



CITY OF TEXARKANA

CITY COUNCIL

MINUTES • OCTOBER 9, 2017

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	
Willie Ray	Ward 2	Absent	
Betty Williams	Ward 3	Present	
Christie Alcorn	Ward 4	Present	
Christy P. Paddock	Ward 5	Present	
Josh Davis	Ward 6	Present	

Staff Present: Interim City Manager Shirley Jaster, Jennifer Evans, Kyle Dooley, Jodie Lee, Beebe McFaul, Eric Schlotter, Karey Parker, Dusty Henslee, Kevin Davenport, Robby Robertson, Sherry Jackson Hawkins, Mashell Daniel, Chris Black, Kevin Schutte, Dan Shiner, David Orr, Hunter Fant, Dakota Huddleston, Alan Sikes, Marty Lawrence, Don Rich, Lucas Shelton, Brad Smith, and Jerry Sparks.

Legal Counsel: Jeff Lewis

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER CHRISTY PADDOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, October 23, 2017 at 6:00 p.m.

Monday, November 13, 2017 at 6:00 p.m.

Monday, November 27, 2017 at 6:00 p.m.

Governor's Small Business Forum Meeting:

Thursday, October 26, 2017 from 8:00 a.m. to 1:00 p.m. - Texarkana Convention Center

Fall Farmers Market:

The Fall Market will continue to run on Saturdays until November 25th (with the exception of Saturday, November 18th). Hours are from 8:00 a.m. - 12:00 noon

Saturday, October 28th - Autumn Celebration

Parks & Recreation Events:

October 12 th	Movies in the Park* “Wonder Woman”	Spring Lake Park
October 19 th	Movies in the Park* “Hocus Pocus”	Spring Lake Park
October 19 th	Fall Festival	Spring Lake Park
October 21 st	Bark in the Park	Spring Lake Park
October 28 th	Community Yard Sale	Spring Lake Park

NOTE: *Movies are scheduled to start at dusk **Fall Fest begins at 5:00

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

October is Domestic Violence Prevention month. The annual Komen Race for the Cure is scheduled for Saturday, October 21st and will be held at the Four States Fairgrounds.

This year's National Night Out (NNO), held on Tuesday, October 3rd, was a huge success. The schedule included 22 block parties held around the city. Council Member Williams participated with residents at the Collins Center building. Council Member Matlock took part in hosting residents at Bell Park. Council Member Alcorn also shared in the evening events. The Mayor thanked the council, staff and all the residents who shared in this year's NNO celebration.

Spring Lake Park will host the first annual Texarkana Down Syndrome Awareness Walk & Fun Day on Saturday, October 28th from 10:00 a.m. to 1:00 p.m. at the park pavilion. For more information, contact Melissa Massey at (903) 293.7734.

Student attendees were welcomed from various schools including Texas High School, Liberty Eylau High School and Texas A&M - Texarkana.

Hurricane Harvey Relief Responders Presentation

Mayor Bruggeman and Fire Chief Eric Schlotter presented certificates of excellence to city staff who assisted with relief efforts in south Texas due to the recent hurricane and flooding.

Recipients recognized were: Inspections staff - Keith Lee, and Fire staff - Chris Black, Ken Chamblee, Hunter Fant, Dakota Huddleston, Owen Jones, Marty Lawrence, Lane Peeples, Don Rich, Lucas Shelton, Alan Sikes, Brad Smith, and John Taylor.

Appointments to Boards & Commissions

Council Member Alcorn recommended the following people for reappointment to the Zoning Board of Adjustment: Rusty Felps, Ellen Moore (regular members) and Stuart McDonald, Larry Bunn (alternate members).

Council Member Williams recommended the following person for reappointment to the Planning and Zoning Commission: Tom Coleman.

Motion to make reappointments to various boards and commissions.

(6:27 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Davis, Ward 6
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Williams, Alcorn, Paddock, Davis
ABSENT:	Ray
EXCUSED:	Bruggeman

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

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

There were no public comments made at Open Forum.

V. ITEMS FOR CONSIDERATION***Consent Items***

(6:29 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Davis, Ward 6
SECONDER:	Christy P. Paddock, Ward 5
AYES:	Matlock, Williams, Alcorn, Paddock, Davis
ABSENT:	Ray
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on September 25, 2017 at 6:00 PM.
2. Ordinance No. 2017-108 determining a lack of public necessity and abandoning a part of a utility easement in the vicinity of Central Mall.

Public Hearing:
Second Briefing:
Council Vote: October 9, 2017

3. Resolution No. 2017-110 authorizing the expenditure of Community Relations funds in support of the Live United Bowl Team's Banquet.

Public Hearing:
Second Briefing:
Council Vote: October 9, 2017

Action Items - None

VI. FIRST BRIEFINGS

1. Resolution No. 2017-109 amending the contract with Waste Management for solid waste pickup and transportation.

Public Hearing:
Second Briefing:
Council Vote: October 9, 2017

Dusty Henslee briefed this item.
(6:32 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christy P. Paddock, Ward 5
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Williams, Alcorn, Paddock, Davis
ABSENT:	Ray
EXCUSED:	Bruggeman

VII. PUBLIC HEARINGS

1. Ordinance No. 2017-099 rezoning an approximate 2 acre tract of land in the R.E. Sevey HRS, A-523, located at 2407 Liberty Lane. Single Family-1 to Single Family-3. Military Warriors Support Foundation, owner. Mary Bowman (under contract to purchase), agent.

Public Hearing: October 9, 2017
Second Briefing: October 23, 2017
Council Vote: November 13, 2017

Larry Hardy, resident adjacent to the subject property, addressed council at this public hearing.

RESULT:	MOVED FORWARD	Next: 10/23/2017 6:00 PM
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2. Ordinance No. 2017-100 granting a Specific Use Permit to allow a double wide HUD code manufactured home on an approximate 2-acre tract of land in the R.E. Sevey HRS, A-523, located at 2407 Liberty Lane. Military Warriors Support Foundation, owner. Mary Bowman (under contract to purchase), agent.

Public Hearing: October 9, 2017
Second Briefing: October 23, 2017
Council Vote: November 13, 2017

There were no public comments made at this hearing.

RESULT:	MOVED FORWARD	Next: 10/23/2017 6:00 PM
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3. Resolution No. 2017-102 authorizing the City Manager to execute a lease purchase agreement with Dell Financial Services LLC for replacement computers and equipment for City of Texarkana, TX departments.

Public Hearing: October 9, 2017
Second Briefing: October 23, 2017
Council Vote: November 13, 2017

There were no public comments made at this hearing.

RESULT:	MOVED FORWARD	Next: 10/23/2017 6:00 PM
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VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates - Policing Experience

Assistant Police Chief Kevin Schutte shared highlights and a video from the *Policing Experience* program. It is an adult public education program designed to help facilitate better understanding and communication between citizens and law enforcement. The program demonstrates the reasoning behind decisions that occur in law enforcement settings.

The training covers five basic areas of police work: 1) Administration duties, 2) SWAT element, 3) Patrol and traffic stops, 5) Criminal investigation and crime scene, and 5) Narcotics functions. This five-week program is very hands-on and interactive.

The program also gives elected officials and business leaders, who influence other community leaders, a real-life perspective of the daily activities and scenarios encountered by law enforcement staff.

It has been very successful and will continue to foster law enforcement transparency with citizens in the community.

XI. ADMINISTRATIVE COMMENTS

1. City Council

Council had no administrative comments for staff.

2. City Staff

Shirley Jaster announced that Chief Financial Officer Kristin Peeples and Firefighter Lane Peeples welcomed their newborn baby girl, Hensley Kate, into the world early this morning. Congratulations to the proud parents!

Assistant Chief Financial Officer Jodie Lee will fill in for Kristin while she is temporarily out of the office.

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.071 (Consultation with City Attorney) and Section 551.074 (Personnel Matters) to discuss or deliberate the appointment of Shirley Jaster as City Manager and authorization for a City Manager Employment Contract.

XIII. RECONVENED INTO OPEN SESSION

XIV. ADJOURNMENT

A motion was made to adjourn the meeting.
(8:17 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Williams, Alcorn, Paddock, Davis
ABSENT:	Ray
EXCUSED:	Bruggeman



Jennifer Evans
City Secretary



Bob Bruggeman
Mayor



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • SEPTEMBER 25, 2017

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	
Willie Ray	Ward 2	Present	
Betty Williams	Ward 3	Present	
Christie Alcorn	Ward 4	Present	
Christy P. Paddock	Ward 5	Absent	
Josh Davis	Ward 6	Present	

Staff Present: Interim City Manager Shirley Jaster, Jennifer Evans, Kyle Dooley, Kristin Peebles, Karey Parker, Eric Schlotter, David Orr, Mashell Daniel, Kevin Davenport, Dusty Henslee, Robby Robertson, Rea Donna Jones, Jennifer Strayhorn, Lisa Thompson, Sherry Jackson Hawkins, Roger Hand, John Taylor, Clint Lachowsky, Michael Henry, Jim Powell, Danny Douglas, Parker Showalter, and Jerry Sparks.

Budget Advisory Committee Members: Van Alexander and Kelly Mitchell.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER JOSH DAVIS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, October 9, 2017 at 6:00 p.m.
Monday, October 23, 2017 at 6:00 p.m.

National Night Out:

Tuesday, October 3, 2017 from 6:00 p.m. to 10:00 p.m. - The 34th Annual National Night Out. Registration for neighborhood events can be made online at www.texarkanapolice.net or by calling the Police Department at 903.798.3116.

Minutes Acceptance: Minutes of Sep 25, 2017 6:00 PM (Consent Items)

Council Member Williams invited residents in the Highland Park area to enjoy National Night Out beginning at 6:00 p.m. at the Collins Building located at Ferguson Park.

Governor's Small Business Forum Meeting:

Thursday, October 26, 2017 from 8:00 a.m. to 1:00 p.m. - Texarkana Convention Center.

Fall Farmers Market Schedule:

Fall Market will be held on Saturdays from September 23rd until November 25th (with the exception of Saturday, November 18th).

Saturday, October 28th - Fall Fest begins at 5:00 p.m. at Spring Lake Park.

Parks & Recreation Events:

September 30 th	Alzheimer's Alliance Walk	Spring Lake Park
October 5 th	Movies in the Park Begin	Spring Lake Park
October 7 th	United Way Battle of the Border	Spring Lake Park
October 7 th	Cast for Kids Fishing Tournament	Bringle Lake

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

September 25th - 30th has been designated as National Adult Education and Family Literacy Week. Adult Education serves adults, 16 years of age and older, who are no longer enrolled in school and who are functioning below the 12th grade level. Under the direction of Richard Seymour, the Literacy Council of Bowie and Miller counties do an exceptional job of assisting citizens in the community to achieve goals that will benefit their families and future. Literacy Council services include teaching foundation skills in reading, math, and English.

The annual "Dine on the Line" event will be held on October 7th in downtown Texarkana.

Mayor Bruggeman welcomed several students from Mr. Littman's government class at Texas High School.

Meeting Presentations

Mayor Bruggeman read and presented the Diaper Need Awareness proclamation to Lisa Sewell, Executive Director, of the ArkLaTex Blessing Center. Ms. Sewell thanked the Mayor for the proclamation, shared past accomplishments of the organization, and encouraged citizens to visit the center's website at www.altbc.org to obtain more information on how to support diaper banks in the community.

Uri Geva, founder of Texarkana Twins Baseball, provided a re-cap of 2017's first baseball season held at the George Dobson field in Spring Lake Park. Texarkana Twins

Baseball is an experience in minor league baseball utilizing college athletes. Plans are underway for more league expansion and family-friendly entertainment in the upcoming 2018 season.

Jennifer McNabb and Darlene Crane, employees of Julie's Deli, received a Citizens Life Saving Award, and three fire fighters, Clint Lachowsky, Roger Hand, and John Taylor, received a Departmental Life Saving Award, for the immediate assistance to a fellow deli employee, Danny McNabb. Mr. McNabb went into sudden cardiac arrest. The two co-workers rendered him aid until fire personnel arrived on the scene. Mr. McNabb received vital early CPR and defibrillation. The combined effort of all five people contributed to the survival and successful recovery of Mr. McNabb.

Appointments to Boards & Commissions

Council Member Williams recommended the reappointments of JoAnn Duman and Travistene Nash Turner to the Historic Landmark Preservation Committee.

Mayor Bruggeman recommended the appointment of John Mueller to the Library Commission.

Motion to make appointments/reappointments to boards and commissions.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Davis, Ward 6
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Ray, Williams, Alcorn, Davis
ABSENT:	Paddock
EXCUSED:	Bruggeman

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

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

Allen Brown, chairperson of Agent Barry Live United Bowl, provided information on the upcoming 5th season of the Live United Bowl game. Mr. Brown thanked council for past financial support and again asked for financial support in hosting the 2017 team banquet. The requested amount was \$20,000.

This year's game day is scheduled for Saturday, December 2nd. Additional details about the Live United Bowl will be released at a press conference scheduled for Wednesday, September 27th at 10:30 a.m. at the Arkansas High Red Wall.

Mr. Brown was accompanied by his wife, Shelby Brown, and Jerry and Vicki Huckabee, committee members of Live United Bowl.

V. ITEMS FOR CONSIDERATION

Consent Items

(6:38 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Willie Ray, Ward 2
SECONDER:	Josh Davis, Ward 6
AYES:	Matlock, Ray, Williams, Alcorn, Davis
ABSENT:	Paddock
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on September 11, 2017 at 6:00 PM.
2. Resolution No. 2017-104 reauthorizing a citizens budget advisory committee to advise the City Council on city budget planning.

Public Hearing:
 Second Briefing:
 Council Vote: September 25, 2017

3. Resolution No. 2017-105 confirming the reappointment of Mr. Bob Hay to the City of Texarkana Civil Service Commission.

Public Hearing:
 Second Briefing:
 Council Vote: September 25, 2017

Mayor Bruggeman thanked Bob Hay for his service on the Civil Service Commission.

4. Ordinance No. 2017-106 amending the Fund 220 Metropolitan Planning Organization budget for additional funding approved by the Texas Department of Transportation (TxDOT).

Public Hearing:
 Second Briefing:
 Council Vote: September 25, 2017

5. Resolution No. 2017-107 approving the application for the Edward Byrne Justice Assistance Grant providing a total grant in the amount of \$24,080, where the City of Texarkana, Texas, will receive \$14,448 and Bowie County, Texas, will receive \$9,632.

Minutes Acceptance: Minutes of Sep 25, 2017 6:00 PM (Consent Items)

Public Hearing: September 25, 2017
 Second Briefing:
 Council Vote: September 25, 2017

Action Items

6. Resolution No. 2017-095 casting all Council votes for one nominee for Director on the Board of Directors of the Bowie Central Appraisal District.

Public Hearing:
 Second Briefing:
 Council Vote: September 25, 2017

Council consensus was to reappoint Council Member Josh Davis to the Bowie Central Appraisal District Board. Council Member Davis thanked the council for its appointment and the opportunity to continue serving in this position.

(6:39 p.m.)

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Willie Ray, Ward 2
AYES:	Matlock, Ray, Williams, Alcorn, Davis
ABSENT:	Paddock
EXCUSED:	Bruggeman

7. Resolution No. 2017-103 amending the General Fund Balance Policy.

Public Hearing: September 25, 2017
 Second Briefing:
 Council Vote: September 25, 2017

(6:42 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Betty Williams, Ward 3
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Alcorn, Davis
ABSENT:	Paddock
EXCUSED:	Bruggeman

VI. FIRST BRIEFINGS

1. Ordinance No. 2017-099 rezoning an approximate 2 acre tract of land in the R.E. Sevey HRS, A-523, located at 2407 Liberty Lane. Single Family-1 to Single Family-3. Military Warriors Support Foundation, owner. Mary Bowman (under contract to purchase), agent.

Public Hearing: October 9, 2017
 Second Briefing: October 23, 2017
 Council Vote: November 13, 2017

David Orr briefed this item.

RESULT:	MOVED FORWARD	Next: 10/9/2017 6:00 PM
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2. Ordinance No. 2017-100 granting a Specific Use Permit to allow a double wide HUD code manufactured home on an approximate 2-acre tract of land in the R.E. Sevey HRS, A-523, located at 2407 Liberty Lane. Military Warriors Support Foundation, owner. Mary Bowman (under contract to purchase), agent.

Public Hearing: October 9, 2017
 Second Briefing: October 23, 2017
 Council Vote: November 13, 2017

David Orr briefed this item.

RESULT:	MOVED FORWARD	Next: 10/9/2017 6:00 PM
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3. Resolution No. 2017-102 authorizing the City Manager to execute a lease purchase agreement with Dell Financial Services LLC for replacement computers and equipment for City of Texarkana, TX departments.

Public Hearing: October 9, 2017
 Second Briefing: October 23, 2017
 Council Vote: November 13, 2017

Kevin Davenport briefed this item.

RESULT:	MOVED FORWARD	Next: 10/9/2017 6:00 PM
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VII. PUBLIC HEARINGS - NONE

VIII. SECOND BRIEFING WITH UPDATES - NONE

IX. SECOND BRIEFING WITHOUT UPDATES - NONE

X. ITEMS FOR DISCUSSION

Staff Updates

There were no staff updates.

XI. ADMINISTRATIVE COMMENTS

1. City Council

Council had no administrative comments for staff.

2. City Staff

Staff had no administrative comments for council.

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.087 - Deliberation Regarding Economic Development Negotiations and Section 551.071 - Consultation with Attorney.

The City Council also convened into closed session pursuant to Texas Government Code Section 551.074 (Personnel Matters) to discuss or deliberate the Interim City Manager's duties, responsibilities, and evaluation.

XIII. RECONVENED INTO OPEN SESSION**XIV. ADJOURNMENT**

A motion was made to adjourn the meeting.
(8:26 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Willie Ray, Ward 2
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Ray, Williams, Alcorn, Davis
ABSENT:	Paddock
EXCUSED:	Bruggeman



Jennifer Evans
City Secretary



Bob Bruggeman
Mayor

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 9/28/2017 9:15 AM

Lead Department: Public Works Department **Action Officer:** Dusty Henslee,
Subject: Ordinance No. 2017-108 determining a lack of public necessity and abandoning
a part of a utility easement in the vicinity of Central Mall.

Briefing: 10/9/2017 **Public Hearing:** **Second Briefing:** **Council Vote:** 10/9/2017

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Due to the building expansion of Dillard's at Central Mall, some existing utility lines had to be relocated to allow for the expansion of the building to the north. Water, phone, and gas lines were located in a utility easement on the north side of the building. To allow for the expansion, a new easement was recorded outside of the new building footprint and these utilities were all relocated inside this easement. All the relocation work has been completed and all existing lines were removed, so the owners are requesting to abandon the existing utility easement that runs under the new building. The new easement has already been recorded and I have attached the recorded easement documents to this file. Also, both CenterPoint and Windstream have signed off on the Easement Abandonment Documents that will be recorded, and I have attached that document as well.

Potential Options:

- Approve abandonment
- Disapprove abandonment

Fiscal Implications:

None

Staff Recommendation:

Staff Recommends Approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

City of Texarkana, Texas

Attachments

- a. 2017-108 ORD Utility Easement Abandonment (jcl rev) (DOC)
- b. 2017-108 Exhibit 'A' (PDF)
- c. 2017-108 ATTH 01 Dillards New Easement Recorded Documents (PDF)
- d. 2017-108 ATTH 02 Easement Abandonment Documents (PDF)
- e. 2017-108 Goals & Perspectives (DOCX)
- f. 2017-108 ORD Abd. Util. Easement Dillard Expansion signed (PDF)

Staff Coordination

Public Works Department	Dusty Henslee	Department Head Review
Completed	09/26/2017 1:09 PM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager
Review	Completed	09/26/2017 1:25 PM
Public Information Officer	Lisa Thompson	PIO Review
	09/26/2017 2:06 PM	Completed
City Manager	Jennifer Evans	City Manager Review
6:48 PM		Skipped
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		10/09/2017
		10/09/2017

Meeting History

ORDINANCE NO. 2017-108

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, DETERMINING A LACK OF PUBLIC NECESSITY AND ABANDONING A PART OF A UTILITY EASEMENT IN THE VICINITY OF CENTRAL MALL IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a utility easement had been granted to the City of Texarkana, Texas, at the location of the north parking area of the Dillard's department store at Central Mall, more specifically described as the Easement Dedication dated June 13, 1979 and recorded in the Bowie County Records, Volume 650, Page 364 from Ed and Jane Warmack to the City of Texarkana, Texas, located in the Adolphus Hope Headright Survey, Abstract No. 251 and the Benjamin Nix Headright Survey, Abstract No. 456, in the City of Texarkana, Bowie County, Texas ("the 1979 Easement Dedication"); and

WHEREAS, a new utility easement has been granted by Dillard Texas Four-Point LLC to the City as part of the expansion of Dillard's department store, and utilities were relocated from a part of Line No. 9 of the 1979 Easement Dedication to the new utility easement; and

WHEREAS, Dillard Texas Four-Point LLC has requested that the City abandon that part of Line No. 9 of the 1979 Easement Dedication from which utilities have been relocated, a request which City staff recommends granting since there is no longer a public necessity to retain that part of the 1979 Easement Dedication.

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

SECTION 1: That a part of Line No. 9 of the Easement Dedication dated June 13, 1979 and recorded in the Bowie County Records, Volume 650, Page 364 from Ed and Jane Warmack to the City of Texarkana, Texas, located in the Adolphus Hope Headright Survey, Abstract No. 251 and the Benjamin Nix Headright Survey, Abstract No. 456, in the City of Texarkana, Bowie County, Texas, as shown on the attached location map hereto and incorporated herein as **Exhibit "A"** be and is hereby abandoned as a utility easement of any kind or character whatsoever.

SECTION 2: That the City Council finds and determines that there is a lack of public necessity to retain the property interest described in Section 1 of this Ordinance, that such property is hereby declared surplus and abandoned, and that any responsibility of the City to maintain said property is hereby terminated.

SECTION 3: That in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this ordinance.

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

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of October, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Legal Description for Easement Abandonment

All that certain lot, tract or parcel of land lying and situated in the Adolphus Hope Headright Survey, Abstract 261 and the Benjamin Nix Headright Survey, Abstract 456, Bowie County, Texas, being part of that certain tract of land described as 11.691 acres in the deed from GG&A Central Mall Partners, L.P., to Dillard Texas Four-Point, LLC, dated September 7, 2016, recorded in Document No. 2015-10838 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a MAG-Nail in asphalt found for a corner, the Northwest corner of the said 11.691 acre tract;

THENCE South 03 degrees 00 minutes 32 seconds East a distance of 74.97 feet along the West line of the said 11.691 acre tract to a point for a corner, said corner bears South 03 degrees 00 minutes 32 seconds East a distance of 183.06 feet to a MAG-Nail in asphalt found for a corner, the Southwest corner of the said 11.691 acre tract;

THENCE North 87 degrees 30 minutes 31 seconds East a distance of 305.98 feet to a point for a corner, the POINT OF BEGINNING of the herein described tract of land;

THENCE North 87 degrees 30 minutes 31 seconds East a distance of 427.69 feet to a point for a corner;

THENCE South 02 degrees 25 minutes 51 seconds East a distance of 20.00 feet to a point for a corner;

THENCE South 87 degrees 30 minutes 31 seconds West a distance of 427.67 feet to a point for a corner;

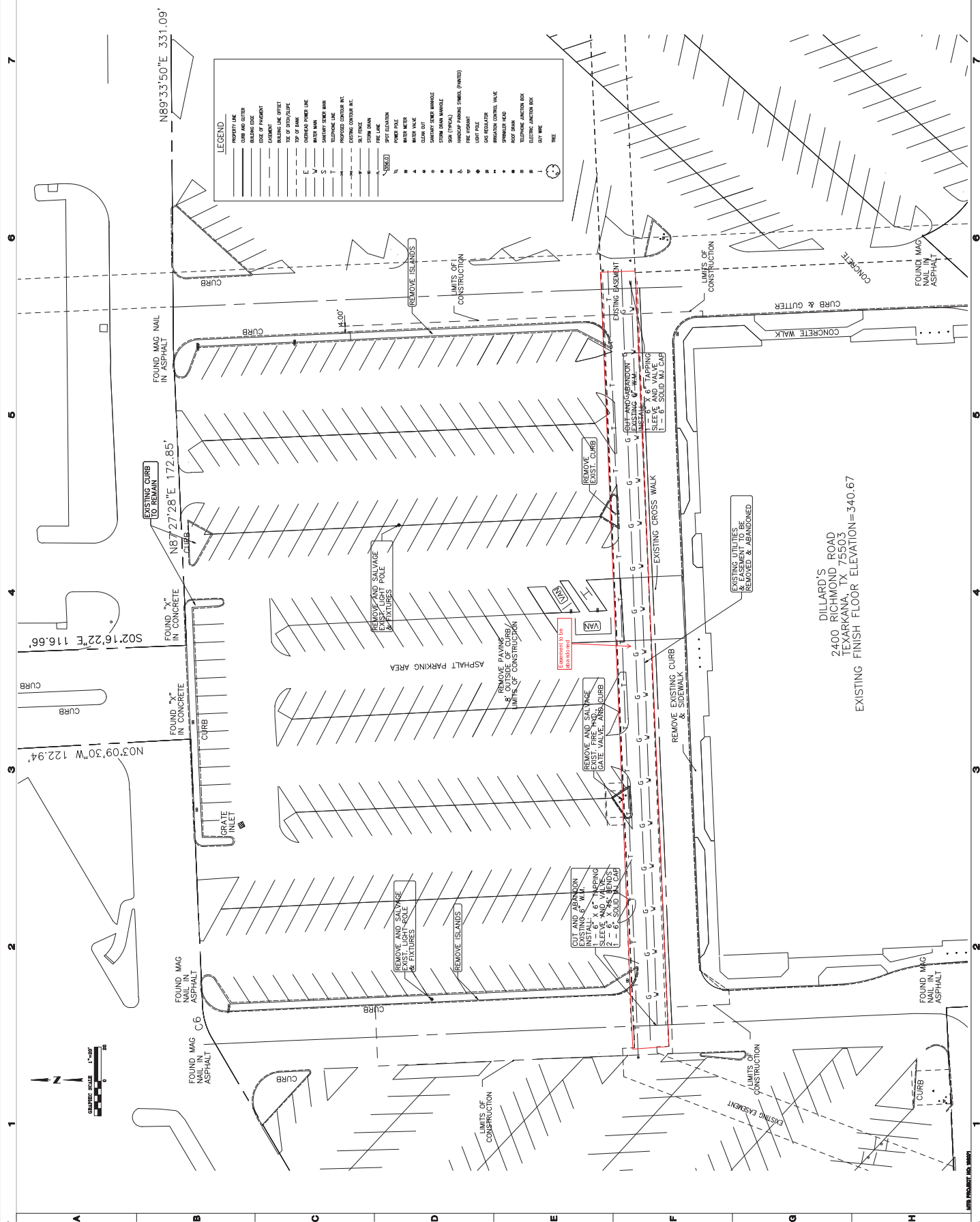
THENCE North 02 degrees 29 minutes 29 seconds West a distance of 20.00 feet to the point of beginning and containing 0.196 acres of land, more or less.



Dillard's
ADDITIONS AND ALTERATION
CENTRAL MALL
TEXARKANA, TEXAS

Washington Plaza, Suite 400
200 Washington Street

Architecture +



Bowie
Tina Petty
County Clerk
New Boston, Texas 75570



Instrument Number: 2017-2180

Recorded On: March 01, 2017 As
Recording

Parties: DILLARDS TEXAS FOUR POINT LLC
To TEXARKANA CITY OF

Billable Pages: 5
Number of Pages:

Comment: UTILITY EASEMENT

(Parties listed above are for Clerks reference only)

**** THIS IS NOT A BILL ****

Recording	42.00
Total Recording:	42.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2017-2180
Receipt Number: 343249
Recorded Date/Time: March 01, 2017 01:17:29P

Record and Return To:

TEXARKANA CITY OF
PO BOX 1967
TEXARKANA TX 75504

User / Station: D Churchill - CashStation #1

Attachment: 2017-108 ATTH 01 Dillard's New Easement Recorded Documents (1715 : 2017-108 ORD Abandoning Existing Utility Easement)

AFTER RECORDING, RETURN TO:

City Secretary
CITY OF TEXARKANA
P. O. Box 1967
Texarkana, Texas 75504

FOR DEPOSIT ONLY
Tina Petty
County Clerk,
Bowie

Filed For Record In:
Bowie County, Texas
Tina Petty
County Clerk
On: Mar 01, 2017 at 01:17P

UTILITY EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BOWIE

DILLARD TEXAS FOUR-POINT, LLC, a Delaware limited liability company ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by the **CITY OF TEXARKANA**, a Texas municipal corporation ("City"), the receipt and sufficiency of which are hereby acknowledged, does hereby GIVE, GRANT, and CONVEY unto City a non-exclusive easement and right to construct, reconstruct, and maintain utility facilities and all necessary appurtenances thereto (collectively, the "Facilities") in, on, under, over and across the following described property: see legal description attached hereto as Exhibit "A" (the "Easement Property") and detail attached hereto as Exhibit "B".

Grantor retains all rights to the Easement Property, provided that the Grantor's exercise of such rights does not interfere with the City's rights under this easement. Grantor agrees not to interfere with the City's ability to use or maintain the Facilities: "interference" includes, but is not limited to, physically modifying the Easement Property such as altering topography; installing fences, structures, rockeries, walls or other like improvements; planting of difficult to restore landscaping; or piling or storage of dirt, trash, garbage, debris or other materials. Notwithstanding the foregoing, Grantor shall be permitted to improve the Easement Property for use as parking area, curbing or landscaped area. Grantor shall, upon receipt of written notice from the City, remove interference from the Easement Property which prevents proper use of the Easement Property for the City's purposes set forth herein. Grantor may request that the City give permission to Grantor to physically modify the Easement Property or place improvements

not contemplated herein on the Easement Property which are compatible with the City's use of the easement and Facilities; Grantor's request and the City's permission, if any, shall be in writing.

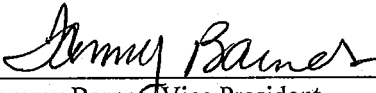
The City, its successors and assigns, shall have, and is hereby granted, (i) the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted, and (ii) the right to use as much of the servient estate as is necessary to exercise the City's right to construct, reconstruct, and maintain the "Facilities" in, on, under, over and across the Easement Property.

The City reserves the right to terminate or abandon the easement granted herein by sending at least 90 days prior written notice of same to Grantor.

TO HAVE AND TO HOLD the Easement Property unto the City for the purposes herein set forth, Grantor hereby binds itself and Grantor's successors and assigns to warrant and forever defend the easement and rights granted herein unto City, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof by through or under Grantor, but not otherwise.

WITNESS THE GRANTOR'S HAND this 27th day of February, 2017.

DILLARD TEXAS FOUR-POINT, LLC,
a Delaware limited liability company

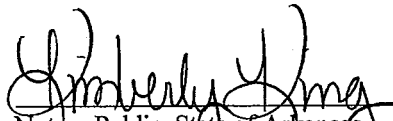


Tammy Barnes, Vice President

STATE OF ARKANSAS

COUNTY OF SALINE

This instrument was acknowledged on this the 27th day of February, 2017, by Tammy Barnes as a Vice President of Dillard Texas Four-Point, LLC, a Delaware limited liability company, on behalf of said limited liability company.



Notary Public, State of Arkansas

Exhibit A

Property Description
 0.397 Acres
 Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the Adolphus Hope Headright Survey, Abstract 261 and the Benjamin Nix Headright Survey, Abstract 456, Bowie County, Texas, being part of that certain tract of land described as 11.691 acres in the deed from GG&A Central Mall Partners, L.P., to Dillard Texas Four-Point, LLC, dated September 7, 2016, recorded in Document No. 2015-10838 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a MAG-Nail in asphalt found for a corner, the Northwest corner of the said 11.691 acre tract;

THENCE North 59 degrees 36 minutes 36 seconds East a distance of 365.54 feet, North 73 degrees 32 minutes 25 seconds East a distance of 19.26 feet, and North 87 degrees 28 minutes 14 seconds East a distance of 23.99 feet to a point for a corner, the POINT OF BEGINNING of the herein described tract of land;

THENCE North 87 degrees 28 minutes 14 seconds East a distance of 16.00 feet along the North line of the said 11.691 acre tract to a point for a corner, said corner bears North 87 degrees 28 minutes 14 seconds East a distance of 116.03 feet to an "X" found in concrete for a corner, an inside ell of the said 11.691 acre tract;

THENCE South 02 degrees 41 minutes 54 seconds East a distance of 123.76 feet to a point for a corner;

THENCE North 87 degrees 34 minutes 09 seconds East a distance of 393.26 feet to a point for a corner;

THENCE South 02 degrees 25 minutes 51 seconds East a distance of 126.51 feet to a point for a corner;

THENCE South 87 degrees 30 minutes 31 seconds West a distance of 20.00 feet to a point for a corner;

THENCE North 02 degrees 25 minutes 51 seconds West a distance of 106.53 feet to a point for a corner;

THENCE South 87 degrees 34 minutes 09 seconds West a distance of 373.17 feet to a point for a corner;

THENCE South 02 degrees 41 minutes 54 seconds East a distance of 37.37 feet to a point for a corner;

THENCE South 87 degrees 34 minutes 09 seconds West a distance of 16.00 feet to a point for a corner;

THENCE North 02 degrees 41 minutes 54 seconds West a distance of 37.37 feet to a point for a corner;

THENCE South 87 degrees 34 minutes 09 seconds West a distance of 49.47 feet to a point for a corner;

THENCE South 02 degrees 26 minutes 40 seconds East a distance of 150.99 feet to a point for a corner;

THENCE North 87 degrees 30 minutes 31 seconds East a distance of 40.23 feet to a point for a corner;

THENCE South 02 degrees 29 minutes 29 seconds East a distance of 10.00 feet to a point for a corner;

THENCE South 87 degrees 30 minutes 31 seconds West a distance of 50.23 feet to a point for a corner;

THENCE North 02 degrees 29 minutes 50 seconds West a distance of 61.01 feet to a point for a corner;

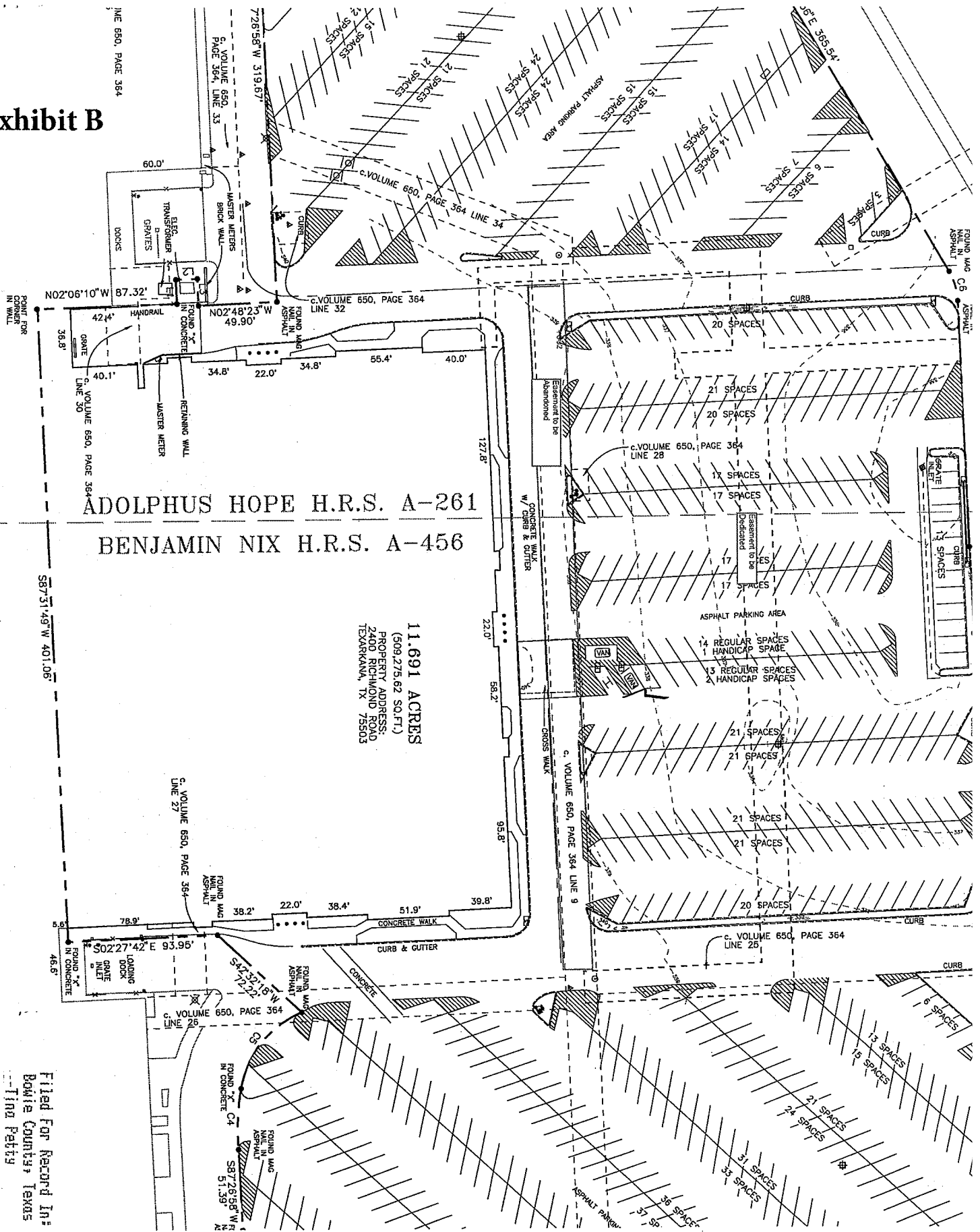
THENCE South 87 degrees 30 minutes 31 seconds West a distance of 9.85 feet to a point for a corner;

THENCE North 02 degrees 29 minutes 29 seconds West a distance of 120.00 feet to a point for a corner;

THENCE North 87 degrees 34 minutes 09 seconds East a distance of 69.38 feet to a point for a corner;

THENCE North 02 degrees 41 minutes 54 seconds West a distance of 123.74 feet to the point of beginning and containing 0.397 acres of land, more or less.

Exhibit B



CENTRAL MALL
(BRICK)

Filed For Record In:
Bowling County, Texas
--Tina Petty
County Clerk
On: Mar 01, 2017 at 01:17PM

Notice of Abandonment of a Municipal Utility Easement

Pursuant to the acceptance of a revised utility easement and relocated utilities, The City of Texarkana, Texas, Centerpoint Energy and Windstream, notice is hereby given that, the City Council, Centerpoint and Windstream abandons its Utility Easement in the property described:

A part of Line No. 9 of the Easement Dedication dated June 13, 1979 and recorded in the Bowie County Records, Volume 650 Page 364 from Ed and Jane Warmack to the City of Texarkana, Texas and more particularly described as follows:

All that certain lot, tract or parcel of land lying and situated in the Adolphus Hope Headright Survey, Abstract 261 and the Benjamin Nix Headright Survey, Abstract 456, Bowie County, Texas, being part of that certain tract of land described as 11.691 acres in the deed from GG&A Central Mall Partners, L.P., to Dillard Texas Four-Point, LLC, dated September 7, 2016, recorded in Document No. 2015-10838 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a MAG-Nail in asphalt found for a corner, the Northwest corner of the said 11.691 acre tract;

THENCE South 03 degrees 00 minutes 32 seconds East a distance of 74.97 feet along the West line of the said 11.691 acre tract to a point for a corner, said corner bears South 03 degrees 00 minutes 32 seconds East a distance of 183.06 feet to a MAG-Nail in asphalt found for a corner, the Southwest corner of the said 11.691 acre tract;

THENCE North 87 degrees 30 minutes 31 seconds East a distance of 305.98 feet to a point for a corner, the POINT OF BEGINNING of the herein described tract of land;

THENCE North 87 degrees 30 minutes 31 seconds East a distance of 427.69 feet to a point for a corner;

THENCE South 02 degrees 25 minutes 51 seconds East a distance of 20.00 feet to a point for a corner;

THENCE South 87 degrees 30 minutes 31 seconds West a distance of 427.67 feet to a point for a corner;

THENCE North 02 degrees 29 minutes 29 seconds West a distance of 20.00 feet to the point of beginning and containing 0.196 acres of land, more or less.

Dated: _____, 2017

City Manager of Texarkana, Texas

Acknowledgement

State of Texas §

County of Bowie §

SUBSCRIBED AND SWORN TO before me on this date, _____, 2017.

Notary Public, State of Texas

Dated: September 6, 2017

Walter L. Bynum
 CenterPoint Energy Resources Corp.
 D/B/A CenterPoint Energy Arkansas Gas

Acknowledgement

Arkansas
 State of ~~Texas~~ §
 County of ~~Bowie~~ §
Pulaski

SUBSCRIBED AND SWORN TO before me on this date, Sept 6, 2017.

Rita Medlock
 Notary Public, State of ~~Texas~~ Arkansas

OFFICIAL SEAL
 RITA MEDLOCK
 NOTARY PUBLIC-ARKANSAS
 PULASKI COUNTY
 My Commission Expires 11-15-20
 Commission # 12379408

Dated: 5/23/17, 2017

Gammie Rucker
Windstream

Acknowledgement

State of Arkansas §
County of Pulaski §

SUBSCRIBED AND SWORN TO before me on this date, May 23, 2017.



Joy Matthews
Notary Public, State of Texas Arkansas



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

ORDINANCE NO. 2017-108

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, DETERMINING A LACK OF PUBLIC NECESSITY AND ABANDONING A PART OF A UTILITY EASEMENT IN THE VICINITY OF CENTRAL MALL IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a utility easement had been granted to the City of Texarkana, Texas, at the location of the north parking area of the Dillard's department store at Central Mall, more specifically described as the Easement Dedication dated June 13, 1979 and recorded in the Bowie County Records, Volume 650, Page 364 from Ed and Jane Warmack to the City of Texarkana, Texas, located in the Adolphus Hope Headright Survey, Abstract No. 251 and the Benjamin Nix Headright Survey, Abstract No. 456, in the City of Texarkana, Bowie County, Texas ("the 1979 Easement Dedication"); and

WHEREAS, a new utility easement has been granted by Dillard Texas Four-Point LLC to the City as part of the expansion of Dillard's department store, and utilities were relocated from a part of Line No. 9 of the 1979 Easement Dedication to the new utility easement; and

WHEREAS, Dillard Texas Four-Point LLC has requested that the City abandon that part of Line No. 9 of the 1979 Easement Dedication from which utilities have been relocated, a request which City staff recommends granting since there is no longer a public necessity to retain that part of the 1979 Easement Dedication.

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

SECTION 1: That a part of Line No. 9 of the Easement Dedication dated June 13, 1979 and recorded in the Bowie County Records, Volume 650, Page 364 from Ed and Jane Warmack to the City of Texarkana, Texas, located in the Adolphus Hope Headright Survey, Abstract No. 251 and the Benjamin Nix Headright Survey, Abstract No. 456, in the City of Texarkana, Bowie County, Texas, as shown on the attached location map hereto and incorporated herein as **Exhibit "A"** be and is hereby abandoned as a utility easement of any kind or character whatsoever.

SECTION 2: That the City Council finds and determines that there is a lack of public necessity to retain the property interest described in Section 1 of this Ordinance, that such property is hereby declared surplus and abandoned, and that any responsibility of the City to maintain said property is hereby terminated.

SECTION 3: That in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this ordinance.

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

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of October, 2017.**

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

6:29 p.m.

Legal Description for Easement Abandonment

All that certain lot, tract or parcel of land lying and situated in the Adolphus Hope Headright Survey, Abstract 261 and the Benjamin Nix Headright Survey, Abstract 456, Bowie County, Texas, being part of that certain tract of land described as 11.691 acres in the deed from GG&A Central Mall Partners, L.P., to Dillard Texas Four-Point, LLC, dated September 7, 2016, recorded in Document No. 2015-10838 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a MAG-Nail in asphalt found for a corner, the Northwest corner of the said 11.691 acre tract;

THENCE South 03 degrees 00 minutes 32 seconds East a distance of 74.97 feet along the West line of the said 11.691 acre tract to a point for a corner, said corner bears South 03 degrees 00 minutes 32 seconds East a distance of 183.06 feet to a MAG-Nail in asphalt found for a corner, the Southwest corner of the said 11.691 acre tract;

THENCE North 87 degrees 30 minutes 31 seconds East a distance of 305.98 feet to a point for a corner, the POINT OF BEGINNING of the herein described tract of land;

THENCE North 87 degrees 30 minutes 31 seconds East a distance of 427.69 feet to a point for a corner;

THENCE South 02 degrees 25 minutes 51 seconds East a distance of 20.00 feet to a point for a corner;

THENCE South 87 degrees 30 minutes 31 seconds West a distance of 427.67 feet to a point for a corner;

THENCE North 02 degrees 29 minutes 29 seconds West a distance of 20.00 feet to the point of beginning and containing 0.196 acres of land, more or less.



City of Texarkana, Texas

Version: A

Update Date: 9/28/2017 11:05 AM

Briefing Sheet

Lead Department: City Manager **Action Officer:** Jennifer Evans, City Secretary
Subject: Resolution No. 2017-110 authorizing the expenditure of Community Relations funds in support of the Live United Bowl Team's Banquet.
Briefing: 10/9/2017 **Public Hearing:** **Second Briefing:** **Council Vote:** 10/9/2017

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The "Agent Barry Live United Bowl" committee has requested that the City of Texarkana, Texas, financially support the 2017 Agent Barry Live United Bowl. The committee desires to have both Texarkana, Texas, and Texarkana, Arkansas, involved in this growing annual event. Businesses and charitable organizations on both sides of the state line will benefit from the bowl event.

This event continues to grow which means more locals and visitors attend each year. The banquet is an integral part of the bowl experience for the teams and schools participating in the game. The Texarkana Convention Center has been reserved for the Team's Banquet. Both teams, both bands, pep squads, and parents/family members will be attending the banquet.

Potential Options:

- Adopt the resolution as presented
- Deny the resolution

Fiscal Implications:

Community Relations funds in the amount of \$20,000.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

City of Texarkana, Texas

Attachments

- a. 2017-110 RES Comm. Rel. Expenditures Live United Bowl Banquet (DOC)
- b. 2017-110 Goals & Perspectives (DOCX)
- c. 2017-110 RES Live United Bowl Expenditure signed (PDF)

Staff Coordination

City Manager	Jennifer Evans	Department Head Review	Completed	
	09/28/2017 9:17 AM			
Purchasing and Contracting		Sharon Moore	Purchasing Review	
	Completed	09/28/2017 9:23 AM		
Finance Department	Kristin Peebles	Finance Review	Completed	09/28/2017
	10:38 AM			
Deputy City Manager - Kyle Dooley		Kyle Dooley	Deputy City Manager	
Review	Completed	09/28/2017 11:06 AM		
Public Information Officer		Jennifer Evans	PIO Review	Skipped
	10/09/2017 6:48 PM			
City Manager	Jennifer Evans	City Manager Review	Skipped	10/09/2017
	6:48 PM			
City Council	Jennifer Evans	Meeting	Completed	10/09/2017
	6:00 PM			

Meeting History

RESOLUTION NO. 2017 - 110

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXPEND UP TO \$20,000 OF COMMUNITY RELATIONS FUNDING IN SUPPORT OF THE 2017 AGENT BARRY LIVE UNITED BOWL; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Agent Barry Live United Bowl game will occur on Saturday, December 2, 2017; and

WHEREAS, the bowl committee requested that the City of Texarkana, Texas, financially support the 2017 Agent Barry United Bowl event; and

WHEREAS, the committee and city staff decided that it would be more appropriate for Texarkana, Texas to host an activity related to the bowl game which would also provide for a related major event to take place on the Texas side of the city; and

WHEREAS, the committee and Convention Center staff estimate that the banquet will cost \$20,000.

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

SECTION 1: The City Manager is hereby authorized to expend up to \$20,000 of Community Relations funds in support of the Agent Barry Live United Bowl banquet to be held at the Texarkana Convention Center.

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

PASSED AND APPROVED in Regular Council Session on this the 9th day of October, 2017.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

RESOLUTION NO. 2017 - 110

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXPEND UP TO \$20,000 OF COMMUNITY RELATIONS FUNDING IN SUPPORT OF THE 2017 AGENT BARRY LIVE UNITED BOWL; AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, the committee and city staff decided that it would be more appropriate for Texarkana, Texas to host an activity related to the bowl game which would also provide for a related major event to take place on the Texas side of the city; and

WHEREAS, the committee and Convention Center staff estimate that the banquet will cost \$20,000.

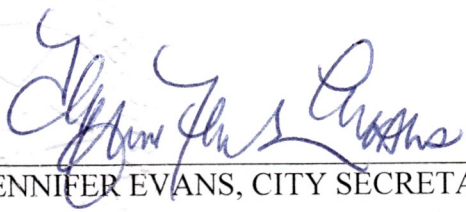
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: The City Manager is hereby authorized to expend up to \$20,000 of Community Relations funds in support of the Agent Barry Live United Bowl banquet to be held at the Texarkana Convention Center.

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

PASSED AND APPROVED in Regular Council Session on this the 9th day of October, 2017.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

6:29 p.m.

Attachment: 2017-110 RES Live United Bowl Expenditure signed (1717 : 2017-110 RES United Live Bowl Expenditures)

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 9/28/2017 8:47 AM

Lead Department: Public Works Department **Action Officer:** Dusty Henslee,
Subject: Resolution No. 2017-109 amending the contract with Waste Management for
solid waste pickup and transportation.
Briefing: 10/9/2017 **Public Hearing:** **Second Briefing:** **Council Vote:** 10/9/2017

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

In this contract, Waste Management will provide 250 free 30-yard haul offs for solid waste disposal for the City. There is no language in the current contract that addresses the hauling of material by the City to the landfill. This amendment adds language to the contract that will allow the City to substitute hauls made by the City and count those hauls as part of the 250 free hauls.

The current contract became effective on March 1, 2017 so the year term is from March 1 to February 28 each year. The free haul count also follows this term. To make things easier, this amendment changes the time frame to January 1 to December 31 effective January 1, 2018 for the 250 free hauls. By doing this, the haul count will be easier to track for both the City and Waste Management.

Potential Options:

- Approve Amendment
- Disapprove Amendment

Fiscal Implications:

None

Staff Recommendation:

Staff Recommends Approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

City of Texarkana, Texas

Attachments

- a. 2017-109 Goals & Perspectives (DOCX)
- b. 2017-109 RES Waste Management Contract Amendment No. 2 (DOC)
- c. 2017-109 ATTH 01 Amendment No. 2 to WM Contract (DOCX)
- d. 2017-109 RES Amend. 2 WM Contract Solid Waste signed (PDF)

Staff Coordination

Public Works Department	Dusty Henslee	Department Head Review
Completed	09/26/2017 1:09 PM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager
Review	Completed	09/26/2017 1:37 PM
Public Information Officer	Lisa Thompson	PIO Review
Completed	09/26/2017 1:50 PM	
City Manager	Shirley Jaster	City Manager Review
5:06 PM		Completed
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		10/09/2017

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: 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:

RESOLUTION NO. 2017 – 109**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND ADOPTING AN AMENDMENT TO THE MUNICIPAL SOLID WASTE COLLECTION AND TRANSPORTATION AGREEMENT; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, Ordinance No. 2016-132 authorized the City Manager to enter into an agreement with Waste Management of Texas, Inc., for refuse collection; and

WHEREAS, the current refuse collection contract with Waste Management of Texas, Inc., was signed on December 29, 2016; and

WHEREAS, City staff recommends an amendment to the agreement to allow Waste Management of Texas, Inc., revise the language for the free 250, 30-yard Roll-Off Bin hauls to include the hauls made by City trucks, and to revise the designated annual time frame for counting the free hauls from March 1 through February 28 to January 1 to December 31, effective January 1, 2018.

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

SECTION 1: That Amendment No. 2 to the Municipal Solid Waste Collection and Transportation Agreement, as set forth in **ATTH 01**, is hereby approved and adopted in its entirety.

SECTION 2: That the City Manager is authorized to execute Amendment No. 2.

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

PASSED AND APPROVED in Regular Council Session on this the **9th** day of **October, 2017**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Amendment No. 2 to

MUNICIPAL SOLID WASTE COLLECTION AND TRANSPORTATION AGREEMENT

(Residential/Polycarts, Commercial, Industrial and Recycling)

The City of Texarkana, Texas (“City”) and Waste Management of Texas, Inc. (“Contractor”), both acting by and through their duly authorized representatives, desire to amend, as more particularly set forth below, the Additional Services section of the Municipal Solid Waste Collection and Transportation Agreement between the City and Contractor, which took effect on March 1, 2017 (“Agreement”).

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, and pursuant to Section 23 of the Agreement, the parties agree to amend the Agreement as follows:

1. Section 5.08(iii) of the Agreement, entitled “Additional Services” is hereby replaced with the following:

- (a) Contractor shall provide the City with 250, 30-yard Roll-Off Bin hauls annually for house demolition, neighborhood clean-ups, or other City projects. In lieu of 30-yard Roll Off Bins hauled by Contractor, City may substitute hauls by City trucks and count those hauls as part of the 250 total.
- (b) In addition, Contractor and City agree to change the designated annual time frame from Contract Year March 1 through February 28 to a Calendar Year January 1 through December 31, effective January 1, 2018 as to the 250-haul count.

2. Nothing contained herein shall be deemed to amend or modify the Agreement, except as expressly set forth herein. In the event of a conflict between the terms of the Agreement and this Amendment No. 2, the terms of this Amendment No. 2 shall control.

Signed this _____ day of _____, 2017

Shirley Jaster
Interim City Manager

Rick Losa
Director, Public Sector Solutions, Waste Management of Texas, Inc.

RESOLUTION NO. 2017 – 109

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEXARKANA, TEXAS, APPROVING AND ADOPTING AN
AMENDMENT TO THE MUNICIPAL SOLID WASTE
COLLECTION AND TRANSPORTATION AGREEMENT; AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, Ordinance No. 2016-132 authorized the City Manager to enter into an agreement with Waste Management of Texas, Inc., for refuse collection; and

WHEREAS, the current refuse collection contract with Waste Management of Texas, Inc., was signed on December 29, 2016; and

WHEREAS, City staff recommends an amendment to the agreement to allow Waste Management of Texas, Inc., revise the language for the free 250, 30-yard Roll-Off Bin hauls to include the hauls made by City trucks, and to revise the designated annual time frame for counting the free hauls from March 1 through February 28 to January 1 to December 31, effective January 1, 2018.

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

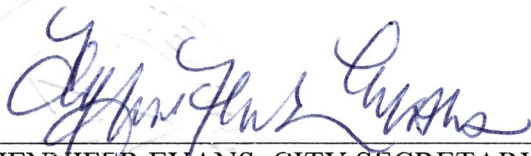
SECTION 1: That Amendment No. 2 to the Municipal Solid Waste Collection and Transportation Agreement, as set forth in **ATTH 01**, is hereby approved and adopted in its entirety.

SECTION 2: That the City Manager is authorized to execute Amendment No. 2.

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

PASSED AND APPROVED in Regular Council Session on this the **9th** day of **October, 2017**.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

6:32 p.m.

2017-109 ATTH 01

Amendment No. 2 to MUNICIPAL SOLID WASTE COLLECTION AND TRANSPORTATION AGREEMENT

(Residential/Polycarts, Commercial, Industrial and Recycling)

The City of Texarkana, Texas ("City") and Waste Management of Texas, Inc. ("Contractor"), both acting by and through their duly authorized representatives, desire to amend, as more particularly set forth below, the Additional Services section of the Municipal Solid Waste Collection and Transportation Agreement between the City and Contractor, which took effect on March 1, 2017 ("Agreement").

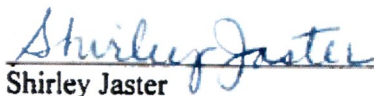
Now, therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, and pursuant to Section 23 of the Agreement, the parties agree to amend the Agreement as follows:

1. Section 5.08(iii) of the Agreement, entitled "Additional Services" is hereby replaced with the following:

- (a) Contractor shall provide the City with 250, 30-yard Roll-Off Bin hauls annually for house demolition, neighborhood clean-ups, or other City projects. In lieu of 30-yard Roll Off Bins hauled by Contractor, City may substitute hauls by City trucks and count those hauls as part of the 250 total.
- (b) In addition, Contractor and City agree to change the designated annual time frame from Contract Year March 1 through February 28 to a Calendar Year January 1 through December 31, effective January 1, 2018 as to the 250-haul count.

2. Nothing contained herein shall be deemed to amend or modify the Agreement, except as expressly set forth herein. In the event of a conflict between the terms of the Agreement and this Amendment No. 2, the terms of this Amendment No. 2 shall control.

Signed this 10th day of October, 2017



Shirley Jaster
Interim City Manager



Rick Losa
Director, Public Sector Solutions, Waste Management of Texas, Inc.

City of Texarkana, Texas

Version: B

Update Date: 10/19/2017 2:49 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2017-099 rezoning an approximate 2 acre tract of land in the
R.E. Sevey HRS, A-523, located at 2407 Liberty Lane. Single Family-1 to
Single Family-3. Military Warriors Support Foundation, owner. Mary
Subject: Bowman (under contract to purchase), agent.

Briefing: 10/23/2017 **Public Hearing:** 10/9/2017 **Second Briefing:** October 23, 2017 **Council Vote:** 11/13/2017

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

On October 18, 2017, staff received three letters in opposition to this request that are included in the council packet.

Executive Summary and Background Information:

Z-17-10: This is a request by Military Warriors Support Foundation, owner, and Mary Bowman (under contract to purchase), agent, to rezone an approximate 2 acre tract of land in the R.E. Sevey HRS, A-523, located at 2407 Liberty Lane from Single Family-1 to Single Family-3. This property is currently vacant land.

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

The Comprehensive Plan has designated this as a low density residential area. There previously was a single wide mobile home located on the property east of this tract (S-109) and there is an existing double wide HUD code manufactured home located diagonally across the street from this tract (S-537) at 2502 Liberty Lane. There are numerous manufactured homes located in the Liberty Eylau area.

Double wide manufactured housing looks like some of the existing frame pier and beam houses in the area. This type housing could be a revitalization housing alternative to traditional site built homes.

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

Potential Options:

None

Fiscal Implications:

None

Staff Recommendation:

City of Texarkana, Texas

Since a precedent has been set for manufactured homes on Liberty Lane and in this area, staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval.

Advisory Board/Committee Meeting Date and Minutes:

September 5, 2017

Attachments

- a. 2017-099 ORD rezoning 2407 Liberty Lane (PDF)
- b. 2017-099 EXH 'A' (legal description) (PDF)
- c. 2017-099 ATTH 01 (maps) (PDF)
- d. 2017-099 Goals & Perspectives (DOCX)
- e. 2017-099 ATTH 02 (opposition letters) (PDF)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	09/14/2017 9:17 AM	
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager
Review Completed	09/15/2017 10:08 AM	
Public Information Officer	Vicky Coopwood	PIO Review Skipped
	09/19/2017 9:57 AM	
City Manager	Shirley Jaster	City Manager Review Completed 09/19/2017
1:02 PM		
City Council	Jennifer Evans	Meeting Completed 09/25/2017
6:00 PM		

Meeting History

09/25/17 City Council MOVED FORWARD Next: 10/09/17
David Orr briefed this item.

Z-17-10

ORDINANCE NO. 2017-099

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING AN APPROXIMATE 2-ACRE TRACT OF LAND IN THE R.E. SEVEY HRS, A-523, LOCATED AT 2407 LIBERTY LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-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 an approximate 2-acre tract of land in the R.E. Sevey HRS, A-523 (**Exhibit 'A'**), located at 2407 Liberty Lane in the City of Texarkana, Bowie County, Texas, from **Single Family-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 after holding hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning from Single Family-1 to Single Family-3** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-1 to Single Family-3** 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 an approximate 2-acre tract of land in the R.E. Sevey HRS, A-523 (**Exhibit 'A'**) located at 2407 Liberty Lane in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Single Family-3**.

Attachment: 2017-099 ORD rezoning 2407 Liberty Lane [Revision 1] (1707 : 2017-099 ORD rezoning at 2407 Liberty Lane)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of November, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

2017-099

EXHIBIT "A"

All that certain tract or parcel of land situated in the R. E. SEVEY HEADRIGHT SURVEY, A-523, Bowie County, Texas, being a portion of a certain 4-3/4 acre tract of land conveyed by J. J. Blankenship, et al, to J. N. Sherrer and wife, Mittie Sherrer, by Deed dated May 14, 1931, of record in Volume 138, Page 370, Deed Records, Bowie County, Texas, and also being the same called 2 acre tract of land conveyed by W. L. Karrah and wife, Martha J. Karrah, et al, to Harland Sexton and wife, Helen Sexton by Deed dated September 26, 1972, of record in Volume 552, Page 143, Deed Records, Bowie County, Texas, and the herein described tract being that same called 2.028 acre tract conveyed from Carylton Taylor to George W. Thornton and wife, Lucille, D. Thornton by deed Dated November 17, 1994, and recorded in Volume 2236, page 201 of the Real Property Records of Bowie County, Texas, and the subject tract being more particularly described as follows: BEGINNING at a 3/4 inch reinforcing steel rod found for corner at the Northwest corner of said 2.028 acre Thornton tract, said point being on the South right-of-way line of a street designated as Liberty Lane: THENCE: N 89° 25' 22" E, 185.06 feet with the North boundary line of said 2.028 acre Thornton tract and with the South right-of-way line of said Liberty Lane to a 3/4 inch reinforcing steel rod found for corner at the Northeast corner of said 2.028 acre Thornton tract; THENCE: S 03° 31' 51" W, 473.97 feet primarily along an existing fence line and with the East boundary line of said 2.028 acre Thornton tract and with the West boundary line of a certain tract conveyed to James A. McDowell by deed recorded in Volume 2359, Page 172 of the Real Property Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod set for corner in an existing fence corner at the Southeast corner of said 2.028 acre Thornton tract; THENCE: S 89° 19' 10" W, 188.65 feet along an existing fence line and with the South boundary line of said 2.028 acre Thornton tract and with the North boundary line of a certain tract conveyed to Liberty Eylau Independent School District by deed recorded in Volume 192, Page 181 of the Deed Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod found for corner in an existing fence corner at the Southwest corner of said 2.028 acre Thornton tract; THENCE: N 03° 57' 36" E, 474.58 feet along an existing fence line and with the West boundary line of said 2.028 acre Thornton tract and with the East boundary line of a certain tract conveyed to George Gaines by deed recorded in Volume 668, Page 762 of the Deed Records of Bowie County, Texas, to the POINT OF BEGINNING and containing 2.029 acres of land, more or less.

Commonly known as: 2407 Liberty Lane, Texarkana, TX 75501

Prepared by:

Jay A. Rosenberg, Esq., Texas Bar Number 24094479, Rosenberg LPA, Attorneys At Law, 3805 Edwards Road, Suite 550, Cincinnati, Ohio 45209 (513) 247-9605 Fax: (866) 611-0170.

After recording return to:

Boston National Title Agency, LLC
7200 Glen Forest Drive, Suite 310
Richmond, VA 23226

Filed For Record In:
Bowie County, Texas
Tina Petty
County Clerk
On: Jun 29, 2017 at 11:02A

0536146137B
259-TX-V1

Attachment: 2017-099 ORD rezoning 2407 Liberty Lane [Revision 1] (1707 : 2017-099 ORD rezoning at 2407 Liberty Lane)

2017-099

EXHIBIT "A"

All that certain tract or parcel of land situated in the R. E. SEVEY HEADRIGHT SURVEY, A-523, Bowie County, Texas, being a portion of a certain 4-3/4 acre tract of land conveyed by J. J. Blankenship, et al, to J. N. Sherrer and wife, Mittie Sherrer, by Deed dated May 14, 1931, of record in Volume 138, Page 370, Deed Records, Bowie County, Texas, and also being the same called 2 acre tract of land conveyed by W. L. Karrah and wife, Martha J. Karrah, et al, to Harland Sexton and wife, Helen Sexton by Deed dated September 26, 1972, of record in Volume 552, Page 143, Deed Records, Bowie County, Texas, and the herein described tract being that same called 2.028 acre tract conveyed from Carylton Taylor to George W. Thornton and wife, Lucille, D. Thornton by deed Dated November 17, 1994, and recorded in Volume 2236, page 201 of the Real Property Records of Bowie County, Texas, and the subject tract being more particularly described as follows: BEGINNING at a 3/4 inch reinforcing steel rod found for corner at the Northwest corner of said 2.028 acre Thornton tract, said point being on the South right-of-way line of a street designated as Liberty Lane: THENCE: N 89° 25' 22" E, 185.06 feet with the North boundary line of said 2.028 acre Thornton tract and with the South right-of-way line of said Liberty Lane to a 3/4 inch reinforcing steel rod found for corner at the Northeast corner of said 2.028 acre Thornton tract; THENCE: S 03° 31' 51" W, 473.97 feet primarily along an existing fence line and with the East boundary line of said 2.028 acre Thornton tract and with the West boundary line of a certain tract conveyed to James A. McDowell by deed recorded in Volume 2359, Page 172 of the Real Property Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod set for corner in an existing fence corner at the Southeast corner of said 2.028 acre Thornton tract; THENCE: S 89° 19' 10" W, 188.65 feet along an existing fence line and with the South boundary line of said 2.028 acre Thornton tract and with the North boundary line of a certain tract conveyed to Liberty Eylau Independent School District by deed recorded in Volume 192, Page 181 of the Deed Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod found for corner in an existing fence corner at the Southwest corner of said 2.028 acre Thornton tract; THENCE: N 03° 57' 36" E, 474.58 feet along an existing fence line and with the West boundary line of said 2.028 acre Thornton tract and with the East boundary line of a certain tract conveyed to George Gaines by deed recorded in Volume 668, Page 762 of the Deed Records of Bowie County, Texas, to the POINT OF BEGINNING and containing 2.029 acres of land, more or less.

Commonly known as: 2407 Liberty Lane, Texarkana, TX 75501

Prepared by:

Jay A. Rosenberg, Esq., Texas Bar Number 24094479, Rosenberg LPA, Attorneys At Law, 3805 Edwards Road, Suite 550, Cincinnati, Ohio 45209 (513) 247-9605 Fax: (866) 611-0170.

After recording return to:

Boston National Title Agency, LLC
7200 Glen Forest Drive, Suite 310
Richmond, VA 23226

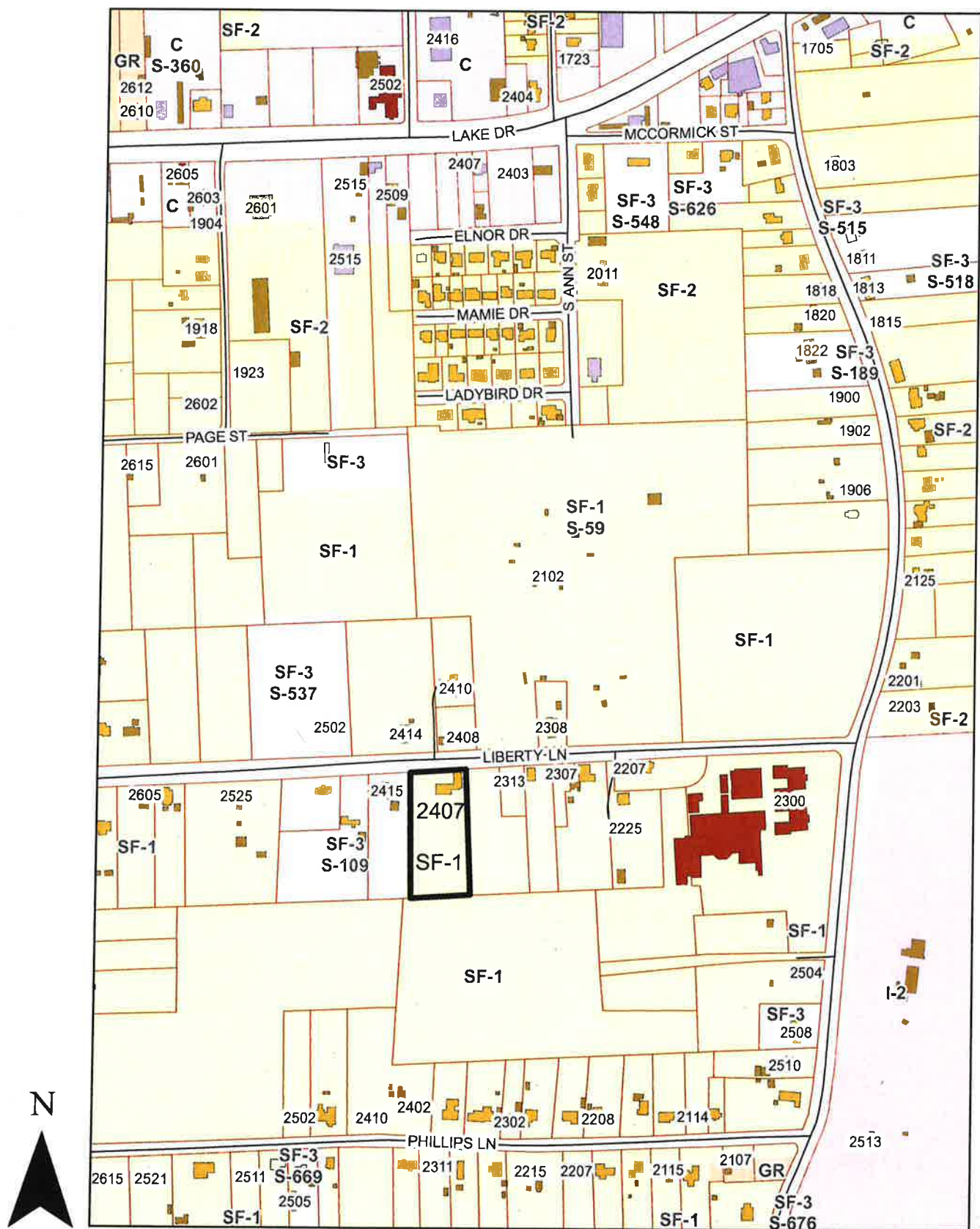
Filed For Record In:
Bowie County, Texas
Tina Petty
County Clerk
On: Jun 29, 2017 at 11:02A

0536146137B
259-TX-V1

Attachment: 2017-099 EXH 'A' (legal description) (1707 : 2017-099 ORD rezoning at 2407 Liberty Lane)

2407 Liberty Lane

Department of Planning and Community Development



1:5,500



2407 Liberty Lane

Department of Planning and Community Development



1:2,500

Attachment: 2017-099 ATTH 01 (maps) (1707 : 2017-099 ORD rezoning at 2407 Liberty Lane)



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Rec'd 10-18-17 11:30am
IXB

THE PROPERTY IS ZONED FOR RESIDENTIAL, SO I WOULD LIKE AND PREFER TO KEEP IT THAT WAY. THE NEIGHBORS DOWN THE ENDS OF THE STREET FEEL THE SAME WAY BUT THEY CAN'T COMMENT ON THEIR CONCERNS BECAUSE THERE MORE THAN 200 YARDS FROM THE PROPOSED ZONING FOR OLD USED TRAILERS TO BE PLANTED IN THEIR NEIGHBORHOOD. THE TRAILER BEING BROUGHT TO LIBERTY LANE IS OVER 20 YEARS OLD. SOMEONE SOLD IT BECAUSE THEY DIDN'T WANT IT ON THEIR PROPERTY ANY MORE. SO THIS TRAILER WAS PICKED UP FOR A SONG IN PRICE. NOW ITS BEING DISMANTLED AND BEING BROUGHT TO LIBERTY LANE,

THIS WILL DECREASE THE VALUE OF THE PROPERTIES DISCOURAGE PROPERTY SALES AND RENOVATIONS, I OPPOSE THIS ZONING REQUEST. HOW WOULD YOU FEEL IF SOMEONE WAS PLANNING TO DO THIS NEXT DOOR OR ACROSS THE STREET FROM YOU.

THANK YOU
LARRY HARDY
2313 LIBERTY LANE

10-17-17

Rev.
10-18-17 11:30
JLB

7.1.e

To whom it may concern, I
Bobby Sturdivant & my wife Mary K.
Sturdivant are Apposed to a
mobile home being moved across
from 2408 Liberty Ln, Texasville TX

Sincerely:

Bobby Sturdivant

Mary K St

Bobby #

903-278-9281

Mary #

903-278-6288

Attachment: 2017-099 ATTH 02 (opposition letters) (1707 : 2017-099 ORD rezoning at 2407 Liberty Lane)

To the City Council ^{10-18-17 11:32 AM DKO} 10/17/17

I have some concerns over the proposed zoning change on Liberty Lane. From the recent pictures I have seen of the trailer that will be placed there, its not very new or in the best of condition, so as of today I'm against the zoning change.

Cindy Goldberg
2414 Liberty Ln.

City of Texarkana, Texas

Version: B

Update Date: 10/19/2017 2:53 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,
Ordinance No. 2017-100 granting a Specific Use Permit to allow a double wide
HUD code manufactured home on an approximate 2-acre tract of land in the
R.E. Sevey HRS, A-523, located at 2407 Liberty Lane. Military Warriors
Subject: Support Foundation, owner. Mary Bowman (under contract to purchase), agent.

Briefing: 10/23/2017 **Public Hearing:** 10/9/2017 **Second Briefing:** October 23, 2017 **Council Vote:** 11/13/2017

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

On October 18, 2017, staff received three letters in opposition to this request that are included in the council packet.

Executive Summary and Background Information:

S-680: This is a request by Military Warriors Support Foundation, owner, and Mary Bowman (under contract to purchase), agent, for a Specific Use Permit to allow a 1996 double wide HUD code manufactured home on an approximate 2 acre tract of land in the R.E. Sevey HRS, A-523, located at 2407 Liberty Lane. This property is currently vacant land.

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

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. Any home built after 1976 is considered HUD code standard.

The Comprehensive Plan has designated this as a low density residential area. There previously was a single wide mobile home located on the property east of this tract (S-109) and there is an existing double wide HUD code manufactured home located diagonally across the street from this tract (S-537) at 2502 Liberty Lane. There are numerous manufactured homes located in the Liberty Eylau area.

See attached photographs of the proposed double wide HUD code manufactured home.

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

Potential Options:

None

City of Texarkana, Texas

Fiscal Implications:

None

Staff Recommendation:

Double wide manufactured housing looks like some of the existing frame pier and beam houses in the area. This type housing could be a revitalization housing alternative to traditional site built homes. Due to this fact and that a precedent has been set for manufactured homes on Liberty Lane and in this area, staff recommends for approval of this request with the following stipulations:

1. That one 1996 Clarksville Delta double wide HUD code manufactured home be allowed on this property.
2. That the double wide HUD code manufactured home be power washed.
3. That the double wide HUD code manufactured home be tied down/skirted/underpinned. (The Commission may want to add a stipulation that new skirting be used).
4. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
5. 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.
6. 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.
7. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements be in accordance with the City of Texarkana, Texas codes.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval with the following stipulations:

1. That one 1996 Clarksville Delta double wide HUD code manufactured home be allowed on this property.
2. That the double wide HUD code manufactured home be power washed.
3. That the double wide HUD code manufactured home be tied down and skirted/underpinned with new skirting.
4. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
5. 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.
6. 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.
7. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements be in accordance with the City of Texarkana, Texas codes.

Advisory Board/Committee Meeting Date and Minutes:

September 5, 2017

Attachments

City of Texarkana, Texas

- a. 2017-100 ORD granting SUP for manf. home at 2407 Libert Lane (PDF)
- b. 2017-100 EXH 'A' (Photos of manf. home) (PDF)
- c. 2017-100 EXH 'B' (legal description) (PDF)
- d. 2017-100 ATTH 01 Maps (PDF)
- e. 2017-100 Goals & Perspectives (DOCX)
- f. 2017-100 ATTH 02 (opposition letters) (PDF)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	09/14/2017 9:20 AM		
Deputy City Manager - Kyle Dooley	Kyle Dooley	Review	Completed
09/15/2017 10:09 AM			
Public Information Officer	Vicky Coopwood	PIO Review	Skipped
09/19/2017 9:57 AM			
City Manager	Shirley Jaster	City Manager Review	Completed 09/19/2017
1:05 PM			
City Council	Jennifer Evans	Meeting	Completed 09/25/2017
6:00 PM			

Meeting History

09/25/17 City Council MOVED FORWARD Next: 10/09/17
David Orr briefed this item.

ORDINANCE NO. 2017-100

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-680 TO ALLOW THE LOCATION OF A HUD CODE DOUBLE WIDE MANUFACTURED HOME ON AN APPROXIMATE 2-ACRE TRACT OF LAND IN THE R.E. SEVEY HRS, A-523, LOCATED AT 2407 LIBERTY LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed 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 HUD code double wide manufactured home (**Exhibit 'A'**) on an approximate 2 acre tract of land in the R.E. Sevey HRS, A-523 (**Exhibit 'B'**), located at 2407 Liberty Lane in the City of Texarkana, Bowie County, Texas; and

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

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

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended so as to grant a **Specific Use Permit** numbered S-680 for the purpose of allowing the location of a HUD code double wide manufactured home on the following described property, to-wit: an approximate 2-acre tract of land in the R.E. Sevey HRS, A-523 (**Exhibits 'A' & 'B'**), located at 2407 Liberty Lane in the City of Texarkana, Bowie County, Texas.

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

1. That one 1996 Clarksville Delta double wide HUD code manufactured home be allowed on this property.
2. That the double wide HUD code manufactured home be power washed.
3. That the double wide HUD code manufactured home be tied down and skirted/underpinned with new skirting.
4. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
5. 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.
6. 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.
7. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements be in accordance with the City of Texarkana, Texas, codes.

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

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

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

PASSED AND APPROVED in regular Council Session on this the 13th day of November, 2017.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



Attachment: 2017-100 ORD granting SUP for manf. home at 2407 Libert Lane (1711 : 2017-100 ORD granting Specific Use Permit at 2407 Liberty



Attachment: 2017-100 ORD granting SUP for manf. home at 2407 Libert Lane (1711 : 2017-100 ORD granting Specific Use Permit at 2407 Liberty

2017-100

EXHIBIT 'B'

All that certain tract or parcel of land situated in the R. E. SEVEY HEADRIGHT SURVEY, A-523, Bowie County, Texas, being a portion of a certain 4-3/4 acre tract of land conveyed by J. J. Blankenship, et al, to J. N. Sherrer and wife, Mittie Sherrer, by Deed dated May 14, 1931, of record in Volume 138, Page 370, Deed Records, Bowie County, Texas, and also being the same called 2 acre tract of land conveyed by W. L. Karrah and wife, Martha J. Karrah, et al, to Harland Sexton and wife, Helen Sexton by Deed dated September 26, 1972, of record in Volume 552, Page 143, Deed Records, Bowie County, Texas, and the herein described tract being that same called 2.028 acre tract conveyed from Carylton Taylor to George W. Thornton and wife, Lucille, D. Thornton by deed Dated November 17, 1994, and recorded in Volume 2236, page 201 of the Real Property Records of Bowie County, Texas, and the subject tract being more particularly described as follows: BEGINNING at a 3/4 inch reinforcing steel rod found for corner at the Northwest corner of said 2.028 acre Thornton tract, said point being on the South right-of-way line of a street designated as Liberty Lane: THENCE: N 89° 25' 22" E, 185.06 feet with the North boundary line of said 2.028 acre Thornton tract and with the South right-of-way line of said Liberty Lane to a 3/4 inch reinforcing steel rod found for corner at the Northeast corner of said 2.028 acre Thornton tract; THENCE: S 03° 31' 51" W, 473.97 feet primarily along an existing fence line and with the East boundary line of said 2.028 acre Thornton tract and with the West boundary line of a certain tract conveyed to James A. McDowell by deed recorded in Volume 2359, Page 172 of the Real Property Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod set for corner in an existing fence corner at the Southeast corner of said 2.028 acre Thornton tract; THENCE: S 89° 19' 10" W, 188.65 feet along an existing fence line and with the South boundary line of said 2.028 acre Thornton tract and with the North boundary line of a certain tract conveyed to Liberty Eylau Independent School District by deed recorded in Volume 192, Page 181 of the Deed Records of Bowie County, Texas, to a 1/2 inch reinforcing steel rod found for corner in an existing fence corner at the Southwest corner of said 2.028 acre Thornton tract; THENCE: N 03° 57' 36" E, 474.58 feet along an existing fence line and with the West boundary line of said 2.028 acre Thornton tract and with the East boundary line of a certain tract conveyed to George Gaines by deed recorded in Volume 668, Page 762 of the Deed Records of Bowie County, Texas, to the POINT OF BEGINNING and containing 2.029 acres of land, more or less.

Commonly known as: 2407 Liberty Lane, Texarkana, TX 75501

Prepared by:

Jay A. Rosenberg, Esq., Texas Bar Number 24094479, Rosenberg LPA, Attorneys At Law, 3805 Edwards Road, Suite 550, Cincinnati, Ohio 45209 (513) 247-9605 Fax: (866) 611-0170.

After recording return to:

Boston National Title Agency, LLC
7200 Glen Forest Drive, Suite 310
Richmond, VA 23226

Filed For Record In:
Bowie County, Texas
Tina Petty
County Clerk
On: Jun 29, 2017 at 11:02A

0536146137B
259-TX-V1

Attachment: 2017-100 ORD granting SUP for manf. home at 2407 Libert Lane (1711 : 2017-100 ORD granting Specific Use Permit at 2407 Liberty



Attachment: 2017-100 EXH 'A' (Photos of manf. home) (1711 : 2017-100 ORD granting Specific Use Permit at 2407 Liberty Lane)



Attachment: 2017-100 EXH 'A' (Photos of manf. home) (1711 : 2017-100 ORD granting Specific Use Permit at 2407 Liberty Lane)

2017-100

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Commonly known as: 2407 Liberty Lane, Texarkana, TX 75501

Prepared by:

Jay A. Rosenberg, Esq., Texas Bar Number 24094479, Rosenberg LPA, Attorneys At Law, 3805 Edwards Road, Suite 550, Cincinnati, Ohio 45209 (513) 247-9605 Fax: (866) 611-0170.

After recording return to:

Boston National Title Agency, LLC
7200 Glen Forest Drive, Suite 310
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Filed For Record In:
Bowie County, Texas
Tina Petty
County Clerk
On: Jun 29, 2017 at 11:02A

0536146137B
259-TX-V1

Attachment: 2017-100 EXH 'B' (legal description) (1711 : 2017-100 ORD granting Specific Use Permit at 2407 Liberty Lane)

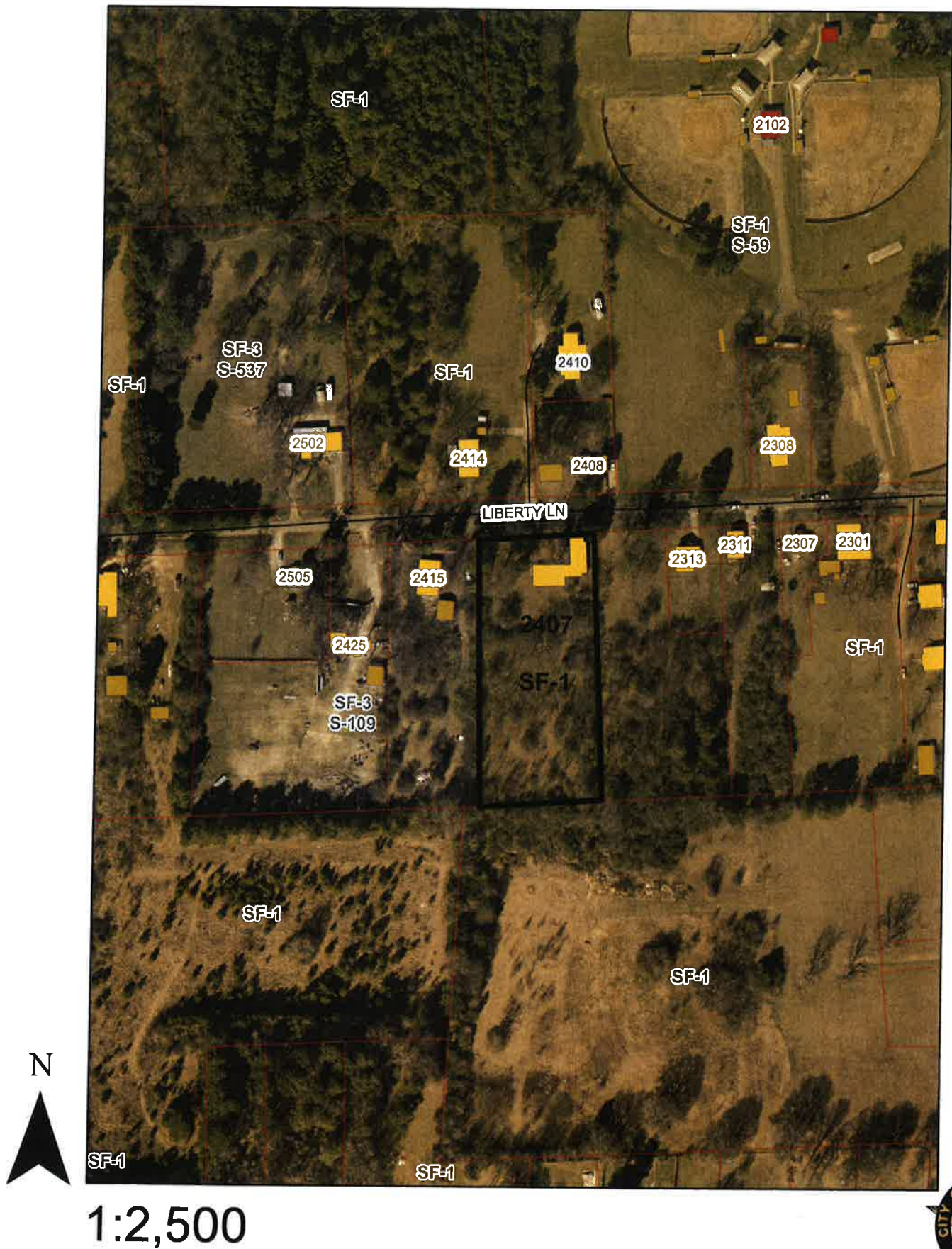
2407 Liberty Lane



1:5,500



2407 Liberty Lane Department of Planning and Community Development



Attachment: 2017-100 ATTH 01 Maps (1711 : 2017-100 ORD granting Specific Use Permit at 2407 Liberty Lane)



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Rec'd 10-18-17 11:30am
IXB

THE PROPERTY IS ZONED FOR RESIDENTIAL, SO I WOULD LIKE AND PREFER TO KEEP IT THAT WAY. THE NEIGHBORS DOWN THE ENDS OF THE STREET FEEL THE SAME WAY BUT THEY CAN'T COMMENT ON THEIR CONCERNS BECAUSE THERE MORE THAN 200 YARDS FROM THE PROPOSED ZONING FOR OLD USED TRAILERS TO BE PLANTED IN THEIR NEIGHBORHOOD. THE TRAILER BEING BROUGHT TO LIBERTY LANE IS OVER 20 YEARS OLD. SOMEONE SOLD IT BECAUSE THEY DIDN'T WANT IT ON THEIR PROPERTY ANY MORE. SO THIS TRAILER WAS PICKED UP FOR A SONG IN PRICE. NOW ITS BEING DISMANTLED AND BEING BROUGHT TO LIBERTY LANE,

THIS WILL DECREASE THE VALUE OF THE PROPERTIES DISCOURAGE PROPERTY SALES AND RENOVATIONS, I OPPOSE THIS ZONING REQUEST. HOW WOULD YOU FEEL IF SOMEONE WAS PLANNING TO DO THIS NEXT DOOR OR ACROSS THE STREET FROM YOU.

THANK YOU
LARRY HARDY
2313 LIBERTY LANE

10-17-17

Rev.
10-18-17 11:30
JLB

7.2.f

To whom it may concern, I
Bobby Sturdivant & my wife Mary K.
Sturdivant are Apposed to a
mobile home being moved across
from 2408 Liberty Ln, Texasville TX

Sincerely:

Bobby Sturdivant

Mary K St

Bobby #

903-278-9281

Mary #

903-278-6288

Attachment: 2017-100 ATTH 02 (opposition letters) (1711 : 2017-100 ORD granting Specific Use Permit at 2407 Liberty Lane)

To the City Council ^{10-18-17 11:32 AM DKO} 10/17/17

I have some concerns over the proposed zoning change on Liberty Lane. From the recent pictures I have seen of the trailer that will be placed there, its not very new or in the best of condition, so as of today I'm against the zoning change.

Cindy Goldberg
2414 Liberty Ln.

City of Texarkana, Texas

Version: A

Update Date: 9/15/2017 9:24 AM

Briefing Sheet

Lead Department: Information Technology **Action Officer:** Kevin Davenport, Supervisor
Subject: Resolution No. 2017-102 authorizing the City Manager to execute a lease purchase agreement with Dell Financial Services LLC for replacement computers and equipment for City of Texarkana, TX departments.
Briefing: 10/23/2017 **Public Hearing:** 10/9/2017 **Second Briefing:** October 23, 2017 **Council Vote:** 11/13/2017

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The City's IT Department has developed a computer replacement schedule to continuously replace outdated equipment in the City over a five-year period. Each schedule of equipment to be replaced is financed by a new four (4) year lease purchase agreement with Dell Financial Services LLC. This proposed agreement will finance City of Texarkana, TX department computers that were on the schedule for replacement in fiscal year 2017.

Potential Options:

- Approve
- Decline

Fiscal Implications:

Funds are included in the City budget for the first of four payment years and are available. The source of funding is the Computer Technology Fund. Payments for the remaining three years of this agreement are anticipated to be budgeted from the same fund in future years.

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

City of Texarkana, Texas

Attachments

- a. 2017-102 RES Dell Financial Services Lease Purchase Agreement (DOC)
- b. 2017-102 EXH 'A' Dell PC Quote (PDF)
- c. 2017-102 EXH 'B' Dell Finance Lease Quote (PDF)
- d. 2017-102 RES Goals & Perspectives (DOCX)

Staff Coordination

Information Technology	Completed	Kevin J. Davenport	Department Head Review	09/12/2017 9:29 AM
TWU Administration	Kevin J. Davenport	Review	Skipped	09/12/2017 3:23 PM
Water Utilities	Kevin J. Davenport	Water Utilities Review	Skipped	09/07/2017 5:18 PM
TWU Finance	Kevin J. Davenport	TWU Finance Review	Skipped	09/12/2017 3:23 PM
Purchasing and Contracting	Completed	Sharon Moore	Purchasing Review	09/12/2017 4:33 PM
Finance Department	Kristin Peebles	Finance Review	Completed	09/12/2017 8:20 PM
Deputy City Manager - Kyle Dooley	Completed	Kyle Dooley	Deputy City Manager	09/13/2017 7:00 AM
Public Information Officer	09/13/2017 7:01 AM	Lisa Thompson	PIO Review	Completed
Water Utilities	JD Phillips	Review	Completed	09/15/2017 9:55 AM
City Manager	Shirley Jaster	City Manager Review	Completed	09/21/2017 8:35 AM
City Council	Jennifer Evans	Meeting	Completed	09/25/2017 6:00 PM

Meeting History

09/25/17 City Council MOVED FORWARD Next: 10/09/17
 Kevin Davenport briefed this item.

RESOLUTION NO. 2017 – 102

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT A LEASE/PURCHASE PROPOSAL FROM DELL FINANCIAL SERVICES LLC, OF ROUND ROCK, TEXAS FOR DELL COMPUTERS AND RELATED EQUIPMENT, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A FINAL LEASE/PURCHASE AGREEMENT AT A TOTAL COST, INCLUDING INTEREST, OVER A FOUR-YEAR PERIOD NOT TO EXCEED \$96,380.60; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the IT Division of TWU budgets and requests replacement of existing outdated computer equipment on a five-year disciplined technology refresh cycle; and

WHEREAS, utilizing a lease/purchase program to finance the purchase of this equipment will allow immediate replacement of all equipment while remaining within current budget constraints; and

WHEREAS, the lease/purchase of this equipment will replace computers in our system that are at the end of their useful lives; and will result in the installation of new computers which provide the latest in technology improvements and support functions available from Dell Computers; and

WHEREAS, the type and number of computers to be acquired through this lease/purchase agreement is shown on the attached document marked as **Exhibit "A"**; and

WHEREAS, the City of Texarkana, Texas, has received a proposed lease/purchase agreement from Dell Financial Services of Round Rock, Texas for Dell computers, a copy of which is attached hereto as **Exhibit "B"**; and

WHEREAS, the proposed lease/purchase agreement from Dell Financial Services LLC of Round Rock, Texas for computers, is for a proposed term of four (4) years, and will be paid in annual payments of an amount not to exceed \$24,095.15 per year for a total cost not to exceed \$96,380.60; and

WHEREAS, the funds for the first year payment have been appropriated in the City's Technology Fund, account number 115-0000-55820; and funds for future payments are anticipated to be appropriated in the same fund.

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

SECTION 1: That the City Manager be and is hereby authorized to execute a Lease/ Purchase Agreement with Dell Financial Services LLC of Round Rock, Texas for computers, over a four (4) year period, that will be at an amount not to exceed \$24,095.15 per year for a total cost not to exceed \$96,380.60.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of November, 2017.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



A quote for your consideration!

Based on your business needs, we put the following quote together to help with your purchase decision. Please review your quote details below, then contact your sales rep when you're ready to place your order.

Total: \$90,149.48

Quote number: 3000016969753.1	Quote date: Aug. 30, 2017	Quote expiration: Sep. 29, 2017
---	-------------------------------------	---

Company name: CITY OF TEXARKANA	Customer number: 5748463	Phone: (903) 798-3178
---	------------------------------------	---------------------------------

Sales rep information: Ray Kirkpatrick Ray_Kirkpatrick@Dell.com (800) 456-3355 Ext: 5130904	Billing Information: CITY OF TEXARKANA PO BOX 1967 TEXARKANA TX 75504-1967 US (903) 798-3178
--	---

Pricing Summary

Item	Qty	Unit Price	Subtotal
OptiPlex 7050 SFF	65	\$950.00	\$61,750.00
Dell 22 Monitor - P2217H	65	\$179.39	\$11,660.35
Dell USB SoundBar AC511	65	\$26.24	\$1,705.60
Precision Workstation T3620 Mini Tower	7	\$1,227.99	\$8,595.93
Dell Latitude 5580	4	\$1,579.41	\$6,317.64
Dell Urban Briefcase-15	4	\$29.99	\$119.96
Subtotal:			\$90,149.48
Shipping:			\$0.00
Environmental Fees:			\$0.00
Non-Taxable Amount:			\$90,149.48
Taxable Amount:			\$0.00
Estimated Tax:			\$0.00
Total:			\$90,149.48

Special lease pricing may be available for qualified customers. Please contact your DFS Sales Representative for details.

Dear Customer,

Your Quote is detailed below; please review the quote for product and information accuracy. If you find errors or desire certain changes please contact me as soon as possible.

Regards,

Ray Kirkpatrick

Order this quote easily online through your [Premier page](#), or if you do not have Premier, using [Quote to Order](#)

SKU	Description	Qty	Unit Price	Subtotal
	OptiPlex 7050 SFF	65	\$950.00	\$61,750.00
	Estimated delivery date: Sep. 6, 2017			
	Contract No: 42AFU			
	Customer Agreement No: DIR-SDD-1951			
338-BKYY	Intel Core i5-7500 (QC/6MB/4T/3.4GHz/65W); supports Windows 10/Linux	65	-	-
619-AHKN	Win 10 Pro 64 English, French, Spanish	65	-	-
630-AAxE	No Productivity for Federal and Premier	65	-	-
329-BDHJ	OptiPlex 7050 SFF with 180W up to 85% efficient Power Supply (80Plus Bronze)	65	-	-
490-BBFG	Intel Integrated Graphics, Dell OptiPlex	65	-	-
370-ADJQ	8GB (2x4GB) 2400MHz DDR4 Memory	65	-	-
631-ABGK	Intel vPro Technology Enabled	65	-	-
400-AOZR	M.2 256GB PCIe Class 40 Solid State Drive	65	-	-
412-AAIL	Thermal Pad	65	-	-
401-AANH	2nd Hard Drive: not included	65	-	-
631-ABGL	Intel Ready Mode Technology	65	-	-
817-BBBN	NO RAID	65	-	-
325-BBRJ	DVD+/-RW Bezel, Small Form Factor	65	-	-
429-AAJV	Tray load DVD Drive (Reads and Writes to DVD/CD)	65	-	-
658-BBTV	CMS Essentials DVD no Media	65	-	-
555-BBKH	No Bcom required	65	-	-
555-BBFO	No Wireless	65	-	-

Attachment: 2017-102 EXH 'A' Dell PC Quote (1704 : 2017-102 RES Dell Financial Services Lease Purchase Agreement)

385-BBCR	No Media Card Reader	65	-	-
580-AFWH	Dell KB522 Business Multimedia Keyboard for US (English)	65	-	-
570-AACQ	Dell USB Laser 6-Button Mouse	65	-	-
525-0063	Dell Data Protection Endpoint Security Suite Enterprise, 5 yr	65	-	-
807-9603	ProSupport for Dell Data Protection Endpoint Security Suite Enterprise, 5 Years	65	-	-
998-CLIB	Fixed Hardware Configuration	65	-	-
210-AKIP	OptiPlex 7050 Small Form Factor BTX	65	-	-
575-BBKX	No Hard Drive Bracket for Small Form Factor, Dell OptiPlex	65	-	-
450-AAOJ	System Power Cord (Philippine/TH/US)	65	-	-
340-ABJI	No Diagnostic/Recovery CD media	65	-	-
525-BBCL	SupportAssist	65	-	-
640-BBLW	Dell(TM) Digital Delivery Cirrus Client	65	-	-
658-BBMR	Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)	65	-	-
658-BBRB	Waves Maxx Audio	65	-	-
658-BCUV	Dell Developed Recovery Environment	65	-	-
340-AGIK	Safety/Environment and Regulatory Guide (English/French Multi-language)	65	-	-
332-1286	US Order	65	-	-
340-BKPS	MOD,PLCMT,QSG,7050,SFF,DAO	65	-	-
461-AABF	No CompuTrace	65	-	-
329-BBJL	TPM Enabled	65	-	-
575-BBBI	No Integrated Stand option	65	-	-
470-AAJL	NO ADAPTER	65	-	-
387-BBLW	E-Star 6.1 & TCO 5.0 Driver, Service Install Module	65	-	-
620-AALW	OS-Windows Media Not Included	65	-	-
340-BKFK	Ship Material for Opti 5050 SFF	65	-	-
389-BBUU	Shipping Label for DAO	65	-	-
461-AABV	No Accessories	65	-	-

Attachment: 2017-102 EXH 'A' Dell PC Quote (1704 : 2017-102 RES Dell Financial Services Lease Purchase Agreement)

389-BRPU	MOD,LBL,REG,SFF,MEX,EPA,7050	65	-	-
389-BDQH	Retail POD	65	-	-
555-BBFO	No Wireless	65	-	-
389-BREQ	Intel Core i5 vPRO Label	65	-	-
817-BBBC	Not selected in this configuration	65	-	-
812-3886	Dell Limited Hardware Warranty Plus Service	65	-	-
812-3900	ProSupport: 7x24 Technical Support, 5 Years	65	-	-
812-3910	ProSupport: Next Business Day Onsite 5 Years	65	-	-
989-3449	Thank you choosing Dell ProSupport. For tech support, visit http://support.dell.com/ProSupport or call 1-866-516-3115	65	-	-
980-7554	Keep Your Hard Drive, 5 Year	65	-	-

SKU	Description	Qty	Unit Price	Subtotal
	Dell 22 Monitor - P2217H	65	\$179.39	\$11,660.35

Estimated delivery date: Sep. 1 - 6, 2017

Contract No: 42AFU

Customer Agreement No: DIR-SDD-1951

210-AIIF	Dell 22 Monitor - P2217H	65	-	-
806-2755	Premium Panel Warranty Advanced Exchange 3 Years	65	-	-
806-2763	Dell Limited Hardware Warranty	65	-	-

SKU	Description	Qty	Unit Price	Subtotal
	Dell USB SoundBar AC511	65	\$26.24	\$1,705.60

Estimated delivery date: Sep. 1 - 6, 2017

Contract No: 42AFU

Customer Agreement No: DIR-SDD-1951

318-2885	Dell Stereo USB Monitor Soundbar AC511	65	-	-
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SKU	Description	Qty	Unit Price	Subtotal
	Precision Workstation T3620 Mini Tower	7	\$1,227.99	\$8,595.93

Estimated delivery date: Sep. 6 - 11, 2017

Contract No: 42AFU

Customer Agreement No: DIR-SDD-1951

Attachment: 2017-102 EXH 'A' Dell PC Quote (1704 : 2017-102 RES Dell Financial Services Lease Purchase Agreement)

338-BLQE	Intel Xeon E3-1240 v6 (Quad Core 3.7GHz, 4.1Ghz Turbo, 8MB)	7	-	-
389-BLMH	Label, Non Active Port,T3620	7	-	-
631-AARS	Dell Precision Tower 3620 Heatsink (80W)	7	-	-
619-AHCR	Windows 10 Pro (64bit) English	7	-	-
630-AAPK	No Productivity Software	7	-	-
338-BLOJ	Dell Precision Tower 3620 Up to 90% efficient 365W Chassis, v2	7	-	-
490-BCSN	AMD FirePro(TM) W4100 2GB (4 mDP) (4 mDP-DP adapters)	7	-	-
370-ADQT	16GB (4X4GB) 2400MHz DDR4 UDIMM Non-ECC	7	-	-
631-AATX	Intel(R) vPro Technology Enabled	7	-	-
400-AIJJ	500GB 2.5inch SATA (7,200 Rpm) Hard Drive	7	-	-
401-AADF	No Additional Hard Drive	7	-	-
401-AADF	No Additional Hard Drive	7	-	-
401-AADF	No Additional Hard Drive	7	-	-
401-AADF	No Additional Hard Drive	7	-	-
411-XXYD	Raid Configuration not over 2 TB	7	-	-
449-BBJZ	C3 SATA / SSD 2.5, 1-2 HD	7	-	-
403-BBCE	Integrated Intel SATA Controller	7	-	-
780-BBCJ	Non RAID	7	-	-
580-AAWP	US English (QWERY) KB-522 Wired Business Multimedia USB Keyboard Black	7	-	-
570-AACP	Dell USB Laser 6-Button Mouse	7	-	-
555-BBJO	No Additional Network Card Selected (Integrated NIC included)	7	-	-
555-BBNG	Thank You for Choosing Dell	7	-	-
817-BBBC	Not selected in this configuration	7	-	-
817-BBBC	Not selected in this configuration	7	-	-
492-BBFF	No PCIe add-in card	7	-	-
429-AAVR	16X Half Height DVD +/- RW	7	-	-
429-AAWK	ODD config MOD for HH ODD only or MCR only	7	-	-

Attachment: 2017-102 EXH 'A' Dell PC Quote (1704 : 2017-102 RES Dell Financial Services Lease Purchase Agreement)

658-BBTv	CMS Essentials DVD no Media	7	-	-
450-AAFS	US/Philippines Power Cord	7	-	-
340-AGIK	Safety/Environment and Regulatory Guide (English/French Multi-language)	7	-	-
340-AAMH	No Setup and Features Guide	7	-	-
340-ASWP	Dell Precision Resource DVD	7	-	-
620-AALW	OS-Windows Media Not Included	7	-	-
387-BBKN	Energy Star	7	-	-
634-BENZ	No DDP ESS Software	7	-	-
210-AFLI	Dell Precision Tower 3620 XCTO BASE	7	-	-
313-2198	No External Speaker	7	-	-
332-1286	US Order	7	-	-
340-AEYP	SHIP,PWS,LNK,NO,NO,AMF	7	-	-
340-AUOO	Shipping Material for System, Mini Tower, DAO	7	-	-
555-BBNI	No Wireless LAN	7	-	-
389-BHVY	Tower 3620 Regulatory Label DAO	7	-	-
340-AJFC	Kickstart Product Registration	7	-	-
422-0008	Dell Data Protection System Tools Digital Delivery/DT	7	-	-
525-BBCL	SupportAssist	7	-	-
640-BBES	Dell Precision Optimizer	7	-	-
640-BBLW	Dell(TM) Digital Delivery Cirrus Client	7	-	-
658-BBMQ	Enable Low Power Mode	7	-	-
658-BBMR	Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)	7	-	-
658-BBNH	Waves Maxx Audio	7	-	-
658-BCUV	Dell Developed Recovery Environment	7	-	-
817-BBBC	Not selected in this configuration	7	-	-
389-BDCE	No UPC Label	7	-	-
409-BBCF	No Intel Rapid Start or Smart Connect	7	-	-
389-BHJY	Intel XEON Processor Label	7	-	-

Attachment: 2017-102 EXH 'A' Dell PC Quote (1704 : 2017-102 RES Dell Financial Services Lease Purchase Agreement)

575-BBCH	No Stand included	7	-	-
989-3449	Thank you choosing Dell ProSupport. For tech support, visit http://support.dell.com/ProSupport or call 1-866-516-3115	7	-	-
997-2808	Dell Limited Hardware Warranty Plus Service	7	-	-
997-2838	ProSupport: 7x24 Technical Support, 5 Years	7	-	-
997-6784	ProSupport: Next Business Day Onsite, 5 Years	7	-	-
980-9194	Keep Your Hard Drive, 5 Year	7	-	-
SKU	Description	Qty	Unit Price	Subtotal
	Dell Latitude 5580	4	\$1,579.41	\$6,317.64
	Estimated delivery date: Sep. 5 - 8, 2017			
	Contract No: 42AFU			
	Customer Agreement No: DIR-SDD-1951			
210-AKJR	Dell Latitude 5580 XCTO	4	-	-
379-BCPL	7th Generation Intel Core i5-7440HQ (Quad Core, 2.80Gz, 6MB cache)	4	-	-
619-AHKN	Win 10 Pro 64 English, French, Spanish	4	-	-
630-AAAXE	No Productivity for Federal and Premier	4	-	-
338-BKOV	Intel(R) Core(TM) i5-7440HQ Processor Base, Integrated HD Graphics 630, Displayport over USB Type-C	4	-	-
409-BBKS	Intel Rapid Storage Technology	4	-	-
631-ABEG	Intel Vpro Technology Enable	4	-	-
370-ADIB	8G (1 X 8G) DDR4 Memory	4	-	-
400-AOWD	2.5" 7mm 500GB 7200rpm HDD	4	-	-
575-BBKV	7MM HDD/SSD Hard Drive Bracket Latitude 5580 and Precision 15P	4	-	-
340-ADBJ	Thank You for Choosing Dell	4	-	-
391-BCZP	39.6cm (15.6") Touch FHD (1920 x1080) with Camera, OTP Lite, WWAN Capable	4	-	-
583-BDPL	Internal US English Qwerty Non-backlit Keyboard	4	-	-
570-AADK	No Mouse	4	-	-
555-BDFW	Intel Dual-Band Wireless-AC 8265 Driver	4	-	-

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555-BDGD	Intel Dual-Band Wireless-AC 8265 Wi-Fi + BT 4.2 Wireless Card (2x2)	4	-	-
362-BBBB	No Wireless WAN Card	4	-	-
451-BBXU	Primary 3-cell 51W/HR Battery	4	-	-
492-BBXF	65W AC Adapter, 3-pin	4	-	-
346-BCET	Dual Point Palmrest with No Security	4	-	-
817-BBBB	No FGA	4	-	-
452-BBSE	No Docking Station	4	-	-
460-BBEX	No Carrying Case	4	-	-
450-AAEJ	US Power Cord	4	-	-
340-ADFZ	Dell Power Manager	4	-	-
525-BBCL	SupportAssist	4	-	-
640-BBLW	Dell(TM) Digital Delivery Cirrus Client	4	-	-
658-BBMR	Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)	4	-	-
658-BBRB	Waves Maxx Audio	4	-	-
658-BCUV	Dell Developed Recovery Environment	4	-	-
658-BDKE	System Shipment, Latitude 5580	4	-	-
620-AAOH	No Media	4	-	-
575-BBCH	No Stand included	4	-	-
429-AATO	No Removable CD/DVD Drive	4	-	-
340-ACQQ	No Option Included	4	-	-
332-1286	US Order	4	-	-
430-XXYG	No Resource DVD	4	-	-
340-BKCO	Windows 10 Placemat	4	-	-
387-BBLZ	Energy Star 6.1	4	-	-
800-BBGT	BTO Standard Shipment (S)	4	-	-
389-BREQ	Intel Core i5 vPRO Label	4	-	-
340-AGIK	Safety/Environment and Regulatory Guide (English/French Multi-language)	4	-	-

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389-BCGW	No UPC Label	4	-	-
340-AAPP	Direct ship Info Mod	4	-	-
340-BKKJ	Mix Model Packaging DAO	4	-	-
389-BEYY	Regulatory Label included	4	-	-
650-AAAM	No Anti-Virus Software	4	-	-
975-3461	Dell Limited Hardware Warranty Extended Year(s)	4	-	-
997-8317	Dell Limited Hardware Warranty	4	-	-
997-8366	ProSupport Plus: Next Business Day Onsite, 1 Year	4	-	-
997-8367	Thank you for choosing Dell ProSupport Plus. For tech support, visit www.dell.com/contactdell or call 1-866-516-3115	4	-	-
997-8392	ProSupport Plus: Keep Your Hard Drive, 5 Years	4	-	-
997-8393	ProSupport Plus: Next Business Day Onsite, 4 Year Extended	4	-	-
997-8394	ProSupport Plus: Accidental Damage Service, 5 Years	4	-	-
997-8395	ProSupport Plus: 7x24 Technical Support, 5 Years	4	-	-
SKU	Description	Qty	Unit Price	Subtotal
	Dell Urban Briefcase-15	4	\$29.99	\$119.96
	Estimated delivery date: Sep. 6, 2017			
	Contract No: 42AFU			
	Customer Agreement No: DIR-SDD-1951			
460-BBYM	Kit - Dell Urban Briefcase 15 - Fits up to 15" Dell Notebooks	4	-	-
			Subtotal:	\$90,149.4
			Shipping:	\$0.0
			Environmental Fees:	\$0.0
			Estimated Tax:	\$0.0
			Total:	\$90,149.4

Attachment: 2017-102 EXH 'A' Dell PC Quote (1704 : 2017-102 RES Dell Financial Services Lease Purchase Agreement)

Important Notes

Terms of Sale

Unless you have a separate written agreement that specifically applies to this order, your order will be subject to a governed by the following agreements, each of which are incorporated herein by reference and available in hardcopy from Dell at your request: Dell's Terms of Sale (www.dell.com/learn/us/en/uscorp1/terms-of-sale), which include binding consumer arbitration provision and incorporate Dell's U.S. Return Policy (www.dell.com/returnpolicy) and Warranty (for [Consumer warranties](#) ; for [Commercial warranties](#)).

If this purchase includes services: in addition to the foregoing applicable terms, the terms of your service contract will apply ([Consumer](#); [Commercial](#)). If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - Type A (www.dell.com/AEULA) and use of the Dell-branded system software is subject to the Dell End User License Agreement - Type S (www.dell.com/SEULA).

If your purchase is for Mozy, in addition to the foregoing applicable terms, your use of the Mozy service is subject to the terms and conditions located at <https://mozy.com/about/legal/terms>.

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: **Dell Marketing L.P.**

Note: All tax quoted above is an estimate; final taxes will be listed on the invoice.

If you have any questions regarding tax please send an e-mail to Tax_Department@dell.com.

For certain products shipped to end-users in California, a State Environmental Fee will be applied to your invoice. Dell encourages customers to dispose of electronic equipment properly.



Prepared For:

City of Texarkana

September 1, 2017

Thank you for giving Dell Financial Services L.L.C. ("DFS") the opportunity to provide a technology financing solution. Enclosed is a financing proposal for your new technology needs. We look forward to discussing this opportunity in further detail with you. If you have any questions, please contact me at the phone number or email address below.

Term	48
Option	TELP
Payments:	Annual
Consolidation:	Monthly
Payments Due:	Advance
Interim Rent:	None
	4
	Payments

Dell Quote Number	Summary Product Description	Product Price	Quantity	Extended Price	Rate Factor	
3000016969753.1	OptiPlex 7050 SFF	\$ 950.00	65	\$61,750.00	0.26728	\$16,504.54
3000016969753.1	Dell 22 Monitor - P2217H	\$ 179.39	65	\$11,660.35	0.26728	\$3,116.58
3000016969753.1	Dell USB SoundBar AC511	\$ 26.24	65	\$1,705.60	0.26728	\$455.87
3000016969753.1	Precision Workstation T3620 Mini Tower	\$ 1,227.99	7	\$8,595.93	0.26728	\$2,297.52
3000016969753.1	Dell Latitude 5580	\$ 1,579.41	4	\$6,317.64	0.26728	\$1,688.58
3000016969753.1	Dell Urban Briefcase-15	\$ 29.99	4	\$119.96	0.26728	\$32.06
TOTALS				\$90,149.48		\$24,095.15

Proposal Expiration Date:
October 1, 2017

Leasing and financing provided by Dell Financial Services L.L.C. or its affiliate or designee ("DFS") to qualified customers. Offers may not be available or may vary in certain countries. Where available, offers may be changed without notice and are subject to product availability, credit approval, execution of documentation provided by and acceptable to DFS, and may be subject to minimum transaction size. Offers not available for personal, family or household use. Dell and the Dell logo are trademarks of Dell Inc. Proposal is property of DFS, contains confidential information and shall not be duplicated or disclosed in whole or part. Proposal is not a firm offer of financing. Pricing and rates based upon the final amount, configuration and specification of the supplied equipment, software, services or fees. Prorata payment may be due in the first payment cycle. Proposal excludes additional costs to customer such as shipping, maintenance, filing fees, applicable taxes, insurance and similar items. Proposal valid through the expiration date shown above, or if none is specified, for 30 calendar days from date of presentation.

End of Term Options:**Tax Exempt Lease Purchase (TELP):**

- Exercise the option to purchase the products for \$1.00.
- Return all products to lessor at the lessee's expense.

Caren Wright

FSR

Dell | Financial Services

office + 512-728-6628

caren_wright@dell.com**Additional Information:**

LEASE QUOTE: The Lease Quote is exclusive of shipping costs, maintenance fees, filing fees, licensing fees, property or use taxes, insurance premiums and similar items which shall be for Lessee's account. Lessee will pay payments and all other amounts without set-off, abatement or reduction for any reason whatsoever. Additionally, Lessee shall declare and pay all sales, use and personal property taxes to the appropriate taxing authorities. **If you are sales tax exempt, please provide a copy of your Exemption Certificate with the Lease Contract.** If Lessee provides the appropriate tax exemption certificates to DFS, sales and use taxes will not be collected by DFS. However, if your taxing authority assesses a **personal property tax** on leased equipment, and if DFS pays that tax under your lease structure, Lessee must reimburse DFS for that tax expense in connection with the Lessee's lease.

PURCHASE ORDER: The Purchase Order must be made out to Dell Financial Services L.L.C., One Dell Way, RR8-23, Round Rock, TX 78682. The Purchase Order will need to include the quote number, quantity and description of the equipment. Please be sure to indicate that the PO is for a lease order and shows the type of lease, the term length, and payment frequency. The date of the lease quote referenced should be included. Please be sure to include any applicable shipping costs as a line item and include your address as the SHIP TO destination.

INSURANCE: The risk of loss on the equipment is borne solely by the Lessee. Lessee shall be required to purchase and maintain during the Term (i) comprehensive public liability insurance naming Lessor as additional insured; and (ii) "all-risk" physical damage insurance in a minimum amount of the Purchase Price, naming DFS as first loss payee.

APPROPRIATION COVENANT: The Lease will contain an appropriation of funds clause. The Lessee will covenant that it shall do all things legally within its power to obtain and maintain funds from which the payments may be paid.

DOCUMENTATION: In addition to a duly executed Agreement, other documents as reasonably requested by DFS may be required, such as but not limited to, opinions of counsel, IRS tax exemption forms (if applicable), and audited financials.

PROPOSAL VALIDITY / APPROVALS: This is a proposal based upon market conditions and is valid for 30 days, is subject to final credit approval, review of the economics of the transaction, and execution of mutually acceptable documentation.

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: