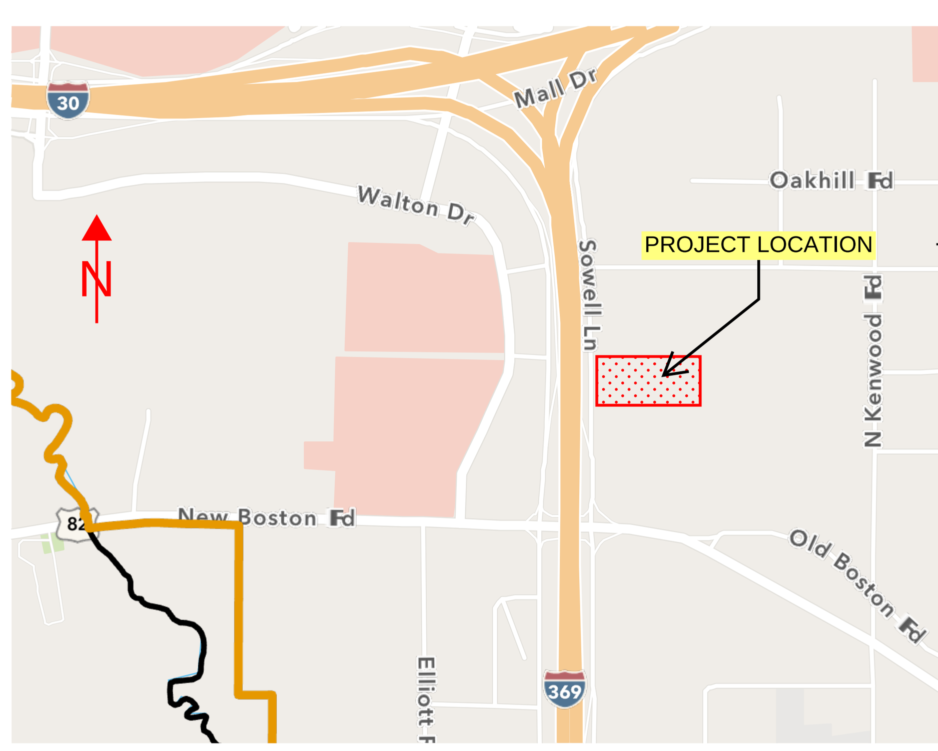
JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

2024-099 EXH 'A'

Amendment to PD-79-6





LOCATION MAP
N.T.S.

SITE DATA

PROPERTY ZONING: SF-2 AND PD-OFFICE

PARKING REQUIRED: 1 SPACE FOR EACH 3 SEATS IN MAIN SANCTUARY = 252 SEATS = 84 PARKING SPACES
PARKING PROVIDED = 104 TOTAL SPACES (99 REGULAR SPACES & 5 H/C SPACES)

5930 SUMMERHILL ROAD TEXARKANA, TEXAS P 903.838.8533 www.mtgengineers.com TBPE FIRM NO. F-354 AR COA NO. 125 © MTG 2024

MTG ENGINEERS & SURVEYORS

STATE OF TEXAS DAVID A. WILLIAMS 66437 REGISTERED PROFESSIONAL ENGINEER

ISSUED FOR PD SITE PLAN APPROVAL ONLY 7/12/2024

Scale AS SHOWN | Drawn By DB | Checked By DAW | File No.

PLANNED DEVELOPMENT SITE PLAN

MULTI-PURPOSE BUILDING
524 SOWELL LANE
WESTSIDE CHURCH OF CHRIST

Drawing Date 7/12/2024
Project Number 246024
Sheet Number PD1

X:\2024 Projects\246024 West Side Church of Christ Multi Purpose Building\05 Engineering Design\Design\West Side CofC PD Site Plan.pro Fri Jul 12, 2024 7:57AM

Attachment: 2024-099 EXH 'A' (Site Plan) (4304 : 2024-099 ORD Amendment to PD-79-6 site plan approval 524 Sowell Lane)

2024-099 EXH 'B'
Amendment to PD-79-6

TRACT ONE:
All that certain tract or parcel of land sitauted in the THOMAS PRICE HEADRIGHT SURVEY, Bowie County, Texas, and being a portion of a certain 12.078 acre tract of land deeded to Local Union No. 526, International Chemical Workers Building Corp., said 12.078 acre tract being a part of a certain 50 acre tract of land described by Deed dated December 15, 1903, and recorded in Volume 39, Page 110, Deed Records, Bowie County, Texas, subject tract being more particularly described by metes and bounds as follows:
BEGINNING at an iron pipe for corner at a fence corner, the Northeast corner of a certain 8.394 acre tract of land conveyed to the State of Texas by Deed dated July 6, 1960, of record in Volume 386, Pages 219-223, Deed Records, Bowie County, Texas, and being 450 feet North of the Southeast corner of said 50 acre tract;
THENCE S 89 deg. 55′ 20" W, with the North line of said 8.394 acre tract, same being a fence, 223.23 feet to an iron pipe for corner, same being the Southwest corner of a certain 2 acre Church tract;
THENCE N 00 deg. 49′ 54" E, with the East line of said Church tract, same being a fence line, 208.71 feet to an iron pipe for corner;
THENCE West, with the North line of said Church tract, 417.42 feet to an iron pipe for corner on the East right-of-way line of Loop 151;
THENCE N 00 deg. 49′ 54" E, with said Loop 151 right-of-way line, 177.67 feet to an iron pipe for corner;
THENCE East, 634.55 feet to an iron pipe for corner in the East line of said 12.078 acre tract;
THENCE S 00 deg. 04′ 23" E, with the East line of said 12.078 acre tract, 386.04 feet to the POINT OF BEGINNING and containing 3.654 acres of land, more or less.

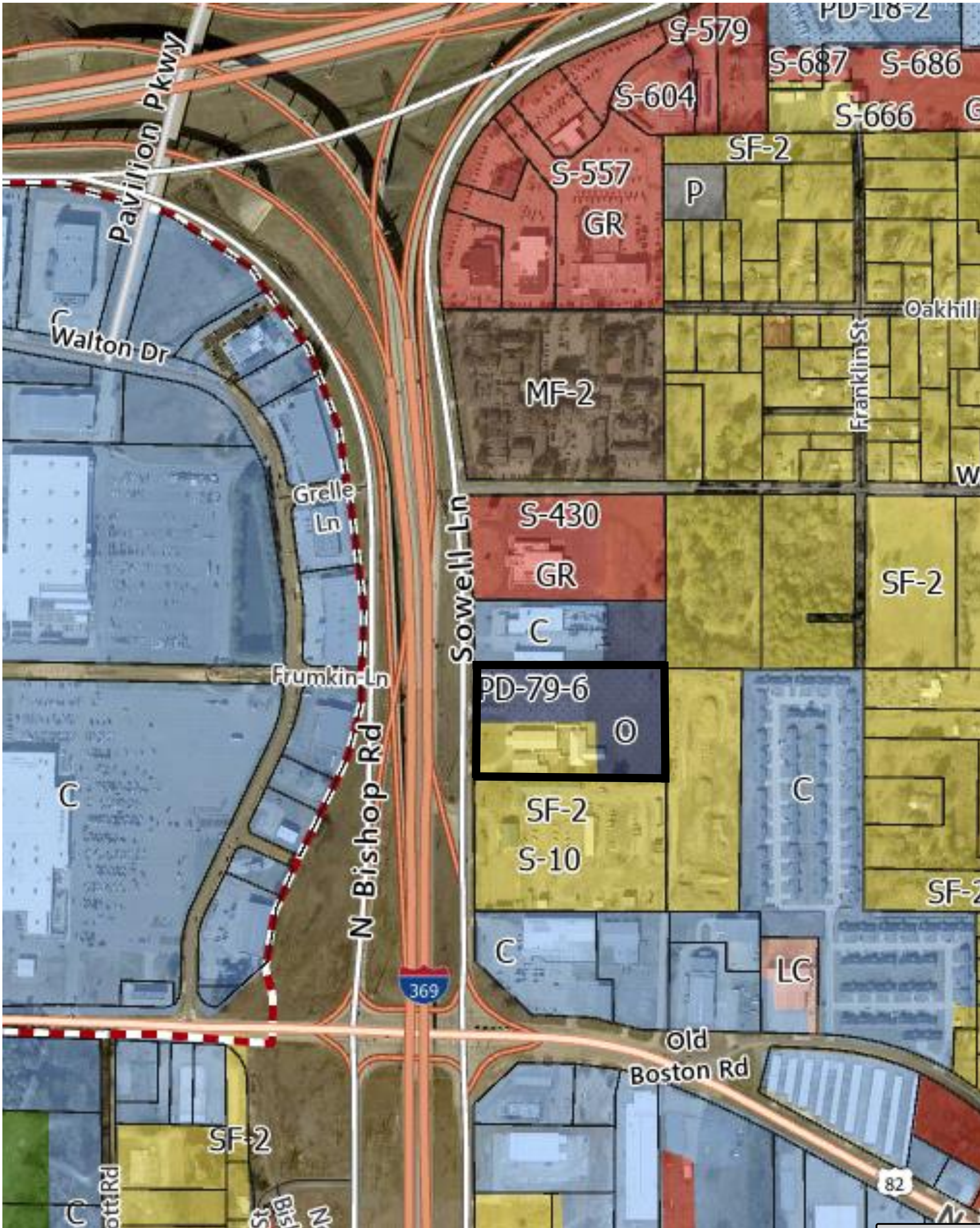
TRACT TWO:
All that certin tract or parcel of land situated in the THOMAS PRICE HR SURVEY and being a part of a certain 50 acre tract of land described by deed dated December 15, 1903, and recorded in Volume 39, Page 110, Deed Records of Bowie County, Texas, subject 2.00 acre tract being more particularly described by metes and bounds as follows:
BEGINNING at a concrete ROW marker in the East ROW line of Loop 151 and in the North line of a certain 8.394 acre tract owned by the State of Texas, said Point of Beginning being 450 feet North and 641.0 feet West of the Southeast corner of said 50 acre tract;
THENCE N 00 deg. 36′ E with the East ROW line of Loop 151, 208.71 feet to an iron pipe for corner in said line;
THENCE E. 417.42 feet to an iron pipe for corner;
THENCE S 00 deg. 36′ W, 208.71 feet to an iron pipe for corner in the North line of said 8.394 acre tract;
THENCE W along the North line of said 8.394 acre tract 417.42 feet to the Place of Beginning, and containing 2.00 acres of land, more or less.

5
EXHIBIT "A"

9857# Volm 2522 Page 149

2024-099 ATTH 01
Amendment to PD-79-6

524 Sowell Lane

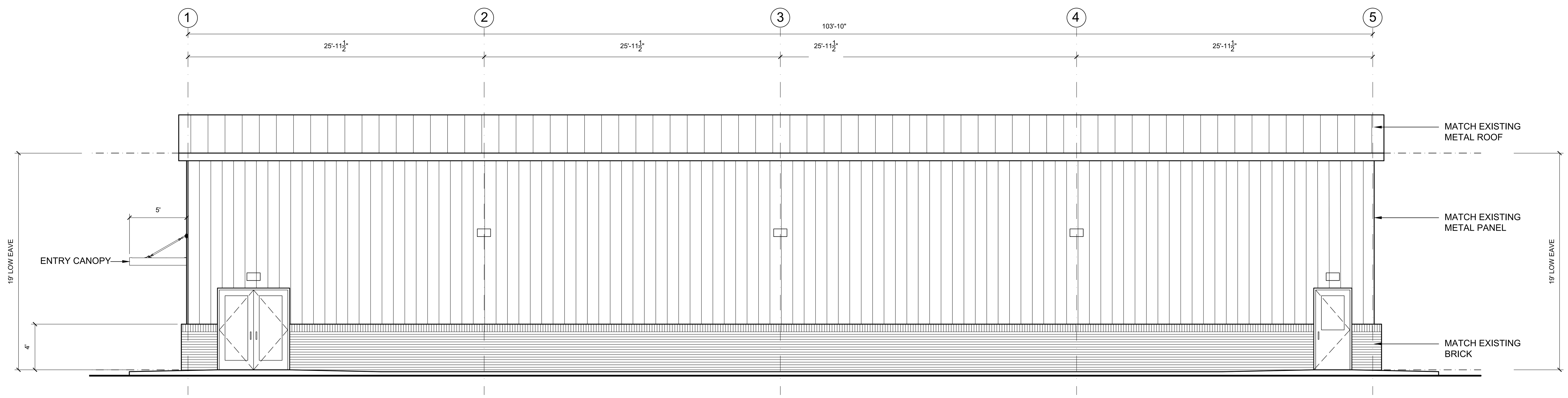


2024-099 ATTH 01
Amendment to PD-79-6

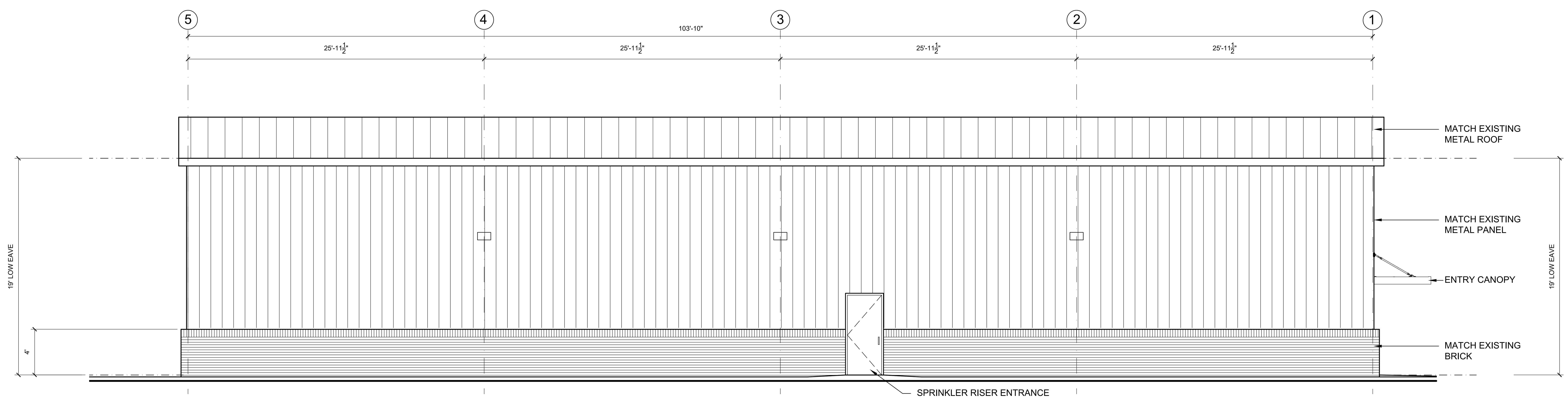
524 Sowell Lane

2024-099 ATTH 02

Amendment to PD-79-6



02 South Exterior Elevation
Scale: 3/16" = 1'-0



01 North Exterior Elevation
Scale: 3/16" = 1'-0

Westside Church of Christ
524 Sowell Lane
Texarkana, Texas 75501

Joe Crews
Architect, LLC

Architecture
Interiors
Planning
Accessibility Specialist

6500 Summerhill Road
Building One, Ste. 211
Texarkana, Texas
75503
T. 903.748.9050
joe@joecrews.com

PRELIMINARY: NOT FOR REGULATORY REVIEW, APPROVAL, OR CONSTRUCTION
JUNE 26, 2024

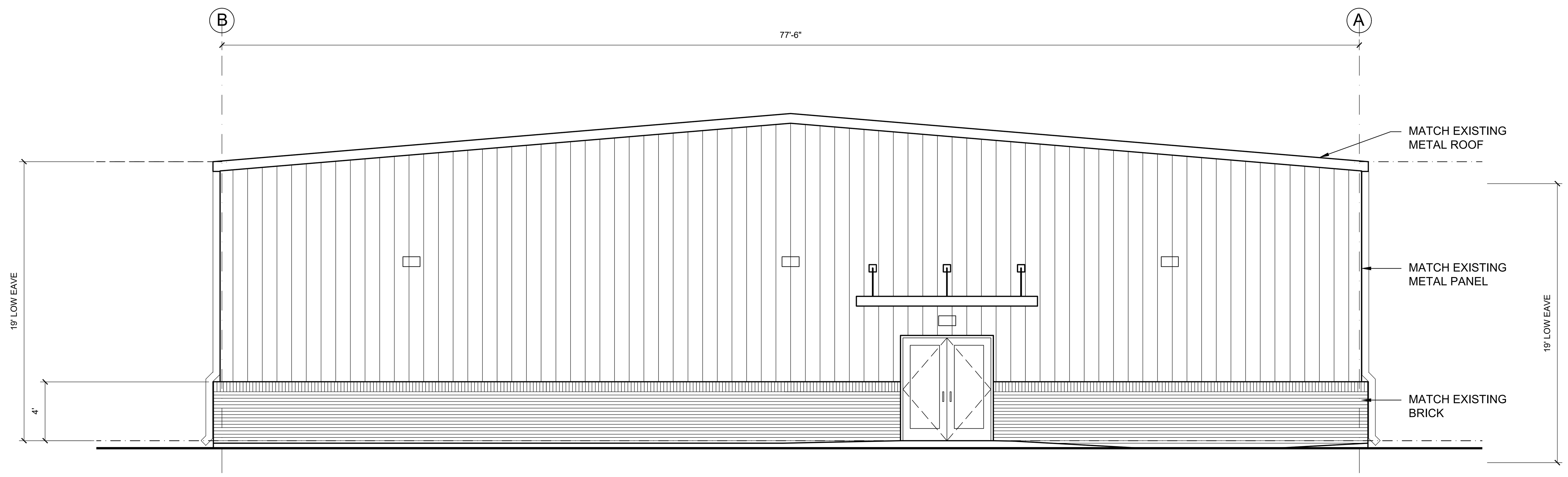
Project No.	2023-2
Drawn By:	jc
Date:	tbd

Sheet Title:
Proposed Exterior Elevations

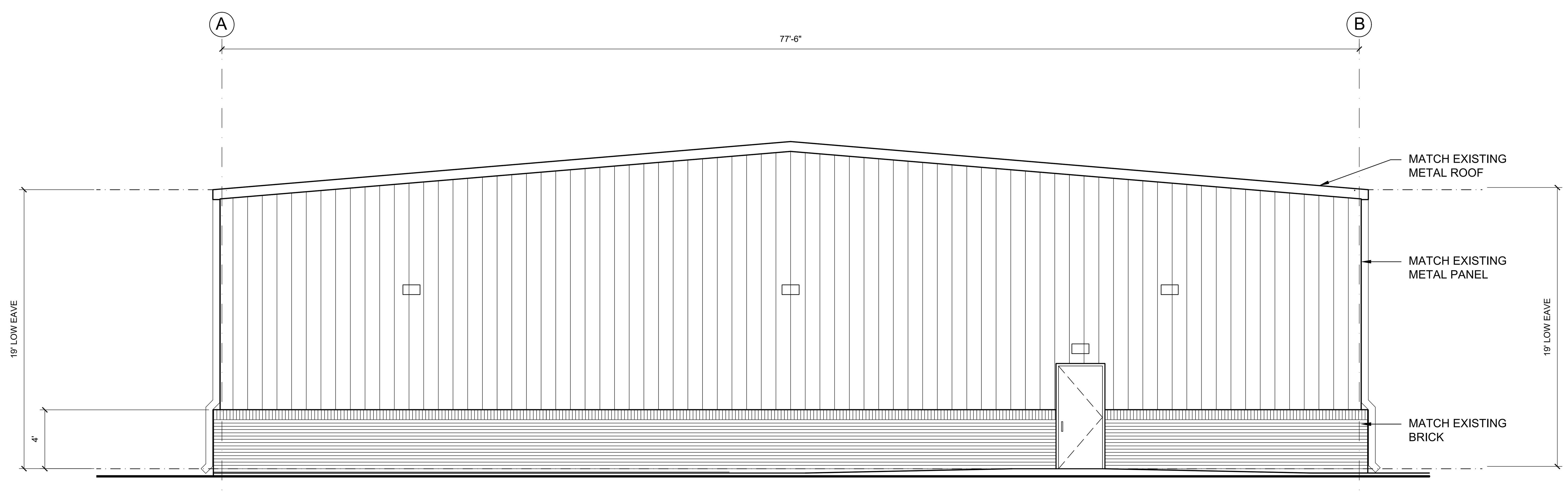
Drawing No.
A6.1

2024-099 ATTH 02

Amendment to PD-79-6



02 West Exterior Elevation
Scale: 3/16" = 1'-0



01 East Exterior Elevation
Scale: 3/16" = 1'-0

Westside Church of Christ
524 Sowell Lane
Texarkana, Texas 75501

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PRELIMINARY: NOT FOR REGULATORY REVIEW, APPROVAL, OR CONSTRUCTION

JUNE 26, 2024

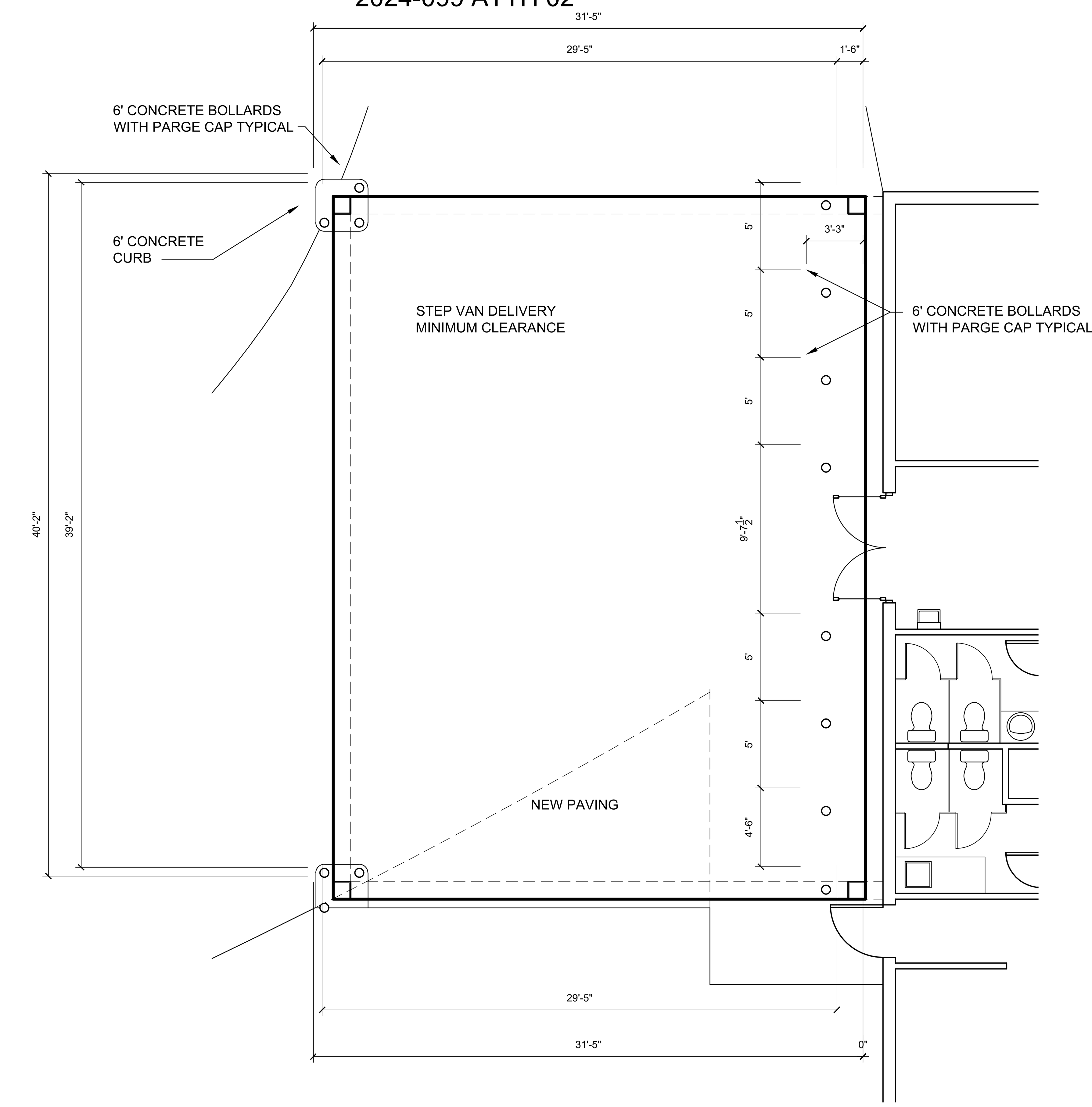
Project No.	2023-2
Drawn By:	jc
Date:	tbd

Sheet Title:
Proposed Exterior Elevations

Drawing No.
A6.2

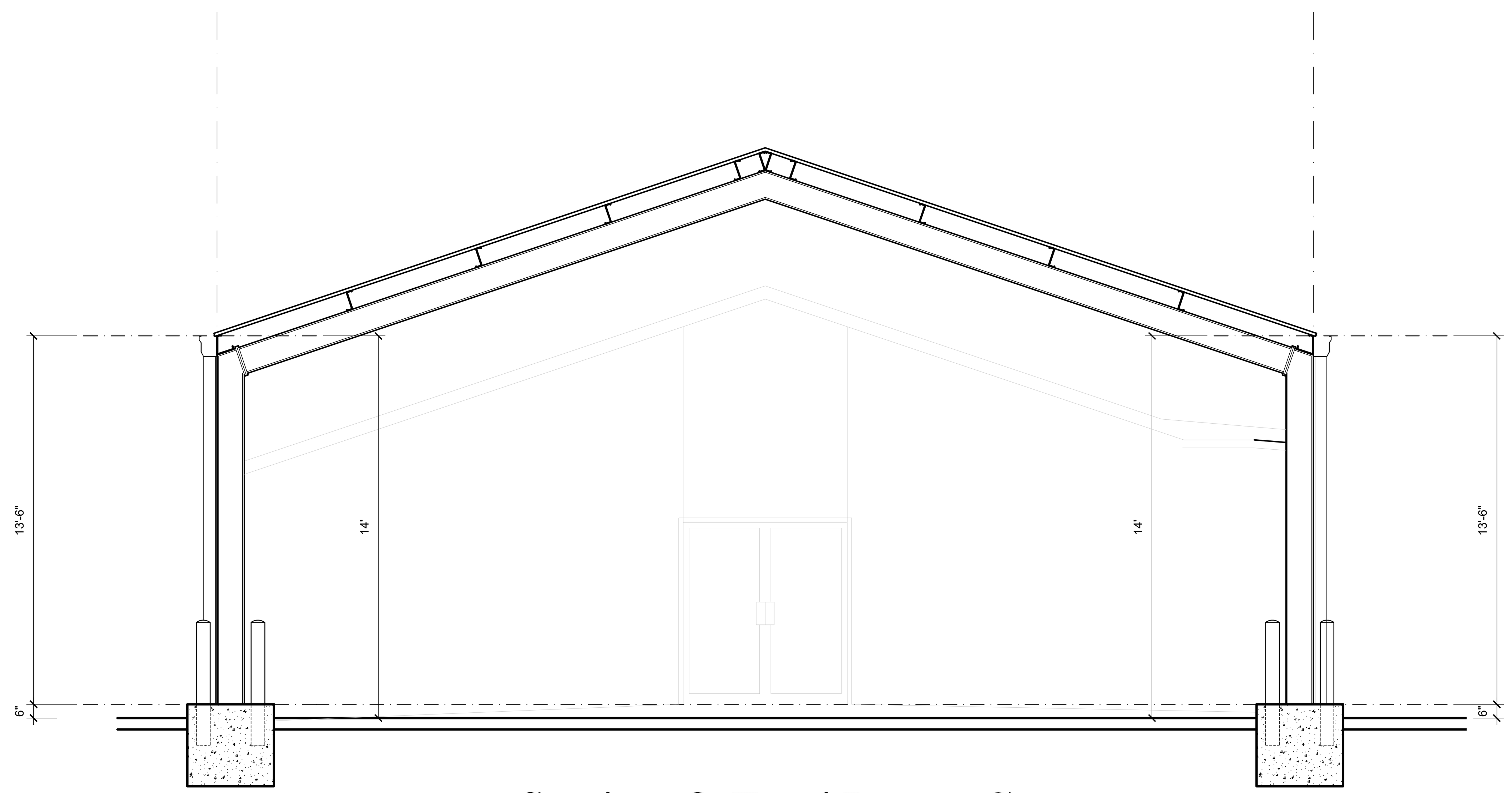
2024-099 ATTH 02

Amendment to PD-79-6



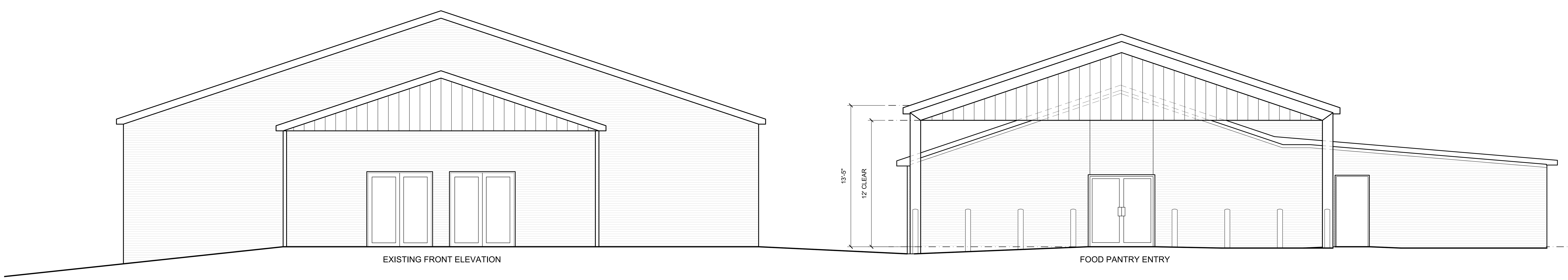
02 Canopy Plan at Food Pantry

Scale: 3/16" = 1'-0



03 Section @ Food Pantry Canopy

Scale: 1/4" = 1'-0"



01 West Exterior Elevation

Scale: 3/16" = 1'-0

Westside Church of Christ

524 Sowell Lane

Texarkana, Texas 75501

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joe@joecrews.com

PRELIMINARY: NOT FOR REGULATORY REVIEW, APPROVAL, OR CONSTRUCTION

JUNE 26, 2024

Project No.	2023-2
Drawn By:	jc
Date:	tbd

Sheet Title:

Proposed Canopy Elevations

Drawing No.

A6.3

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version: A
Update Date: 8/19/2024 2:47 PM

Briefing Sheet

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-100 granting a Specific Use Permit for one additional use of tattooing on Lots 7 and 8, Block 108, City Triggs Addition, located at 1002 Wood Street. Bryan Callaway, owner and Joaquin Hernandez, agent.		

Briefing: 9/9/2024 **Public Hearing:** 9/9/2024 **Council Vote:** 9/9/2024

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Bryan Callaway, owner, and Joaquin Hernandez, agent, for a Specific Use Permit to allow an additional use for tattooing on Lots 7 & 8, Block 108, City Triggs Addition, located at 1002 Wood Street. The property is zoned Neighborhood Service.

The Future Land Use Map has designated this property as “Downtown District”.

The adjacent zoning is Commercial to the north and east, and Office to the south and west. The adjacent land usage is business to the north, east and west and church to the south.

A Specific Use Permit is required to allow permanent cosmetics in the General Retail zoning district.

Staff recommends for approval of this request with the following stipulations:

1. That the owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business).
2. That if any complaints concerning minors or any violations of the regulations listed above occur, the City has the right to revoke the Specific Use Permit.
3. That if this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
4. That the sale of tobacco products or drug paraphernalia is prohibited.

5. That any remodeling of the current building must meet all city codes and requires licensed contractors.
6. That no painting of the windows or the building with advertisement or graphic art.

The applicant should also be aware that if this zoning change is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommends for approval of this request with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

August 5, 2024

Attachments

a. 2024-100 ORD granting SUP for 1002 Wood St (DOCX)
b. 2024-100 ATTH 01 (Maps) (PDF)
c. 2024-100 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration Mashell Daniel Department Head Review Completed 08/14/2024 3:24 PM

Building Code Administration Mashell Daniel Reviewer Completed 08/14/2024 3:24 PM

Public Works Department Dusty Henslee Reviewer Completed 08/15/2024 7:51 AM

City of Texarkana, Texas

City Manager 11:16 AM	David Orr	Reviewer	Completed	08/15/2024
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	08/26/2024

Meeting History

08/26/24	City Council	MOVED FORWARD	Next: 09/09/24

ORDINANCE NO. 2024-100 S-791

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-791 TO ALLOW ONE ADDITION USE OF A TATTOO STUDIO ON LOTS 7 AND 8, BLOCK 108, CITY TRIGGS ADDITION, LOCATED AT 1002 WOOD STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow one additional use of a **tattoo studio on Lots 7 and 8, Block 108, City Triggs Addition, located at 1002 Wood Street**, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously five (5) to zero (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted to allow one additional use of a tattoo studio** on said property; and

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

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

<u>SECTION 1:</u> That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-791** for one additional use of a **tattoo studio on Lots 7 and 8, Block 108, City Triggs Addition, located at 1002 Wood Street**, in the City of Texarkana, Bowie County, Texas.

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

1. That the owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business).
2. That if any complaints concerning minors or any violations of the regulations listed above occur, the City has the right to revoke the Specific Use Permit.
3. That if this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
4. That the sale of tobacco products or drug paraphernalia is prohibited.
5. That the hours of operation are by appointment only during normal business hours, 11:00 a.m. to 7:00 p.m. (9:00 p.m. by appointment only).
6. That any remodeling of the current building must meet all city codes and requires licensed contractors.
7. That no painting of the windows or the building with advertisement or graphic art is allowed.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of September, 2024.**

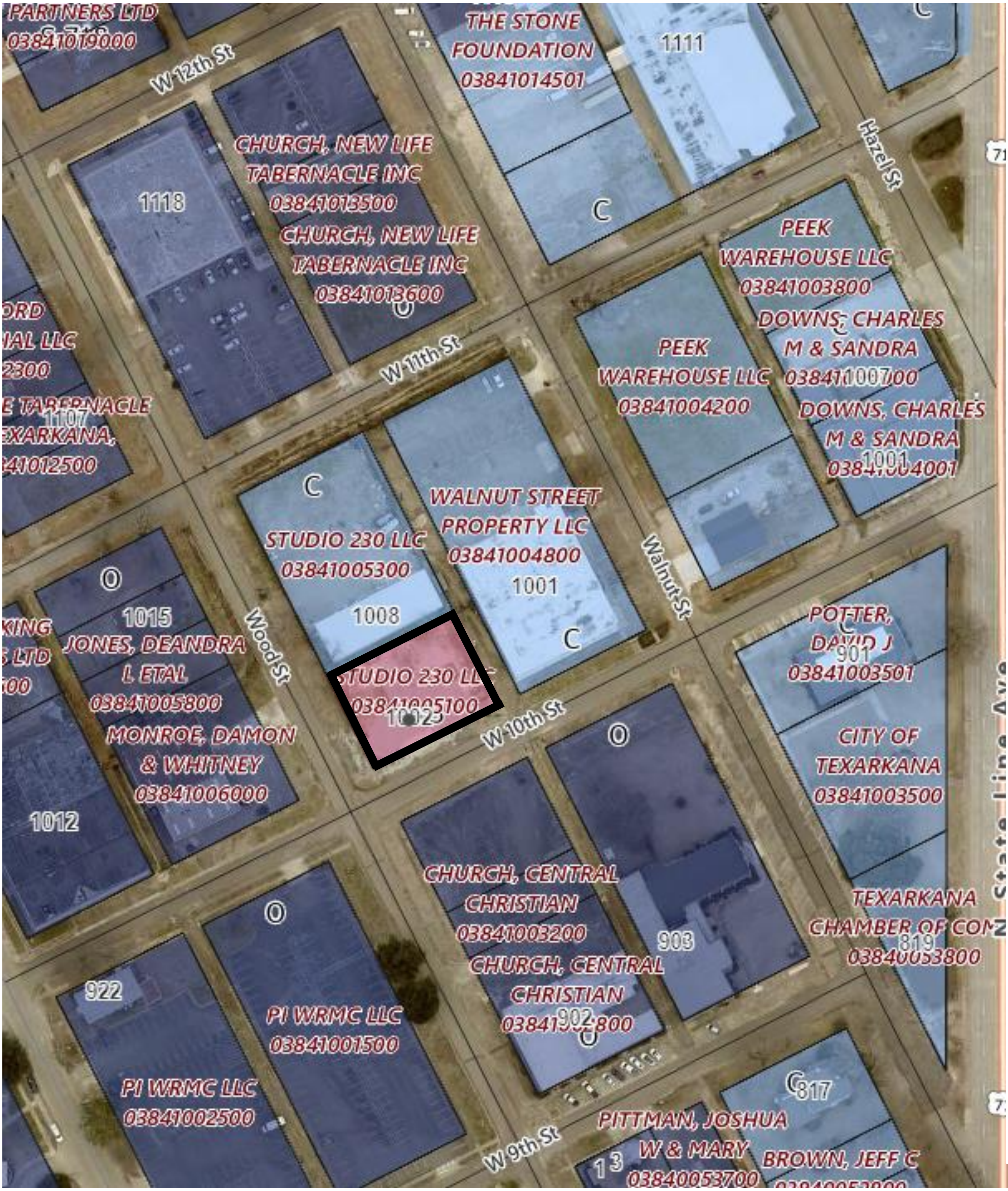
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

2024-100 ATTH 01
S-791

1002 Wood Street



Attachment: 2024-100 ATTH 01 (Maps) (4305 : 2024-100 ORD granting an SUP for tattooing at 1002 Wood Street)

2024-100 ATTH 01
S-791

1002 Wood Street

Attachment: 2024-100 ATTH 01 (Maps) (4305 : 2024-100 ORD granting an SUP for tattooing at 1002 Wood Street)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version:
Update Date: 8/21/2024 2:45 PM

Briefing Sheet

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

Subject: Resolution No. 2024-101 authorizing continuation of applying FY 2024 water production rate of $1.2606 per 1,000 gallons to the FY 2025 water supply contract billing for all Member Entities with joint ownership interest in the Highway 82 water transmission line, with the funds accumulated in excess of the calculated FY 2025 water production cost of $1.0895 per 1,000 gallons deposited in an interest-bearing account dedicated to fund the upcoming project to relocate a portion of the jointly-owned Highway 82 water transmission line.

Briefing: 9/9/2024 **Public Hearing:** 9/9/2024 **Council Vote:** 9/9/2024

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

At a meeting held during the week of August 12, 2024, members of Riverbend Water Resources District
decided to allow the current FY24 water production rate of $1.2606/1000 Gallons to be charged for FY25 even though the actual water production rate is going down in FY25 to $1.0895/1000 Gallons. There is an upcoming project next year to relocate a portion of the HWY 82 transmission line out of the way of the road when TxDOT widens it between DeKalb and the Red River County Line, and those extra funds generated will be used to help pay a portion of that construction debt.
The funds will be put in an interest-bearing account and held for each of the participating members until the funds are ready to use for the transmission line relocation project. The current project cost estimate stood at approximately $6-$7.5 million. The expected total to be generated in FY25, by staying at the current, FY24 rate is approximately $730,000.
As this is the line that is currently jointly owned by the original member entities, there would be seven members participating. They are Wake Village, Hooks, Maud, DeKalb, Annona, New Boston, and Texarkana.

Potential Options:

- To accept the resolution as presented
- To not accept the resolution as presented

Fiscal Implications:

Generated funds of approximately $730,000, from the seven-member entities participating, would be put in an interest-bearing account to help fund the upcoming transmission line relocation project.

City of Texarkana, Texas

Staff Recommendation:

Staff recommends approval of this resolution.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2024-101 RES RWRD wtr line relocate generated funds (jcl rev) (DOCX)
b. 2024-101 Goals & Perspectives (DOCX)

Staff Coordination

City Manager Jennifer Evans Department Head Review Completed 08/19/2024 3:04 PM
City Manager David Orr City Manager Review Completed 08/22/2024 5:30 PM
City Council Jennifer Evans Meeting Completed 08/26/2024 6:00 PM

Meeting History

08/26/24 City Council MOVED FORWARD Next: 09/09/24

RESOLUTION NO. 2024 -101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS AUTHORIZING CONTINUATION OF APPLYING FY 2024 WATER PRODUCTION RATE OF $1.2606 PER 1,000 GALLONS TO THE FY 2025 WATER SUPPLY CONTRACT BILLING FOR ALL MEMBER ENTITIES WITH JOINT OWNERSHIP INTEREST IN THE HIGHWAY 82 WATER TRANSMISSION LINE, WITH THE FUNDS ACCUMULATED IN EXCESS OF THE CALCULATED FY 2025 WATER PRODUCTION COST OF $1.0895 PER 1,000 GALLONS DEPOSITED IN AN INTEREST-BEARING ACCOUNT DEDICATED TO FUND THE UPCOMING PROJECT TO RELOCATE A PORTION OF THE JOINTLY-OWNED HIGHWAY 82 WATER TRANSMISSION LINE.

WHEREAS, the City of Texarkana, Texas ("Texarkana"), formed in 1873, is a home-rule municipality operating under a municipal charter adopted as authorized by Article XI, Section 5, of the Texas Constitution and as recognized by Texas Local Government Code Section 5.004 and having full power of local self-government; and

WHEREAS, Riverbend Water Resources District is charged with oversight of the annual True-Up conducted amongst and between Texarkana Water Utilities and all Member Entities; and

WHEREAS, Riverbend Water Resources District held an annual True-Up meeting on July 17, 2024, at the Riverbend offices, to discuss the true-up process and information provided by Texarkana Water Utilities; and

WHEREAS, the proposed water production rate is shown to decrease in FY 2025 from $1.2606/1,000 gallons used to $1.0895/1,000 gallons used; and

WHEREAS, there is an upcoming Texas Department of Transportation project to widen Highway 82 which will force a portion of the current water transmission line along Highway 82 to be relocated; and

WHEREAS, this water transmission line is partially owned by each of the Member Entities, including the City of Texarkana, Texas; and

WHEREAS, the current cost estimate for the project is approximately $7.5 million and funding is needed to pay for this relocation project.

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

SECTION 1: The City Council authorizes the City Manager or designee to continue to apply FY 2024 water production rate of $1.2606/1,000 gallons to the FY 2025 water supply contract billing for all Member Entities with joint ownership interest in the Highway 82 water transmission line and to continue to apply said rate for internal City accounting for water production for FY 2025; funds accumulated in excess of the calculated FY 2025 water production cost of $1.0895/1,000 gallons shall be deposited in an interest-bearing account dedicated to fund the upcoming project to relocate a portion of the jointly-owned Highway 82 water transmission line.

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

PASSED and APPROVED in Regular Council Session this **9th day of September, 2024.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☐	Promote an Environmentally Sensitive & Livable Community
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	☐	Invest in Infrastructure & Transportation
Develop Personnel	☐	Develop a Skilled & Diverse Workforce
	☐	Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

Public Information Plan:

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

Other: