CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● SEPTEMBER 23, 2024

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

220 TEXAS BLVD., TEXARKANA, TX 75501

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

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

Staff Present: City Manager David Orr, Jennifer Evans, Kristin Peeples, Kris Smith, Laura Puckett, Daphnea Ryan, J.W. Bramlett, Chris Black, Dusty Henslee, Lisa Thompson, Brooke Stone, Chiquita Burks, and Vashil Fernandez.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER MARY HART

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings
Monday, October 14, 2024, at 6:00 p.m.
Monday, October 28, 2024, at 6:00 p.m.
Tuesday, November 12, 2024, at 6:00 p.m.

Parks & Recreation Activities

Sept 24th	Fall Farmers Market - 4pm to 7pm	Spring Lake Park
Sept 25th	Walk Through History Tours - 10am	Spring Lake Park
Sept 27th	Cycle Through History Tours - 5:30pm	City Hall Parking Lot
Oct 1st	Fall Farmers Market - 4pm to 7pm	Spring Lake Park
Oct 2nd	Walk Through History Tours - 10am	Spring Lake Park

Oct 4th	Cycle Through History Tours - 5:30pm	City Hall Parking Lot
Oct 8th	Fall Farmers Market - 4pm to 7pm	Spring Lake Park

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

Community-wide Opioids Education Workshop

The **Opioid Education and Narcan Training** will be held on Tuesday, September 24th at Texarkana College, Truman Arnold Center, 2500 N. Robison Road in Texarkana, Texas.

Lunch will be served at 11:30 a.m. and the program begins at noon. The workshop is free and open to the public.

City and KTB Fall Sweep

On Saturday, September 28th, the city, in partnership with Keep Texarkana Beautiful (KTB), will host the **Fall Sweep** cleanup event from 8:00 a.m. to noon.

There will be four Waste Management drop-off locations for bulk waste and trash (excluding electronics, paint, tires, and batteries):

Rosehill (Milam and W 13th) - 1303 Milam St, Texarkana, TX 75501
New Town, Polly Chapel Baptist - 2123 Spruce St, Texarkana, TX 75501
Beverly Community Center - 901 Lumpkin St, Texarkana, TX 75501
Liberty-Eylau, Findley Park - 410 Findley Street, Texarkana, TX 75501

For more information, please call Planning & Community Development at 903-798-3904.

Perot Theatre Event

The **Stephanie Urbina Jones and the Honky Tonk Mariachi** will be featured on Saturday, September 28th. The show will begin at 7:30 p.m. Tickets for Perot Theatre shows are available at perottheatre.org

National Night Out

The **National Night Out Celebration** will be held on Tuesday, October 1st from 5pm to 9pm. This annual event promotes community partnerships with the Police Department and all first responders. Residents can register a neighborhood block party at www.texarkanapolice.net <http://www.texarkanapolice.net>.

Exchange Student Program

Dr. Brandy Moore, area representative of **Face the World,** introduced two exchange students currently attending Texas High School: Louise Herman (Belgium) and Julie Angerer (Germany), staying with host family Doug & Christina Dietz.

Louise said one noticeable difference in the U.S. is the manner of transportation, whereas, Julie said the school system is very different here. Both girls are enjoying their experience and what they are learning in America.

Mayor Bruggeman provided some comments about the history of Texarkana, presented each with a city lapel pin, and thanked them for coming to the council meeting.



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.

There were no public comments made at Open Forum.

V. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

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

VI. ITEMS FOR CONSIDERATION

Consent Items

(6:26 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on September 9, 2024 at 6:00 PM.

2. Ordinance No. 2024-110 authorizing the City Manager to execute a contract with Francis Excavating LLC of Texarkana, Texas, for an amount not to exceed Three Million, One Hundred Sixty-Five Thousand, Twenty-Five Dollars and Eight Cents ($3,165,025.08), for the Galleria Oaks and Moores Lane street reconstruction project, with funds budgeted in the 2022 Bond Fund (Fund 425), and approving the reconstruction of Galleria Oaks Drive to 34' wide.

   Public Hearing:
   Council Vote: September 23, 2024

3. Resolution No. 2024-111 authorizing the City Manager to execute a local on-system agreement (LOSA) with the Texas Department of Transportation (TxDOT) for the Galleria Oaks and Moores Lane Street Reconstruction Project.

   Public Hearing:
   Council Vote: September 23, 2024

Action Items

4. Resolution No. 2024-107 approving the reappointment of Commissioner Jo Ann Rice to the Civil Service Commission.

   Public Hearing:
   Council Vote: September 23, 2024

   City Manager Orr briefed this action item.
   (6:27 p.m.)

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

5. Resolution No. 2024-113 confirming the City Manager's appointment of Brandon Washington to the Civil Service Commission for an unexpired term that ends August 7, 2025.

   Public Hearing:
   Council Vote: September 23, 2024

   City Manager Orr briefed this action item.
   (6:28 p.m.)

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

6. Ordinance No. 2024-108 authorizing the City Manager to accept an EPA Brownfields Job Training Grant in the amount of $500,000, enter into a sub-grant with Texarkana College, execute all necessary contracts and documents, and amend budgeted revenues and expenditures for FY25 adding the amount of Five Hundred Thousand Dollars ($500,000) to EPA Job Training Fund 206.

   Public Hearing:
   Council Vote: September 23, 2024

   Daphnea Ryan briefed this action item.
   (6:31 p.m.)

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

7. Resolution No. 2024-109 supporting an application, in partnership with the City of Texarkana, Arkansas, for EPA Brownfields Community Wide Assessment grant funds for Texarkana, USA in the amount of Five Hundred Thousand Dollars ($500,000).

   Public Hearing:
   Council Vote: September 23, 2024

   Daphnea Ryan briefed this action item.
   (6:32 p.m.)

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

VII. FIRST BRIEFINGS

1. Resolution No. 2024-112 approving the funding of a loan from the Facade Revolving Loan Fund program for construction of facade improvements by Hayes Days Holdings, LLC to the buildings at 216-224 W. 3rd Street, Texarkana, Texas in an amount not to exceed $50,000 for two properties, for a total of $100,000.

   Public Hearing: October 14, 2024
   Council Vote: October 14, 2024

   Lisa Thompson briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 10/14/2024 6:00 PM**

2. Ordinance No. 2024-114 rezoning from Industrial-1 to Single Family-3 on Lot 3, Block 2, Carpenters addition, located at 2302 James Street. Billy Jacobs, owner.

   Public Hearing: October 14, 2024
   Council Vote: October 14, 2024

   Laura Puckett briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 10/14/2024 6:00 PM**

3. Ordinance No. 2024-115 granting a Specific Use Permit to allow the location of a single wide HUD code manufactured home on Lot 3, Block 2, Carpenters Addition, located at 2302 James Street. Billy Jacobs, owner.

   Public Hearing: October 14, 2024
   Council Vote: October 14, 2024

   Laura Puckett briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 10/14/2024 6:00 PM**

VIII. PUBLIC HEARINGS

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

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

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

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

IX. CITY MANAGER'S REPORT

September Sales Tax
Sales tax receipts for the month of September (July sales) totaled $1,917,141.76 an increase of 11.04% compared to the same month in the prior year. Fiscal year to date collections totaled $18,091,681.58 a decrease of $46,874.81 (-0.26%) compared to last year.

Excluding the February adjustments from a local energy company, fiscal year to date collections would have totaled $18,509,426.58, an increase of $370,870.19 (2.04%) compared to last year.

TWU Annual Chlorine Conversion and Flushing Program
Last week, TWU began a chlorine conversion and flushing program that will last approximately four weeks. Most customers will not notice any change in water quality; however, some people may detect a chlorine smell or have discolored water as TWU is flushing. TWU will have a press release and information on the city's website. For any questions, please do not hesitate to contact Gary Smith at TWU.

X. ADMINISTRATIVE COMMENTS

1. City Council

   Council had no administrative comments for staff.

2. City Staff

   Staff had no administrative comments for council.

XI. CLOSED SESSION

The City Council convened into closed session pursuant to Section 551.071 (Consultation with Attorney -- *In re: Steward Health Care System LLC, et al.*, No. 24-90213, U.S. Bankruptcy Court, S.D. Tex., Houston Div.).

XII. RECONVENED INTO OPEN SESSION

XIII. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:28 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● SEPTEMBER 9, 2024

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

220 TEXAS BLVD., TEXARKANA, TX 75501

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

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

Staff Present: City Manager David Orr, Jennifer Evans, Kristin Peeples, Lisa Thompson, Reed Russell, Gary Smith, Tricia Briggs, Karey Parker, Dusty Henslee, J.W. Bramlett, Robby Robertson, Chris Black, Brooke Stone, Chiquita Burks, and Vashil Fernandez.

Legal Counsel: Jeff Lewis.

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	Spring Lake Park

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	9am to 11am - hosted by Newk's Eatery Register at runsignup.com	
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.

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Jerry Huckabee said the decision was made to retire the Farmers Bank & Trust Live United Bowl annual event. It's been a great run and has made its tenth year anniversary.

He personally thanked the city council for the city's partnership for the last eight years, and support in funding the Friday night banquet that was held at the Texarkana Texas Convention Center.

The benefactor, the Greater United Way of Texarkana, has received almost $100,000 over the 10 years and that proves how successful the event has been for the Texarkana community.

V. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Council Member Davis recommended the new appointment of Jayme DeHaan to the Zoning Board of Adjustment.

Motion to confirm a new appointment to the Zoning Board of Adjustment.

(6:12 p.m.)

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

VI. ITEMS FOR CONSIDERATION

Consent Items

(6:13 p.m.)

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

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

Minutes Acceptance: Minutes of Sep 9, 2024 6:00 PM (Consent Items)

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

   Kristin Peeples said a few updates have been added to the budget related to grant funding. The Mayor asked the City Secretary for a roll call vote.
   (6:17 p.m.)

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

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

   Marti Shaw, Managing Partner with Hilltop Securities, briefed this agenda item.
   (6:20 p.m.)

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

VII. FIRST BRIEFINGS

Minutes Acceptance: Minutes of Sep 9, 2024 6:00 PM (Consent Items)

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

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

   City Manager Orr briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 9/23/2024 6:00 PM

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

   There were no public comments made at this hearing.

   Council Member Davis made four preliminary motions as follows:

   [For M&O component]
   I move that the City adopt an ad valorem tax rate of $0.431265 on each $100.00 of assessed valuation of the total taxable property in 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 to fund the City's maintenance and operation expenditures for the next fiscal year ending September 30, 2025."

   [For Interest & Sinking component]
   I move that the City adopt an ad valorem tax rate of $0.218735 on each $100.00 of assessed valuation of the total taxable property in 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 debt service for the next fiscal year ending September 30, 2025."

   [For TIRZ 1 component]
   I move that the City adopt an ad valorem tax rate of $0.65000 on each $100.00 of assessed valuation of the total taxable property in the T1 Jurisdiction above the base valuation of $250,924,138 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 for the next fiscal year ending September 30, 2025.

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[For TIRZ 2 component]
I move that the City adopt an ad valorem tax rate of $0.65000 on each $100.00 of assessed valuation of the total taxable property in the T2 Jurisdiction above the base valuation of $65,799,167 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 for the next fiscal year ending September 30, 2025.

The Mayor asked the City Secretary for a roll call vote on the component motions. All component motions were unanimous votes.

The Mayor asked the City Secretary for a roll call vote on this ordinance.
(6:30 p.m.)

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

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

There were no public comments made at this hearing. The Mayor asked the City Secretary for a roll call vote.
(6:31 p.m.)

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

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

David Williams, of MTG Engineers and Surveyors, presented himself for any questions about the proposed project.
(6:33 p.m.)

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RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Steve Thompson, Ward 3
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

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

   David Williams, of MTG Engineers and Surveyors, presented himself for any questions about the proposed project.
   (6:35 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Page, Ward 4
SECONDER:	Cole Meador, Ward 5
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

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

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

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Cole Meador, Ward 5
SECONDER:	Mary Hart, Ward 2
AYES:	Matlock, Hart, Thompson, Page, Meador, Davis

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

Minutes Acceptance: Minutes of Sep 9, 2024 6:00 PM (Consent Items)

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

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

IX. CITY MANAGER'S REPORT

City and KTB Fall Sweep
On Saturday, September 28th, the city, in partnership with Keep Texarkana Beautiful (KTB), will host the "Fall Sweep" cleanup event from 8:00 a.m. to 12:00 p.m. This is a great opportunity for residents to help clean up local roadways and enhance the beauty of the community.

Waste Management roll-off containers will be available at each location for residents to dispose of bulk waste and trash (excluding electronics, paint, tires, and batteries). Below are the four drop-off locations:

Rosehill (Milam and W 13th) - 1303 Milam St, Texarkana, TX 75501
New Town, Polly Chapel Baptist - 2123 Spruce St, Texarkana, TX 75501
Beverly Community Center - 901 Lumpkin St, Texarkana, TX 75501
Liberty-Eylau, Findley Park - 410 Findley Street, Texarkana, TX 75501

For more information, please contact the City's Planning and Community Development Department at 903-798-3904.

Texarkana Youth Advisory Council Applications - Extended
Texarkana Youth Advisory Council (TYAC) applications have been extended for high school students in grades 10-12 through September 13th. 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>

City Manager Orr thanked the council for adopting the FY'25 budget and thanked the Budget Advisory Committee for its assistance.

Staff is working on a strategic plan to align with the FY'25 budget and will soon bring a draft of the plan to council for its comments.

X. ADMINISTRATIVE COMMENTS

1. City Council

   Council Member Davis reminded everyone that Tuesday, October 1st is **National Night Out**. It's a great event to celebrate with neighbors, families, and friends. Citizens who

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would like to sign up their neighborhood can contact Shawn Vaughn at vaughn@texarkanatexas.gov.

Mayor Bruggeman said he appreciated the great work by **Texarkana Water Utilities staff** in repairing a water leak that was seeping into the front parking lot where he works. It was a very hot afternoon and the TWU crew worked until after 7:00 p.m. to get the problem fixed. KUDOS to TWU Director Gary Smith and his employees!

2. City Staff

Staff had no administrative comments for council.

XI. ADJOURNMENT

A motion was made to adjourn the meeting.
(6:44 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Sep 9, 2024 6:00 PM (Consent Items)

City of Texarkana, Texas

Version: C

Briefing Sheet

Update Date: 9/20/2024 2:46 PM

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

Subject: Ordinance No. 2024-110 authorizing the City Manager to execute a contract with Francis Excavating LLC of Texarkana, Texas, for an amount not to exceed Three Million, One Hundred Sixty-Five Thousand, Twenty-Five Dollars and Eight Cents ($3,165,025.08), for the Galleria Oaks and Moores Lane street reconstruction project, with funds budgeted in the 2022 Bond Fund (Fund 425), and approving the reconstruction of Galleria Oaks Drive to 34' wide.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Date of Invitation for Bid (IFB 23-1901-01) posted on website: August 18, 2024
Dates published in Texarkana Gazette: August 18, 2024 and August 25, 2024
Opened Bids: September 12, 2024
Bids received: Francis Excavating, LLC, TEC, Inc., and Stan Excavating
Lowest Responsive Bidder: Francis Excavating, LLC. - See EXH "A"
Budget: 2022 Bond Fund
Policy Exceptions: None
Scope of Work: This project consists of a reconstructing the existing concrete pavement with new concrete pavement on Moores Lane and Galleria Oaks east of Summerhill Road and extending the shared use path that currently ends on the west side of Summerhill Road along Galleria Oaks to Moores Lane. To construct this withing current ROW limits, Galleria Oaks will be constructed at 34' wide instead of 37' wide. This proposed width still gives room for 2 lanes in each direction and a center turn lane. We are also adding a couple inlets along Moores near the Summerhill Road intersection to help alleviate some flooding. This will not prevent the road from flooding but should help the road drain better during our smaller rain events.

Potential Options:

- Approve contract
- Not approve contract

Fiscal Implications:

Funds are available in the 2022 Bond Fund

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. 2024-110 ORD Galleria Oaks and Moores Lane Reconstruction (jcl rev) (DOCX)
b. 2024-110 EXH A Bid Tab (PDF)
c. 2024-110 Goals & Perspectives (DOCX)
d. 2024-110 ORD Galleria&Moores str proj. signed (PDF)

Staff Coordination

Public Works Department	Dusty Henslee	Department Head Review	Completed	09/13/2024 9:05 AM
Finance Department	Kristin Peeples	Review	Completed	09/17/2024 2:13 PM
City Attorney	Jeffery C. Lewis	Review	Completed	09/17/2024 2:19 PM
City Manager	David Orr	City Manager Review	Completed	09/17/2024 3:57 PM
City Council	Jennifer Evans	Meeting	Completed	09/23/2024 6:00 PM

Meeting History

Attachment: 2024-110 ORD Galleria Oaks and Moores Lane Reconstruction (jcl rev) [Revision 1] (4318 : 2024-110 ORD Galleria Oaks/Moores

ORDINANCE NO. 2024-110

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FRANCIS EXCAVATING, LLC. OF TEXARKANA, TEXAS, IN AN AMOUNT NOT TO EXCEED THREE MILLION ONE HUNDRED SIXTY-FIVE THOUSAND TWENTY-FIVE DOLLARS AND EIGHT CENTS ($3,165,025.08) FOR THE GALLERIA OAKS DRIVE AND MOORES LANE STREET RECONSTRUCTION PROJECT TO BE PAID FROM THE 2022 BOND FUND (FUND 425); CONTAINING SUPERSEDING AND SEVERABILITY CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, is creating enhancements to Galleria Oaks Drive and Moores Lane with new concrete street pavement, and extending the shared use path along Galleria Oaks Drive from Summerhill Road to Moores Lane, consistent with commercial redevelopment requirements in Chapter 130 of the Code of Ordinances; and

WHEREAS, to fit the reconstruction of Galleria Oaks Drive and the shared use path within the existing right of way, this collector street must be reconstructed at 34’ wide instead of 37’ wide as otherwise required by the City’s street improvement standards; and

WHEREAS, on September 12, 2024, three (3) bids were received and Francis Excavating, LLC of Texarkana, Texas submitted the lowest and most responsible bid summarized on the bid tab sheet on (**Exhibit ‘A’),** and funds are available in the 2022 Bond Fund (Fund 425) for the reconstruction project.

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

SECTION 1: The City Council finds and determines that the lowest most responsible bidder for the Galleria Oaks Drive and Moores Lane Street Reconstruction Project is hereby declared to be Francis Excavating, LLC. Of Texarkana, Texas. The City Manager is hereby authorized to execute a contract with Francis Excavating, LLC. Of Texarkana, Texas, in an amount not to exceed $3,165,025.08, with funds budgeted in the 2022 Bond Fund (Fund 425).

SECTION 2: The City Council expressly approves the reconstruction of Galleria Oaks Drive to 34’ wide instead of 37’ wide to accommodate the construction of the shared use path within existing right of way. In the event of any conflict between this Ordinance and any other ordinances or parts of ordinances, including but not limited to collector street minimum width requirements in Section 130-149(a)(2) of the Code of Ordinances, this Ordinance shall supersede and control.

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

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

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

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2024-110 ORD Galleria Oaks and Moores Lane Reconstruction (jcl rev) [Revision 1] (4318 : 2024-110 ORD Galleria Oaks/Moores

Bid Tabulation
for
Galleria Oaks and Moores Lane Street Reconstruction Project

	#23-1901-01 September 12th, 2024 10:00am			Francis Excavating, LLC 1356 S Kings Hwy, Texarkana, TX 75501		Tatum Excavating Company, Inc. 2416 S. Lake Drive Texarkana, Tx 75501		Stan Excavating 699 Heritage Oaks, Texarkana, TX 7	
Item #	Description	ESTIMATED QTY	UNIT OF MEASURE	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTEN AMOU
1	Mobilization	1	LS	$157,737.00	$157,737.00	$158,725.19	$158,725.19	$193,000.00	$19 .00
2	Traffic Control Plan Preparation	1	LS	$7,850.00	$7,850.00	$2,500.00	$2,500.00	$5,000.00	$ .00
3	Barricades, Signs, & Traffic Control Implementation and Maintenance	12	MO	$2,000.00	$24,000.00	$19,950.00	$239,400.00	$6,000.00	$7 .00
4	Project Sign	3	EA	$750.00	$2,250.00	$425.00	$1,275.00	$1,200.00	$ .00
5	Silt Fence	8,766	LF	$4.25	$37,255.50	$6.00	$52,596.00	$4.25	$3 .50
6	Rock Filter Dam Typ II	4	EA	$1,500.00	$6,000.00	$1,150.00	$4,600.00	$1,600.00	$ .00
7	Inlet Protection	6	EA	$325.00	$1,950.00	$425.00	$2,550.00	$250.00	$ .00
8	Block Sodding	5,430	SY	$15.50	$84,165.00	$11.00	$59,730.00	$38.44	$20 .20
9	ormwater Pollution Prevention P	1	LS	$3,500.00	$3,500.00	$1,590.00	$1,590.00	$4,000.00	$ .00
10	Retaining Wall (Block)	14	SF	$107.00	$1,498.00	$265.00	$3,710.00	$100.00	$ .00
11	Erosion Control Plan	1	LS	$5,000.00	$5,000.00	$18,300.00	$18,300.00	$12,000.00	$1 .00
12	Remove & Disposal Reinforced Concrete Pavement	22,950	SY	$14.85	$340,807.50	$17.50	$401,625.00	$32.00	$73 .00
13	Remove & Disposal Reinforced Concrete Sidewalk	183	SY	$11.25	$2,058.75	$14.00	$2,562.00	$32.00	$ .00
14	Remove Retaining Wall	3	SY	$250.00	$750.00	$395.00	$1,185.00	$50.00	.00
15	Remove Curb Inlet	4	EA	$2,250.00	$9,000.00	$1,475.00	$5,900.00	$2,500.00	$1 .00
16	Remove Existing 48" RCP	67	LF	$75.00	$5,025.00	$35.00	$2,345.00	$50.00	$ .00
17	Remove Existing 36" RCP	46	LF	$75.00	$3,450.00	$30.00	$1,380.00	$45.00	$ .00
18	Remove Existing 18" RCP	195	LF	$45.00	$8,775.00	$25.00	$4,875.00	$40.00	$ .00
19	Unclassified Excavation	1685	CY	$30.00	$50,550.00	$65.00	$109,525.00	$50.00	$8 .00
20	Discard and Haul Excess Material	425	CY	$15.00	$6,375.00	$30.00	$12,750.00	$50.00	$2 .00
21	Reinforced Concrete Pavement (8")	21,642	SY	$81.69	$1,767,934.98	$83.50	$1,807,107.00	$93.71	$2,02 .82
22	Reinforced Concrete Pavement (5")	1,650	SY	$101.85	$168,052.50	$92.10	$151,965.00	$102.76	$16 .00
23	Colored Textured Concrete Pavement (4")	28	SY	$228.90	$6,409.20	$435.00	$12,180.00	$360.00	$1 .00
24	6" Lime Treated Existing Material (28#/SY)	5,284	SY	$15.60	$82,430.40	$15.00	$79,260.00	$9.60	$5 .40
25	6" Monolithic Curb	9,503	LF	$7.35	$69,847.05	$11.00	$104,533.00	$14.40	$13 .20
26	Barrier Free Ramps (TY 7)	29	EA	$2,169.30	$62,909.70	$1,415.00	$41,035.00	$2,130.00	$6 .00
27	Barrier Free Ramps (TY 21)	5	EA	$4,002.60	$20,013.00	$2,475.00	$12,375.00	$1,805.00	$ .00
28	Storm Sewer Junction Box (PJB) (5X5)	1	EA	$6,716.50	$6,716.50	$6,120.00	$6,120.00	$8,000.00	$ .00
29	15' Double Curb Inlet	2	EA	$10,415.80	$20,831.60	$9,135.00	$18,270.00	$8,000.00	$1 .00
30	Inlet PCU - Y - 5 RT & LT Ext	2	EA	$8,477.80	$16,955.60	$8,020.00	$16,040.00	$8,000.00	$1 .00
31	Inlet PCO - Y- 4 RT & LT Ext	1	EA	$8,580.40	$8,580.40	$8,045.00	$8,045.00	$8,000.00	$ .00
32	Inlet PCO - Y - 6 RT & LT Ext	1	EA	$8,947.10	$8,947.10	$8,020.00	$8,020.00	$8,000.00	$ .00
33	48" RCP, Class III Pipe	42	LF	$482.14	$20,249.88	$489.00	$20,538.00	$495.00	$17,010.00

Attachment: 2024-110 EXH A Bid Tab (4318 : 2024-110 ORD Galleria Oaks/Moores Lane Str Recon Proj)

34	42" RCP, Class III Pipe	33	LF	$227.18	$7,496.94	$247.37	$8,163.21	$197.00	$	.00
35	36" RCP, Class III Pipe	233	LF	$163.91	$38,191.03	$210.00	$48,930.00	$165.00	$3	.00
36	24" RCP, Class III Pipe	141	LF	$83.23	$11,735.43	$126.00	$17,766.00	$118.00	$1	.00
37	18" RCP, Class III Pipe	188	LF	$67.13	$12,620.44	$115.00	$21,620.00	$115.00	$2	.00
38	Trench Excavation Protection Plan (Storm Sewer)	1	LS	$150.00	$150.00	$530.00	$530.00	$4,000.00	$	.00
39	Trench Excavation Protection (0'-5' Depth)	188	LF	$13.34	$2,507.92	$2.00	$376.00	$2.00		.00
40	Trench Excavation Protection (5'-10' Depth)	449	LF	$13.34	$5,989.66	$2.00	$898.00	$3.00	$	.00
41	Reflectorized Pavement Markings TY II (8") (W) (SLD)	640	LF	$0.44	$281.60	$0.40	$256.00	$0.44		.60
42	Reflectorized Pavement Markings TY II (8") (W) (BRKN)	500	LF	$0.44	$220.00	$0.40	$200.00	$0.44		.00
43	Reflectorized Pavement Markings TY II (6") (Y) (SLD)	6617	LF	$0.44	$2,911.48	$0.40	$2,646.80	$0.44	$	.48
44	Reflectorized Pavement Markings TY II (6") (Y) (BRKN)	6557	LF	$0.44	$2,885.08	$0.40	$2,622.80	$0.44	$	.08
45	Reflectorized Pavement Markings TY II (6") (Y) (DBL	942	LF	$0.99	$932.58	$1.00	$942.00	$1.00		.00
46	Reflectorized Pavement Markings TY I (Stop Bar) (24")	68	LF	$22.00	$1,496.00	$21.00	$1,428.00	$22.00	$	.00
47	Reflectorized Pavement Markings TY I (Arrow) (W)	59	EA	$302.50	$17,847.50	$290.00	$17,110.00	$297.00	$1	.00
48	Reflectorized Pavement Markings TY I (Word) (W)	13	EA	$352.00	$4,576.00	$340.00	$4,420.00	$345.00	$	.00
49	Reflectorized Pavement Markings TY I (CW) (24") (W)	81	LF	$22.00	$1,782.00	$21.00	$1,701.00	$22.00	$	.00
50	Raised Pavement Marker Refl Pav Mrkr TY II-A-A	24	EA	$11.00	$264.00	$11.00	$264.00	$11.00		.00
51	Raised Pavement Marker Refl Pav Mrkr TY I-C	8	EA	$11.00	$88.00	$11.00	$88.00	$11.00		.00
52	Relocate Existing Sign & Post	6	EA	$250.00	$1,500.00	$885.00	$5,310.00	$250.00	$	.00
53	Sign & Post Assembly (Speed Limit 30) (R2-1)	4	EA	$850.00	$3,400.00	$1,025.00	$4,100.00	$1,000.00	$	.00
54	Sign & Post Assembly (Curve) (W1-2L)	1	EA	$850.00	$850.00	$1,035.00	$1,035.00	$1,000.00	$	.00
55	Sign & Post Assembly (Curve) (W1-2R)	1	EA	$850.00	$850.00	$1,035.00	$1,035.00	$1,000.00	$	.00
56	Condt (PVC) (SCH 80) (2")	190	LF	$23.65	$4,493.50	$25.00	$4,750.00	$30.00	$	.00
57	Condt (HDPE) (2") Bore	20	LF	$250.00	$5,000.00	$35.00	$700.00	$150.00	$	.00
58	Ground Box TY A (122311)	2	EA	$1,075.00	$2,150.00	$2,550.00	$5,100.00	$1,500.00	$	.00
59	Ped Sig Sec (LED) (Countdown)	2	EA	$940.63	$1,881.26	$1,480.00	$2,960.00	$2,000.00	$	.00
60	Trf Sig Cbl (TY A) (14 AWG) (5 CONDR)	375	LF	$12.90	$4,837.50	$4.60	$1,725.00	$4.00	$	.00
61	Pedestal Pole Assembly	1	EA	$3,010.00	$3,010.00	$4,860.00	$4,860.00	$3,750.00	$	.00
62	Ped Detect Push Button (APS)	2	EA	$2,257.50	$4,515.00	$2,130.00	$4,260.00	$2,000.00	$	.00
63	Ped Detector Controller Unit	1	EA	$2,687.50	$2,687.50	$5,150.00	$5,150.00	$4,000.00	$	.00
	Total Base Bid				**$3,165,025.08**		**$3,543,558.00**		**$3,9**	.12

Attachment: 2024-110 EXH A Bid Tab (4318 : 2024-110 ORD Galleria Oaks/Moores Lane Str Recon Proj)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2024-110 Goals & Perspectives (4318 : 2024-110 ORD Galleria Oaks/Moores Lane Str Recon Proj)

ORDINANCE NO. 2024-110

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FRANCIS EXCAVATING, LLC. OF TEXARKANA, TEXAS, IN AN AMOUNT NOT TO EXCEED THREE MILLION ONE HUNDRED SIXTY-FIVE THOUSAND TWENTY-FIVE DOLLARS AND EIGHT CENTS ($3,165,025.08) FOR THE GALLERIA OAKS DRIVE AND MOORES LANE STREET RECONSTRUCTION PROJECT TO BE PAID FROM THE 2022 BOND FUND (FUND 425); CONTAINING SUPERSEDING AND SEVERABILITY CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, is creating enhancements to Galleria Oaks Drive and Moores Lane with new concrete street pavement, and extending the shared use path along Galleria Oaks Drive from Summerhill Road to Moores Lane, consistent with commercial redevelopment requirements in Chapter 130 of the Code of Ordinances; and

WHEREAS, to fit the reconstruction of Galleria Oaks Drive and the shared use path within the existing right of way, this collector street must be reconstructed at 34' wide instead of 37' wide as otherwise required by the City's street improvement standards; and

WHEREAS, on September 12, 2024, three (3) bids were received and Francis Excavating, LLC of Texarkana, Texas submitted the lowest and most responsible bid summarized on the bid tab sheet on (**Exhibit 'A'**), and funds are available in the 2022 Bond Fund (Fund 425) for the reconstruction project.

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

SECTION 1: The City Council finds and determines that the lowest most responsible bidder for the Galleria Oaks Drive and Moores Lane Street Reconstruction Project is hereby declared to be Francis Excavating, LLC. Of Texarkana, Texas. The City Manager is hereby authorized to execute a contract with Francis Excavating, LLC. Of Texarkana, Texas, in an amount not to exceed $3,165,025.08, with funds budgeted in the 2022 Bond Fund (Fund 425).

SECTION 2: The City Council expressly approves the reconstruction of Galleria Oaks Drive to 34' wide instead of 37' wide to accommodate the construction of the shared use path within existing right of way. In the event of any conflict between this Ordinance and any other ordinances or parts of ordinances, including but not limited to collector street minimum width requirements in Section 130-149(a)(2) of the Code of Ordinances, this Ordinance shall supersede and control.

SECTION 3: In the event 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.

Attachment: 2024-110 ORD Galleria&Moores str proj. signed (4318 : 2024-110 ORD Galleria Oaks/Moores Lane Str Recon Proj)

SECTION 4: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

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

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

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:26p.m.

Attachment: 2024-110 ORD Galleria&Moores str proj. signed (4318 : 2024-110 ORD Galleria Oaks/Moores Lane Str Recon Proj)

2024-110 EXH A

Bid Tabulation
for
Galleria Oaks and Moores Lane Street Reconstruction Project

	#23-1901-01 September 12th, 2024 10:00am			Francis Excavating, LLC 1356 S Kings Hwy Texarkana, TX 75501		Tatum Excavating Company, Inc. 2416 S. Lake Drive Texarkana, Tx 75501		Stan Excavating 699 Heritage Oaks, Texarkana, TX 75503	
Item #	Description	ESTIMATED QTY	UNIT OF MEASURE	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1	Mobilization	1	LS	$157,737.00	$157,737.00	$158,725.19	$158,725.19	$193,000.00	$193,000
2	Traffic Control Plan Preparation	1	LS	$7,850.00	$7,850.00	$2,500.00	$2,500.00	$5,000.00	$5,000
3	Barricades, Signs, & Traffic Control Implementation and Maintenance	12	MO	$2,000.00	$24,000.00	$19,950.00	$239,400.00	$6,000.00	$72,000
4	Project Sign	3	EA	$750.00	$2,250.00	$425.00	$1,275.00	$1,200.00	$3,600
5	Silt Fence	8,766	LF	$4.25	$37,255.50	$6.00	$52,596.00	$4.25	$37,255
6	Rock Filter Dam Typ II	4	EA	$1,500.00	$6,000.00	$1,150.00	$4,600.00	$1,600.00	$6,400
7	Inlet Protection	6	EA	$325.00	$1,950.00	$425.00	$2,550.00	$250.00	$1,500
8	Block Sodding	5,430	SY	$15.50	$84,165.00	$11.00	$59,730.00	$38.44	$208,725
9	ormwater Pollution Prevention P	1	LS	$3,500.00	$3,500.00	$1,590.00	$1,590.00	$4,000.00	$4,000
10	Retaining Wall (Block)	14	SF	$107.00	$1,498.00	$265.00	$3,710.00	$100.00	$1,400
11	Erosion Control Plan	1	LS	$5,000.00	$5,000.00	$18,300.00	$18,300.00	$12,000.00	$12,000
12	Remove & Disposal Reinforced Concrete Pavement	22,950	SY	$14.85	$340,807.50	$17.50	$401,625.00	$32.00	$734,400
13	Remove & Disposal Reinforced Concrete Sidewalk	183	SY	$11.25	$2,058.75	$14.00	$2,562.00	$32.00	$5,856
14	Remove Retaining Wall	3	SY	$250.00	$750.00	$395.00	$1,185.00	$50.00	$150
15	Remove Curb Inlet	4	EA	$2,250.00	$9,000.00	$1,475.00	$5,900.00	$2,500.00	$10,000
16	Remove Existing 48" RCP	67	LF	$75.00	$5,025.00	$35.00	$2,345.00	$50.00	$3,350
17	Remove Existing 36" RCP	46	LF	$75.00	$3,450.00	$30.00	$1,380.00	$45.00	$2,070
18	Remove Existing 18" RCP	195	LF	$45.00	$8,775.00	$25.00	$4,875.00	$40.00	$7,800
19	Unclassified Excavation	1685	CY	$30.00	$50,550.00	$65.00	$109,525.00	$50.00	$84,250
20	Discard and Haul Excess Material	425	CY	$15.00	$6,375.00	$30.00	$12,750.00	$50.00	$21,250
21	Reinforced Concrete Pavement (8")	21,642	SY	$81.69	$1,767,934.98	$83.50	$1,807,107.00	$93.71	$2,028,07
22	Reinforced Concrete Pavement (5")	1,650	SY	$101.85	$168,052.50	$92.10	$151,965.00	$102.76	$169,554
23	Colored Textured Concrete Pavement (4")	28	SY	$228.90	$6,409.20	$435.00	$12,180.00	$360.00	$10,080
24	6" Lime Treated Existing Material (28#/SY)	5,284	SY	$15.60	$82,430.40	$15.00	$79,260.00	$9.60	$50,726
25	6" Monolithic Curb	9,503	LF	$7.35	$69,847.05	$11.00	$104,533.00	$14.40	$136,843
26	Barrier Free Ramps (TY 7)	29	EA	$2,169.30	$62,909.70	$1,415.00	$41,035.00	$2,130.00	$61,770
27	Barrier Free Ramps (TY 21)	5	EA	$4,002.60	$20,013.00	$2,475.00	$12,375.00	$1,805.00	$9,025
28	Storm Sewer Junction Box (PJB) (5X5)	1	EA	$6,716.50	$6,716.50	$6,120.00	$6,120.00	$8,000.00	$8,000
29	15' Double Curb Inlet	2	EA	$10,415.80	$20,831.60	$9,135.00	$18,270.00	$8,000.00	$16,000
30	Inlet PCU - Y - 5 RT & LT Ext	2	EA	$8,477.80	$16,955.60	$8,020.00	$16,040.00	$8,000.00	$16,000
31	Inlet PCO - Y- 4 RT & LT Ext	1	EA	$8,580.40	$8,580.40	$8,045.00	$8,045.00	$8,000.00	$8,000
32	Inlet PCO - Y - 6 RT & LT Ext	1	EA	$8,947.10	$8,947.10	$8,020.00	$8,020.00	$8,000.00	$8,000
33	48" RCP, Class III Pipe	42	LF	$482.14	$20,249.88	$489.00	$20,538.00	$405.00	$17,010.00

Attachment: 2024-110 ORD Galleria&Moores str proj. signed (4318 : 2024-110 ORD Galleria Oaks/Moores Lane Str Recon Proj)

2024-110 EXH A

34	42" RCP, Class III Pipe	33	LF	$227.18	$7,496.94	$247.37	$8,163.21	$197.00	$6,5
35	36" RCP, Class III Pipe	233	LF	$163.91	$38,191.03	$210.00	$48,930.00	$165.00	$38,4
36	24" RCP, Class III Pipe	141	LF	$83.23	$11,735.43	$126.00	$17,766.00	$118.00	$16,6
37	18" RCP, Class III Pipe	188	LF	$67.13	$12,620.44	$115.00	$21,620.00	$115.00	$21,6
38	Trench Excavation Protection Plan (Storm Sewer)	1	LS	$150.00	$150.00	$530.00	$530.00	$4,000.00	$4,0
39	Trench Excavation Protection (0'-5' Depth)	188	LF	$13.34	$2,507.92	$2.00	$376.00	$2.00	$3
40	Trench Excavation Protection (5'-10' Depth)	449	LF	$13.34	$5,989.66	$2.00	$898.00	$3.00	$1,3
41	Reflectorized Pavement Markings TY II (8") (W) (SLD)	640	LF	$0.44	$281.60	$0.40	$256.00	$0.44	$2
42	Reflectorized Pavement Markings TY II (8") (W) (BRKN)	500	LF	$0.44	$220.00	$0.40	$200.00	$0.44	$2
43	Reflectorized Pavement Markings TY II (6") (Y) (SLD)	6617	LF	$0.44	$2,911.48	$0.40	$2,646.80	$0.44	$2,9
44	Reflectorized Pavement Markings TY II (6") (Y) (BRKN)	6557	LF	$0.44	$2,885.08	$0.40	$2,622.80	$0.44	$2,8
45	Reflectorized Pavement Markings TY II (6") (Y) (DBL	942	LF	$0.99	$932.58	$1.00	$942.00	$1.00	$9
46	Reflectorized Pavement Markings TY I (Stop Bar) (24")	68	LF	$22.00	$1,496.00	$21.00	$1,428.00	$22.00	$1,4
47	Reflectorized Pavement Markings TY I (Arrow) (W)	59	EA	$302.50	$17,847.50	$290.00	$17,110.00	$297.00	$17,5
48	Reflectorized Pavement Markings TY I (Word) (W)	13	EA	$352.00	$4,576.00	$340.00	$4,420.00	$345.00	$4,4
49	Reflectorized Pavement Markings TY I (CW) (24") (W)	81	LF	$22.00	$1,782.00	$21.00	$1,701.00	$22.00	$1,7
50	Raised Pavement Marker Refl Pav Mrkr TY II-A-A	24	EA	$11.00	$264.00	$11.00	$264.00	$11.00	$2
51	Raised Pavement Marker Refl Pav Mrkr TY I-C	8	EA	$11.00	$88.00	$11.00	$88.00	$11.00	$
52	Relocate Existing Sign & Post	6	EA	$250.00	$1,500.00	$885.00	$5,310.00	$250.00	$1,5
53	Sign & Post Assembly (Speed Limit 30) (R2-1)	4	EA	$850.00	$3,400.00	$1,025.00	$4,100.00	$1,000.00	$4,0
54	Sign & Post Assembly (Curve) (W1-2L)	1	EA	$850.00	$850.00	$1,035.00	$1,035.00	$1,000.00	$1,0
55	Sign & Post Assembly (Curve) (W1-2R)	1	EA	$850.00	$850.00	$1,035.00	$1,035.00	$1,000.00	$1,0
56	Condt (PVC) (SCH 80) (2")	190	LF	$23.65	$4,493.50	$25.00	$4,750.00	$30.00	$5,7
57	Condt (HDPE) (2") Bore	20	LF	$250.00	$5,000.00	$35.00	$700.00	$150.00	$3,0
58	Ground Box TY A (122311)	2	EA	$1,075.00	$2,150.00	$2,550.00	$5,100.00	$1,500.00	$3,0
59	Ped Sig Sec (LED) (Countdown)	2	EA	$940.63	$1,881.26	$1,480.00	$2,960.00	$2,000.00	$4,0
60	Trf Sig Cbl (TY A) (14 AWG) (5 CONDR)	375	LF	$12.90	$4,837.50	$4.60	$1,725.00	$4.00	$1,5
61	Pedestal Pole Assembly	1	EA	$3,010.00	$3,010.00	$4,860.00	$4,860.00	$3,750.00	$3,7
62	Ped Detect Push Button (APS)	2	EA	$2,257.50	$4,515.00	$2,130.00	$4,260.00	$2,000.00	$4,0
63	Ped Detector Controller Unit	1	EA	$2,687.50	$2,687.50	$5,150.00	$5,150.00	$4,000.00	$4,0
	Total Base Bid				**$3,165,025.08**		**$3,543,558.00**		**$3,904,0**

Attachment: 2024-110 ORD Galleria&Moores str proj. signed (4318 : 2024-110 ORD Galleria Oaks/Moores Lane Str Recon Proj)

City of Texarkana, Texas

Version: B

Briefing Sheet

Update Date: 9/20/2024 9:33 AM

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

Subject: Resolution No. 2024-111 authorizing the City Manager to execute a local on-system agreement (LOSA) with the Texas Department of Transportation (TxDOT) for the Galleria Oaks and Moores Lane Street Reconstruction Project.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The City of Texarkana, Texas is preparing for a concrete street replacement and shared-use path construction along Galleria Oaks and Moores Lane. This includes signalization, pedestrian facility, storm drainage, and concrete pavement work within the Texas Department of Transportation (TxDOT) Right-of-Way along FM 1397 (Summerhill Road).

Work within TxDOT Right-of-Way necessitates a Local On-System Agreement (LOSA). Attached to this resolution is the draft agreement (EXH 'A') created by TxDOT and its attachments, to be finalized after acceptance of this resolution.

Thie City is responsible for all costs associated with this construction. This work is tied to the approval of Ordinance 2024-110 related to the Galleria Oaks and Moores Lane Street Reconstruction Project.

Potential Options:

- Approve
- Not Approve

Fiscal Implications:

Funding is tied to approval of Ordinance 2024-110. Funds are available in the 2022 Bond Fund.

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. 2024-111 RES Galleria Oaks and Moores Lane LOSA (DOCX)
b. 2024-111 EXH A 1 LOSA Signature Pages (DOCX)
c. 2024-111 ATTH A LOSA Location Map (DOCX)
d. 2024-111 ATTH B LOSA Budget (DOCX)
e. 2024-111 ATTH C LOSA Resolution (DOCX)
f. 2024-111 Goals & Perspectives (DOCX)
g. 2024-111 RES Galleria&Moores LOSA signed (PDF)

Staff Coordination

Public Works Department	Completed	Dusty Henslee	Department Head Review	09/16/2024 11:06 AM
Finance Department	Kristin Peeples	Finance Review	Completed	09/17/2024 2:19 PM
City Attorney	Jeffery C. Lewis	Action	Completed	09/19/2024 10:58 AM
City Manager	David Orr	City Manager Review	Completed	09/19/2024 1:50 PM
City Council	Jennifer Evans	Meeting	Completed	09/23/2024 6:00 PM

Meeting History

Attachment: 2024-111 RES Galleria Oaks and Moores Lane LOSA (4319 : 2024-111 RES Galleria Oaks/Moores Lane Local On-System Agrmt)

RESOLUTION NO. 2024-111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LOCAL ON-SYSTEM AGREEMENT (LOSA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE GALLERIA OAKS AND MOORES LANE STREET RECONSTRUCTION PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City, is engineering and constructing sidewalks, pedestrian signals, storm drains, and concrete paving on FM 1397 as part of the Galleria Oaks and Moores Lane Street Reconstruction Project; and

WHEREAS, the scope of this project necessitates a Local On-System Agreement (LOSA) by and between the State of Texas, acting by and through TxDOT, and the City of Texarkana, for the provision of a Local On-System Improvement Project;

WHEREAS, the City is financially responsible for project costs and overruns, if applicable; and

WHEREAS, the City is authorized to enter into a LOSA with TxDOT.

WHEREAS, the City authorizes the City Manager for the LOSA.

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

SECTION 1: The City of Texarkana, Texas supports entering into an agreement with TxDOT, as described above, and is willing to commit to the project's development, implementation, construction, maintenance, management and/or financing.

SECTION 2: The City Manager is hereby authorized to enter into said agreement with TxDOT to provide for a Local On-System Improvement Project.

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

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

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

CSJ #	**19-4LOSA003**
District #	**19-Atlanta**
Code Chart 64 #	**42250 – City of Texarkana**
Project Name	**Galleria Oaks and Moores Lane at FM 1397**

2024-111 EXH 'A'

STATE OF TEXAS §

COUNTY OF TRAVIS §

AGREEMENT
For A
LOCAL ON-SYSTEM IMPROVEMENT PROJECT

THIS AGREEMENT (Agreement) is made by and between the State of Texas, acting by and through the Texas Department of Transportation called the "State", and the **City of Texarkana**, acting by and through its duly authorized officials, called the "Local Government." The State and Local Government shall be collectively referred to as "the parties" hereinafter.

WITNESSETH

WHEREAS, the Texas Transportation Code, Section 201.103 establishes that the State shall design, construct and operate a system of highways in cooperation with local governments and Section 222.052 authorizes the Texas Transportation Commission to accept contributions from political subdivisions for development and construction of public roads and the state highway system within the political subdivision; and

WHEREAS, the Texas Transportation Commission passed Minute Order Number **{Enter MO #}**, authorizing the State to accept Local Government funded projects performed on the state highway system. The project covered by this Agreement includes only work within the state right of way as described in the Agreement, Article 2, Scope of Work (Project); and,

WHEREAS, the Governing Body of the Local Government has approved entering into this Agreement by resolution, ordinance, or commissioners court order dated **{Enter Date of Resolution}**, which is attached to and made a part of this Agreement as Attachment C, Resolution, Ordinance, or Commissioners Court Order (Attachment C) for the improvement covered by this Agreement. A map showing the Project location appears in Attachment A, Project Location Map (Attachment A), which is attached to and made a part of this Agreement**.**

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, to be by them respectively kept and performed as set forth in this Agreement, it is agreed as follows:

AGREEMENT

1. Period of the Agreement

This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until the completed Project is accepted by the State or unless terminated as provided below.

Attachment: 2024-111 EXH A 1 LOSA Signature Pages (4319 : 2024-111 RES Galleria Oaks/Moores Lane Local On-System Agrmt)

CSJ #	**19-4LOSA003**
District #	**19-Atlanta**
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Project Name	**Galleria Oaks and Moores Lane at FM 1397**

2024-111 EXH 'A'

2. Scope of Work

The Project consists of engineering and construction of sidewalks, pedestrian signals, storm drain, and concrete paving on FM 1397 at Galleria Oaks and Moore's Lane in Texarkana, Texas as shown in Attachment A.

3. Local Project Sources and Uses of Funds

A. The total estimated cost of the Project is shown in Attachment B, Local On-System Improvement Project Budget (Attachment B), which is attached to and made a part of this Agreement. The estimated funds from the Local Government are shown in Attachment B. The State will pay for no Project costs performed by or managed by Local Government under this Agreement.

B. Attachment B shows how necessary resources for completing the Project will be provided by major cost categories. These categories may include but are not limited to: (1) costs of real property (right of way); (2) costs of utility work; (3) costs of environmental assessment and remediation; (4) cost of preliminary engineering and design; (5) cost of construction and construction management; and (6) any other Project costs.

C. The Local Government shall be solely responsible for all of its costs associated with the Project provided for in this Agreement. The Local Government shall be responsible for cost overruns for the Project in excess of the estimated amount to be paid by the Local Government on Attachment B. The Local Government shall also be responsible for direct and indirect costs incurred by the State related to performance of this project if so indicated on Attachment B. If the State determines that the on-system improvements are of significant operational benefit to the State, the State may waive its direct or indirect costs. The State's waiver of its direct or indirect costs shall be indicated on Attachment B by showing the State as responsible for these costs. When the Local Government is responsible for the State's direct or indirect costs, the amount indicated on Attachment B is a fixed fee and not subject to adjustment except through the execution of an amendment to this Agreement.

D. Prior to the performance of any engineering review work by the State, the Local Government shall pay to the State the amount of direct and indirect State costs specified in Attachment B.

E. Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation" or may use the State's Automated Clearing House (ACH) system for electronic transfer of funds in accordance with instructions provided by TxDOT's Financial Management Division. The funds shall be deposited and managed by the State and are not refundable.

F. The Local Government will begin construction on the Project within 6 months after execution of the Agreement.

G. The Local Government will complete construction and receive the State's acceptance of the project within 12 months after the date the State authorizes in writing for the Local Government to commence construction of the Project.

H. If the Local Government chooses not to or fails to complete the work once construction on the Project commences, the State may terminate this Agreement in accordance with paragraph 4.C. below. The State may address unfinished construction work as it

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CSJ #	**19-4LOSA003**
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Project Name	**Galleria Oaks and Moores Lane at FM 1397**

determines necessary to protect the interests of the State, which includes returning the Project area to its original condition or completing the work using State forces or contractors. The Local Government shall pay all costs incurred by the State under this provision.

4. Termination of this Agreement

This Agreement shall remain in effect until the Project is completed and accepted by the State, unless:

A. The Agreement is terminated in writing with the mutual consent of the parties;

B. The State terminates the Agreement in writing due to the Local Government's failure to comply with paragraphs 3.F or 3.G; or

C. The Agreement is terminated by one party because of a breach, in which case any cost incurred because of the breach shall be paid by the breaching party.

5. Amendments

Amendments to this Agreement due to changes in the character of the work, terms of the Agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written amendment. Amendments may not include the addition of State or Federal funds. If any funds other than Local Government funds are proposed, this Agreement must be terminated and a new agreement with appropriate terms and clauses executed in its place.

6. Remedies

This Agreement shall not be considered as specifying the exclusive remedy for any Agreement default, but all remedies existing at law and in equity may be availed of by either party to this Agreement and shall be cumulative.

7. Architectural and Engineering Services

The Local Government has responsibility for the performance of architectural and engineering services. The engineering plans shall be developed in accordance with the applicable *State's Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges* and the special specifications and special provisions related to it. The Project design shall, at a minimum conform to applicable State manuals.

The State shall review the plans, specifications, and estimates provided by the Local Government upon completion or at any time deemed necessary by the State. Should the State determine that the complete plans, specifications, and estimates for the Project are not acceptable, the Local Government shall correct the design documents to the State's satisfaction. Should additional specifications or data be required by the State, the Local Government shall redesign the plans and specifications to the State's satisfaction. The costs for additional work on the plans, specifications, and estimates shall be borne by the Local Government.

8. Environmental Assessment and Mitigation

Development of a transportation project must comply with applicable environmental laws. The Local Government is responsible for:

Attachment: 2024-111 EXH A 1 LOSA Signature Pages (4319 : 2024-111 RES Galleria Oaks/Moores Lane Local On-System Agrmt)

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Project Name	**Galleria Oaks and Moores Lane at FM 1397**

A. The identification and assessment of any environmental problems associated with the development of the Project governed by this Agreement.
B. The cost of any environmental problem's mitigation and remediation.
C. Providing any public meetings or public hearings required for development of all required environmental documents and obtaining all required permits and approvals.
D. The preparation of documents required for the environmental clearance of the Project.

Before the advertisement for bids, the Local Government shall provide to the State written documentation from the appropriate regulatory agency or agencies that all environmental clearances and approvals have been obtained.

9. Right of Way and Real Property

The Local Government shall acquire all required right of way and necessary right of entry for performance of the Project in accordance with applicable requirements of the Texas Department of Transportation Right of Way Manual, State law, and Federal law governing the acquisition of real property including but not limited to Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C.A. Section 4601 et seq. Right of way acquired for improvements to the state highway system shall be acquired in the name of the State. Local Government shall provide right of entry to State personnel and its authorized representatives to areas off the state highway system throughout the duration of the Project for the State to perform inspection and oversight of the Project.

10. Utilities

The Local Government shall be responsible for the adjustment, removal, or relocation of utility facilities for the Project in accordance with applicable State and Federal laws, regulations, rules, policies, and procedures, including any cost to the State of a delay resulting from the Local Government's failure to ensure that utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. The Local Government will not be reimbursed for the cost of required utility work. The Local Government must obtain advance approval for any variance from established procedures.

11. Compliance with Texas Accessibility Standards and ADA

Local Government shall ensure that the plans for and the construction of the Project are in compliance with standards issued or approved by the Texas Department of Licensing and Regulation (TDLR) as meeting or consistent with minimum accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

12. Construction Responsibilities

A. The Local Government shall advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of the Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction contract. Project plans and specifications for improvements on the state highway system must be approved by the State prior to advertising for

Attachment: 2024-111 EXH A 1 LOSA Signature Pages (4319 : 2024-111 RES Galleria Oaks/Moores Lane Local On-System Agrmt)

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Project Name	**Galleria Oaks and Moores Lane at FM 1397**

construction. Upon selection of a contractor and prior to commencing construction within the state highway system right of way, the Local Government shall request and obtain written authorization to commence construction of the Project from the State. The Local Government will supervise and inspect all work performed hereunder and provide such engineering inspection and testing services as may be required to ensure that the construction is accomplished in accordance with the approved plans and specifications. All construction change orders impacting the proposed improvements, traffic control, environmental mitigation, or drainage on the state highway system require written pre-approval by the State prior to execution by the Local Government.

B. Upon completion of the Project, the Local Government will issue and sign a "Notification of Completion" acknowledging the Project's construction completion. A copy will be provided to the State prior to State's final acceptance of the improvements.

C. Prior to the State's acceptance of the improvements on the state highway system, Local Government shall furnish to the State written certification from a Texas Registered Professional Engineer that the Project was constructed in substantial compliance with the Project's plans, specifications, and quality assurance requirements.

13. Project Maintenance

After Local Government completion of the work and acceptance by the State, the State will be responsible for maintenance of the improvements within the state highway system right of way outside the boundaries of an incorporated city. This obligation may be fulfilled through other agreements signed by the State.

14. Notices

All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to that party at the following address:

Local Government	State
Position City of Texarkana 220 Texas Boulevard Texarkana, TX 75501	Director of Contract Services Texas Department of Transportation 125 E. 11th Street Austin, Texas 78701

All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this Agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

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Project Name	**Galleria Oaks and Moores Lane at FM 1397**

15. Legal Construction

If one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions and this Agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

16. Responsibilities of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party, and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

17. Ownership of Documents

Upon completion or termination of this Agreement, copies of all documents and data prepared under this Agreement by the Local Government for improvements within the state highway system right of way shall be provided to the State prior to State acceptance of the Project without restriction or limitation on their further use. The originals shall remain the property of the Local Government. At the request of the State, the Local Government shall submit any Project information required by the State in the format directed by the State.

18. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this Agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

19. Sole Agreement

This Agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the Agreement's subject matter.

20. Inspection of Books and Records

The parties to this Agreement shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred and engineering inspection and testing services performed under this Agreement and shall make such materials available to the State and the Local Government or their duly authorized representatives for review and inspection at its office during the Agreement period and for seven (7) years from the date of completion of work defined under this Agreement or until any impending litigation or claims are resolved. Additionally, the State and the Local Government and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

21. Insurance

Before beginning work on the state highway system, the Local Government and its contractor performing the work shall provide the State with a fully executed copy of the State's Form 1560

Attachment: 2024-111 EXH A 1 LOSA Signature Pages (4319 : 2024-111 RES Galleria Oaks/Moores Lane Local On-System Agrmt)

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2024-111 EXH 'A'

Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on state right of way. Self-insurance documentation acceptable to the State may be substituted for all or part of the coverage's required for the Local Government. This coverage shall be maintained until all work on the state right of way is complete. If coverage is not maintained, all work on state right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

22. Pertinent Non-Discrimination Authorities
During the performance of this Agreement, the Local Government, for itself, its assignees, and successors in interest agree to comply with all applicable Federal and State nondiscrimination statutes and authorities.

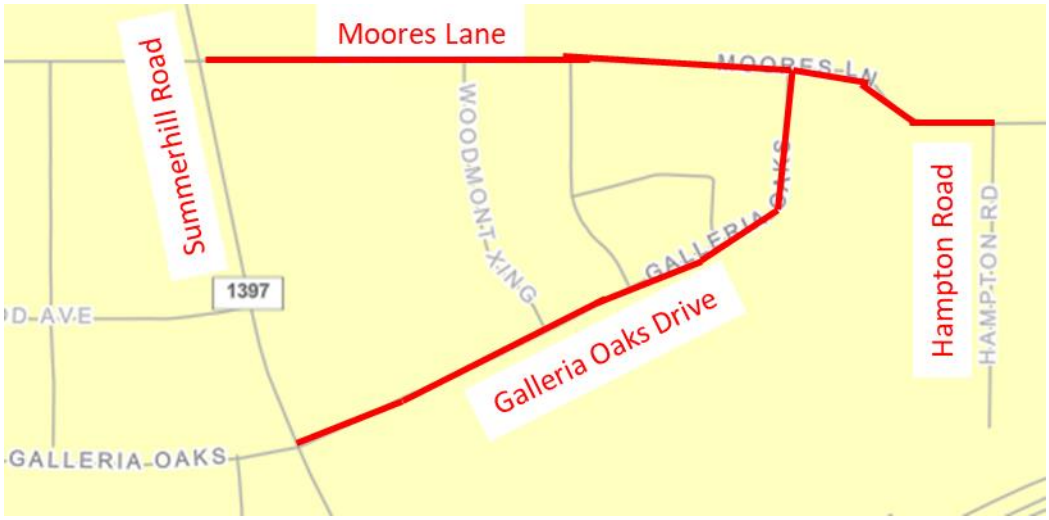
23. Signatory Warranty
Each signatory warrants that the signatory has necessary authority to execute this Agreement on behalf of the entity represented.

Each party is signing this agreement on the date stated under that party's signature.

THE STATE OF TEXAS	**THE LOCAL GOVERNMENT**
_____	_____
Signature	Signature
Kenneth Stewart	
Typed or Printed Name	Typed or Printed Name
Director of Contract Services	
Typed or Printed Title	Typed or Printed Title
_____	_____
Date	Date

Attachment: 2024-111 EXH A 1 LOSA Signature Pages (4319 : 2024-111 RES Galleria Oaks/Moores Lane Local On-System Agrmt)

ATTACHMENT A
PROJECT LOCATION MAP



Attachment: 2024-111 ATTH A LOSA Location Map (4319 : 2024-111 RES Galleria Oaks/Moores Lane Local On-System Agrmt)

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Project Name	**Galleria Oaks and Moores Lane at FM 1397**

ATTACHMENT B
LOCAL ON-SYSTEM IMPROVEMENT PROJECT BUDGET
(Locally Funded and Performed Project)

The Local Government is responsible for 100% of the costs allocated to it as described below, including overruns.

Description	Estimated Costs	Subtotals
PROJECT PHASES: Work performed by the Local Government or its Consultant or Contractor		
Environmental	$	
Right of Way	$	
Engineering	$	
Utility Work	$	
Construction	$	
Subtotal for Project Phases		$
DIRECT STATE COSTS:	**Paid By: ☐ Local Government ☐ State**	
Environmental	$	
Right of Way	$	
Engineering	$	
Utility Work	$	
Construction	$	
Subtotal for Direct State Costs		$
INDIRECT STATE COSTS:	**Paid By: ☐ Local Government ☐ State**	
Subtotal for Indirect State Costs		$
TOTAL ESTIMATED COST OF PROJECT		$

$	Fixed price amount of payment by the Local Government to the State for the State's direct and indirect costs as stated in Article 3, C and D of the Agreement.

Attachment: 2024-111 ATTH B LOSA Budget (4319 : 2024-111 RES Galleria Oaks/Moores Lane Local On-System Agrmt)

CSJ #	**19-4LOSA003**
District #	**19-Atlanta**
Code Chart 64 #	**42250 – City of Texarkana**
Project Name	**Galleria Oaks and Moores Lane at FM 1397**

ATTACHMENT C
RESOLUTION, ORDINANCE, OR COMMISSIONERS COURT ORDER

{Insert Local Government Resolution, Ordinance, or Commissioners Court Order}

Attachment: 2024-111 ATTH C LOSA Resolution (4319 : 2024-111 RES Galleria Oaks/Moores Lane Local On-System Agrmt)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2024-111 Goals & Perspectives (4319 : 2024-111 RES Galleria Oaks/Moores Lane Local On-System Agrmt)

RESOLUTION NO. 2024-111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LOCAL ON-SYSTEM AGREEMENT (LOSA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE GALLERIA OAKS AND MOORES LANE STREET RECONSTRUCTION PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City, is engineering and constructing sidewalks, pedestrian signals, storm drains, and concrete paving on FM 1397 as part of the Galleria Oaks and Moores Lane Street Reconstruction Project; and

WHEREAS, the scope of this project necessitates a Local On-System Agreement (LOSA) by and between the State of Texas, acting by and through TxDOT, and the City of Texarkana, for the provision of a Local On-System Improvement Project;

WHEREAS, the City is financially responsible for project costs and overruns, if applicable; and

WHEREAS, the City is authorized to enter into a LOSA with TxDOT.

WHEREAS, the City authorizes the City Manager for the LOSA.

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

SECTION 1: The City of Texarkana, Texas supports entering into an agreement with TxDOT, as described above, and is willing to commit to the project's development, implementation, construction, maintenance, management and/or financing.

SECTION 2: The City Manager is hereby authorized to enter into said agreement with TxDOT to provide for a Local On-System Improvement Project.

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

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

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:26p.m.

Attachment: 2024-111 RES Galleria&Moores LOSA signed (4319 : 2024-111 RES Galleria Oaks/Moores Lane Local On-System Agrmt)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 9/19/2024 10:38 AM

Lead Department: Human Resources **Action Officer:** J.W. Bramlett, Human Resources Specialist

Subject: Resolution No. 2024-107 approving the reappointment of Commissioner Jo Ann Rice to the Civil Service Commission.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Civil Service Commissioner Jo Ann Rice's term expires September 30, 2024. Per Sec. 143.006 (c-1) of the Texas Local Government Code, a Civil Service Commission member may not be reappointed to more than a third consecutive term unless the member's reappointment to a fourth or subsequent consecutive term is confirmed by a two-thirds majority of all the members of the municipality's governing body. Commissioner Rice has agreed to serve an additional three year term and has been reappointed by City Manager David Orr pending confirmation by City Council with a two-thirds majority vote.

Potential Options:

- Approve reappointment of Jo Ann Rice.
- Deny reappointment of Jo Ann Rice.

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval of reappointing Jo Ann Rice.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

City of Texarkana, Texas

Attachments

a. 2024-107 RES Civil Svc Comm appt Jo Ann Rice (DOCX)
b. 2024-107 Goals & Perspectives (DOCX)
c. 2024-107 RES Rice Reappt to CSC signed (PDF)

Staff Coordination

Human Resources	J.W. Bramlett 09/04/2024 9:40 AM	Department Head Review	Completed	
City Manager	David Orr	City Manager Review	Completed	09/04/2024 9:42 AM
City Council	Jennifer Evans	Meeting	Completed	09/23/2024 6:00 PM

Meeting History

RESOLUTION NO. 2024-107

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CONFIRMING THE REAPPOINTMENT OF MRS. JO ANN RICE TO THE CITY OF TEXARKANA, TEXAS CIVIL SERVICE COMMISSION; AND ESTABLISHING AN EFFECTIVE DATE.

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

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

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

WHEREAS, Section 143.006 (c-1) of the Texas Local Government Code requires Commission Members may be reappointed to a fourth or subsequent consecutive term if confirmed by a two-thirds majority vote of all members of the municipality's governing body; and

WHEREAS, Mrs. Jo Ann Rice has served more than three consecutive terms with her current term expiring September 30, 2024; and

WHEREAS, City Manager David Orr has reappointed Mrs. Jo Ann Rice to a three-year term.

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

SECTION 1: The City Council hereby confirms the City Manager's reappointment of Mrs. Jo Ann Rice to the Civil Service Commission for a term beginning October 1, 2024, and expiring September 30, 2027.

SECTION 2: This Resolution shall be in full force and effect upon 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

Attachment: 2024-107 RES Civil Svc Comm appt Jo Ann Rice (4315 : 2024-107 RES Reappointing Jo Ann Rice to Civil Service Commission)

City of Texarkana, Texas

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

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

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

Attachment: 2024-107 Goals & Perspectives (4315 : 2024-107 RES Reappointing Jo Ann Rice to Civil Service Commission)

RESOLUTION NO. 2024-107

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CONFIRMING THE REAPPOINTMENT OF MRS. JO ANN RICE TO THE CITY OF TEXARKANA, TEXAS CIVIL SERVICE COMMISSION; AND ESTABLISHING AN EFFECTIVE DATE.

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

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

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

WHEREAS, Section 143.006 (c-1) of the Texas Local Government Code requires Commission Members may be reappointed to a fourth or subsequent consecutive term if confirmed by a two-thirds majority vote of all members of the municipality's governing body; and

WHEREAS, Mrs. Jo Ann Rice has served more than three consecutive terms with her current term expiring September 30, 2024; and

WHEREAS, City Manager David Orr has reappointed Mrs. Jo Ann Rice to a three-year term.

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

SECTION 1: The City Council hereby confirms the City Manager's reappointment of Mrs. Jo Ann Rice to the Civil Service Commission for a term beginning October 1, 2024, and expiring September 30, 2027.

SECTION 2: This Resolution shall be in full force and effect upon 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

6:27 p.m.

Attachment: 2024-107 RES Rice Reappt to CSC signed (4315 : 2024-107 RES Reappointing Jo Ann Rice to Civil Service Commission)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 9/20/2024 8:43 AM

Lead Department: Human Resources **Action Officer:** J.W. Bramlett, Human Resources Specialist

Subject: Resolution No. 2024-113 confirming the City Manager's appointment of Brandon Washington to the Civil Service Commission for an unexpired term that ends August 7, 2025.

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

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

City Manager David Orr is recommending Brandon Washington to fill the unexpired term on the Civil Service Commission left vacant due to the passing of Gerald Brooks which will expire August 7, 2025 per Sec. 143.006 (b) of the Texas Local Government Code.

Potential Options:

- Approve
- Deny

Fiscal Implications:

NOT APPLICABLE

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. 2024-113 RES Civil Svc Comm appt Brandon Washington (DOCX)
b. 2024-113 Goals & Perspectives (DOCX)
c. 2024-113 RES Wasington Appt CSC signed (PDF)

Staff Coordination

Human Resources	J.W. Bramlett 09/17/2024 1:57 PM	Department Head Review	Completed	
City Manager	David Orr	City Manager Review	Completed	09/17/2024 3:52 PM
City Council	Jennifer Evans	Meeting	Completed	09/23/2024 6:00 PM

Meeting History

RESOLUTION NO. 2024-113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CONFIRMING THE APPOINTMENT OF MR. BRANDON WASHINGTON TO THE CITY OF TEXARKANA, TEXAS CIVIL SERVICE COMMISSION; AND ESTABLISHING AN EFFECTIVE DATE.

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

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

WHEREAS, if a vacancy occurs or if an appointee fails to qualify within ten days after the date of appointment, the chief executive shall appoint a person to serve for the remainder of the unexpired term in the same manner as the original appointment; and

WHEREAS, due to a vacancy occurring for a Commission member's three-year term which began August 8, 2022, and expires August 7, 2025, City Manager David Orr has appointed Mr. Brandon Washington to complete said term.

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

SECTION 1: The City Council hereby confirms the City Manager's appointment of Mr. Brandon Washington to the Civil Service Commission for an unexpired term that expires August 7, 2025.

SECTION 2: This Resolution shall be effective immediately upon 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

Attachment: 2024-113 RES Civil Svc Comm appt Brandon Washington (4321 : 2024-113 RES Appointment of Brandon Washington to Civil

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: 2024-113 Goals & Perspectives (4321 : 2024-113 RES Appointment of Brandon Washington to Civil Service Commission)

RESOLUTION NO. 2024-113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CONFIRMING THE APPOINTMENT OF MR. BRANDON WASHINGTON TO THE CITY OF TEXARKANA, TEXAS CIVIL SERVICE COMMISSION; AND ESTABLISHING AN EFFECTIVE DATE.

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

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

WHEREAS, if a vacancy occurs or if an appointee fails to qualify within ten days after the date of appointment, the chief executive shall appoint a person to serve for the remainder of the unexpired term in the same manner as the original appointment; and

WHEREAS, due to a vacancy occurring for a Commission member's three-year term which began August 8, 2022, and expires August 7, 2025, City Manager David Orr has appointed Mr. Brandon Washington to complete said term.

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

SECTION 1: The City Council hereby confirms the City Manager's appointment of Mr. Brandon Washington to the Civil Service Commission for an unexpired term that expires August 7, 2025.

SECTION 2: This Resolution shall be effective immediately upon 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

6:28p.m.

Attachment: 2024-113 RES Wasington Appt CSC signed (4321 : 2024-113 RES Appointment of Brandon Washington to Civil Service

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 9/20/2024 8:42 AM

Lead Department: Planning and Community Development **Action Officer:** Daphnea Ryan,

Subject: Ordinance No. 2024-108 authorizing the City Manager to accept an EPA Brownfields Job Training Grant in the amount of $500,000, enter into a sub-grant with Texarkana College, execute all necessary contracts and documents, and amend budgeted revenues and expenditures for FY25 adding the amount of Five Hundred Thousand Dollars ($500,000) to EPA Job Training Fund 206.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

The City was awarded $500,000 from the US Environmental Protection Agency for Job Training in partnership with Texarkana College. The Job Training program was created because EPA found that jobs for cleanup, especially in smaller communities, were being performed by out of town or out of state residents as there was not a local workforce trained to complete the work. EPA Brownfields Job Training is to help ensure that individuals living in the areas affected by Brownfields sites have an opportunity to be trained to work in their home area for the cleanup of Brownfield sites.

The City will need to enter into a sub-contract with Texarkana College to implement the training curriculum. For this current grant award, the training identified and approved in the grant application is Class A CDL with an option to obtain a Hazardous Materials Endorsement which allows drivers to haul hazardous waste. These funds will allow training for approximately forty-four (44) unemployed or underemployed individuals including providing stipends for classroom hours for individuals without other income.

The grant period will begin October 1, 2024 and end September 30, 2029, although, staff anticipates being able to utilize all funds within two years. Once seventy-five (75) percent of funds is depleted, the City will have an option to apply for additional funds adding more training options to the curriculum.

Staff have developed a rough draft of the sub-award agreement (Attachment I) utilizing EPA's Template (Exhibit A). This document currently contains the majority of required language but cannot be completed until the City receives the Cooperative Agreement from the EPA, which is expected by October 1, 2024.

The fiscal year beginning October 1, 2024 and ending September 30, 2025 budget was ratified and will require an amendment to estimated budgeted revenues and expenditures in the amount of five

hundred thousand dollars in Fund 206, which was established for a prior EPA Brownfields Job Training Grant.

Potential Options:

- Approve
- Deny

Fiscal Implications:

All cost are grant funded. The City will receive approximately $31,000 in salary/fringe that will offset general fund expenses between two staff positions.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NOT APPLICABLE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2024-108 ORD EPA JT Grant and a Subrecipient AGR with TC (DOCX)
b. 2024-108 EXH A EPA Subaward Template (PDF)
c. 2024-108 ATTH 01 Subaward_Agreement_2024 Rough Draft (DOC)
d. 2024-108 Goals & Perspectives (DOCX)
e. 2024-108 ORD EPA brownfields grant signed (PDF)

Staff Coordination

Finance Department	Kristin Peeples	Review	Completed	09/19/2024 4:42 PM
Planning and Community Development		Vashil Fernandez Completed	Department Head Review	09/20/2024 9:08 AM
City Manager	David Orr	City Manager Review	Completed	09/20/2024 10:56 AM
City Council	Jennifer Evans	Meeting	Completed	09/23/2024 6:00 PM

Meeting History

ORDINANCE NO. 2024-108

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT AN EPA BROWNFIELDS JOB TRAINING GRANT IN THE AMOUNT OF $500,000, ENTER INTO A SUB-GRANT AGREEMENT WITH TEXARKANA COLLEGE, EXECUTE ALL NECESSARY CONTRACTS AND DOCUMENTS, AND AMENDING THE BUDGET FOR THE EPA JOB TRAINING GRANT FUND (FUND 206) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2025 TO INCLUDE ADDITIONAL REVENUE AND EXPENDITURES OF FIVE HUNDRED THOUSAND DOLLARS ($500,000), AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City applied for and was awarded $500,000 in EPA Brownfields Job Training Grant Funds; and

WHEREAS, Texarkana College serves the Texarkana and surrounding areas offering the needed courses; and

WHEREAS, the City and Texarkana College identified the need for certificate training for unemployed and underemployed residents; and

WHEREAS, the City and Texarkana College have a desire to partner to fulfill the requirements of this grant; and

WHEREAS, the funds were not included in the original budget for fiscal year ending September 30, 2025; and

WHEREAS, the EPA Job Training Grant Fund **(**Fund 206) was established for a prior EPA Brownfields Job Training Grant; and

WHEREAS, staff recommends amending the budgeted revenue and expenditures in the EPA Job Training Grant Fund (Fund 206) for the fiscal year beginning October 1, 2024, and ending September 30, 2025, to include the grant award.

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

SECTION 1: The City Manager is hereby authorized to accept the $500,000 EPA Brownfields Job Training Grant.

SECTION 2: The City Manager is hereby authorized to execute a sub-grant agreement with Texarkana College to implement this grant.

SECTION 3: The City Manager is hereby authorized to execute any needed contracts and other documents related to implementing this grant.

Attachment: 2024-108 ORD EPA JT Grant and a Subrecipient AGR with TC (4316 : 2024-108 ORD EPA Brownfields JT Grant and Exectue Sub-

SECTION 4: The budget estimate of the revenue 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, shall be amended to include additional revenue and expenditures of **FIVE HUNDERD THOUSAND DOLLARS ($500,000)** in the EPA Job Training Grant Fund (Fund 206).

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

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

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2024-108 ORD EPA JT Grant and a Subrecipient AGR with TC (4316 : 2024-108 ORD EPA Brownfields JT Grant and Exectue Sub-

EPA Subaward Policy Appendix D: Subaward Agreement Template

OVERVIEW: Program Offices may provide this subaward template to recipients of EPA financial assistance that are "pass-through entities" as defined by 2 CFR 200.74 to assist them in complying with the "subaward content" requirements in 2 CFR 200.331(a). EPA does not mandate the use of this template. Pass-through entities may use their own form of subaward agreements provided the requirements of 2 CFR 200.331(a) are met. Any changes to the data elements that are required under 2 CFR 200.331(a) must be reflected in subsequent modifications to subawards. If any of the information required by 2 CFR 200.331(a) is not available, pass-through entities must provide the best information that is available to describe the Federal award and subaward.

Section I. [Title and Description of Subaward including whether the Subaward is for Research and Development]

Section II. Federal Requirements.

A. Federal Award Identification.

1. Subrecipient name--which must match registered name in the System for Award Management (SAM). If the subrecipient is not yet registered in SAM, then information about registration procedures may be found at the SAM Internet site (currently at http://www.sam.gov).

2. The subrecipient's "unique entity identifier" in SAM. The unique entity identifier currently is the subrecipient's Data Universal Numbering System (DUNS) number. DUNS numbers may be obtained without charge at http://fedgov.dnb.com/webform.

Note: Additional information regarding obtaining a DUNS number and registering in SAM is available in the **"General Term and Conditions"** (T&Cs), under the **"Central Contractor Registration/System for Award Management and Universal Identifier Requirements"** T&C, of the pass-through entity's agreement with EPA.

3. Federal Award Identification Number (FAIN) The FAIN corresponds with the "Assistance ID No." on the EPA Notice of Award.

4. EPA Award Date. This is the date the EPA Award Official signs the assistance agreement with the pass-through entity and may be found on page 1 of the EPA Notice of Award.

5. Subaward Period of Performance Start and End Date;

6. Amount of EPA Funds Obligated under the initial subaward or this particular funded amendment to the subaward.

7. Total or cumulative amount of EPA Funds Obligated to the subrecipient under the initial subaward plus any subsequent funded amendments;

8. Total Amount of the EPA Award(s) to the pass-through entity. This amount corresponds to the amounts in the "Total Budget Period Cost" and "Total Project Period Cost" boxes on page 1 of the EPA Notice of Award.

Attachment: 2024-108 EXH A EPA Subaward Template (4316 : 2024-108 ORD EPA Brownfields JT Grant and Exectue Sub-Grant with TC)

9. Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA). This information may be found in the "Project Title and Description" box on page 1 of the EPA Notice of Award.

10. Information identifying EPA as the Federal awarding agency, your organization as the pass-through entity, and contact information for your awarding official for the subaward.

11. Catalog of Federal Domestic Assistance (CFDA) Number and Name for each EPA award used to support the subaward. CFDA information for the pass-through entities' EPA award may be found on page 2 of EPA's Notice of Award form in the second chart under "EPA Award Information". (Note the Uniform Grant Guidance requires at 2 CFR 200.331(a)(1)(xi) that the Pass-through entities identify the dollar amount under each Federal award and the CFDA number at the time of disbursement of Federal funds to the subrecipient so it is important for pass-through entities to maintain accounting records to meet this requirement.

12. Indirect cost rate for the pass-through entity's Federal award. This rate may be found on page 3 of the pass-through entity's EPA Award in Table A, Object Class Category and may be the 10% de-minimis indirect cost rate described at 2 CFR 200.414(f).

B. All "flow down" requirements imposed on the subrecipient by the pass-through entity to ensure that the EPA award is used in accordance with Federal statutes, regulations and the terms of the EPA award. The subrecipient is accountable to the pass-through entity for compliance with Federal requirements. In turn, the pass-through entity is responsible to EPA for ensuring that subrecipients comply with Federal requirements.

These requirements include, among others:

1. Title VI of the Civil Rights Act and other Federal statutes and regulations prohibiting discrimination in Federal financial assistance programs, as applicable.

2. Reporting Subawards and Executive Compensation under Federal Funding Accountability and Transparency Act (FFATA) set forth in General Condition of the pass-through entity's agreement with EPA entitled **"Reporting Subawards and Executive Compensation."**

3. Limitations on individual consultant fees as set forth in General Condition 2 CFR 1500.9 and the General Condition of the pass-through entity's agreement with EPA entitled **"Consultant Fee Cap."**

4. EPA's prohibition on paying management fees as set forth in General Condition of the pass-through entity's agreement with EPA entitled **"Management Fees."**

5. The Procurement Standards in 2 CFR Part 200 including those requiring competition when the subrecipient acquires goods and services from contractors (including consultants).

EPA provides general information on other statutes, regulations and Executive Orders on the Grants internet site at www.epa.gov/grants. Many Federal requirements are agreement or program specific and EPA encourages pass-through entities to review the terms of their assistance agreement carefully and consult with their EPA Project Officer for advice, if necessary.

C. Any additional requirements such as financial and performance reports the pass-through entity

Attachment: 2024-108 EXH A EPA Subaward Template (4316 : 2024-108 ORD EPA Brownfields JT Grant and Exectue Sub-Grant with TC)

imposes on the subrecipient to ensure that the pass-through entity meets its own responsibilities to the Federal awarding agency.

D. Subrecipient's Indirect Cost Rate. The indirect cost rate may be a rate negotiated and approved by the subrecipient's cognizant Federal agency. If the subrecipient does not have a Federal indirect cost rate, the pass-through entity may negotiate an indirect cost rate with the subrecipient that complies with 2 CFR Part 200, Subpart E or use the 10% de-minimis indirect cost rate described at 2 CFR 200.414(f).

E. Requirements for the subrecipient to provide access to subaward records so that the pass-through entity and Federal auditors may verify compliance with 2 CFR 200.331 as well as 2 CFR Part 200, Subpart D, Post Federal Award Requirements for Financial and Program Management, and 2 CFR Part 200, Subpart F, Audit Requirements. Examples of records include:

1. Subrecipient financial statements and reports;

2. Programmatic reports including information on environmental results

3. Audit findings

F. Additional Requirements imposed by the pass-through entity under 2 CFR 200.207 that reflect the pass-through entity's assessment of the subrecipient's risk of noncompliance with Federal statutes, regulations and the terms and conditions of the subaward based on the factors described at 2 CFR 200.331(b).

1. Risk factors may include:

(a) Prior experience with same or similar subawards;

(b) Results of previous audits;

(c) Whether new or substantially changed personnel or systems, and;

(d) Extent and results of Federal awarding agency or the pass-through entity's monitoring.

2. Examples of additional requirements authorized by 2 CFR 200.207 include:

(a) Requiring payments as reimbursements rather than advance payments;

(b) Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given period of performance;

(c) Requiring additional, more detailed financial reports;

(d) Requiring additional project monitoring;

(e) Requiring the non-Federal entity to obtain technical or management assistance, and;

(f) Establishing additional prior approvals.

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G. Terms and conditions concerning the close out of the subaward.

III. Other requirements based on the pass-through entity's own laws, regulations, and policies to the extent that they do not conflict with applicable Federal laws, statutes, regulations and policies.

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CITY OF
TEXARKANA
220 TEXAS BOULEVARD TEXARKANA TEXAS 75501 TEXAS

EPA BROWNFIELDS JOB TRAINING SUBAWARD
SUBRECIPIENT AGREEMENT

Section I

EPA Brownfields Job Training Subaward by and between Texarkana College, and the City of Texarkana, Texas for the delivery of Environmental Job Training to include screening of applicants, development and implementation of approved curriculum, preparing and receiving application packets, waivers and/or permissions, securing instructors, assist with marketing the program, assist with tracking students after graduation.

Section II

A. Federal Award Identification:
   1. Subrecipient Name: Texarkana College
   2. Unique Entity Identifier: GEW6RK1GRQ59
   3. Federal Award Identification Number (FAIN):
   4. EPA Award Date: October 1, 2024
   5. Subaward Period of Performance: October 1, 2024 – September 30, 2029
   6. Amount of EPA Funds Obligated Under the Initial Award: $500,000.00
   7. Amount of EPA Funds Obligated under this Subaward: $318,554.00
   8. Total amount of EPA Award(s) to the City of Texarkana, Texas:
   9. Federal award project description: (Project Title and Description:
   10. Federal awarding agency is US Environmental Protection Agency. Pass-through agency is City of Texarkana, Texas. Awarding Official for the subaward is ___ contact info
   11. Catalog of Federal Domestic Assistance (CFDA) Number: & dollar amount
   12. Indirect Cost Rate: N/A
   13.

B. As a condition to award of monies under this Agreement, **SUBRECIPIENT** must adhere to all "flow down" requirements to ensure the EPA award is used in accordance with Federal statues, regulations and the terms of the EPA award with the **City.**
   1. Title VI of the Civil Rights Act of 1964, as amended, and other Federal statutes and regulations prohibiting discrimination in Federal financial assistance programs including; (b) Section 504 of the Rehabilitation Act of 1973, as amended; (c) the Age Discrimination Act of 1975, as amended; (d) Title IX of the Education Amendments of 1972, as amended; (e) Americans with Disabilities Act of 1990; and (f) any other statutory provisions relating to non-discrimination.
   2. Comply with 2 CFR Part 170, Reporting Subaward and Executive Compensation under Federal Funding Accountability and Transparency Act (FFATA) set forth in the General Condition of the **City's** Cooperative Agreement (Attachment A).

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3. Comply with 2 CFR 1500.9 regarding limitations on individual consultant fees as set forth in Attachment A, "Consultant Fee Cap".
4. Adhere to EPA's prohibition on paying management fees as set forth in the Cooperative Agreement section entitled "Management Fees"
5. Procurement Standards in 2 CFR Part 200 including those requiring competition when the subrecipient acquires goods and services from contractors (including consultants).

C. AGREEMENT OBLIGATIONS

1. Measure of Liability

In consideration of SUBRECIPIENT'S full and satisfactory performance of the services specified in the attached Statement of Work, **THE CITY** shall be liable to the **SUBRECIPIENT** in an amount equal to the actual allowable costs incurred by the SUBRECIPIENT in rendering such performance, subject to the follow limitations:

a. **The CITY** shall not be liable for expenditures made in violation of the legal authorities cited in Sections 5, Agreement Performance, and 8, Compliance with the Law, of this Agreement, or any other law or regulation applicable to the specific project or service performed under this Agreement.
b. Except as otherwise provided by this Agreement, the **CITY** shall be liable to **SUBRECIPIENT** in an amount equal to the actual allowable costs incurred by **SUBRECIPIENT** in rendering required performance as represented in Section 5, Agreement Performance.
c. Except as otherwise specifically authorized by the **CITY** in writing, the **CITY** shall only be liable for expenditures made in compliance with the cost principles and administrative requirements set forth and referenced in this Agreement.
d. The **CITY** shall not be liable to **SUBRECIPIENT** for costs incurred or performances rendered by **SUBRECIPIENT** before commencement of the Agreement or after completion of this Agreement except to the extent pre-agreement costs are authorized in writing by the **CITY**.
e. The **CITY** shall not be liable for any costs incurred by SUBRECIPIENT in the performance of this Agreement which have not been billed to THE CITY OF TEXARKANA, TEXAS within sixty (60) days following termination of this Agreement.

2. Purchase of Equipment

SUBRECIPIENT may not purchase capital equipment under this Agreement without the express, written permission of the **CITY**.

3. Matching/Leveraging Requirement
    a. **SUBRECIPIENT** will be required to provide leveraging to the **CITY**, but no matching funds are required. Leveraging will include staff time, fringe, resources owned by **SUBRECIPIENT** used for the Job Training Curriculum and activities including but not limited to use of equipment/supplies, value of meeting space, etc.
    b. Leveraged funds must be exclusively from non-federal sources.
4. Utilization of Small, Minority and Women's Business Enterprises

SUBRECIPIENT agrees to ensure, to the fullest extent possible, that at least the applicable "fair share" objectives of Federal funds for supplies, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women and Historically Black Colleges and Universities.

5. Fiscal Administration
    a. Availability of Funds

Notwithstanding any other Agreement provisions, the parties hereto understand and agree that the CITY's obligations under this Agreement are contingent upon the availability of adequate funds to meet the CITY's liabilities hereunder.

b. Limitation on Liability
   i. The **SUBRECIPIENT** understands and agrees that it shall be liable to repay to the **CITY** any funds not expended in accordance with this Agreement or determined to be expended in violation of the terms of this Agreement up to the full grant award amount of $500,000.00.
   ii. The **CITY** will pay costs properly incurred by the **SUBRECIPIENT** for performances rendered under this Agreement in the amounts specified in the attached Project Budget, not to exceed the total funding obligation shown in Section 2.2, or any mutual amendments hereto.
   iii. The **CITY** shall not be liable to the **SUBRECIPIENT** for costs under this Agreement which exceed the amount specified in the Project Budget.
   iv. The **CITY** may deobligate awarded funds after consultation with the **SUBRECIPIENT** and upon determination by the **CITY** that funds will not be spent in accordance with the Agreement or will not be spent in a timely manner.

c. Debts or Delinquencies
   Pursuant to Section 2252.903, Texas Government Code, any payments owing to **SUBRECIPIENT** under this Agreement may be applied directly toward certain debts or delinquencies that **SUBRECIPIENT** owes the State of Texas or any agency of the State of Texas regardless of when they arise, until such debts or delinquencies are paid in full.

d. HOLD

6. Reporting Requirements
   a. The **SUBRECIPIENT** agrees to provide to the **CITY**, in accordance with procedures and time frames prescribed by the **CITY**, any technical or program reports, data, and information on the operation and performance of this Agreement deemed necessary by the CITY or as required by the GRANTOR's reporting schedule.
   b. The SUBRECIPIENT will submit electronically to the CITY on or before the fifth (5^{th}) calendar day of each month a monthly narrative, and performance data matrix covering the previous month's activities.
   c. If **SUBRECIPIENT** fails to submit to the **CITY** in a timely and satisfactory manner any report required by the Agreement, or otherwise fails to satisfactorily render performances hereunder, the **CITY** may withhold payments otherwise due and owing **SUBRECIPIENT** in writing of its decision and the reasons therefore. Payments withheld pursuant to this paragraph may be held by the **CITY** until such time as the delinquent obligations for which funds are withheld are fulfilled by **SUBRECIPEINT**.
7. Changes and Amendments
   a. Any alterations, additions, or deletions to the terms of any part of this Agreement which are required by changes in state or federal law or regulations, or by the **CITY** issuances, are automatically incorporated into this Agreement without written amendment hereto, and shall become effective on the date designated by such law, regulation or issuance.

Attachment: 2024-108 ATTH 01 Subaward_Agreement_2024 Rough Draft (4316 : 2024-108 ORD EPA Brownfields JT Grant and Exectue Sub-

b. Any other alterations, additions, or deletions to the terms of this Agreement or Statement of Work, or amendments to the Project Budget, shall be by modification hereto in writing and executed by both parties to this Agreement before the changes to the Agreement are implemented.

D. SUBRECIPIENT INDIRECT COST RATE

No indirect costs will be covered by this agreement as no indirect cost are included in the grant budget.

E. RETENTION AND ACCESSIBILTY OF RECORDS

SUBRECIPIENT shall maintain all records, financial management records and supporting documentation for all expenditures of funds made under this Agreement, in compliance with all retention and custodial requirements for records referenced in the Agreement.

a. **SUBRECIPIENT** shall retain all fiscal records and supporting documents for a minimum of four (4) years after final Agreement closeout. IN the event there is litigation or an unresolved audit discrepancy at the end of such retention period, the records will be retained until the litigation or discrepancy is resolved.

b. **SUBRECIPIENT** shall provide state or federal auditing agencies, the **CITY**, or any of their duly authorized representatives, access to and the right to examine copy or reproduce all reports and records pertaining to the Agreement. Such rights to access shall continue as long as the records are retained by the **SUBRECIPIENT**.

c. The **CITY** shall have the right of timely and reasonable access to **SUBRECIPIENT** and **SUBRECIPIENT** premises and personnel for the purpose of inspection, monitoring, auditing, evaluation, or interview, related to all records required to be retained under this Section.

F. REIMBURSEMENT PROCEDURES

SUBRECIPIENT shall comply with the following reimbursement procedures

1. THE CITY OF TEXARKANA, TEXAS will reimburse SUBRECIPIENT for no more than the actual cost of providing acceptable goods and services for which SUBRECIPIENT seeks payment.
2. All SUBRECIPIENT requests for payment will be submitted to THE CITY OF TEXARKANA, TEXAS PAYMENT TERMS. Only one request for payment will be processed by THE CITY OF TEXARKANA, TEXAS during any thirty (30) day period. SUBRECIPIENT will submit with every request for payment a statement of the contribution of leveraged funds provided by SUBRECIPIENT. SUBRECIPIENT's request for payment and statement of contribution of leveraged funds shall be accompanied by such financial documentation as may be required by THE CITY OF TEXARKANA, TEXAS.
3. Submit request for reimbursement to:
4. No indirect costs will be covered by this Agreement as no indirect cost are included in the grant budget.
5. **SUBRECIPIENT** will be liable for and will repay to the **CITY** any amounts expended under this Agreement found not to be in accordance with Agreement provisions, including, but not limited to disallowed costs. Such repayment shall be from non-federal funds but shall not be repaid from funds provided to **SUBRECIPIENT** under any other **CITY** agreement. The **CITY** will notify **SUBRECIPIENT** of costs disallowed by GRANTOR within thirty (30) days following the written notification to the **CITY.**

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G. TERMS AND CONDITIONS CONCERNING CLOSEOUT

Exhibit A, Grant Award Terms and Conditions
Exhibit B, Compliance Supplement – Certifications & Assurances
Exhibit C, **THE CITY OF TEXARKANA, TEXAS** with **Texarkana College** Statement of Work – Project Requirements
Exhibit D, **THE CITY OF TEXARKANA, TEXAS** with **Texarkana College** Statement of Work – Financial Requirements
Exhibit E, **THE CITY OF TEXARKANA, TEXAS** with **Texarkana College**- Project Budget

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SUBRECIPIENT hereby acknowledges that it has read and understands this entire Agreement. All oral or written Agreements between the parties hereto relating to the subject matter of this Agreement that were made prior to the execution of this Agreement have been reduced to writing and are contained herein. **SUBRECIPIENT** agrees to abide by all terms and conditions specified herein and certifies that the information provided to **THE CITY OF TEXARKANA, TEXAS** is true and correct in all respects to the best of its knowledge and belief.

This Agreement is entered into by and between the following parties:

SUBRECIPIENT:		**The City of Texarkana, Texas:**	
By:	_____	By:	_____
Name:	_____	Name:	_____
Title:	_____	Title:	_____
Date:	_____	Date:	_____

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Contract Number_____

EXHIBIT A

GRANT AWARD TERMS AND CONDITIONS

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EXHIBIT B
COMPLIANCE SUPPLEMENT
CERTIFICATIONS AND ASSURANCES

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EXHIBIT B - COMPLIANCE SUPPLEMENT
CERTIFICATIONS AND ASSURANCES

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, Section 85.510, Participant's responsibilities. The regulations were published as Part VII of the May 26, 1988, Federal Register (pages 19610-19211). Copies of the regulations may be obtained by contacting the U.S. Department of Education, Grants and Contracts Service, 400 Maryland Avenue, S.W. (Room 3633 GSA Regional Office Building No. 3), Washington, D.C. 20202-4725, telephone (202) 732-2505.

(1) The Prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 34 CFR Part 85, Subpart F. The regulations, published in the January 31, 1989 Federal Register, require certification by grantees, prior to award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or government wide suspension or debarment (see 34 CFR Part 85, Sections 85.615 and 85.620).

The grantee certifies that it will provide a drug-free workplace by:

(a) Publishing a statement notify employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing a drug-free awareness program to inform employees about--

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace:

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

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(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will--

(1) Abide by the terms of the statement; and

(2) Notify the employer of any criminal drug statue conviction for a violation occurring in the workplace no later than five days after such conviction;

(e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2), from an employee or otherwise receiving actual notice of such conviction:

(f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or Local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

CERTIFICATION REGARDING LOBBYING

As required by Section 1352, Title 31 of the U.S. Code for persons entering into a grant or cooperative agreement over $100,000 the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, in connection with making of any Federal grant, the entering into of any cooperative, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting an officer or employee of any agency, Member of Congress, an officer or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete Standard Form -LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants, loans, cooperative agreements, and subcontracts), and that all SUBRECIPIENTs shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less that $10,000 and not more than $100,000 for each such failure.

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Organization Name

Printed Name and Title of Authorized Representative

Signature Date

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Contract Number_____

EXHIBIT C

STATEMENT OF WORK

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EXHIBIT D

FINANCIAL REQUIREMENTS

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EXHIBIT E

PROJECT BUDGET

Attachment: 2024-108 ATTH 01 Subaward_Agreement_2024 Rough Draft (4316 : 2024-108 ORD EPA Brownfields JT Grant and Exectue Sub-

City of Texarkana, Texas

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

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

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

Attachment: 2024-108 Goals & Perspectives (4316 : 2024-108 ORD EPA Brownfields JT Grant and Exectue Sub-Grant with TC)

ORDINANCE NO. 2024-108

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT AN EPA BROWNFIELDS JOB TRAINING GRANT IN THE AMOUNT OF $500,000, ENTER INTO A SUB-GRANT AGREEMENT WITH TEXARKANA COLLEGE, EXECUTE ALL NECESSARY CONTRACTS AND DOCUMENTS, AND AMENDING THE BUDGET FOR THE EPA JOB TRAINING GRANT FUND (FUND 206) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2025 TO INCLUDE ADDITIONAL REVENUE AND EXPENDITURES OF FIVE HUNDRED THOUSAND DOLLARS ($500,000), AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City applied for and was awarded $500,000 in EPA Brownfields Job Training Grant Funds; and

WHEREAS, Texarkana College serves the Texarkana and surrounding areas offering the needed courses; and

WHEREAS, the City and Texarkana College identified the need for certificate training for unemployed and underemployed residents; and

WHEREAS, the City and Texarkana College have a desire to partner to fulfill the requirements of this grant; and

WHEREAS, the funds were not included in the original budget for fiscal year ending September 30, 2025; and

WHEREAS, the EPA Job Training Grant Fund (Fund 206) was established for a prior EPA Brownfields Job Training Grant; and

WHEREAS, staff recommends amending the budgeted revenue and expenditures in the EPA Job Training Grant Fund (Fund 206) for the fiscal year beginning October 1, 2024, and ending September 30, 2025, to include the grant award.

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

SECTION 1: The City Manager is hereby authorized to accept the $500,000 EPA Brownfields Job Training Grant.

SECTION 2: The City Manager is hereby authorized to execute a sub-grant agreement with Texarkana College to implement this grant.

SECTION 3: The City Manager is hereby authorized to execute any needed contracts and other documents related to implementing this grant.

Attachment: 2024-108 ORD EPA brownfields grant signed (4316 : 2024-108 ORD EPA Brownfields JT Grant and Exectue Sub-Grant with TC)

SECTION 4: The budget estimate of the revenue 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, shall be amended to include additional revenue and expenditures of **FIVE HUNDERD THOUSAND DOLLARS ($500,000)** in the EPA Job Training Grant Fund (Fund 206).

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

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

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:31 p.m.

Attachment: 2024-108 ORD EPA brownfields grant signed (4316 : 2024-108 ORD EPA Brownfields JT Grant and Exectue Sub-Grant with TC)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 9/20/2024 8:42 AM

Lead Department: Planning and Community Development **Action Officer:** Daphnea Ryan,

Subject: Resolution No. 2024-109 supporting an application, in partnership with the City of Texarkana, Arkansas, for EPA Brownfields Community Wide Assessment grant funds for Texarkana, USA in the amount of Five Hundred Thousand Dollars ($500,000).

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

In 2010, the City of Texarkana, Texas initiated its Brownfields Program, securing assessment grant funds followed by additional grants including a Revolving Loan Fund for cleanup activities exclusively for our city limits. Recognizing the mutual benefits of a collaborative approach, both Texarkana cities desire to join forces to address Brownfields issues spanning the State Line. This twin city strategy is vital for sites like Union Station, straddling two jurisdictions, and our State Line Corridor. Leveraging grant funds on both sides of the state line promises essential economic development for both communities.

Brownfields Assessment funds serve as a catalyst for economic development, facilitating the revitalization of vacant properties potentially contaminated by hazardous substances like lead-based paint, asbestos, and petroleum products. These grants cover Phase I data research and property conditions, and Phase II sampling, precisely identifying contaminants for removal. This crucial information empowers investors to gauge cleanup costs and assess their project's financial viability. Assessment funds can also be applied to necessary cleanup planning documents further incentivizing redevelopment.

The two cities have an existing MOU outlining the responsibilities should an award be received. In the forthcoming FY25 EPA Brownfields Community-Wide Assessment fund application, the City of Texarkana, Texas will be the Lead Applicant. If successful, Texarkana, Texas will oversee the grant's administration working in partnership with the City of Texarkana, Arkansas.

Potential Options:

- Approve
- Deny

Fiscal Implications:

There will be no adverse fiscal implications. Current staff positions will manage the grant. Positive fiscal effects include $500,000 in grant funds benefiting Texarkana USA and approximately $20,000 will offset salary/fringe for staff managing the grant program.

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. 2024-109 RES Supporting EPA Brownfields Assessment Applicaiton With Texarkana, AR (DOCX)
b. 2024-109 ATTH 01 MOU Texarkana TX and AR (PDF)
c. 2024-109 Goals & Perspectives (DOCX)
d. 2024-109 RES EPA brownfields grant w TA signed (PDF)

Staff Coordination

Finance Department	Kristin Peeples	Review	Completed	09/19/2024 4:44 PM
Planning and Community Development	Vashil Fernandez Completed	Department Head Review	09/20/2024 9:08 AM	
City Manager	David Orr	City Manager Review	Completed	09/20/2024 10:56 AM
City Council	Jennifer Evans	Meeting	Completed	09/23/2024 6:00 PM

Meeting History

RESOLUTION NO. 2024-109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUPPORTING APPLICATION TO THE US EPA FOR A $500,000 COMMUNITY-WIDE ASSESSMENT GRANT IN PARTNERSHIP WITH THE CITY OF TEXARKANA, ARKANSAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas and the City of Texarkana, Arkansas have a need for EPA Brownfields Assessment Grant funds to perform Phase I, Phase II, inventory development and cleanup planning activities of potentially contaminated properties that may enable cleanup of these sites for the health and welfare of their citizens and to aid in redevelopment of their distressed areas; and

WHEREAS, both cities share Brownfield properties bisected by the state line; and

WHEREAS, the United States Environmental Protection Agency (EPA) has opened a solicitation for Community-Wide Brownfields Assessment funding in an amount up to $500,000; and

WHEREAS, the Cities of Texarkana, Texas and Arkansas desire to partner on a grant application, with Texarkana, Texas as the lead applicant; and

WHEREAS, the Cities of Texarkana, Texas and Arkansas executed a Memorandum of Understanding October 24, 2023, to seek award of a Community-Wide Assessment Grant through the US Environmental Protection Agency Brownfields Program.

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

SECTION 1: The City Council supports the application for an EPA Brownfields Community-Wide Assessment grant in partnership with the City of Texarkana, Arkansas, utilizing the existing executed Memorandum of Understanding.

SECTION 2: The City Manager is hereby authorized to apply as the lead applicant to seek EPA Brownfields Community-Wide Assessment funding for $500,000.

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

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

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2024-109 RES Supporting EPA Brownfields Assessment Applicaiton With Texarkana, AR (4317 : 2024-109 RES Supporting App

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE CITY OF TEXARKANA, TEXAS, AND THE CITY OF TEXARKANA, ARKANSAS

WHEREAS the City of Texarkana, Texas and the City of Texarkana, Arkansas, hereinafter collectively referred to as "Texarkana USA", have a significant inventory of Brownfields properties; and

WHEREAS Texarkana USA shares Brownfield properties and a major corridor bisected by the state line; and

WHEREAS Texarkana USA lacks the necessary budgetary resources to independently support Brownfields activities; and

WHEREAS the United States Environmental Protection Agency (the "EPA") has opened a solicitation for Community Wide Brownfields Assessment funding for an amount ranging from $300,000 to $500,000; and

WHEREAS Texarkana USA has a great need for this funding to perform environmental assessments of potentially contaminated properties that may enable cleanup of these sites for the health and welfare of their citizens and to aid in redevelopment of their distressed areas; and

WHEREAS Texarkana USA has a desire to apply for $500,000 with Texarkana, Texas as the Lead Applicant.

I. RESPONSIBILITIES OF THE CITY OF TEXARKANA, TEXAS

The City of Texarkana, Texas shall undertake the following:

- To manage and administer this agreement;
- To prepare and submit grant applications to the EPA under consultation with the City of Texarkana, Arkansas;

Attachment: 2024-109 ATTH 01 MOU Texarkana TX and AR (4317 : 2024-109 RES Supporting App EPA Brownfields w/ Tex, AR)

- To procure a consultant in compliance with Arkansas and Texas State Statutes, which procurement shall include, but not be limited to the following:
  (1) issue Request for Proposals or Request for Qualifications;
  (2) oversee receipt of the submitted proposals;
  (3) selection and award of contracts;
  (4) negotiate the terms of agreements in consultation with the City of Texarkana, Arkansas; and
  (5) execute any agreements in consultation with the City of Texarkana, Arkansas.
- To develop a site selection process based on agreed upon factors that will ensure a minimum of eleven (11) Phase I Environmental Site Assessments and six (6) Phase II Environmental Site Assessments and project plans are completed over the life of the agreement and in consultation with the City of Texarkana, Arkansas and to submit the same to EPA for prior approval to ensure eligibility;
- Upon designation of the specific sites, to work with City of Texarkana, Arkansas to finalize the scope of work for the consultant or contractor;
- To ensure that other activities as negotiated in the work plan, such as community outreach and involvement, are implemented in accordance with a schedule agreed upon by both parties;
- To maintain compliance with the statutes, regulations, and terms and conditions of any grants received;
- To provide for the general administration of grants received;
- To maintain compliance with the terms and conditions of this Agreement:
- To provide timely information to the City of Texarkana, Arkansas regarding the management of the Agreement and any changes that may be made to the Agreement over the period of performance; and
- Any other responsibilities that, from time to time, Texarkana USA shall determine to be necessary and proper to accomplish the purposes of the Agreement.

II. RESPONSIBILITIES OF THE CITY OF TEXARKANA, ARKANSAS

The City of Texarkana, Arkansas shall undertake the following:

- To provide timely information to the City of Texarkana, Texas as may be requested in performing its duties under this Agreement;
- To participate fully in the Brownfields assessment process;
- To obtain all required permits, easements, and /or access agreements as may be necessary to undertake assessments at the selected site; provided however, if the City of Texarkana, Arkansas, does not have the capacity to perform these activities at that time, the City of Texarkana, Texas may assist in securing necessary site access agreements and permits with City of Texarkana, Arkansas' full cooperation;

Attachment: 2024-109 ATTH 01 MOU Texarkana TX and AR (4317 : 2024-109 RES Supporting App EPA Brownfields w/ Tex, AR)

- To comply with all funding requirements set forth in any grant agreements that may be entered into by the City of Texarkana, Texas, including an accounting of expenditures of grant funds made; and
- To timely comply with any other requests that may be made by the Lead Applicant from time to time in performing its duties under this Agreement.
- To maintain compliance with the terms and conditions of this Agreement; and
- Any other responsibilities that, from time to time, Texarkana USA shall determine to be necessary and proper to accomplish the purposes of the Agreement.

III. FUNDING

Texarkana USA agrees to the following:

- Any compensation for professional services shall be paid as provided under the terms of any grants received.
- Any commitment of non-grant funds must be approved pursuant to the procurement requirements of the governing bodies of the respective Parties.
- Texarkana USA understands and acknowledges that all funds used for payment according to this Agreement, if any, shall be derived solely from funds specifically appropriated for this MOU or projects relating thereto, and there shall be no obligation on the City of Texarkana, Texas or City of Texarkana, Arkansas to provide additional funding.

IV. NOTICES

All notices, demands or communications required in accordance with the terms of this Agreement, shall be sent by registered or certified mail, return receipt requested; by nationally recognized overnight courier service with notice effective five days after deposit in the mail or delivery to the courier service; or by email sent to the email address designated by the parties effective upon receipt of a delivery notice. The notices shall be sent to the addresses set forth below unless otherwise designated, in writing, by the parties.

For the City of Texarkana, Texas:

David Orr, City Manager
220 Texas Boulevard
Texarkana, TX 75501
903-798-3901
Email: david.orr@texarkanatexas.gov

Attachment: 2024-109 ATTH 01 MOU Texarkana TX and AR (4317 : 2024-109 RES Supporting App EPA Brownfields w/ Tex, AR)

Cc: Vashil Fernandez, Director of Planning, Community Development, and Health
vashil.fernandez@texarkanatexas.gov

Daphnea Ryan, Grants Administration Manager, dryan@texarkanatexas.gov

For the City of Texarkana, Arkansas:

Tyler Richards, Director, Department of Public Works
216 Walnut Street
Texarkana, AR 71854
870-779-4975
tyler.richards@txkusa.org

V. EFFECTIVE DATE AND SIGNATURE

The Effective Date of this Agreement shall be the date the last representative executed the agreement and shall terminate ninety (90) days after the date the awarded EPA Assessment Grant expires.

City of Texarkana, Texas

David Orr, Ph.D., City Manager

10/24/23
Date

City of Texarkana, Arkansas

Robert Thompson, City Manager

10/17/23
Date

Attachment: 2024-109 ATTH 01 MOU Texarkana TX and AR (4317 : 2024-109 RES Supporting App EPA Brownfields w/ Tex, AR)

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 offset by approximately $20,000 of the grant funds:	No Additional
Other Potential Impacts:	

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

Attachment: 2024-109 Goals & Perspectives (4317 : 2024-109 RES Supporting App EPA Brownfields w/ Tex, AR)

RESOLUTION NO. 2024-109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUPPORTING APPLICATION TO THE US EPA FOR A $500,000 COMMUNITY-WIDE ASSESSMENT GRANT IN PARTNERSHIP WITH THE CITY OF TEXARKANA, ARKANSAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas and the City of Texarkana, Arkansas have a need for EPA Brownfields Assessment Grant funds to perform Phase I, Phase II, inventory development and cleanup planning activities of potentially contaminated properties that may enable cleanup of these sites for the health and welfare of their citizens and to aid in redevelopment of their distressed areas; and

WHEREAS, both cities share Brownfield properties bisected by the state line; and

WHEREAS, the United States Environmental Protection Agency (EPA) has opened a solicitation for Community-Wide Brownfields Assessment funding in an amount up to $500,000; and

WHEREAS, the Cities of Texarkana, Texas and Arkansas desire to partner on a grant application, with Texarkana, Texas as the lead applicant; and

WHEREAS, the Cities of Texarkana, Texas and Arkansas executed a Memorandum of Understanding October 24, 2023, to seek award of a Community-Wide Assessment Grant through the US Environmental Protection Agency Brownfields Program.

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

SECTION 1: The City Council supports the application for an EPA Brownfields Community-Wide Assessment grant in partnership with the City of Texarkana, Arkansas, utilizing the existing executed Memorandum of Understanding.

SECTION 2: The City Manager is hereby authorized to apply as the lead applicant to seek EPA Brownfields Community-Wide Assessment funding for $500,000.

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

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

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:32 p.m.

Attachment: 2024-109 RES EPA brownfields grant w TA signed (4317 : 2024-109 RES Supporting App EPA Brownfields w/ Tex, AR)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/8/2024 8:22 AM

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

Subject: Resolution No. 2024-112 approving the funding of a loan from the Facade Revolving Loan Fund program for construction of facade improvements by Hayes Days Holdings, LLC to the buildings at 216-224 W. 3rd Street, Texarkana, Texas in an amount not to exceed $50,000 for two properties, for a total of $100,000.

Briefing: 10/14/2024 **Public Hearing:** 10/14/2024 **Council Vote:** 10/14/2024

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The redevelopment of 216 W 3rd Street in downtown Texarkana, Texas, represents a transformative project aimed at revitalizing a historic building currently in a shell state with no roof. This project is designed to create a vibrant, mixed-use property that will contribute significantly to the economic and cultural revival of downtown Texarkana.

Property Plans:

- Ground Floor: The ground floor will feature three commercial storefronts, offering prime retail or office spaces. This will cater to local businesses and attract foot traffic, enhancing economic activity in the area. An anticipated anchor tenant is the Beauty Bar salon, which is set to expand into one of these spaces, drawing additional customers and increasing the appeal of the location.

- Second Floor: The second floor will be developed into two short-term rental units, providing modern accommodations that blend historical charm with contemporary amenities. These units are poised to capitalize on the growing demand for unique lodging experiences in downtown Texarkana. This level will also house a versatile "war room," designed for business meetings, strategy sessions, and other private events. This space will serve as an overflow venue for events at the nearby Perot Theater, offering a well-equipped
and flexible environment for various needs.

- Rooftop Terrace: The property will feature a rooftop terrace overlooking the Perot Theater square. This space will serve as a premium venue for corporate events, private gatherings, and social functions. With its unique location and combination of historic charm and modern amenities, the rooftop terrace is expected to attract significant interest

and offer a competitive edge in the market.

Hayes Days Holdings, LLC was incorporated in 2020 and has since built a diverse and robust real estate portfolio. The company, owned by a husband-and-wife team, has demonstrated a strong track record in property investment and development.

The portfolio includes:

1. Two Cabins in Broken Bow, Oklahoma: Valued at over $3 million, these properties cater to the lucrative short-term rental market, offering luxurious accommodations in a popular vacation destination.
2. Short-Term Rental Property in Texarkana, Texas: Located at 214 W 3rd Street, this property is valued at $315,000 and contributes to the local economy by providing high-quality lodging in the heart of downtown.
3. Restaurant on Pine Street, Texarkana, Arkansas: Valued at $135,000, this establishment adds to the company's portfolio diversification and provides a steady income stream from the food and beverage sector.

Hayes Days Holdings, LLC has established itself as a trusted name in real estate, with a focus on properties that offer both investment potential and community value. The company's experience in managing diverse real estate assets positions it well to successfully execute the redevelopment of 216 W 3rd Street.

Potential Options:

- Approve
- Deny

Fiscal Implications:

This façade loan is funded in the Economic Development budget.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

Façade Loan Internal Review Committee recommends approval.

Advisory Board/Committee Meeting Date and Minutes:

Façade Loan Internal Review committee met on September 10, 2024, and unanimously recommended approval.

Attachments

a. 2024-112 RES Facade Loan for 216 and 224 W. 3rd(DOCX)
b. 2024-112 ATTH 01 Application (PDF)
c. 2024-112 ATTH 02 Project Details (PDF)
d. 2024-112 ATTH 03 Design Plans (PDF)
e. 2024-112 ATTH 04 Design Report for 216-224 W. 3rd St. (PDF)
f. 2024-112 ATTH 05 Bid for construction (PDF)

g. 2024-112 Goals & Perspectives (DOCX)

Staff Coordination

Economic Development	Completed	Lisa Thompson 09/16/2024 4:09 PM	Department Head Review	
City Manager	David Orr	City Manager Review	Completed	09/16/2024 4:35 PM
City Council	Jennifer Evans	Meeting	Completed	09/23/2024 6:00 PM

Meeting History

RESOLUTION NO. 2024-112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE FUNDING OF A LOAN FROM THE FAÇADE REVOLVING LOAN FUND PROGRAM WITH FUNDS FROM THE ECONOMIC DEVELOPMENT FUND AUTHROIZING THE CITY MANAGER TO EXECUTE LOAN DOCUMENTS ON BEAHLF OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 064-2013, the City Council established a Facade/ Landscape Revolving Loan Fund (FLRLF) for owner occupied owner operated businesses in the Texarkana Texas Downtown Gateway, Scenic, and Historic Special Design Districts and the Downtown TIRZ (TIRZ #2) District for the purpose of restoring or improving facades and landscaping; and

WHEREAS, the Facade/Landscape Revolving Loan Fund (FLRLF) will be capitalized with Economic Development funds on an annual basis in an amount not to exceed $50,000 annually; and

WHEREAS, the Facade/Landscape Revolving Loan Fund Committee will provide the administration of such a revolving loan program to determine qualification and availability of funds; and

WHEREAS, the Facade Revolving Loan committee has recommended the potential funding of a loan for construction of facade improvements by Hayes Days Holdings, LLC. to the buildings at 216 and 224 W. 3rd Street, Texarkana, Texas, in an amount not to exceed $50,000 for each project, for a total of $100,000; and

WHEREAS, the City Council recognizes the need for funding of projects to preserve structures and further economic development as evidenced by their creation and approval of the Facade Revolving Loan policy with Resolution No. 064-2013.

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

SECTION 1: The City Council of the City of Texarkana, Texas approves funding a loan from the Facade Revolving Loan Fund to Hayes Days Holdings, LLC in an amount not to exceed $50,000 for each project for a total of $100,000 with collateral of a subsidiary lien on real estate.

SECTION 2: The City Council authorizes the City Manager to execute loan documents for the Facade Revolving Loan Fund on behalf of the City in an amount not to exceed $50,000 for each project for a total of $100,000.

Attachment: 2024-112 RES Facade Loan for 216 and 224 W. 3rd (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of October, 2024**.

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-112 RES Facade Loan for 216 and 224 W. 3rd (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

City of Texarkana, Texas
Downtown Historic Building Grants

FOR OFFICE USE ONLY	
File #	
Assessment Role Number	Assessed Property Value
Property Address	
Date Application Received	Date Application Completed

220 Texas Blvd
Texarkana, Texas 75504
Tele: (903) 798-3900 Fax: (903) 798-3913

Application

The information requested below will be used to process your application under the terms and conditions of the City of Texarkana, Texas's Façade Restoration and Improvement Grant Program.

I. Applicant Information

1. Applicant(s) name: Kevin Hayes for Hayes Days Holdings, LLC
   Mailing address: 25 Northridge Circle
   City: Texarkana State: TX Zip: 75503

   Federal Tax ID or Social Security Number: 330-72-3200

2. Applicant's daytime telephone number:
   Cell # (501) 326-2173 Fax# ( )
   E-mail address: KEVRHAYES@GMAIL.com

3. Status of applicant (please check one)
   - X Property owner with vacant facility
   - ___ Property owner with tenant business
   - ___ Property owner/operator of existing business on property

4. Owner of property is a/an (please check one)
   - ___ Individual
   - ___ Partnership (attach copy of Partnership Agreement)
   - X Corporation/profit (attach copy of Articles of Incorporation)
   - ___ Corporation/nonprofit (attach list of officers and directors)
   - ___ Trust (attach copy of Trust Agreement)
   - ___ Other

5. Length of ownership: 1 year
   Date purchased: August 2023

II. Property Information

1. Address of property to be improved:
   216-224 W 3rd Street; Texarkana, TX

Attachment: 2024-112 ATTH 01 Application (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

2. Legal description of subject property:
Previously submitted

3. Tax Assessor Parcel Number(s):
Previously submitted

4. Year built:_____ Square footage:_____

5. Is this a National Register building? Yes___ No ✓ (check one)
Is this a building of known historical significance? Yes___ No ✓ (check one)

6. What are the current types of businesses occupying the building?
None

7. Name and phone number of tenant(s), if applicable:_____

(Attach additional names/numbers, if needed)

8. Use of building after construction: Downstairs commercial; upstairs short term rentals

9. Is a zoning amendment required? Yes___ No ✓ (check one)

III. Project Description

1. Description of Proposed Improvements. Please provide a detailed description of your proposed improvements. Attach a copy of your design plans, pictures, or renderings. Identify the materials to be used, such as the type of paint or stain (i.e., exterior latex, color, etc.). Include details of new signs or awnings, etc. Provide color photos of the subject property and those adjacent prior to and after the improvements are made.

Description: We have previously submitted all plans.

☐ Designs Attached ☐ Before Picture(s) Attached

Attachment: 2024-112 ATTH 01 Application (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

IV. Work Estimates

Please attach contractor estimates for each component of the proposed improvement. Please note that grant funding shall be based on the lowest bid. Eligible costs shall be the cost of materials, equipment, and contracted labor to complete eligible improvements. Professional fees such as architects, engineers, and solicitors are not eligible costs.

1. Name/Company and Phone Number of Preferred Contractor:
   Rogers Construction
   Amount: ~~$ 1,500,000.00~~ $ 1,400,000.00
2. Name/Company and Phone Number of Second Contractor:
   Amount:
3. Additional Estimates/Comments: (Please attach additional quotes, as required)
4. Total estimated costs of your improvements: ~~1,500,000~~ $ 1,400,000
5. Estimated completion date for your improvements? August 2025

VI. Signature of Owner/Authorized Agent

Kevin Randall Hyer
Applicant

Co-Applicant

Attachment: 2024-112 ATTH 01 Application (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

VII. Consent of the Owner to the Use and Disclosure of Personal Information

I/We, Hayes Days Holdings, LLC,
am the owner of the land that is the subject of this Application and, for the purposes of the Freedom of Information and Protection of Privacy Act, I/we authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the _____ for the purposes of processing this application.

8/29/24
Date

Signature of Owner(s)

VIII. Authorization for Agent *(complete only if Applicant is not the registered Owner)*

I/We, _____,
the owner of the subject property, hereby authorize _____
(Agent) to act on my behalf with respect to the application.

_____
Date

_____
Signature of Owner(s)

Note: Information provided in this application will become part of a public record.

Attachment: 2024-112 ATTH 01 Application (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

214 WEST 3RD STREET | TEXARKANA, TEXAS



Current front façade.

Main Street Manager Ina McDowell and property owner Kevin Hayes requested design assistance for the 214 West 3rd Street property. The owner wants to rehabilitate the building to have 2-3 commercial units on the first floor, 3 residential units on the 2nd floor and a third floor with a rooftop to rent for private events and possible residential use too.

Both buildings next door have been recently renovated. The business to the left, a hair salon, is interested in expanding into one of the commercial units and have access through the inside.

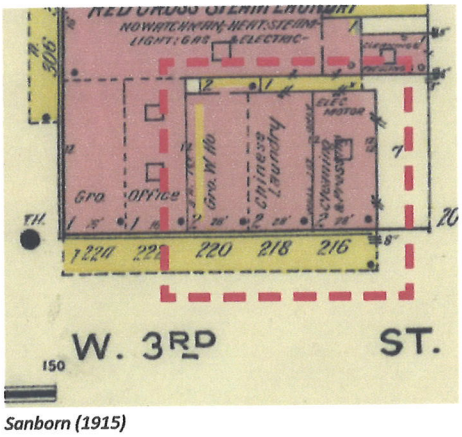
ANALYSIS

Historic records such as maps and photos help the Design Team learn more about the history of the buildings. Sanborn Fire Insurance Maps were created from the late 1800s to the mid -1900s to determine fire insurance liability in urbanized areas across the US. These maps include detailed information about a building including number of stories, openings, and construction materials, unique features and occupancy details.

The building first appeared in the Fire Insurance Sanborn Maps in 1915. A continuous canopy that extended through the 3 units and to the end of the block.

The historic photos (next page), provided by the Main Street manager, give us a view of a pre-1950's façade. Doors were centered in the units. Bulkheads and big display windows are visible. Tile is also present, and pilasters have contrasting colors.

The building lost most of its roof in recent years. There are some remaining interior walls between two of the units. The front façade wall is still in place but should be inspected by an engineer as many structural issues are evident (photos next page). The brick is exposed in the interior, but the exterior façade still has a slipcover. When steel beams were added, also visible from the interior, it is most likely that the 1st floor façade was heavily altered. The 2nd floor former window frames are still in place. The material added to the exterior face of the brick facade conceals the original extent of the window openings.



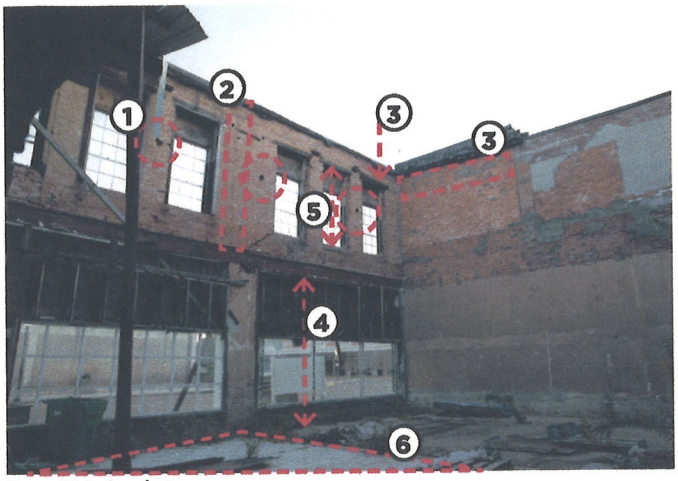
Sanborn (1915)

The design assistance is based on The Secretary of Interior's Standards for the Treatment of Historic Properties to preserve architectural elements and the historic character of the building.

Attachment: 2024-112 ATTH 01 Application (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

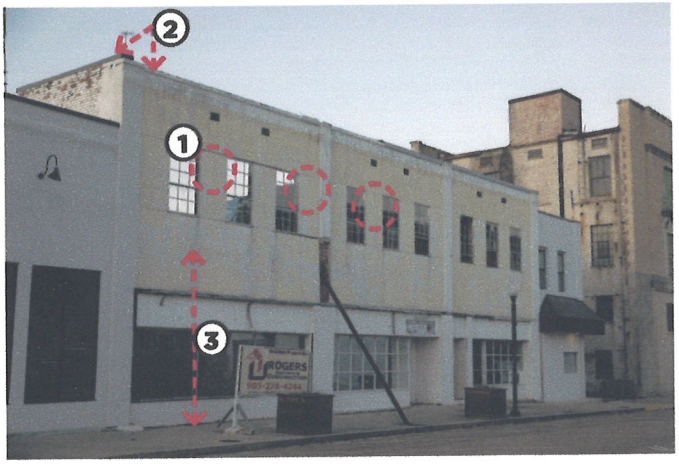
214 WEST 3RD STREET | TEXARKANA, TEXAS

1. A set of 3 openings appear at an unusual height. These could be signs of a former tie-rod canopy, or they could have served a different use. Main Street manager met with Patterson Camera Shop owners and requested historic photos. Structural investigation of these elements should be part of the recommended engineering report.
2. Remnants of a perpendicular wall are visible in the 2nd floor. The Camera Shop business extended from the corner building all the way into the three first floor units. It could be possible that the 2nd floor was joined at some point too.
3. Signs of joists suggest a roof height that is at the height of former window openings. This suggests there could have been a higher previous roof and parapet.
4. A beam was likely introduced when the façade was heavily altered and the commercial units were combined. Though this height is also consistent with location of second floor historically.
5. Former larger window frames are still in place.
6. Some remnants of floor tile are present, consideration of preserving and incorporating into the interior design is recommended.



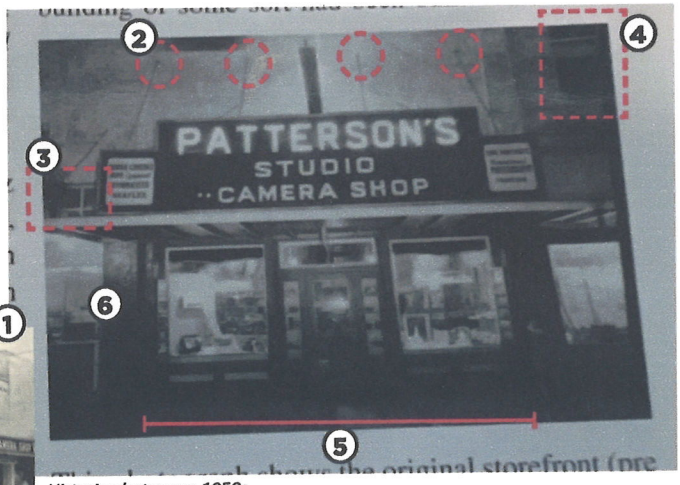
Current interior photo.

1. The sets of openings that are visible in the interior photo are not visible at the exterior and it is not clear if they align with tie rod canopy locations. Concealed bracing in the front facade should also be investigated.
2. The side parapet height also suggests that a previously higher front parapet or decorative cornice has since been removed. Given the roof work required of this project, it is recommended to consider a sensitive adjustment to the height of the front parapet.
3. Approximate height of the current structural beam. There is enough space for the addition of transom windows and a canopy, as seen in the Sanborn maps and historic photo.



Current exterior photo.

1. Based on the provided information we aren't able to confirm if these two historic photos pertain to the same building. Patterson's Camera Shop had different locations throughout the years.
2. The tie-rods are anchored at a similar height than the set of openings that are visible in the interior photos but these do not appear to be aligned in location.
3. Transom windows are visible to the left of the business sign.
4. 2nd floor windows are visible on the third unit. Main Street manager informed us that the 2nd floor of this unit was most likely used as a residence.
5. It appears that the main entrance to the Patterson's Camera Shop was through the center unit.
6. Tile is visible in the front façade.
7. Two contrasting colors are also visible on the pilasters.



Historic photos pre 1950s.



Attachment: 2024-112 ATTH 01 Application (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

214 WEST 3RD STREET | TEXARKANA, TEXAS

DESIGN RECOMMENDATIONS



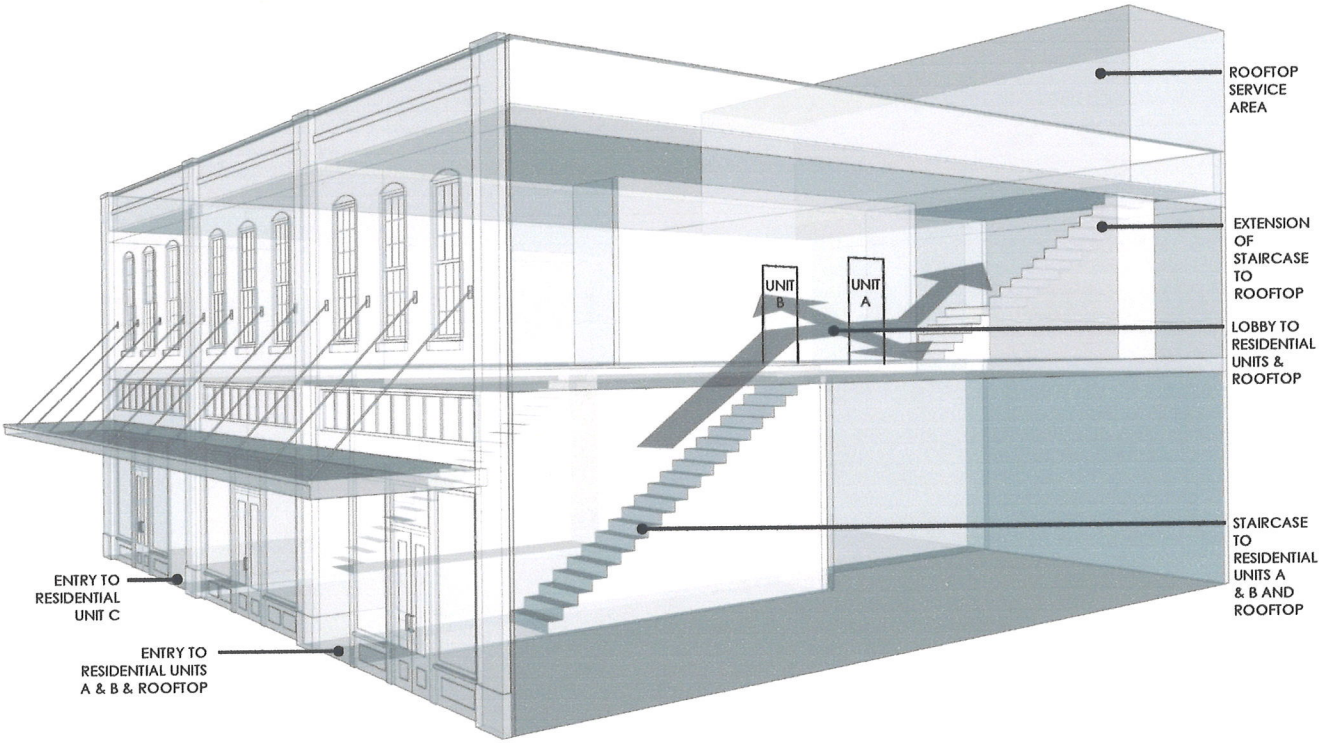
Proposed front façade.

- Bulkheads and large display windows are reintroduced, allowing clear views into the retail units and access to natural light, creating a welcoming environment.
- Doors are located at the center of each retail unit, consistent with historic photos of the area.
- Transom windows add to the interior natural illumination and reestablish original proportions of openings for the building.
- A recessed separate access to the 2nd floor creates a more private way to the residential units. A single staircase provides access to two different upstairs units.
- A continuous tie-rod canopy is reintroduced.
- The 2nd floor windows are returned to their original opening size, previously concealed by exterior facade treatment. The existing mullion grid is the reference for new windows at this location.
- With the installation of a new roof, a higher parapet with cornice detail is necessary to allow for original height of second floor windows.
- The façade requires extensive repair to the exterior covering. The brick behind the slipcover is most likely damaged and possibly not in proper condition to be exposed. Exploration of material should be done to determine the options available for stabilization and preservation of the historic facade. It appears the front wall can be repaired and remain in place, but a structural investigation is recommended.
- Rooftop access will need to be considered if a roof deck is added, this could be done through one of the residential staircases. Restrooms and service areas to support private events should also be included. This service volume should be located at the back of the building, not visible from the street-level, so it does not alter the historic character of the building and district, as advised in the Secretary of Interior's Standards.
- An alternative for locating restrooms and a service area on the rooftop is using one of the upstairs units as part of the private event area.

Attachment: 2024-112 ATTH 01 Application (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

214 WEST 3RD STREET | TEXARKANA, TEXAS

DESIGN RECOMMENDATIONS



Staircase volumetric diagram.

- Staircase provides access to two residential units allowing for more rental space.
- Extension of staircase provides access to the rooftop.
- The service area is recessed to the back of the building avoiding visible changes to the character of the building in the district from the street.

Attachment: 2024-112 ATTH 01 Application (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

214 WEST 3RD STREET | TEXARKANA, TEXAS

NOT FOR REGULATORY APPROVAL

The purpose of this report is to provide ideas and schematic designs for projects. Main Street Staff works with business and property owners to provide designs that meet their objectives while still respecting the historic building and context. For official tax credit review, a separate process must be followed and may involve modified design plans to meet the criteria. In the case of an existing structure, prior to making any improvements to the building façade(s) the building owner should perform a thorough review of the major structural components including the roof, walls, and foundation. All mechanical and electrical systems should be well maintained in conformity with applicable codes and ordinances. Building uses and interior arrangements of program spaces should also be in conformity with applicable codes and ordinances and remain subject to all applicable regulatory review by building officials having jurisdiction.

In addition, Texas Main Street Staff highly recommends working with an architect, engineer, and other professionals to complete most projects. They can manage the project and work through the complexities of code requirements and constraints of an existing building or new construction. If questions arise or additional designs are needed, please contact your local Main Street Manager for assistance. Please note that the designs and recommendations provided do not guarantee approval for the tax credit application, if applicable. Conceptual designs included in this document do not constitute regulatory approval of any kind including but not limited to the local building permit, development process and Texas Accessibility Standards as applicable.

CONSULTING INFORMATION WITH ASSISTANCE FROM **JAMIE CRAWLEY, AIA, NCARB, LEED AP BD+C**, MAIN STREET ARCHITECT HAS BEEN PREPARED BY:

TEXAS HISTORICAL COMMISSION
REAL PLACES TELLING REAL STORIES

Malena Maiz
Texas Main Street Project Design Specialist
Community Heritage Development Division
PO Box 12276 Austin, Texas 78711-2276
P: 512-463-9129
F: 512-463-3345
thc.texas.gov

Attachment: 2024-112 ATTH 01 Application (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

Business Description and Financing Proposal for 216 W 3rd Street

Business Description:

The redevelopment of 216 W 3rd Street in downtown Texarkana, Texas, represents a transformative project aimed at revitalizing a historic building currently in a shell state with no roof. This project is designed to create a vibrant, mixed-use property that will contribute significantly to the economic and cultural revival of downtown Texarkana.

Property Plans:

- **Ground Floor**: The ground floor will feature three commercial storefronts, offering prime retail or office spaces. This will cater to local businesses and attract foot traffic, enhancing economic activity in the area. An anticipated anchor tenant is the Beauty Bar salon, which is set to expand into one of these spaces, drawing additional customers and increasing the appeal of the location.

- **Second Floor**: The second floor will be developed into two short-term rental units, providing modern accommodations that blend historical charm with contemporary amenities. These units are poised to capitalize on the growing demand for unique lodging experiences in downtown Texarkana. This level will also house a versatile "war room," designed for business meetings, strategy sessions, and other private events. This space will serve as an overflow venue for events at the nearby Perot Theater, offering a well-equipped and flexible environment for various needs.

- **Rooftop Terrace**: The property will feature a rooftop terrace overlooking the Perot Theater square. This space will serve as a premium venue for corporate events, private gatherings, and social functions. With its unique location and combination of historic charm and modern amenities, the rooftop terrace is expected to attract significant interest and offer a competitive edge in the market.

Industry Discussion:

The Texarkana real estate and hospitality markets are experiencing growth, particularly in the downtown area. The focus on revitalizing historic properties and investing in mixed-use developments is transforming the downtown landscape into a vibrant commercial and cultural hub.

Commercial Real Estate Market:

Downtown Texarkana is becoming an increasingly attractive destination for businesses, particularly those in retail, personal services, and hospitality. With the city's focus on revitalizing its downtown area, there is a growing demand for well-located commercial spaces that can cater to both local residents and visitors. The expansion of a high-quality salon, such as Beauty Bar, which is already established in the area, will likely draw more foot traffic and enhance the appeal of the commercial space at 216 W 3rd Street.

Attachment: 2024-112 ATTH 02 Project Details (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

Short-Term Rental Market:

The short-term rental market in Texarkana is also on the rise, driven by both leisure and business travelers. The area's rich history, coupled with modern amenities, makes it an attractive destination for visitors looking for unique lodging experiences. The new short-term rental units at 216 W 3rd Street are well-positioned to capitalize on this trend, offering guests a blend of historic charm and modern convenience.

Foot Traffic and Overflow Demand:

One of the significant advantages of this property is its proximity to the Perot Theater, a cultural landmark that regularly draws large crowds for performances, events, and community gatherings. The foot traffic generated by the Perot Theater directly benefits the commercial spaces at 216 W 3rd Street, making it an attractive location for businesses seeking visibility and walk-in customers.

Moreover, the "war room" on the second floor can serve as an ideal space for the Perot Theater's overflow needs, such as hosting VIP receptions, meetings, or other events that require a private, well-equipped environment. This flexibility adds to the property's value proposition, offering a unique space that caters to the specific needs of the downtown business and cultural community.

Rooftop Terrace as a Competitive Advantage:

The rooftop terrace overlooking the Perot Theater square is a standout feature that offers a unique venue for hosting corporate events, private gatherings, and social functions. In downtown Texarkana, there are few venues that can compete with this space in terms of ambiance, location, and exclusivity. The terrace's combination of historic charm and modern amenities makes it a highly desirable location for businesses and individuals looking to host memorable events in a prestigious setting.

Given the limited availability of such premium event spaces in the area, the rooftop terrace at 216 W 3rd Street is expected to attract significant interest from corporate clients, local businesses, and event planners. This exclusivity not only enhances the property's appeal but also provides a competitive edge in the downtown event venue market.

History of Hayes Days Holdings, LLC:

Hayes Days Holdings, LLC was incorporated in 2020 and has since built a diverse and robust real estate portfolio. The company, owned by a husband-and-wife team, has demonstrated a strong track record in property investment and development.

The portfolio includes:

1. **Two Cabins in Broken Bow, Oklahoma**: Valued at over $3 million, these properties cater to the lucrative short-term rental market, offering luxurious accommodations in a popular vacation destination.

Attachment: 2024-112 ATTH 02 Project Details (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

2. **Short-Term Rental Property in Texarkana, Texas**: Located at 214 W 3rd Street, this property is valued at $315,000 and contributes to the local economy by providing high-quality lodging in the heart of downtown.

3. **Restaurant on Pine Street, Texarkana, Arkansas**: Valued at $135,000, this establishment adds to the company's portfolio diversification and provides a steady income stream from the food and beverage sector.

Hayes Days Holdings, LLC has established itself as a trusted name in real estate, with a focus on properties that offer both investment potential and community value. The company's experience in managing diverse real estate assets positions it well to successfully execute the redevelopment of 216 W 3rd Street.

Financing Proposal:

The total budget for the redevelopment project is estimated at $1.5 million. This will be financed through a combination of equity from existing real estate holdings and a loan from Guaranty Bank.

Sources of Funds (estimated as final budget is pending):

1. **Equity from Real Estate Holdings**: $400,000 (26.67% of total budget)
    - This will be leveraged from other real estate assets owned by Hayes Days Holdings, LLC, demonstrating significant commitment and reducing lender risk.
2. **Guaranty Bank Financing**: $1.1 million (73.33% of total budget)
    - Guaranty Bank will provide a loan secured by the property at 216 W 3rd Street and potentially other assets.

Use of Funds (estimates as the final budget is pending):

- **Demolition and Structural Repairs**: $300,000
- **Roof Construction**: $200,000
- **Ground Floor Commercial Space Development**: $400,000
- **Second Floor Short-Term Rentals Development**: $300,000
- **War Room Development**: $150,000
- **Rooftop Terrace**: $150,000

Financial Projections:

- **Commercial Rental Income**: $72,000 annually (based on $6,000 per month for three storefronts)
- **Short-Term Rental Income**: $100,000 annually (based on conservative projections from current short-term rental performance)
- **War Room Rental Income**: $20,000 annually (from event bookings)
- **Rooftop Terrace Event Income**: $10,000 annually (from private event bookings)

Total Estimated Annual Income: $202,000

Attachment: 2024-112 ATTH 02 Project Details (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

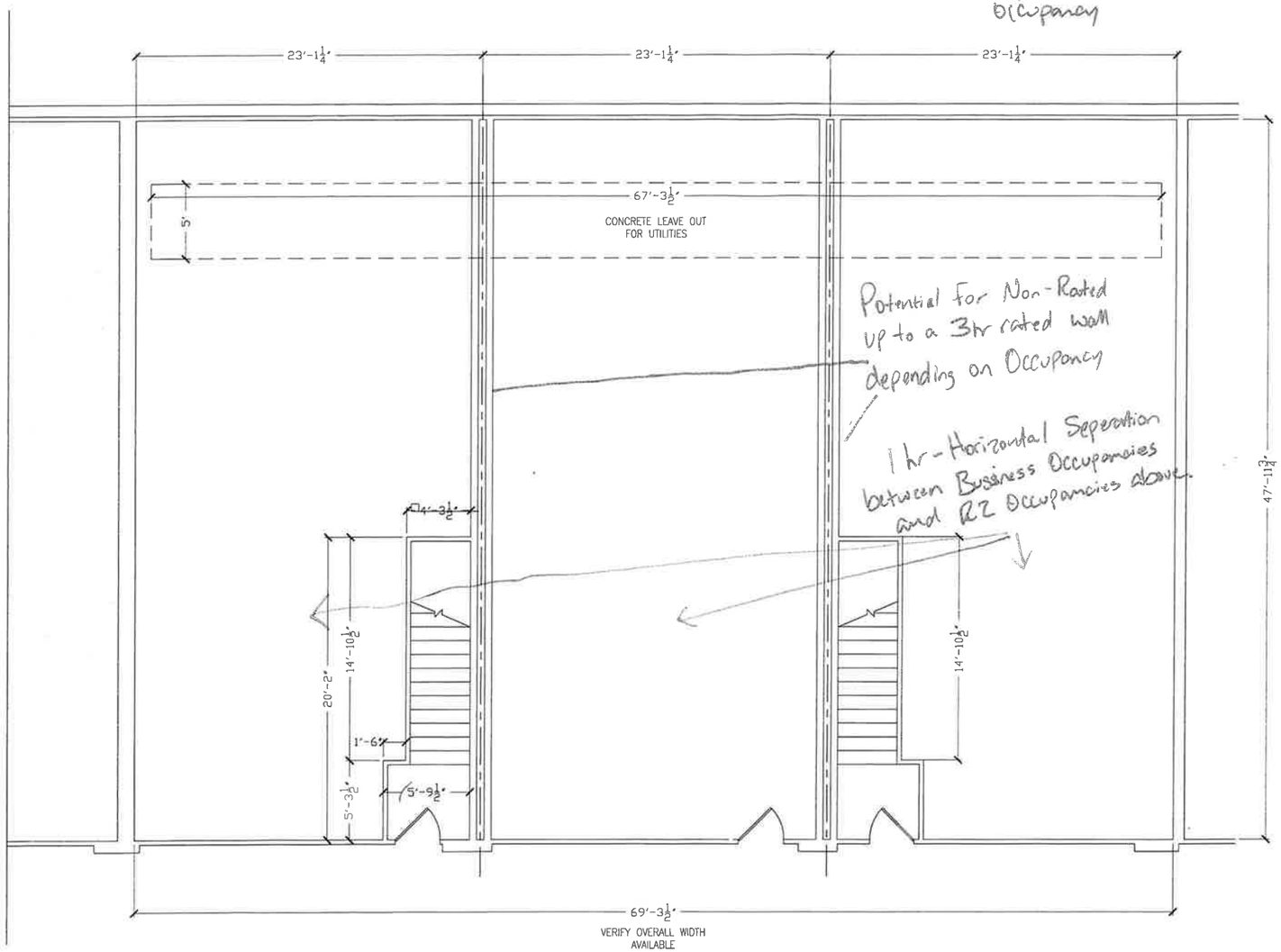
Conclusion:

The redevelopment of 216 W 3rd Street is strategically designed to leverage its location, proximity to the Perot Theater, and unique features such as the "war room" and rooftop terrace. These elements, combined with the growing demand in the commercial real estate and short-term rental markets, create a compelling value proposition. The project is well-positioned to attract high-quality tenants, generate substantial rental income, and become a cornerstone of the downtown revitalization efforts. By meeting the diverse needs of businesses and the community, the redevelopment ensures a vibrant and sustainable addition to the area while offering a competitive edge in the market.

Attachment: 2024-112 ATTH 02 Project Details (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

508.4 - 1hr horizontal seperation required between bussiness below and residence above

Note * - 508.4 could potentialy require up to a 3hr seperation between businesses depending on occupancy



Proposed Comm. Space

Scale 1/4" = 1' 0"

General Notes

Fire Walls

No.	Revision/issue	Date

Firm Name and Address

ROGERS Equipment & Construction

RESIDENTIAL AND COMMERCIAL CONTRACTOR

Mike Rogers Phone: 903-278-4244

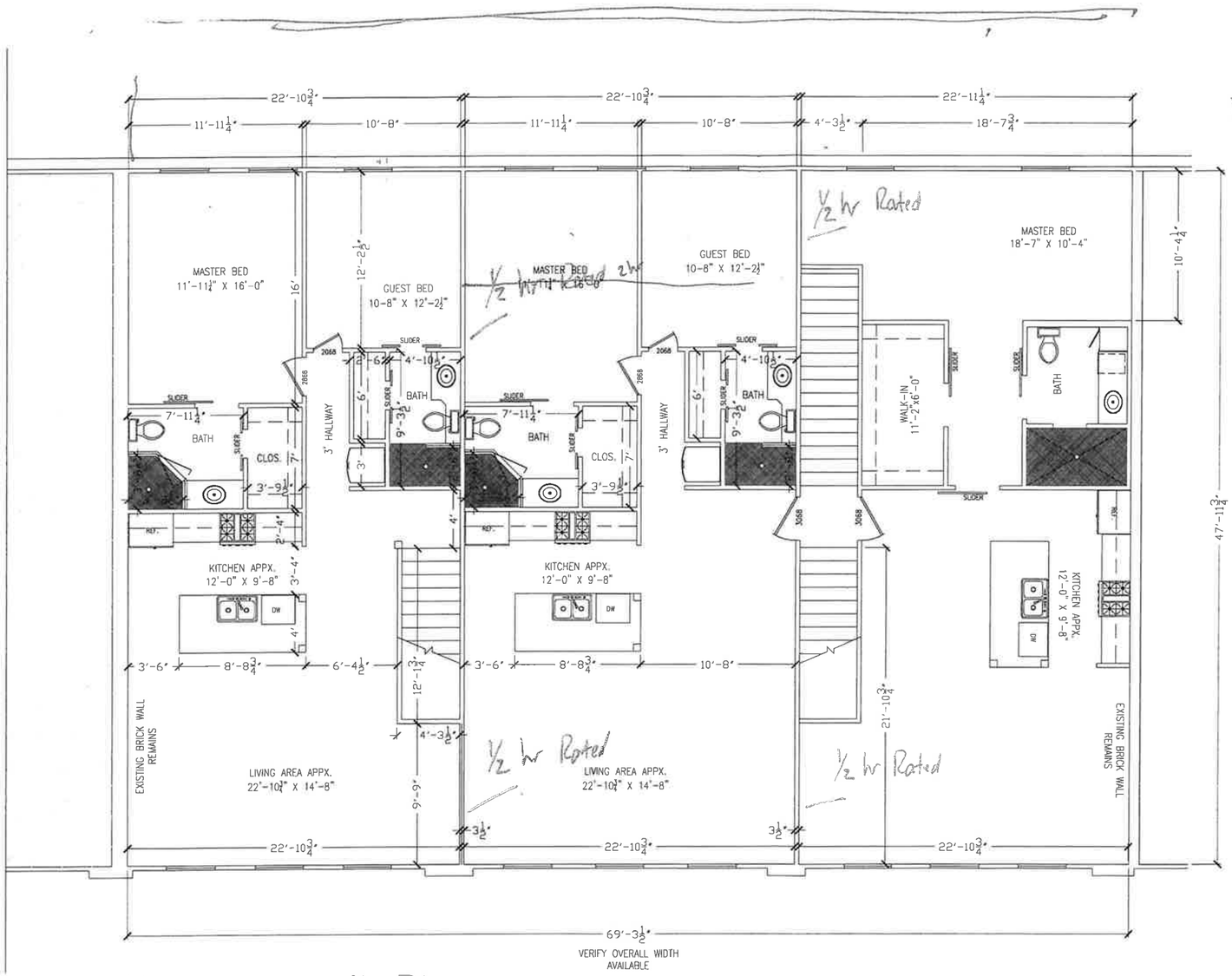
Project Name and Address

Commercial Property Rehab
3RD & MAIN TEXARKANA TEXAS
Remodel Existing Space

Project	Sheet
Floor Plan	A1
Date: 2/12/24	
Scale: 1/4" = 1'-0"	

Attachment: 2024-112 ATTH 03 Design Plans (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

708.3 - ½ hr separation allowed between dwellings when sprinkled.



Proposed Loft Plan

Scale 1/4" = 1'-0"

1006.3 - Egress from occupied roofs.

2 - exits required from occupied roof. Recomend installing , on back of building to recieve roof exit and emergency rescue opening requirements and take down to alley. Panic hardware will be required or door and on alley gate or door.

General Notes

No.	Revision/Issue	Date

Firm Name and Address

REC ROGERS Equipment & Construction

RESIDENTIAL AND COMMERCIAL CONTRACTOR

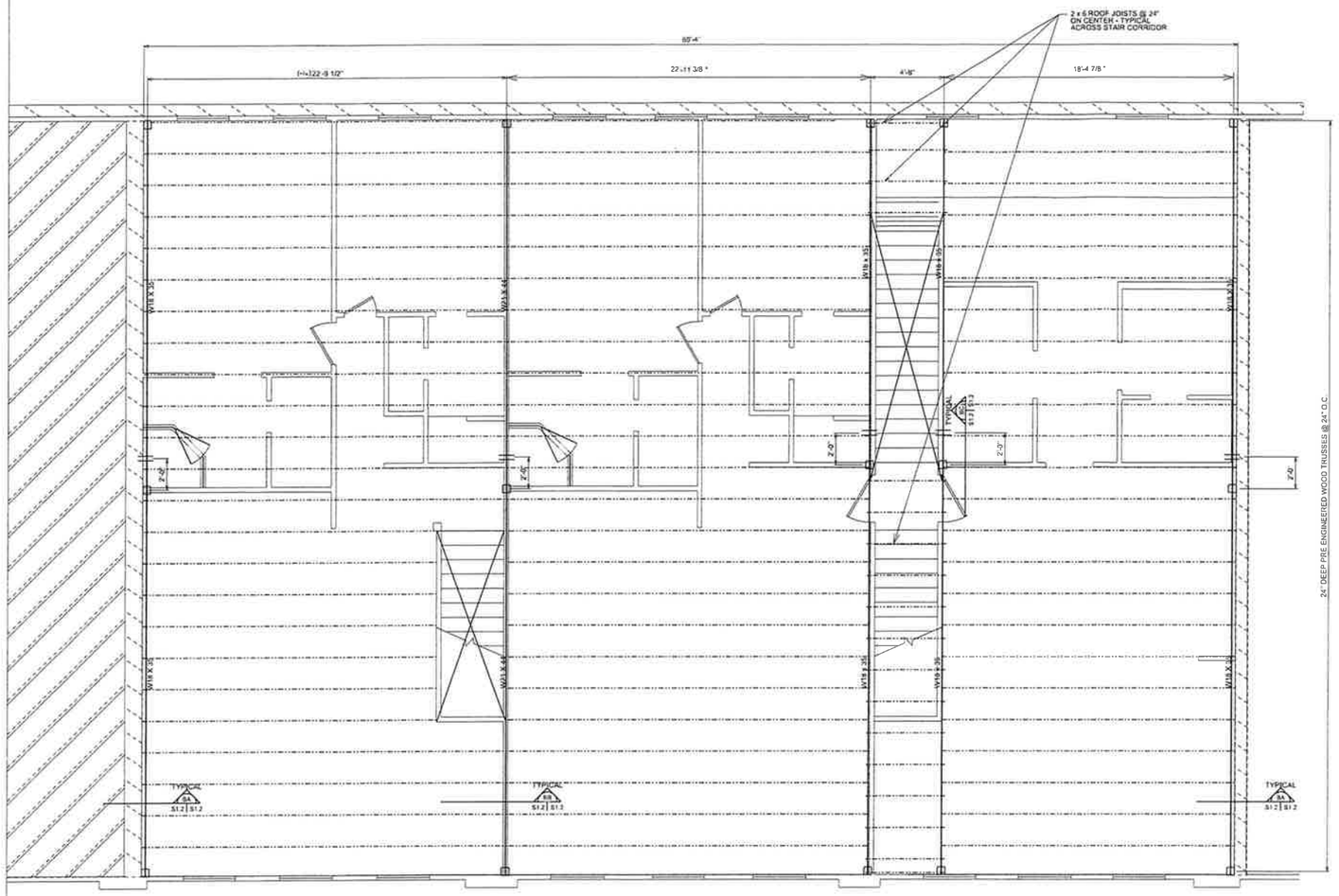
Mike Rogers Phone: 903-278-4244

Project Name and Address

Loft Spaces
3RD & MAIN TEXARKANA TEXAS
Remodel Existing Space

Project	Sheet
Floor Plan	A1
Date: 2/12/24	
Scale: 1/4" = 1'-0"	

Attachment: 2024-112 ATTH 03 Design Plans (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

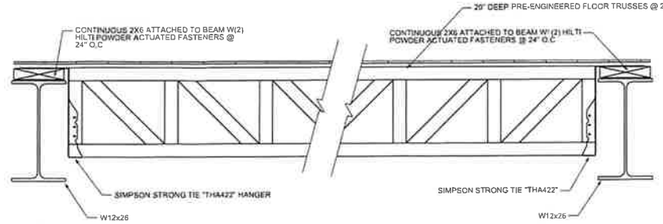


NOTE : FIELD VERIFY ALL DIMENSIONS

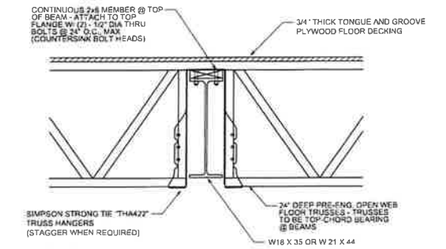
ROOFTOP DECK FRAMING PLAN

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

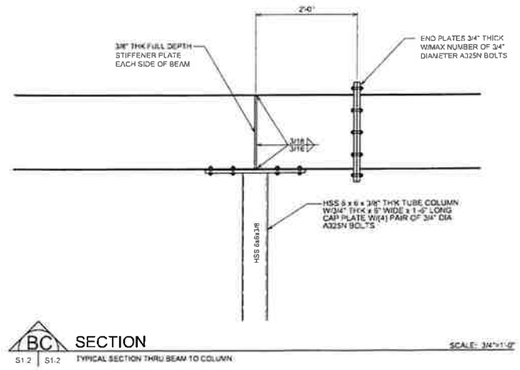
NOTE:
1. 2ND FLOOR FRAMING SHALL BE DESIGNED FOR THE FOLLOWING LOADS:
   - 20 PSF - TOP CHORD DEAD & COLLATERAL LOADS
   - 40 PSF - TOP CHORD LIVE LOAD
   - 10 PSF - BOTTOM CHORD DEAD LOAD
   - SNOW LOADS (INCLUDING DRIFTS) PER IBC 2015
2. PRE-ENGINEERED ROOF TOP DECK TRUSSES ARE TO BE DESIGNED BY AN ENGINEER CURRENTLY LICENSED TO PRACTICE IN THE STATE OF TEXAS.
3. PRE-ENGINEERED SUPPLIER SHALL SUBMIT/PROVIDE ENGINEER STAMPED SHOP DRAWINGS FOR REVIEW AND APPROVAL WITH THE FOLLOWING INFORMATION CLEARLY DELINEATED:
   - PLAN LAYOUT OF TRUSSES
   - PLAN LAYOUT OF ALL BRACING/BRIDGING
   - INDIVIDUAL TRUSS PROFILES AND ASSOCIATED LOADING(S) & DEFLECTIONS



BA SECTION — SCALE: 3/4"=1'-0"
S1.1 | S1.*
TYPICAL SECTION THRU FLOOR JOIST FRAMING



BB SECTION — SCALE: 1"=1'-0"
S1.2 | S1.2
SECTION THRU WOOD FLOOR TRUSS CONNECTION @ BEAM



BC SECTION — SCALE: 3/4"=1'-0"
S1.2 | S1.2
TYPICAL SECTION THRU BEAM TO COLUMN

PHILLIP LEWIS ENGINEERING, INC.
Structural + Civil Consultants
23620 Interstate 30 | Bryant, Arkansas
PH: 501-350-9840

REVISION:

ROGERS EQUIPMENT & CONSTRUCTION
3RD STREET LOFTS
TEXARKANA, TEXAS

PROJECT NUMBER:

SHEET ISSUE DATE:
9 JAN 2024

PAGE TITLE:
ROOF TOP DECK FRAMING PLAN

SHEET NUMBER:
S1.3

Attachment: 2024-112 ATTH 03 Design Plans (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)



NOTE : FIELD VERIFY ALL DIMENSIONS

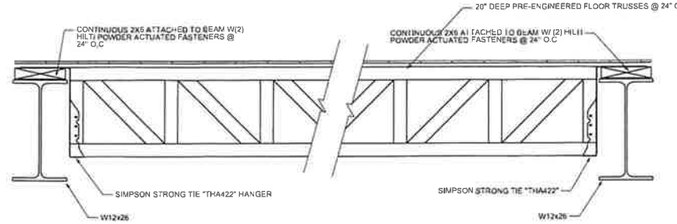
2ND FLOOR FRAMING PLAN

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

NOTE:
1. 2ND FLOOR FRAMING SHALL BE DESIGNED FOR THE FOLLOWING LOADS:
   - 20 PSF - TOP CHORD DEAD & COLLATERAL LOADS
   - 40 PSF - TOP CHORD LIVE LOAD
   - 10 PSF - BOTTOM CHORD DEAD LOAD

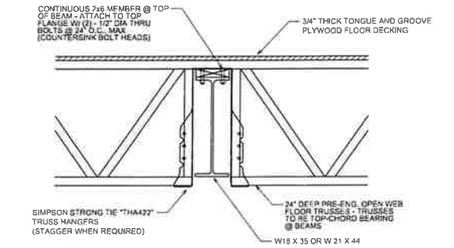
2. PRE-ENGINEERED FLOOR TRUSSES ARE TO BE DESIGNED BY AN ENGINEER CURRENTLY LICENSED TO PRACTICE IN THE STATE OF TEXAS.

3. PRE-ENGINEERED SUPPLIER SHALL SUBMIT/PROVIDE ENGINEER STAMPED SHOP DRAWINGS FOR REVIEW AND APPROVAL WITH THE FOLLOWING INFORMATION CLEARLY DELINEATED:
   - **PLAN LAYOUT OF TRUSSES**
   - PLAN LAYOUT OF ALL BRACING/BRIDGING
   - INDIVIDUAL TRUSS PROFILES AND ASSOCIATED LOADING(S) & DEFLECTIONS



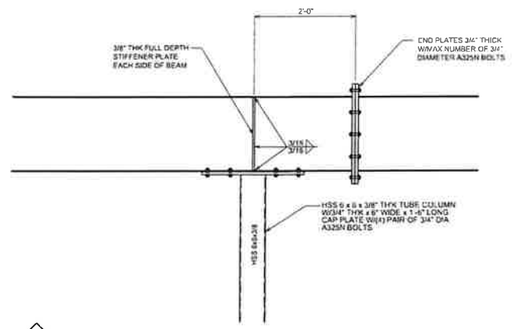
BA SECTION
S1.1 | S1.1 TYPICAL SECTION THRU FLOOR JOIST FRAMING

SCALE: 3/4"=1'-0"



BB SECTION
S1.2 | S1.2 SECTION THRU WOOD FLOOR TRUSS CONNECTION @ BEAM

SCALE: 1"=1'-0"



BC SECTION
S1.2 | S1.2 TYPICAL SECTION THRU BEAM TO COLUMN

SCALE: 3/4"=1'-0"

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REVISION:

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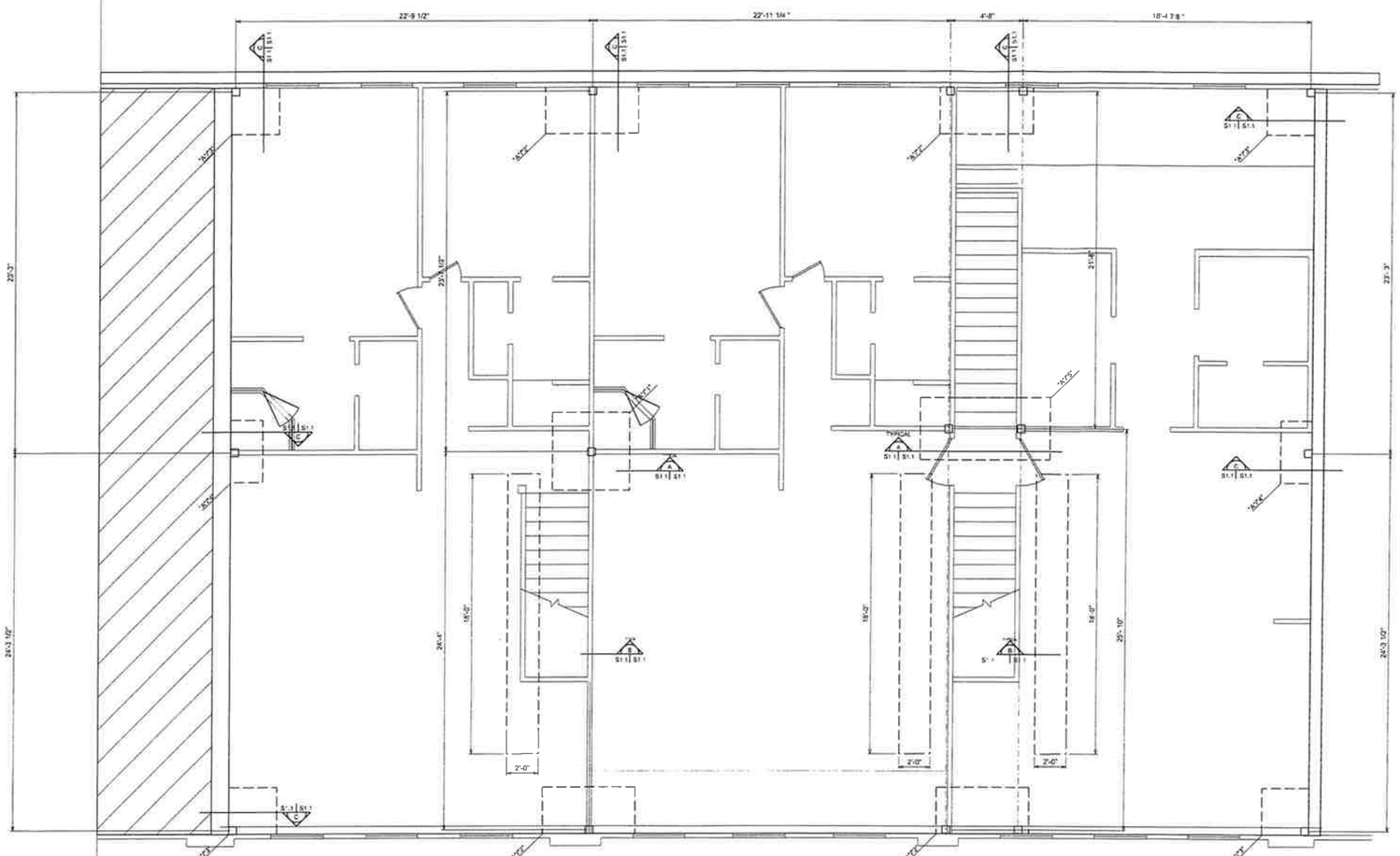
PROJECT NUMBER:

SHEET ISSUE DATE:
9 JAN 2024

PAGE TITLE:
2ND FLOOR FRAMING PLAN

SHEET NUMBER:
S1.2

Attachment: 2024-112 ATTH 03 Design Plans (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)



NOTE: FIELD VERIFY ALL DIMENSIONS

FOUNDATION PLAN

SCALE: 1/8"=1'0

FOOTING SCHEDULE		
1	5'-0"x5'-0"x1'-0" THK	W//(5) - #4 EACH WAY
2	3'-0"x7'-0"x1'-0" THK	W//(4) - #4 LONG DIRECTION W//(8) - #4 SHORT DIRECTION
3	3'-0"x3'-0"x1'-0" THK	W//(4) - #4 EACH WAY
4	2'-0"x4'-0"x1'-0" THK	W//(4) - #4 EACH WAY
5	4'-0"x8'-8"x1'-0" THK	W//(5) - #4 LONG DIRECTION W//(9) - #4 SHORT DIRECTION

FOOTING
COLUMN

COLUMN SCHEDULE	
A	HSS 6"x6"x 3/8" STEEL TUBE COLUMN W//3/4" THK x 12" x 12" B. PLATE

ALL COLUMNS TO HAVE (2 MINIMUM) - 3/4" DIA ASTM F1554 GRADE 36 ROD (THREADED AS NEEDED x 12" LONG WITH DOUBLE NUT AND WASHERS ON BOTTOM OF ANCHOR BOLTS

STRUCTURAL NOTES/SPECIFICATIONS

A. CONCRETE AND REINFORCING

1. MINIMUM CONCRETE COMPRESSIVE STRENGTH OF ALL CONCRETE AT 28 DAYS SHALL BE 3,000 PSI WITH A WEIGHT OF 145 PCF.

2. REINFORCING :
   - BARS: ASTM A615 - GRADE 60, EXCEPT USE GRADE 40 FOR BARS NOTED (IF NOTED).
   AS FIELD BENT
   - SHEET MESH: ASTM A185

3. CLEARANCE BETWEEN REINFORCING AND CONCRETE SUFACES WHICH ARE:
   CAST AGAINST EARTH OR ROCK.....3"
   FORMED AND EXPOSED TO WEATHER OR EARTH.....2"
   FORMED BUT NOT EXPOSEOTO WEATHER OR EARTH
   - COLUMNS, BEAMS, GIRDERS.....1 1/2"
   - WALLS, SLABS.....3/4"

4. MAXIMUM WATER/ CEMENT RATIO = 0.55 AND MAXIMUM SLUMP OF 5"

5. UNLESS OTHERWISE SHOWN IN THE ARCHITECTURAL DRAWINGS. PROVIDE 3/4" CHAMFERS AT ALL COLUMNS, BEAMS, WALLS, AND SLAB EDGES THAT ARE EXPOSED TO VIEW IN THE FINISHED STRUCTURE.

6. REFER TO ARCHITECTURAL DRAWINGS FOR CONCRETE FINISHES. WHERE FORM FINISH IS NOT SPECIFIED, CONFORM TO REQUIREMENTS OF ACI 301 AS MODIFIED BY THE SPECIFICATIONS.

7. SELECT FORMWORK TO PRODUCE THE FINISH REQUIRED. WHERE FINISH IS NOT SPECIFIED, FORMWORK FOR EXPOSED SURFACES SHALL BE ACI 347R, CLASS A, AND FORMWORK FOR OTHER SURFACES SHALL BE ACI 347R, CLASS C. A SURFACE IS CONSIDERED EXPOSED IF THE CONCRETE TEXTURE CAN BE SEEN BY ANYONE IN THE COMPLETED STRUCTURE.

B. STRUCTURAL STEEL:

1. ROLLED AND BUILT UP SECTIONS:
   W8's THRU W36's - A572 GRADE 50
   PIPES - A53 - 35 KSI
   TUBES - A500 GRADE B - 46 KSI
   BUILT-UP SHAPES - AS INDICATED
   ALL ELSE - A36 - 36 KSI OR A572 GRADE 50

2. CONNECTIONS:
   - WELD OR BOLT, UNLESS NOTED OTHERWISE
   - DESIGN CONNECTIONS NOT ENTIRELY DETAILED ON DRAWINGS
   - DETAILS SHOW THE RELATIONSHIP BETWEEN MEMBERS AND MAY GIVE LIMITATIONS OR CRITERIA TO BE USED IN DEVELOPING COMPLETE CONNECTION DESIGN AND DETAILS. USE CONNECTIONS FROM PART 4, AISC MANUAL, 9TH EDITION. FOR TS AND PIPE CONNECTIONS USE CONNECTIONS FROM AISC HOLLOW STRUCTURAL SECTIONS CONNECTIONS MANUAL.
   - MINIMUM THICKNESS: ANGLES 5/16", PLATES 3/8"

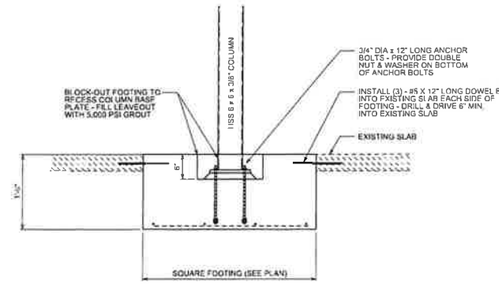
3. WELDED CONNECTIONS:
   - ELECTRODES: 370 SERIES
   - FILLET WELDS: AISC MINIMUM BUT NOT LESS THAN 3/16", UNLESS NOTED
   - GROOVE WELDS: FULL PENETRATION, UNLESS NOTED OTHERWISE.
   - WELDS ARE CONTINUOUS UNLESS NOTED OTHERWISE.

C. STRUCTURAL WOOD

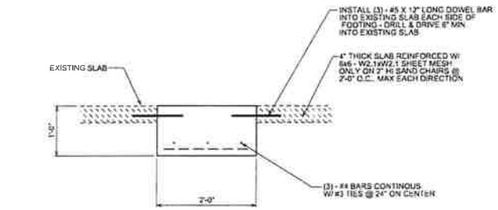
1. ALL DIMENSIONAL LUMBER SHALL BE NO. 2 GRADE (OR BETTER) SOUTHERN YELLOW PINE OR DOUGLAS FIR-LARCH

2. ALL EXTERIOR SHEATHING TO BE 15/32" THICK APA RATED OSB SHEATHING. PANELS MAY BE PLYWOOD VENEER CONSTRUCTION. PANELS SHALL BE PLACED WITH THE LONG DIMENSION PERPENDICULAR TO THE PANEL SUPPORTS. PANELS ARE ASSUMED TO BE CONTINUOUS OVER TWO OR MORE SUPPORTS. LEAVE MINIMUM OPEN SPACE AT ALL PANEL END JOINTS AS RECOMMENDED BY SHEATHING SUPPLIER TO ALLOW FOR EXPANSION.

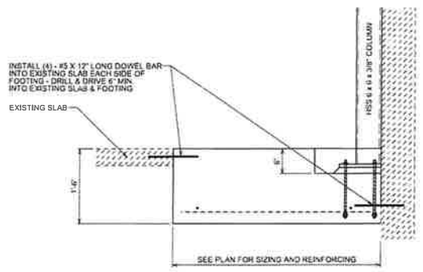
3. FASTENING REQUIREMENTS FOR ALL SHEATHING TO SUPPORTS SHALL BE IN CONFORMANCE WITH THE AMERICAN PLYWOOD ASSOCIATION'S (APA) TABLE FOR RECOMMENDED MINIMUM FASTENING SCHEDULE FOR APA ROOF PANELS AND WALL SHEATHING



A SECTION — SCALE: 3/4"=1'-0"
S1.1 | S1.1 SECTION THRU NEW HSS COLUMN FOOTING



B SECTION — SCALE: 3/4"=1'-0"
S1.1 | S1.1 TYPICAL SECTION @ INTERIOR LOAD BEARING WALL



C SECTION — SCALE: 3/4"=1'-0"
S1.1 | S1.1 SECTION THRU FOOTING @ PERIMETER WALLS

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REVISION:

ROGERS CITY HALL EQUIPMENT & CONSTRUCTION
300 S 5TH STREET LOFTS
3RD & 5TH STREET LOFTS
ROGERS, ARKANSAS
TEXARKANA, TEXAS

PROJECT NUMBER:

SHEET ISSUE DATE:
9 JAN 2024

PAGE TITLE:
FRAMING PLAN

SHEET NUMBER:
S1.1

Attachment: 2024-112 ATTH 03 Design Plans (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

214 WEST 3RD STREET | TEXARKANA, TEXAS



Current front façade.

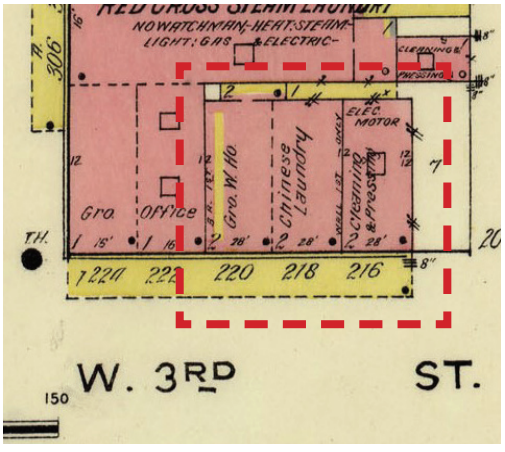
Main Street Manager Ina McDowell and property owner Kevin Hayes requested design assistance for the 214 West 3rd Street property. The owner wants to rehabilitate the building to have 2-3 commercial units on the first floor, 3 residential units on the 2nd floor and a third floor with a rooftop to rent for private events and possible residential use too.

Both buildings next door have been recently renovated. The business to the left, a hair salon, is interested in expanding into one of the commercial units and have access through the inside.

ANALYSIS

Historic records such as maps and photos help the Design Team learn more about the history of the buildings. Sanborn Fire Insurance Maps were created from the late 1800s to the mid -1900s to determine fire insurance liability in urbanized areas across the US. These maps include detailed information about a building including number of stories, openings, and construction materials, unique features and occupancy details.

The building first appeared in the Fire Insurance Sanborn Maps in 1915. A continuous canopy that extended through the 3 units and to the end of the block.



Sanborn (1915)

The historic photos (next page), provided by the Main Street manager, give us a view of a pre-1950's façade. Doors were centered in the units. Bulkheads and big display windows are visible. Tile is also present, and pilasters have contrasting colors.

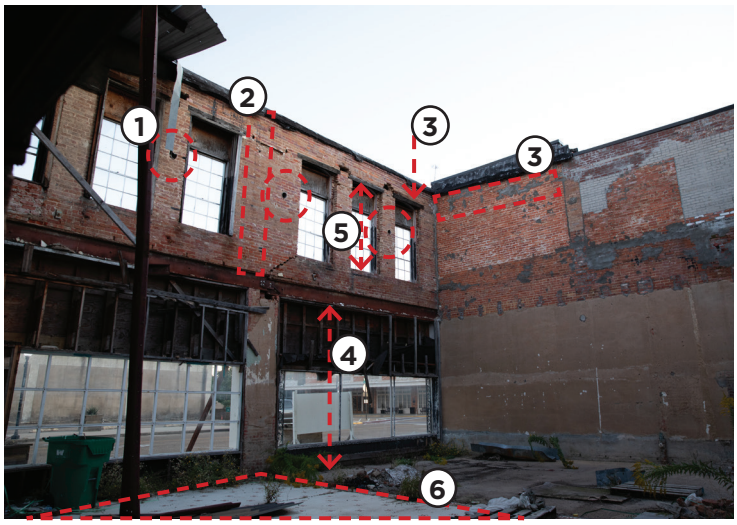
The building lost most of its roof in recent years. There are some remaining interior walls between two of the units. The front façade wall is still in place but should be inspected by an engineer as many structural issues are evident (photos next page). The brick is exposed in the interior, but the exterior façade still has a slipcover. When steel beams were added, also visible from the interior, it is most likely that the 1st floor façade was heavily altered. The 2nd floor former window frames are still in place. The material added to the exterior face of the brick facade conceals the original extent of the window openings.

The design assistance is based on The Secretary of Interior's Standards for the Treatment of Historic Properties to preserve architectural elements and the historic character of the building.

Attachment: 2024-112 ATTH 04 Design Report for 216-224 W. 3rd St. (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

214 WEST 3RD STREET | TEXARKANA, TEXAS

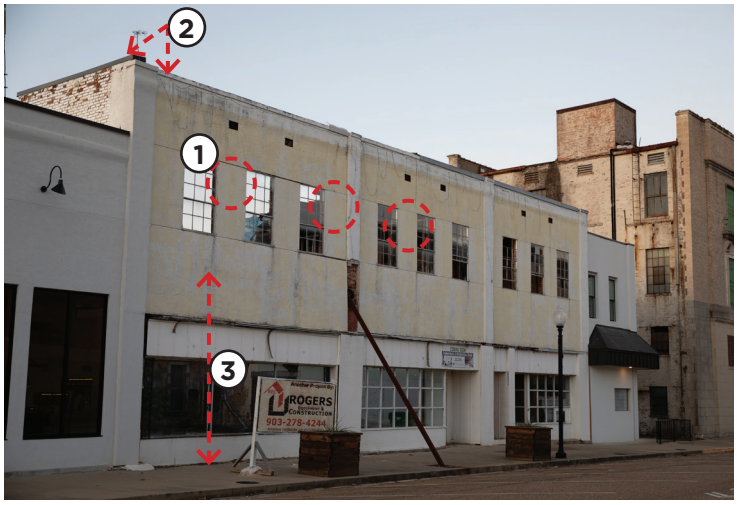
1. A set of 3 openings appear at an unusual height. These could be signs of a former tie-rod canopy, or they could have served a different use. Main Street manager met with Patterson Camera Shop owners and requested historic photos. Structural investigation of these elements should be part of the recommended engineering report.
2. Remnants of a perpendicular wall are visible in the 2nd floor. The Camera Shop business extended from the corner building all the way into the three first floor units. It could be possible that the 2nd floor was joined at some point too.
3. Signs of joists suggest a roof height that is at the height of former window openings. This suggests there could have been a higher previous roof and parapet.
4. A beam was likely introduced when the façade was heavily altered and the commercial units were combined. Though this height is also consistent with location of second floor historically.
5. Former larger window frames are still in place.
6. Some remnants of floor tile are present, consideration of preserving and incorporating into the interior design is recommended.



Current interior photo.

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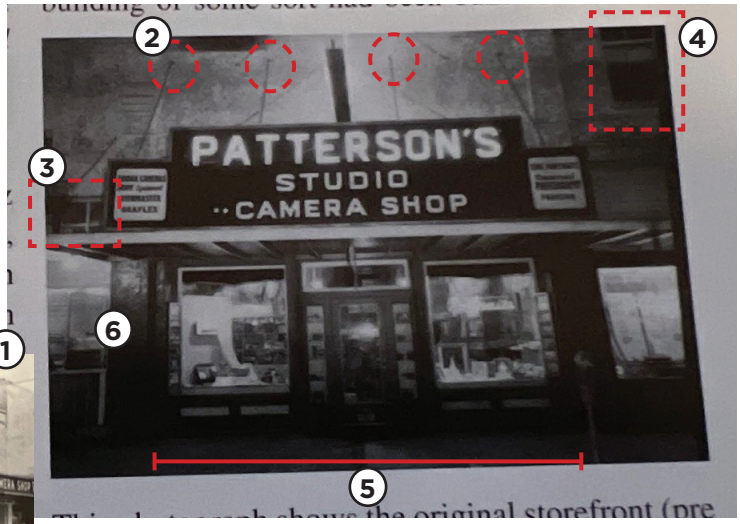
1. The sets of openings that are visible in the interior photo are not visible at the exterior and it is not clear if they align with tie rod canopy locations. Concealed bracing in the front facade should also be investigated.
2. The side parapet height also suggests that a previously higher front parapet or decorative cornice has since been removed. Given the roof work required of this project, it is recommended to consider a sensitive adjustment to the height of the front parapet.
3. Approximate height of the current structural beam. There is enough space for the addition of transom windows and a canopy, as seen in the Sanborn maps and historic photo.



Current exterior photo.

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1. Based on the provided information we aren't able to confirm if these two historic photos pertain to the same building. Patterson's Camera Shop had different locations throughout the years.
2. The tie-rods are anchored at a similar height than the set of openings that are visible in the interior photos but these do not appear to be aligned in location.
3. Transom windows are visible to the left of the business sign.
4. 2nd floor windows are visible on the third unit. Main Street manager informed us that the 2nd floor of this unit was most likely used as a residence.
5. It appears that the main entrance to the Patterson's Camera Shop was through the center unit.
6. Tile is visible in the front façade.
7. Two contrasting colors are also visible on the pilasters.



Historic photos pre 1950s.



Attachment: 2024-112 ATTH 04 Design Report for 216-224 W. 3rd St. (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

214 WEST 3RD STREET | TEXARKANA, TEXAS

DESIGN RECOMMENDATIONS



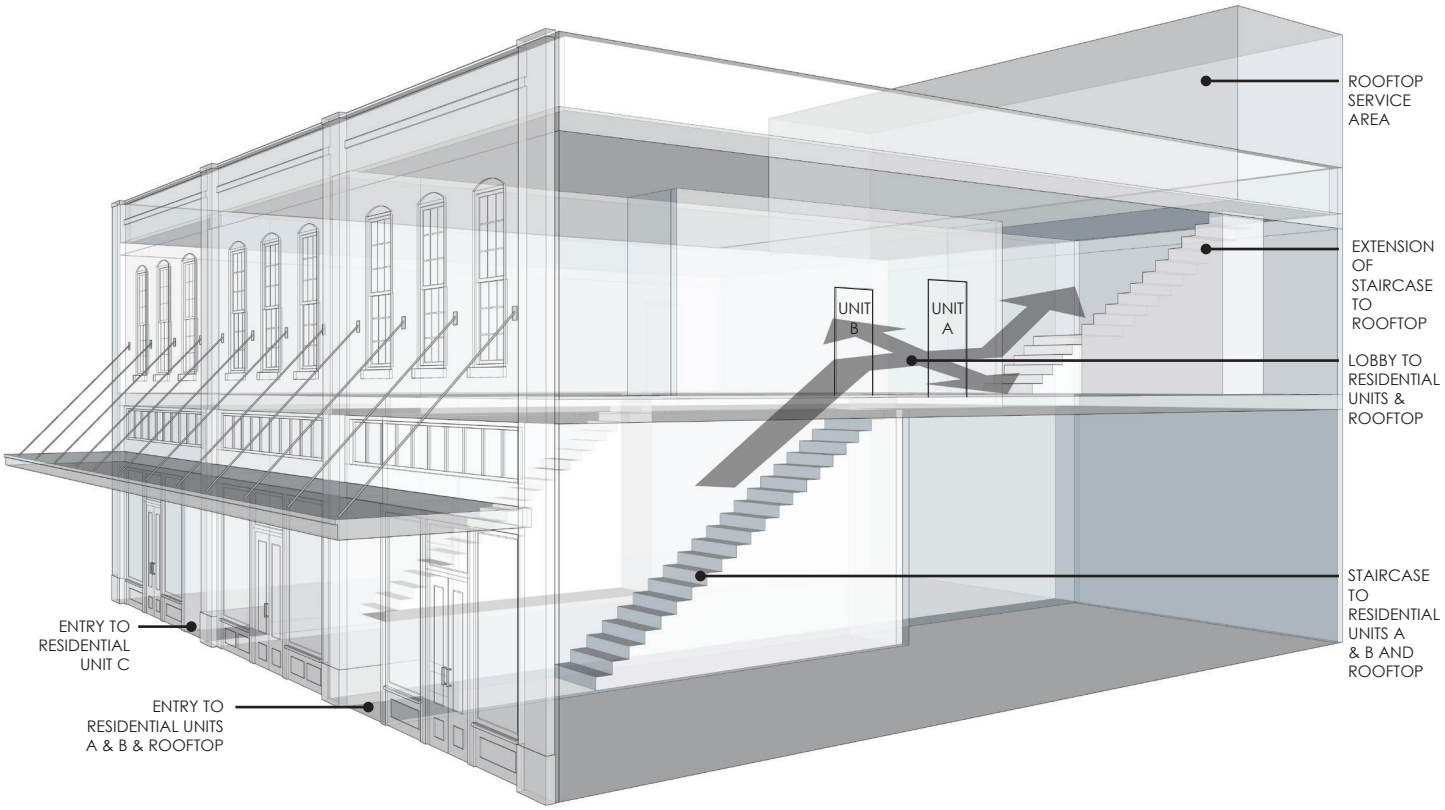
Proposed front façade.

- Bulkheads and large display windows are reintroduced, allowing clear views into the retail units and access to natural light, creating a welcoming environment.
- Doors are located at the center of each retail unit, consistent with historic photos of the area.
- Transom windows add to the interior natural illumination and reestablish original proportions of openings for the building.
- A recessed separate access to the 2nd floor creates a more private way to the residential units. A single staircase provides access to two different upstairs units.
- A continuous tie-rod canopy is reintroduced.
- The 2nd floor windows are returned to their original opening size, previously concealed by exterior facade treatment. The existing mullion grid is the reference for new windows at this location.
- With the installation of a new roof, a higher parapet with cornice detail is necessary to allow for original height of second floor windows.
- The façade requires extensive repair to the exterior covering. The brick behind the slipcover is most likely damaged and possibly not in proper condition to be exposed. Exploration of material should be done to determine the options available for stabilization and preservation of the historic facade. It appears the front wall can be repaired and remain in place, but a structural investigation is recommended.
- Rooftop access will need to be considered if a roof deck is added, this could be done through one of the residential staircases. Restrooms and service areas to support private events should also be included. This service volume should be located at the back of the building, not visible from the street-level, so it does not alter the historic character of the building and district, as advised in the Secretary of Interior's Standards.
- An alternative for locating restrooms and a service area on the rooftop is using one of the upstairs units as part of the private event area.

Attachment: 2024-112 ATTH 04 Design Report for 216-224 W. 3rd St. (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

214 WEST 3RD STREET | TEXARKANA, TEXAS

DESIGN RECOMMENDATIONS



Staircase volumetric diagram.

- Staircase provides access to two residential units allowing for more rental space.
- Extension of staircase provides access to the rooftop.
- The service area is recessed to the back of the building avoiding visible changes to the character of the building in the district from the street.

Attachment: 2024-112 ATTH 04 Design Report for 216-224 W. 3rd St. (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

214 WEST 3RD STREET | TEXARKANA, TEXAS

NOT FOR REGULATORY APPROVAL

The purpose of this report is to provide ideas and schematic designs for projects. Main Street Staff works with business and property owners to provide designs that meet their objectives while still respecting the historic building and context. For official tax credit review, a separate process must be followed and may involve modified design plans to meet the criteria. In the case of an existing structure, prior to making any improvements to the building façade(s) the building owner should perform a thorough review of the major structural components including the roof, walls, and foundation. All mechanical and electrical systems should be well maintained in conformity with applicable codes and ordinances. Building uses and interior arrangements of program spaces should also be in conformity with applicable codes and ordinances and remain subject to all applicable regulatory review by building officials having jurisdiction.

In addition, Texas Main Street Staff highly recommends working with an architect, engineer, and other professionals to complete most projects. They can manage the project and work through the complexities of code requirements and constraints of an existing building or new construction. If questions arise or additional designs are needed, please contact your local Main Street Manager for assistance. Please note that the designs and recommendations provided do not guarantee approval for the tax credit application, if applicable. Conceptual designs included in this document do not constitute regulatory approval of any kind including but not limited to the local building permit, development process and Texas Accessibility Standards as applicable.

CONSULTING INFORMATION WITH ASSISTANCE FROM **JAMIE CRAWLEY, AIA, NCARB, LEED AP BD+C**, MAIN STREET ARCHITECT HAS BEEN PREPARED BY:

TEXAS HISTORICAL COMMISSION
REAL PLACES TELLING REAL STORIES

Malena Maiz
Texas Main Street Project Design Specialist
Community Heritage Development Division
PO Box 12276 Austin, Texas 78711-2276
P: 512-463-9129
F: 512-463-3345
thc.texas.gov

Attachment: 2024-112 ATTH 04 Design Report for 216-224 W. 3rd St. (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

ROGERS EQUIPMENT & CONSTRUCTION

100 Slaton Drive
Nash, Texas 75569
Cell: 903-278-4244

Project: 3rd & Main Lofts			
ATTN			
Date 05/28/2024			
Scope Of Work			**AMOUNT**
General Conditions			$107,250.00
Site Work			$2,200.00
Structural Concrete			$30,000.00
Total Masonry			$10,000.00
Thermal and Moisture Protection			$91,460.00
Doors, Windows, & Glass			$68,660.00
Metals			$145,809.00
Finishes			$297,950.00
Specialties			$8,000.00
Equipment			$13,400.00
Mechanical			$156,500.00
Electrical			$37,500.00
Final Cleaning			$1,500.00
Contingency			$154,399.00
Subtotal			$1,124,628.00
O &P 15%			$168,694.20
Sales Tax /Remodel Tax			$106,699.08
TOTAL			$1,400,021.28

* Prices are good for 30 days.
* This quote is for budget only. Actual job will be billed at cost plus 15% including REC-TXK supervision.

Wesley Little
Estimator
REC-TXK
(903)826-9349

Brock Mcleod
Project Manager
REC-TXK
(903) 278-1808

Attachment: 2024-112 ATTH 05 Bid for construction (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

City of Texarkana, Texas

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

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

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

Attachment: 2024-112 Goals & Perspectives (4320 : 2024-112 RES Facade Loan for 216-224 W. 3rd St)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 9/18/2024 8:20 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-114 rezoning from Industrial-1 to Single Family-3 on Lot 3, Block 2, Carpenters addition, located at 2302 James Street. Billy Jacobs, owner.		

Briefing: 10/14/2024 **Public Hearing:** 10/14/2024 **Council Vote:** 10/14/2024

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 Billy Jacobs, owner, to rezone Lot 3, Block 2, Carpenters Addition, located at 2302 James Street from Industrial-1 to Single Family-3. The intention is to place a single wide HUD code manufactured home on this property. The property is currently vacant land.

The Future Land Use Map has designated this property as “Suburban Residential”.

The adjacent zoning is Industrial-1 to the north, south, east, and Single Family-2 to the west. The adjacent land use is vacant lant to the north, south, east, and residential to the west.

Staff recommend approval of this request.

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

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

September 3, 2024

Attachments

a. 2024-114 ORD 2302 James Street (DOCX)
b. 2024-114 ATTH 01 (Maps) (PDF)
c. 2024-114 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Completed	Mashell Daniel 09/18/2024 9:23 AM	Department Head Review	
Building Code Administration	09/18/2024 9:23 AM	Mashell Daniel	Reviewer	Completed
Public Works Department	09/18/2024 9:36 AM	Dusty Henslee	Reviewer	Completed
City Manager	David Orr	Reviewer	Completed	09/18/2024 10:07 AM
City Council	Jennifer Evans	Meeting	Completed	09/23/2024 6:00 PM

Meeting History

Z-24-8

ORDINANCE NO. 2024-114

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOT 3, BLOCK 2, CARPENTERS ADDITION, LOCATED AT 2302 JAMES STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM INDUSTRIAL-1 TO SINGLE FAMILY-3; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **Lot 3, Block 2, Carpenters Addition, located at 2302 James Street,** in the City of Texarkana, Bowie County, Texas, from **Industrial-1 to Single Family-3**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend for approval of the application for rezoning from Industrial-1 to Single Family-3 on Lot 3, Block 2, Carpenters Addition, located at 2302 James Street** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Industrial-1 to Single Family-3**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Industrial-1 to Single Family-3** is in the best interest of the public health, safety, morals, and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **Lot 3, Block 2, Carpenters Addition, located at 2302 James Street** in the City of Texarkana, Bowie County, Texas, from **Industrial-1 to Single Family-3.**

Attachment: 2024-114 ORD 2302 James Street [Revision 1] (4322 : 2024-114 ORD rezoning I-1 to SF-3 at 2302 James Street)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th of October 2024.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2024-114 ORD 2302 James Street [Revision 1] (4322 : 2024-114 ORD rezoning I-1 to SF-3 at 2302 James Street)

2024-114 ATTH 01
Z-24-8

2302 James Street



Attachment: 2024-114 ATTH 01 (Maps) (4322 : 2024-114 ORD rezoning I-1 to SF-3 at 2302 James Street)

2024-114 ATTH 01
Z-24-8

2302 James Street



Attachment: 2024-114 ATTH 01 (Maps) (4322 : 2024-114 ORD rezoning I-1 to SF-3 at 2302 James Street)

2302 James Street



Attachment: 2024-114 ATTH 01 (Maps) (4322 : 2024-114 ORD rezoning I-1 to SF-3 at 2302 James 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:			

Attachment: 2024-114 Goals & Perspectives (4322 : 2024-114 ORD rezoning I-1 to SF-3 at 2302 James Street)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 9/18/2024 8:28 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Zoning Administrator
Subject:	Ordinance No. 2024-115 granting a Specific Use Permit to allow the location of a single wide HUD code manufactured home on Lot 3, Block 2, Carpenters Addition, located at 2302 James Street. Billy Jacobs, owner.		

Briefing: 10/14/2024 **Public Hearing:** 10/14/2024 **Council Vote:** 10/14/2024

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 Billy Jacobs, owner, for a Specific Use Permit to allow the location of a single wide HUD code manufactured home on Lot 3, Block 2, Carpenters Addition, located at 2302 James Street. This property is currently a vacant lot.

The Future Land Use Map has designated this property as “Suburban Residential”.

The adjacent zoning is Industrial-1 to the north, south, east, and Single Family-2 to the west. The adjacent land use is vacant lant to the north, south, east, and residential to the west.

The City’s Zoning Ordinance was amended to comply with the state law in 2002, requiring that all manufactured housing be HUD code building standard. This amendment also stipulated that all HUD code manufactured homes inside the city limits be placed in the Single Family-3 zoning district along with the approval of a Specific Use Permit.

Staff recommends approval of this request with the following stipulations:

1. That one 2017 or newer single wide HUD code manufactured home be allowed on this property.
2. That the single wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the single wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner’s responsibility to renew this permit.

5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

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

Potential Options:

Approved

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

September 3, 2024

Attachments

a. 2024-115 ORD SUP HUD code mnfctrd home 2302 James Street (DOCX)
b. 2024-115 ATTH 01 (Maps) (PDF)
c. 2024-115 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed
	09/18/2024 9:23 AM			
Public Works Department		Dusty Henslee	Reviewer	Completed
	09/18/2024 9:36 AM			
City Manager	David Orr	Reviewer	Completed	09/18/2024 10:07 AM
City Council	Jennifer Evans	Meeting	Completed	09/23/2024 6:00 PM

Meeting History

S-792

ORDINANCE NO. 2024-115

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-792 TO ALLOW THE LOCATION OF A SINGLE WIDE HUD CODE MANUFACTURED HOME ON LOT 3, BLOCK 2, CARPENTERS ADDITION, LOCATED AT 2302 JAMES STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of a single wide HUD code manufactured home on **Lot 3, Block 2, Carpenters Addition, located at 2302 James Street**, in the City of Texarkana, Bowie County, Texas; and

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

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

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-792 for the location of a single wide HUD code manufactured home** on **Lot 3, Block 2, Carpenters Addition, located at 2302 James Street,** in the City of Texarkana, Bowie County, Texas.

Attachment: 2024-115 ORD SUP HUD code mnfctrd home 2302 James Street (4323 : 2024-115 ORD SUP for HUD code mnfctrd home at 2302

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

1. That one 2018 or newer single wide HUD code manufactured home be allowed on this property.
2. That the single wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the single wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of October 2024.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2024-115 ORD SUP HUD code mnfctrd home 2302 James Street (4323 : 2024-115 ORD SUP for HUD code mnfctrd home at 2302

2024-115 ATTH 01
S-792

2302 James Street



Attachment: 2024-115 ATTH 01 (Maps) (4323 : 2024-115 ORD SUP for HUD code mnfctrd home at 2302 James Street)

2024-115 ATTH 01
S-792

2302 James Street



Attachment: 2024-115 ATTH 01 (Maps) (4323 : 2024-115 ORD SUP for HUD code mnfctrd home at 2302 James Street)

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S-792

2302 James Street



Attachment: 2024-115 ATTH 01 (Maps) (4323 : 2024-115 ORD SUP for HUD code mnfctrd home at 2302 James 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:			

Attachment: 2024-115 Goals & Perspectives (4323 : 2024-115 ORD SUP for HUD code mnfctrd home at 2302 James Street)

City of Texarkana, Texas

Briefing Sheet

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

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

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

Briefing: 9/23/2024 **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.

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)
d. 2024-106 RES MOU w Texarkana College signed (PDF)

Staff Coordination

City Manager	David Orr	Department Head Review	Completed	08/30/2024 2:00 PM
Finance Department	Jennifer Evans	Finance Review	Skipped	09/09/2024 6:07 PM
City Manager	Jennifer Evans	City Manager Review	Skipped	09/09/2024 6:07 PM
City Council	Jennifer Evans	Meeting	Completed	09/09/2024 6:00 PM

Meeting History

09/09/24	City Council	MOVED FORWARD	Next: 09/23/24

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

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

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:

Attachment: 2024-106 ATTH 01 MOU (4314 : 2024-106 RES Approving TC MOU)

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.

Attachment: 2024-106 ATTH 01 MOU (4314 : 2024-106 RES Approving TC MOU)

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

Attachment: 2024-106 ATTH 01 MOU (4314 : 2024-106 RES Approving TC MOU)

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

Attachment: 2024-106 ATTH 01 MOU (4314 : 2024-106 RES Approving TC MOU)

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).

Attachment: 2024-106 ATTH 01 MOU (4314 : 2024-106 RES Approving TC MOU)

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

Attachment: 2024-106 ATTH 01 MOU (4314 : 2024-106 RES Approving TC MOU)

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)

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

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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

6:37p.m.

Attachment: 2024-106 RES MOU w Texarkana College signed (4314 : 2024-106 RES Approving TC MOU)

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by and between
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Attachment: 2024-106 RES MOU w Texarkana College signed (4314 : 2024-106 RES Approving TC MOU)

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Attachment: 2024-106 RES MOU w Texarkana College signed (4314 : 2024-106 RES Approving TC MOU)

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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.

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Attachment: 2024-106 RES MOU w Texarkana College signed (4314 : 2024-106 RES Approving TC MOU)

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.

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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

Attachment: 2024-106 RES MOU w Texarkana College signed (4314 : 2024-106 RES Approving TC MOU)

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).

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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

Attachment: 2024-106 RES MOU w Texarkana College signed (4314 : 2024-106 RES Approving TC MOU)