CITY OF TEXARKANA

CITY COUNCIL

AGENDA ● OCTOBER 24, 2022

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

220 TEXAS BLVD., TEXARKANA, TX 75501

Mayor

Bob Bruggeman

Ward 1	Ward 3	Ward 5
Jean H. Matlock	Betty Williams	Bill Harp
Ward 2	**Ward 4**	**Ward 6**
Mary Hart	Christie Page	Jay Davis



Vision

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

Mission

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

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

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

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER BETTY WILLIAMS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, November 14, 2022 at 6:00 p.m. **(Second Monday only)**
Monday, December 12, 2022 at 6:00 p.m. **(Second Monday only)**

Other Upcoming Events

Food Truck Fridays are continuing for the month of October. Come and enjoy the delicious food and sweet treats at the downtown Courthouse Square from 11am - 1pm.

Cycle Through History downtown bike tours will take place with the following themes:

October 28th - "Murder & Mayhem"
November 4th - "Public Art"

For reservations, contact Keith Beason at (903) 798-1715.

Parks & Recreation Activities:

October Events		
October 26th	Walk Through History Tour	Spring Lake Park
October 27th	Movies in the Park **"The Town That Dreaded Sundown"****	Spring Lake Park
October 29th	TISD Dash for Cash 5K	Spring Lake Park
October 29th	Trunk or Treat	Spring Lake Park
November Events		
November 2nd	Walk Through History Tour	Spring Lake Park
November 5th	Bark at the Park (Kylee Sullivan Dog Park) 9am - 2pm	Spring Lake Park

Movies in the Park will have concessions and start at dusk

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

IV. PROCLAMATION PRESENTATION

Pro Bono Week - October 23 - 29, 2022

V. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

VI. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

VII. ITEMS FOR CONSIDERATION

Consent Items

1. Consider approval of the minutes of the Regular Meeting of the City Council held on October 10, 2022 at 6:00 PM.

2. Ordinance No. 2022-132 authorizing the City Manager to enter into a contract with National Fitness Campaign (NFC) for the purchase and installation of a fitness court at Spring Lake Park with grant funding received in the amount of $50,000, donations received in the amount of $50,000, and a City of Texarkana, TX match of $67,350 budgeted in the parks capital improvement projects budget in the General Fund (Fund 101) and amending budgeted revenues and expenditures for the National Fitness Campaign Grant Fund (Fund 244) for the fiscal year ending September 30, 2023 to include total revenue and expenditures of $167,350.

   Public Hearing:
   Council Vote: October 24, 2022

3. Resolution No. 2022-133 authorizing the City Manager to execute a contract with Pro Track & Tennis Inc. of Bennington, Nebraska for the resurfacing, crack seal, color coating and pickleball court installation at the Southwest Center tennis courts in an amount not to exceed $105,478 with funds budgeted in the parks capital improvement projects budget in the General Fund (Fund 101).

   Public Hearing:
   Council Vote: October 24, 2022

4. Resolution No. 2022-134 accepting the 2022 Homeland Security Grant in the amount of $219,679.49 for IT hardware.

   Public Hearing:
   Council Vote: October 24, 2022

Action Items

5. Resolution No. 2022-117 approving the bank depository contract with Farmers Bank & Trust for a two (2) year period beginning on February 1, 2023, with three (3) one-year renewal options.

   Public Hearing:
   Council Vote: October 24, 2022

6. Resolution No. 2022-118 approving Bowie Central Appraisal District's 2022 tax roll.

   Public Hearing:
   Council Vote: October 24, 2022

7. Resolution No. 2022-130 approving a Strategic Partnership Agreement by and between the City of Texarkana, Texas, and Macedonia-Eylau Municipal Utility District No. 1 of Bowie County.

   Public Hearing:
   Council Vote: October 24, 2022

VIII. FIRST BRIEFINGS

1. Ordinance No. 2022-123 amending Chapter 140, Article V, Sec. 106 (f) Historic Designation, of the Code of Ordinances of the City of Texarkana, Texas, to provide tax relief for redeveloped non-residential zoned historic properties.

   Public Hearing: November 14, 2022
   Council Vote: November 14, 2022

2. Ordinance No. 2022-124 rezoning Lots 19 and 20, Block A, Parish Place, located at 103 Parish Street. Single Family-2 to General Retail. Rocky Murray, owner.

   Public Hearing: November 14, 2022
   Council Vote: November 14, 2022

3. Ordinance No. 2022-125 granting a Specific Use Permit to allow new and used auto sales (outdoor lot) on Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street. Rocky Murray, owner.

   Public Hearing: November 14, 2022
   Council Vote: November 14, 2022

4. Ordinance No. 2022-126 rezoning Lots 17 and 18, Block A. Parish Place Addition, located at 105 Parish Street. Single Family-2 to General Retail. Rocky Murray, owner.

   Public Hearing: November 14, 2022
   Council Vote: November 14, 2022

5. Ordinance No. 2022-127 granting a Specific Use Permit to allow new and used auto sales (outdoor lot) on Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street. Rocky Murray, owner.

   Public Hearing: November 14, 2022
   Council Vote: November 14, 2022

6. Ordinance No. 2022-128 amending PD-02-13(GR) for site plan approval on Lots 12 and 13, Block 6, Richmond Development Fifth Subdivision, (Phase 3), located in the 3400 block of Brooke Place. Brad Meador and Brandon Taylor, 2B Builders, owner.

   Public Hearing: November 14, 2022
   Council Vote: November 14, 2022

7. Ordinance No. 2022-129 rezoning Lots 1-4, Block 1, Jake Eldridge 1st Addition, located at 2315 Texas Boulevard. General Retail to Commercial. David Owen, owner.

   Public Hearing: November 14, 2022
   Council Vote: November 14, 2022

IX. PUBLIC HEARINGS

1. Resolution No. 2022-122 supporting the Texarkana Metropolitan Planning Organization's adoption of the State Line Avenue Corridor Plan Alternative Two to the Arkansas Department of Transportation (ARDOT) for the design of the State Line Avenue corridor.

   Public Hearing: October 24, 2022
   Council Vote: October 24, 2022

X. CITY MANAGER'S REPORT

XI. ADMINISTRATIVE COMMENTS

1. City Council
2. City Staff

XII. CLOSED SESSION

The City Council will convene into closed session Pursuant to Texas Government Code Section 551.071 - Consultation with City Attorney.

XIII. RECONVENE INTO OPEN SESSION

XIV. ADJOURNMENT

Jennifer Evans
City Secretary

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

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

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

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

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

Briefing Sheet

Version:
Update Date: 9/27/2022 6:11 PM

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

Subject: Pro Bono Week - October 23 - 29, 2022

Attachments

a. Pro Bono Proc 102422 (PDF)

A TEXARKANA PROCLAMATION

Whereas, in a democratic society, access to justice is a fundamental and essential right, but tens of thousands of Texans lack the means to gain access to legal assistance that is often critical to their safety and independence and are often forced to resolve complex legal problems on their own, including domestic violence issues, divorces, child custody matters, evictions, foreclosures, and physical and financial abuse matters; and

Whereas, Lone Star Legal Aid, the Texas Access to Justice Commission, the Texas Bar Association, and local bar associations throughout Texas work to recruit volunteer attorneys to provide valuable legal services, free of charge, to those in need; and

Whereas, while members of the Texas legal community donate thousands of hours in free legal services and make generous financial contributions to legal-aid organizations in our State, a huge unmet need for legal assistance remains for disadvantaged citizens; and

Whereas, the Texas Rules of Professional Conduct calls on every lawyer to aspire to provide pro bono legal services to persons of limited means; and

Whereas, the National Pro Bono Celebration is a coordinated effort to showcase the great difference that pro bono lawyers make for individuals across the Nation; and

Whereas, from October 23 through October 29, Lone Star Legal Aid, the Texas Access to Justice Commission, the Texas Bar Association, local bar associations, businesses, government agencies, and community organizations will be celebrating "Pro Bono Week".

NOW, THEREFORE, I, Bob Bruggeman, Mayor of the City of Texarkana, Texas, do hereby proclaim October 23 through October 29, 2022 as:

"PRO BONO WEEK"

in the City of Texarkana and urge my fellow citizens to join me in recognizing the pro bono community's contributions and the difference they make to our City, our system of justice, and most of all, to the clients served.

_____

Bob Bruggeman, Mayor

_____

Jennifer Evans, TRMC, City Secretary



Attachment: Pro Bono Proc 102422 (3817 : Pro Bono Proclamation 2022)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • OCTOBER 10, 2022

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

220 TEXAS BLVD., TEXARKANA, TX 75501

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

ee Name	Title	Status	Arrived
uggeman	Mayor	Present	
Matlock	Ward 1	Absent	
art	Ward 2	Present	
illiams	Ward 3	Present	
Page	Ward 4	Present	
p	Ward 5	Present	
is	Ward 6	Present	

Staff Present: City Manager David Orr, Jennifer Evans, Sherry Jackson Hawkins, Dusty Henslee, Mashell Daniel, Rea Donna Jones, Gary Smith, Karey Parker, Lisa Thompson, Kristin Peeples, and Brooke Stone.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY MAYOR BOB BRUGGEMAN

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, October 24, 2022 at 6:00 p.m.
Monday, November 14, 2022 at 6:00 p.m. **(Second Monday only)**
Monday, December 12, 2022 at 6:00 p.m. **(Second Monday only)**

Other Upcoming Events:

Food Truck Fridays are back for the month of October. Come and enjoy the delicious food and sweet treats at the downtown Courthouse Square from 11am - 1pm.

October 14th - Cycle Through History Downtown Bike Tour - Historic Buildings
October 21st - Cycle Through History Downtown Bike Tour - Murder & Mayhem

Parks & Recreation Activities:

Minutes Acceptance: Minutes of Oct 10, 2022 6:00 PM (Consent Items)

October Events

October 12th	Walk Through History Tour	Spring Lake Park
October 13th	Movies in the Park - "**The Lost City**"**	Spring Lake Park
October 15th	Alzheimer's Awareness Walk	Spring Lake Park
October 19th	Walk Through History Tour	Spring Lake Park
October 20th	Fall Festival	Spring Lake Park
October 20th	Movies in the Park - "**Hocus Pocus**"**	Spring Lake Park
October 22nd	Yard Sale/Electronics Recycle	Spring Lake Park
October 27th	Movies in the Park - "**The Town That Dreaded Sundown**"**	Spring Lake Park
October 29th	TISD Dash for Cash 5K	Spring Lake Park
October 29th	Trunk or Treat	Spring Lake Park

November Events

November 5th	Bark at the Park (Kylee Sullivan Dog Park) 9am - 2pm.	Spring Lake Park

Movies in the Park will have concessions and start at dusk

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

The Tough Kookie Foundation has scheduled its "Race for Breast Cancer" on Saturday, October 15th at Texas A&M - Texarkana. The race begins at 9 am.

IV. AUDIT PRESENTATION - BY DAVID M. COLEMAN, CPA WITH FORVIS

FY 2020 City Audit - Mr. Coleman said FORVIS is formerly the BKD accounting and advisory firm, resulting from a recent merger. The city received a clean unmodified opinion for fiscal year 2020. He shared a presentation highlighting features of the audit scope, results, and future pronouncements that will affect audit procedures going forward.

There is a plan in place to get the city caught up on audit reviews since the December 2020 cyber-attack caused much delay. He anticipates FORVIS beginning the 2021 fiscal year audit in the next couple of weeks.

Mayor Bruggeman said it's always good news when the city has a favorable and minimal findings audit review.

Single Audit Report 2020

RESULT:	**CLOSE ACTION**

Annual Comprehensive Financial Report 2020

Minutes Acceptance: Minutes of Oct 10, 2022 6:00 PM (Consent Items)

RESULT:	**CLOSE ACTION**

V. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

There were no public comments made at Open Forum.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

There were no appointments made to any board, commission, or committee.

VII. ITEMS FOR CONSIDERATION

Consent Items

(6:20 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Betty Williams, Ward 3
AYES:	Bruggeman, Hart, Williams, Page, Harp, Davis
ABSENT:	Matlock

1. Consider approval of the minutes of the Regular Meeting of the City Council held on September 26, 2022 at 6:00 PM.

2. Resolution No. 2022-119 authorizing the City Manager to execute a contract with 3 Bar S Construction (Paul Stewart) of Texarkana, Texas, for demolition and removal services of substandard ("red tag") structures, in an amount not to exceed $150,000 from budgeted funds in the FY 2023 demolition and revitalization general fund.

   Public Hearing:
   Council Vote: October 10, 2022

3. Ordinance No. 2022-120 adopting and approving conforming amendments to Chapter 42 ("Water and Sewers") of the Code of Ordinances to conform with the ten-year water and sewer rate structure adopted and approved by the City Council in Ordinance No. 2022-100.

   Public Hearing:
   Council Vote: October 10, 2022

Minutes Acceptance: Minutes of Oct 10, 2022 6:00 PM (Consent Items)

4. Resolution No. 2022-121 authorizing the City Manager to enter into a contract with Kampco, Inc of Texarkana, Arkansas, for the Waco Street and Falvey Avenue Proposed 10" Sewer Relocation project in an amount not to exceed $232,384.55. Funds are available in the Utility's 2022-23 budget in the Texas Infrastructure Fund.

   Public Hearing:
   Council Vote: October 10, 2022

Action Items

5. Resolution No. 2022-116 adopting the City's investment policy.

   Public Hearing:
   Council Vote: October 10, 2022

   Kristin Peeples briefed this agenda item.
   (6:23 p.m.)

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

VIII. FIRST BRIEFINGS

1. Resolution No. 2022-117 approving the bank depository contract with Farmers Bank & Trust for a two (2) year period beginning on February 1, 2023, with three (3) one-year renewal options.

   Public Hearing:
   Council Vote: October 24, 2022

   Kristin Peeples briefed this agenda item. Tim Pinon, with Valley View Consulting, shared a presentation highlighting the process of selecting a bank depository contract with a suitable financial institution.

Minutes Acceptance: Minutes of Oct 10, 2022 6:00 PM (Consent Items)

RESULT:	**MOVED FORWARD**	**Next: 10/24/2022 6:00 PM**

2. Resolution No. 2022-122 supporting the Texarkana Metropolitan Planning Organization's adoption of the State Line Avenue Corridor Plan Alternative Two to the Arkansas Department of Transportation (ARDOT) for the design of the State Line Avenue corridor.

Public Hearing: October 24, 2022
Council Vote: October 24, 2022

City Manager Orr briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 10/24/2022 6:00 PM**

IX. PUBLIC HEARINGS

1. Ordinance No. 2022-103 granting a Specific Use Permit to allow a tattoo studio and art gallery on an approximate 0.13-acre tract of land (being Tract 231), Thomas Price HRS, A-466, located at 3427 New Boston Road. Alfred Smith, owner and Kara May, agent.

Public Hearing: October 10, 2022
Council Vote: October 10, 2022

Kara May presented herself for questions. There were no other comments made at this hearing.
(6:36 p.m.)

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

2. Ordinance No. 2022-104 granting a Specific Use Permit to allow the location of a HUD code manufactured home on Lots 5 and 6, Block 2, Grandview Addition, located at 2809 Findley. Sandra Carroll, owner.

Public Hearing: October 10, 2022
Council Vote: October 10, 2022

Sandra Carroll presented herself for questions. There were no other comments made at this hearing.
(6:38 p.m.)

Minutes Acceptance: Minutes of Oct 10, 2022 6:00 PM (Consent Items)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Betty Williams, Ward 3
AYES:	Bruggeman, Hart, Williams, Page, Harp, Davis
ABSENT:	Matlock

3. Ordinance No. 2022-105 rezoning and amending PD-79-8 (C) on an approximate 1.01-acre tract of land (being Tract 219), Thomas Price HRS, A-466, located at 2315 North Robison Road requesting the Planned Development be removed at this location and rezoned from Commercial to Single Family-2. Veronica Hernandez, owner.

   Public Hearing: October 10, 2022
   Council Vote: October 10, 2022

   Veronica Hernandez presented herself for questions. There were no other comments made at this hearing.
   (6:41 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Bill Harp, Ward 5
SECONDER:	Mary Hart, Ward 2
AYES:	Bruggeman, Hart, Williams, Page, Harp, Davis
ABSENT:	Matlock

4. Ordinance No. 2022-106 granting a Specific Use Permit to allow permanent cosmetic procedures/tattooing on Lots 2 and 3, Block 5, Richmond Development Fourth Subdivision located at 4401 Corporate Drive. Timothy Reynolds, Domination Properties, owner, and Tammy Wroten, agent.

   Public Hearing: October 10, 2022
   Council Vote: October 10, 2022

   Tammy Wroten presented herself for questions. There were no other comments made at this hearing.
   (6:43 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Page, Ward 4
SECONDER:	Mary Hart, Ward 2
AYES:	Bruggeman, Hart, Williams, Page, Harp, Davis
ABSENT:	Matlock

5. Ordinance No. 2022-107 rezoning the west 1/2 of Lot 19, Block 4, Red Cut Heights, located at 2503 Sugden from Single Family-2 to Single Family-3. Charles Antwine, owner.

Minutes Acceptance: Minutes of Oct 10, 2022 6:00 PM (Consent Items)

Public Hearing: October 10, 2022
Council Vote: October 10, 2022

There were no public comments made at this hearing.
(6:44 p.m.)

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

6. Ordinance No. 2022-108 granting a Specific Use Permit to allow a HUD code manufactured home on the west 1/2 of Lot 19, Block 4, Red Cut Heights, located at 2503 Sugden. Charles Antwine, owner.

Public Hearing: October 10, 2022
Council Vote: October 10, 2022

There were no public comments made at this hearing.
(6:46 p.m.)

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

7. Ordinance No. 2022-109 rezoning Lot 18, Block 4, Red Cut Heights, located at 2503 Sugden from Single Family-2 to Single Family-3. Mary Antwine, owner, and Termaine Richardson, agent.

Public Hearing: October 10, 2022
Council Vote: October 10, 2022

There were no public comments made at this hearing.
(6:47 p.m.)

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

8. Ordinance No. 2022-110 granting a Specific Use Permit to allow a HUD code manufactured home on Lot 18, Block 4, Red Cut Heights, located at 2503 Sugden. Mary Antwine, owner, and Termaine Richardson, agent.

Minutes Acceptance: Minutes of Oct 10, 2022 6:00 PM (Consent Items)

Public Hearing: October 10, 2022
Council Vote: October 10, 2022

There were no public comments made at this hearing.
(6:48 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Bill Harp, Ward 5
AYES:	Bruggeman, Hart, Williams, Page, Harp, Davis
ABSENT:	Matlock

9. Ordinance No. 2022-111 rezoning Lot 3, Block 19, Rose Acres Annex, located in the 500 block of South Bishop Road from Single Family-2 to Industrial-1. Alex Scott Tipton, owner.

Public Hearing: October 10, 2022
Council Vote: October 10, 2022

There were no public comments made at this hearing.
(6:50 p.m.)

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

10. Ordinance No. 2022-112 amending PD-99-1(C) for site plan approval to allow the construction of a metal building on Lots 19C and 19D, Carrie D. Harts 1st Addition, located at 704 Piney Road. Eddie Stephens, owner.

Public Hearing: October 10, 2022
Council Vote: October 10, 2022

Eddie Stephens presented himself for questions. There were no other comments made at this hearing.
(6:52 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Betty Williams, Ward 3
SECONDER:	Mary Hart, Ward 2
AYES:	Bruggeman, Hart, Williams, Page, Harp, Davis
ABSENT:	Matlock

11. Resolution No. 2022-114 declaring certain City property acquired for construction of City roads along University Avenue as surplus or excess, and approving an agreement with Pruett Realty, LLC, for exchange of this City surplus property and purchase of property rented by the City located at 903 Elm Street.

Public Hearing: October 10, 2022
Council Vote: October 10, 2022

There were no public comments made at this hearing.
(6:54 p.m.)

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

12. Ordinance No. 2022-115 amending the City's Traffic Register to establish changes in school zone speed limits on certain sections of SH 93 [Summerhill Road].

Public Hearing: October 10, 2022
Council Vote: October 10, 2022

There were no public comments made at this hearing.
(6:55 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Christie Page, Ward 4
AYES:	Bruggeman, Hart, Williams, Page, Harp, Davis
ABSENT:	Matlock

X. CITY MANAGER'S REPORT

September 2022 Sales Tax Report
Sales tax receipts for the month of September (July sales) totaled 1,668,626.76, an increase of $14,614.19 (0.88%) compared to the same month in the prior year. Fiscal year-to-date collections totaled $17,259,994.37, an increase of $1,016,717.51 (6.26%) compared to last year.

Homeland Security Grant

Minutes Acceptance: Minutes of Oct 10, 2022 6:00 PM (Consent Items)

The Office of Emergency Management has been awarded a Homeland Security grant in the amount of $219,679.49 for data protection hardware. This program supports state and local efforts to prevent terrorism and prepare for the threats and hazards that pose the greatest risk to the security of Texas citizens.

City celebrates National Manufacturing Week
As part of the weeklong celebration of National Manufacturing Week, the City's social media will feature a local business in the manufacturing industry. The city is encouraging residents to share a post about their favorite locally made product using the hashtag #madeinTXK before the end of October. Participants will be entered to win prizes at the end of the campaign, including locally sourced products.

MPO Regional Thoroughfare Plan Open House
What: Regional Thoroughfare Plan Stakeholder Meeting
When: Wednesday, October 12, 2022
Via: TEAMS @ 10 am and @ 2 pm
For more information, please contact the Texarkana MPO office at 903-798-3959.

Food Truck Fridays are back for the month of October
Food truck Fridays will be available every Friday from 11 am to 1 pm at the downtown Federal Courthouse & Post Office. Please contact Vashil Fernandez at 903-798-3904 or Vashil.fernandez@txkusa.org <mailto:Vashil.fernandez@txkusa.org> for more information.

Texas Municipal League Annual Conference - October 6th & 7th
The City Manager, Council Member Matlock, Council Member Hart, and Council Member Williams just attended the TML conference. Staff will share additional reports and details of the conference at a later date.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   After a recent visit to Spring Lake Park, Council Member Davis gave KUDOS to Parks and Recreation staff for the cleanliness and well-kept grounds at the park.

   The Mayor reminded council members to provide him their City Manager evaluations which are due.

2. City Staff

   Staff had no administrative comments for council.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.
(6:59 p.m.)

Minutes Acceptance: Minutes of Oct 10, 2022 6:00 PM (Consent Items)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Page, Ward 4
SECONDER:	Mary Hart, Ward 2
AYES:	Bruggeman, Hart, Williams, Page, Harp, Davis
ABSENT:	Matlock

Minutes Acceptance: Minutes of Oct 10, 2022 6:00 PM (Consent Items)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/21/2022 8:41 AM

Lead Department: Parks, Recreation & Health **Action Officer:** Keith Beason,

Subject: Ordinance No. 2022-132 authorizing the City Manager to enter into a contract with National Fitness Campaign (NFC) for the purchase and installation of a fitness court at Spring Lake Park with grant funding received in the amount of $50,000, donations received in the amount of $50,000, and a City of Texarkana, TX match of $67,350 budgeted in the parks capital improvement projects budget in the General Fund (Fund 101) and amending budgeted revenues and expenditures for the National Fitness Campaign Grant Fund (Fund 244) for the fiscal year ending September 30, 2023 to include total revenue and expenditures of $167,350.

Briefing: 10/24/2022 **Public Hearing:** **Council Vote:** 10/24/2022

Item Schedule

Updates/History of Briefing:

(October 24, 2022):
NOT APPLICABLE

Executive Summary and Background Information:

The Parks and Recreation Staff requests the purchase and installation of a National Fitness Campaign Fitness Court at Spring Lake Park. This project cost $167,350.00 total and is offset by a $50,000.00 grant from the National Fitness Campaign, and a $50,0000.00 donation from Southwestern Electric Power Company, leaving the total expense on the City of Texarkana, TX at $67,350.00 to come from Parks Capital Improvements Budget.

Potential Options:

- Accept
- Deny

Fiscal Implications:

$67,350.00 from Parks Capital Improvements Budget

Staff Recommendation:

Staff recommends approval for this request.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-132 ORD approving contract with National Fitness Campaign KLP Revised (DOC)
b. 2022-132 ATTH 01 NFC quote (PDF)
c. 2022-132 Goals & Perspectives (DOCX)
d. 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (PDF)

Staff Coordination

City Manager	David Orr	Department Head Review	Completed	10/20/2022 9:23 AM
Finance Department	Kristin Peeples	Finance Review	Completed	10/19/2022 5:11 PM
City Manager	David Orr	City Manager Review	Completed	10/20/2022 9:23 AM
City Council	Vicky Coopwood	Meeting	Pending	10/24/2022 6:00 PM

Meeting History

ORDINANCE NO. 2022-132

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NATIONAL FITNESS CAMPAIGN LP OF SAN FRANCISCO, CA IN AN AMOUNT NOT TO EXCEED ONE HUNDRED AND SIXTY-SEVEN THOUSAND THREE HUNDRED AND FIFTY DOLLARS ($167,350) FOR THE PURCHASE AND INSTALLATION OF A FITNESS COURT AT SPRING LAKE PARK WITH GRANT FUNDING RECEIVED IN THE AMOUNT OF FIFTY THOUSAND DOLLARS ($50,000), DONATIONS RECEIVED IN THE AMOUNT OF FIFTY THOUSAND DOLLARS ($50,000), AND A CITY OF TEXARKANA, TX MATCH OF SIXTY-SEVEN THOUSAND THREE HUNDRED AND FIFTY DOLLARS ($67,350) WITH FUNDS BUDGETED IN THE PARKS CAPITAL IMPROVEMENT PROJECTS BUDGET IN THE GENERAL FUND (FUND 101) AND AMENDING BUDGETED REVENUE AND EXPENDITURES FOR THE NATIONAL FITNESS CAMPAIGN GRANT FUND (FUND 244) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023 TO INCLUDE TOTAL REVENUE AND EXPENDITURES OF ONE HUNDRED AND SIXTY-SEVEN THOUSAND THREE HUNDRED AND FIFTY DOLLARS ($167,350); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, has partnered with the National Fitness Campaign to support a national movement to make world-class fitness free and accessible in public spaces across the country; and

WHEREAS, the total estimated cost of the project is **ONE HUNDRED SIXTY-SEVEN THOUSAND THREE HUNDRED AND FIFTY DOLLARS ($167,350)** for the fitness court, freight, and installation of a concrete pad; and

WHEREAS, the City of Texarkana, Texas, was awarded **FIFTY THOUSAND DOLLARS ($50,000)** in funding from the National Fitness Campaign and Blue Cross Blue Shield of Texas to offset projects costs; and

WHEREAS, the City of Texarkana, Texas, received a donation of **FIFTY THOUSAND DOLLARS ($50,000)** from Southwestern Electric Power Company (SWEPCO) to offset project costs; and

Attachment: 2022-132 ORD approving contract with National Fitness Campaign KLP Revised (3843 : 2022-132 ORD Approving NFC equipment

WHEREAS, the City of Texarkana, Texas, will match the remaining amount of **SIXTY-SEVEN THOUSAND THREE HUNDRED AND FIFTY DOLLARS ($67,350)** in project costs with funds budgeted in the parks capital improvement projects budget in the General Fund (Fund 101)**;** and

WHEREAS, this purchase qualifies as a sole source purchase under the City of Texarkana, Texas Purchasing Policy and the State of Texas Local Government Code through the National Fitness Campaign LP.

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

SECTION 1: That the budget estimate of the revenue and expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2022, and ending September 30, 2023, be amended to include total revenue and expenditures appropriated of **ONE HUNDRED AND SIXTY-SEVEN THOUSAND THREE HUNDRED AND FIFTY DOLLARS ($167,350)** in the National Fitness Campaign Grant Fund (Fund 244).

SECTION 2: The City Manager be and is hereby authorized to execute a contract with National Fitness Campaign LP in an amount not to exceed **ONE HUNDRED AND SIXTY-SEVEN THOUSAND THREE HUNDRED AND FIFTY DOLLARS ($167,350).**

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

PASSED AND APPROVED in Regular Council Session on this the **24th day of October 2022**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-132 ORD approving contract with National Fitness Campaign KLP Revised (3843 : 2022-132 ORD Approving NFC equipment



National Fitness Campaign LP
For all questions regarding this quote, contact: info@nfchq.com

2022-132 ATTH 01

QUOTE

Created Date	9/7/2022
Expiration Date	10/6/2022
Quote Number	00000401

Bill To Name	Texarkana, TX
Bill To	220 Texas Boulevard Texarkana, PO Box 1967 75504

Description	Quantity	Total Price
Fitness Court® and National Campaign Resources	1.00	$138,000.00
NFC & Blue Cross Blue Shield Texas State Grant Funding Award	1.00	($50,000.00)
Freight, Packing and Insurance for shipment	1.00	$4,350.00

Tax %	0.0000%
Grand Total	$92,350.00

Terms

1. PAYMENT TERMS
Purchaser will pay Seller 100% of the Purchase Price upon receipt of delivery. Purchaser is responsible for payment of shipping costs, including packing, insurance and freight. These payment terms will apply unless other approved payment terms have been agreed to by both parties
2. TAX EXEMPTION
This quoted total is based upon Purchaser's tax exempt status, for which verifying documentation must be provided to Seller. If Purchaser is not tax exempt, sales tax will be applied before Purchase Price is to be considered final or binding.

Attachment: 2022-132 ATTH 01 NFC quote (3843 : 2022-132 ORD Approving NFC equipment purchase)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2022-132 Goals & Perspectives (3843 : 2022-132 ORD Approving NFC equipment purchase)

National Fitness Campaign LP | PO Box 2367, San Francisco CA 94126 | info@nfchq.com

February 23rd, 2021

To Whom it May Concern,

National Fitness Campaign LP is a consulting firm that partners with public and private organizations to impact quality of life through changing the built environment and community wellness practices. The NFC initiative provides design and planning services, a trademarked outdoor infrastructure product, the Fitness Court®, an integrated digital ecosystem, the Fitness Court® mobile app and engagement wall, and integrated public art wall to approved cities, schools, and organizations that apply to receive an NFC partnership and bring the program to their selected site location.

This program is highly specialized, and NFC is the only organization in the world that delivers these elements either individually, or as part of an integrated program. For the reasons listed below, the trademark ownership of the system and infrastructure, and the integrated nature of the initiative including services, products, tools and grant funding, it is approved as a sole source across the United States.

A competitive analysis has been conducted by hundreds of cities and institutions across the country, who have concluded that the products and services have no equal. This group includes cities like Sacramento California and Las Vegas Nevada, and institutions such as Stanford University and The University of Colorado at Boulder, where the Fitness Court® and associated tools and services were successfully sole sourced, evidenced by public documentation and approvals which have been documented widely. Further, the Fitness Court® is trademarked and owned by National Fitness Campaign.

While the integrated nature of the products and services is grounds for sole source by most national standards, there are three primary differentiators that validate the sole source justification of the Fitness Court® and national campaign resources, which are described below. In addition to the below descriptions of these three primary items, an appendix is provided as an attachment to this document that provides graphic aids and further detailed information regarding the differentiation of this program and its associated products and services.

1. ***Patented Fitness Court® System***

   A. Fitness Court® is trademarked and owned by National Fitness Campaign LP.
      a. As such, this product cannot be procured from any other organization. Any organization seeking to fund and install a Fitness Court® must do so through National Fitness Campaign LP.
         i. *See Appendix for Trademark Document from the United States Patent and Trademark Office*

   B. The Fitness Court® and each element is manufactured only by National Fitness Campaign LP. It is impossible to not only procure the elements as a system, but individually. Every aspect of the Fitness Court®, including the functional design of all equipment, structural engineering, elements are the property of National Fitness Campaign LP. The individual elements are each named and registered with a unique design and serial number. Because the design of the elements is owned by National Fitness Campaign LP and not licensed to any other organization or distributor, it is not possible to procure them anywhere else.

   C. The Fitness Court® is available only in a single configuration, shown in the

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving NFC equipment purchase)

appendix materials. The system includes over 118 unique elements. There is absolutely no variation in the layout of the elements. Elements can not be added or removed. Spacing cannot be altered. Like many integrated products, Individual elements can not be procured separately.

D. The Fitness Court® has a patented training envelope that accommodates more users per square foot than any other system in the world. The Fitness Court® is a comprehensive outdoor circuit training system, laid out in 32'x32' of space, for a total of 1024 sq ft of training area. NFC's patented design is able to support 28 simultaneous users on 30 integrated bodyweight training components, derived from the previously stated 118 elements. This configuration is impossible to re-create in only 1024 square feet without NFC's patented equipment and components due to specific requirements set forth by other manufacturers.

E. Public Art Mural and Digital Engagement Wall
    a. Each Fitness Court® is designed as a one-of-a-kind work of art that includes a 32'x5.5' public art mural. The mural is an integral component of the Fitness Court design, and makes each Fitness Court® a one-of-a-kind public art installation.
    b. Further, the mural can be periodically re-designed and introduced, to create a rotating art mural.
        i. NFC provides integrated consulting and design services to assist in this process.
    c. Digital Engagement Wall
        i. On the opposite side of the mural wall, the Fitness Court includes a custom digital engagement wall.
            1. This wall provides digital QR codes and embedded, proprietary information regarding the use of the Fitness Court® and Fitness Court App.
            2. This information is unavailable from any other organization because it is the IP of National Fitness Campaign LP.
            3. Tracking Fitness Court® usage wouldn't be possible without the built in GPS tracking features available on the Fitness Court® digital engagement wall.
    d. NFC is unaware of any other outdoor fitness element that provides an integrated art mural of any kind.
    e. Further, NFC has an in-house art studio that designs, produces, and creates the art and custom graphics that are integrated into each Fitness Court.
        i. This scope of services for design and production of commercial grade, anti-graffiti laminate vinyl specific to the Fitness Court® is not provided by any other organization as an integrated service.

2. Fitness Court® App and Digital Tracking System

a. Each Fitness Court® is supported by a mobile app called the Fitness Court® App. All IP, including the app itself are owned by National Fitness Campaign LP. The training resources, world-class workout programs, challenges and data analytics features are only available for Fitness Court® users and site partners.
b. No other outdoor fitness equipment provides a mobile app with the following four categories of functionality:

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving NFC equipment purchase)

c. Mobile App Primary Features
    1. Mark Lauren Training Series
        a. Mark Lauren is a US Special Operations Trainer and Bestselling Author. He has developed 18 proprietary workout programs specifically for the Fitness Court® system. They are only available on the Fitness Court® App. Mark Lauren has no other programs for outdoor fitness equipment available.
    2. Fitness Court® App Live Challenge Feature
        a. This is a proprietary feature that allows a user to score a 7 station circuit on the Fitness Court® using their mobile device. This feature is not available for any other outdoor fitness product of any kind.
    3. Annual Data Analytics Reporting
        a. Each site partner who builds a Fitness Court® receives an annual data report tracking usage on their Fitness Court®.
        b. To NFC's knowledge, no other manufacturer of any type of outdoor exercise component provides regular, annual report of key usage metrics using digital, GPS based systems.
            i. The Report is provided by NFC, and includes annual demographic data, user age ranges, Fitness Court app downloads and other important information.
            ii. This information is generated by NFC's proprietary GPS based data analytics services for each Fitness Court® in America.
        c. See appendix for sample annual user data report.
d. See appendix for additional information regarding the Fitness Court® App.

3. National Grant Funding

a. National Fitness Campaign LP builds and maintains a National Grant Fund, supported each year by sponsors and partners of the campaign. This funding takes tremendous effort to build, and it is provided by National Fitness Campaign and partners and sponsors to support the mission of making wellness infrastructure free and accessible across America in partnership with leading cities, schools and organizations.

b. For 2021, National Campaign sponsors include:
    i. The Keith Haring Fitness Court® Signature Series Collection
    ii. Engineered Installation Solutions
    iii. Regupol America
    iv. USA Shade and Fabric Structures
    v. Badger Sport

c. To procure a Fitness Court®, an organization must complete a formal application and be approved for funding and participation. Each partner organization that succeeds in submitting a successful application is eligible to receive a Grant Award which is deducted from the funds required for the NFC program from sponsors of the National Fitness Campaign.

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving NFC equipment purchase)

d. This funding is administered in the preferred method of receipt for each partner organization. Methods include a credit on final invoices for remaining funding, and direct grant disbursements provided by National Fitness Campaign.

e. This funding is available for a limited number of partners in each state on an annual basis, and is awarded based on merit of application from a qualified site partner, including the requirement for the Fitness Court to build in a publicly accessible location.

f. For more information, see: https://nationalfitnesscampaign.com/grants

No other vendor, distributor or organization makes these materials available for procurement by any city, school, or organization. They must be acquired from National Fitness Campaign LP. If you have further questions regarding this sole source letter or require additional information, please contact us per the information provided on this letterhead.

Sincerely,



Mitch Menaged, *Founder and Director*
National Fitness Campaign LP

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving NFC equipment purchase)

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving NFC equipment purchase)

National Grant Funding

National Fitness Campaign is a quality of life consulting firm builds and maintains a National Grant Fund, supported each year by sponsors and partners of the campaign. This funding takes tremendous effort to build, and it is provided by National Fitness Campaign and its sponsors to support the mission of making wellness infrastructure free and accessible across America in partnership with leading cities, schools and organizations. Distributions from this Grant Fund are provided directly to cities, schools, and organizations who qualify for, and are approved to become, campaign partners.

For the 2021 Campaign, National Campaign sponsors include:

1. The Keith Haring Fitness Court® Signature Series Collection in partnership with Artestar and the Keith Haring Foundation
2. Engineered Installation Solutions
3. Regupol America
4. USA Shade and Fabric Structures
5. Badger Sport

Additional state and regional sponsors are now joining the campaign, as well as state recreation agencies and other partners. Sponsor funding and grant distribution varies per state and location, based on participating partners and the presence of campaign sponsors and partners within that region. Funding distributions can vary annually based on these factors, and the overall size of NFC's National Grant Fund.

Participating as a partner in the National Fitness Campaign

To become a partner in the NFC program and bring a Fitness Court® and associated services to a location, an organization must engage in a qualification and feasibility process, and be approved to complete a formal application and be approved for funding and participation.

NFC's feasibility and qualification process is led by consultants that assist eligible cities and schools in determining if they are qualified for participation. Limited funding exists on an annual basis for partners to participate based on NFC grant maximums established for America and each of the fifty states.

Each partner organization that succeeds in submitting a successful application and is approved by the NFC Grant Committee is eligible to receive a Grant Award which is deducted from the funds required for the NFC program from sponsors of the National Fitness Campaign.

This funding is administered in the preferred method of receipt for each partner organization. Methods include a credit on final invoices for remaining funding, and direct grant disbursements provided by National Fitness Campaign.

For more information, see: https://nationalfitnesscampaign.com/grants

United States of America
United States Patent and Trademark Office

THE FITNESS COURT

Reg. No. 4,307,958

Registered Mar. 26, 2013

Int. Cl.: 41

SERVICE MARK

PRINCIPAL REGISTER

MITCH MENAGED (UNITED STATES INDIVIDUAL)
1740 KEARNY STREET
SAN FRANCISCO, CA 94133

FOR: PROVIDING OUTDOOR FACILITIES FOR RECREATION ACTIVITIES AND BODY BUILDING, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 0-0-1979; IN COMMERCE 0-0-1979.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SEC. 2(F).

SER. NO. 85-600,534, FILED 4-17-2012.

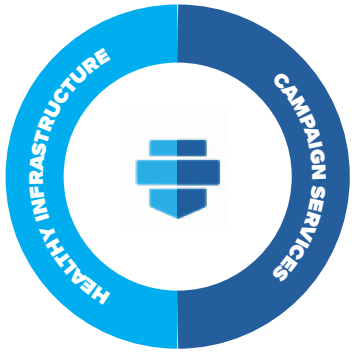
KIMBERLY FRYE, EXAMINING ATTORNEY

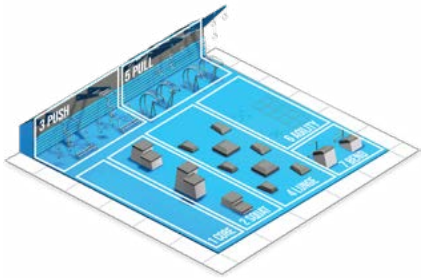
Acting Director of the United States Patent and Trademark Office

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving NFC equipment purchase)

NFC : COMPREHENSIVE PROGRAM

CAMPAIGN SUMMARY





FITNESS COURT

21st Century Healthy Infrastructure

National Fitness Campaign's Fitness Court is the centerpiece to its holistic health and wellness initiative. The Fitness Court is an outdoor bodyweight circuit training center with functional fitness DNA. The best-in-class system provides a full-body workout to adults of all ability levels. With 7 functional fitness zones, the Fitness Court can be used in thousands of ways. The Fitness Court is the world's best outdoor gym!



7 Minutes 7 Movements



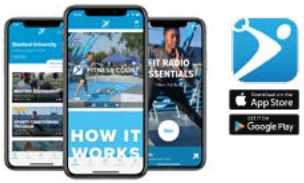
Strategic Planning Studies

Strategic Planning & Feasibility Study, Site Design Consulting



Campaign Funding Support

Sponsor Strategy, Best Practices, National Installation Team Support



Fitness Court App

Free digital App Delivering Programing, Workouts & Content



Ambassador Training

NFC Fitness Court Ambassador Training ACE Certified *(America Council of Exercise)*



Launch & Public Relatic

Featured Stories Highlighte through Press and Local Mec

FITNESS SEASON 2021

Annual Fitness Season

Spring/Summer/Fall national & local training, classes & challenges series



SPRING

WORLD-CLASS TRAINING

World-class training videos will available on the Fitness Court App.



SUMMER

WORLD-CLASS TRAINING

World-class training videos will available on the Fitness Court App.



FALL

CHALLENGE SERIES

The Fitness Seaso culminates with local, regional an national challenge for residents.

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving

WORLD CLASS MATERIALS & SYSTEM
FITNESS COURT

Made & Manufactured in the USA
Designed by NFC in California.



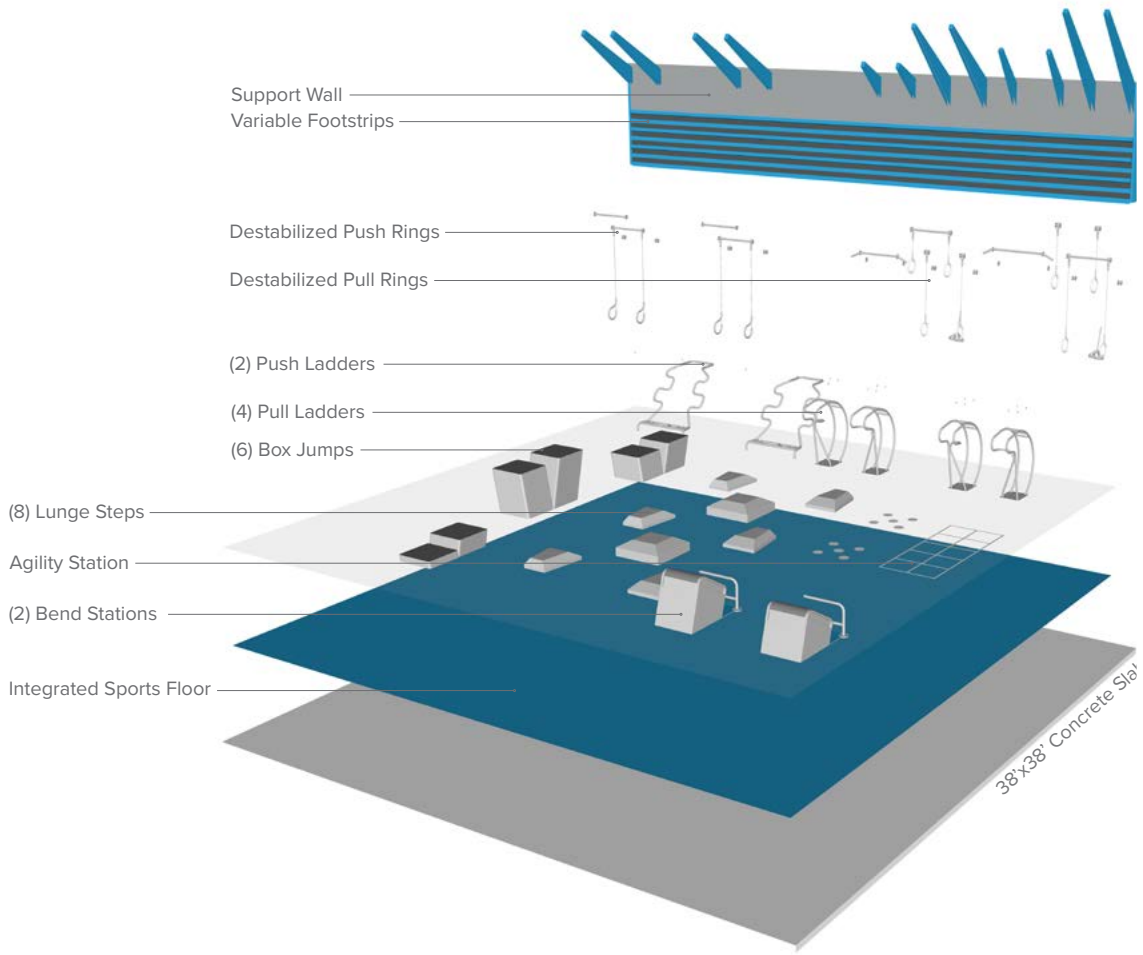
High Quality
Dual-layer powder-coating carbon steel



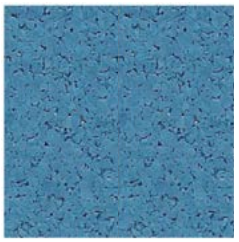
Durable Materials
Tamper-resistant, galvanized & stainless steel bolts and fittings.

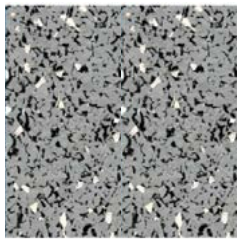


Best In Class
Anti-graffiti laminate vinyl decals

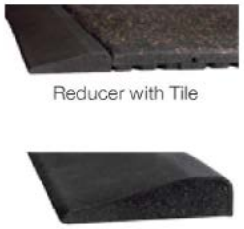


Each Fitness Court® includes an integrated sports floor made from durable 2'x2' tiles which adhere directly to the concrete slab. Available in our standard NFC Blue or Gray to match any custom design.


Top (Blue Option)


Top (Grey Option)


Bottom


Reducer with Tile

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving

2022-132 ATTH 02

NFC 2021 CAMPAIGN SPECIFICATIONS

PROGRAM SUMMARY

2021 PROGRAM SUMMARY: ***All items and services below are delivered to approved partners as part of the 2021 Campaign.***

HEALTHY INFRASTRUCTURE

FITNESS COURT®

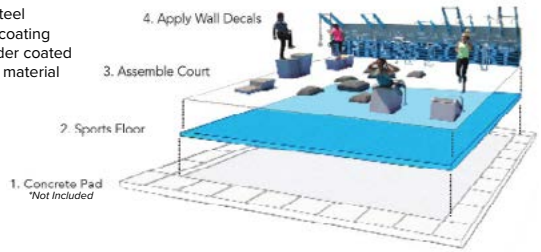
Fitness Court® Description:
32'x35' outdoor bodyweight circuit training system with the following components:
- Seven station circuit training system providing full-body workout modules
- Fitness Court body-weight training wall - 32'W x 2'D x 6' H with custom graphics
- Thirty pieces of body-weight fitness elements for simultaneous use by 28 users at one time. Fitness Elements anchored and grouped within seven stations.
- Bolts, attachments and anchors required for installation

Fitness Court Surface - Tile Surface Specifications
- Outdoor Sports Floor Size: 1,024 SF (32'x32')
- Color: NFC Blue
- Thickness: 1" Tiles
- ADA Border Included

Fitness Court Specifications:
- All structural components are made from high-grade carbon steel
- Structural components receive high-grade duel layer powder coating
- All cladding (skins) made from high-grade aluminum and powder coated
- Graphics and signage printed with anti-graffiti over-lamination material
- Manufactured in the United States
- Resilient to heavy, repeated daily use
- Over 30 individual pieces of equipment
- Powder-Coated Structural Components
- Galvanized fittings and bolts - *included*
- Stainless steel cables
- Full installation guide provided
- Warranty through NFC

Warranty + Maintenance
- Made for all climates
- Almost no moving parts (only cables)
- Equipment is anchor bolted into concrete
- Replacement parts available through NFC
- No requirement for disassembly in winter
- Maintenance guide, including touch-up paint & necessary tooling included

See Official Warranty for Full Coverage Detail



HEALTHY INFRASTRUCTURE DESIGN SERVICES

Strategic Planning & Feasibility Study
- City-wide impact analysis and master plan integration plan
- Site Design and Visibility Analysis

Custom Fitness Court Design Services & Construction & Installation Support
- Customized Fitness Court powder-coating and decal design - no two Fitness Courts are the same!
- stamped and certified design plans, concrete slab drawings, and contractor management are provided by the NFC Activation Team. With all ready-to-build plans included, most installations require less than 90 days to complete from ground-breaking to launch.
- NFC National Installation Partner Access - EIS (contracted separately)

GRANT FUNDING, CONSENSUS BUILDING, SPONSOR SUPPORT

NFC Grant Funding Qualification
- Access to qualify for NFC's Grant Funding through NFC's national partners to support seeding the program.

Consensus Building Consulting
- NFC has industry experts in project management, and from conception through execution, they will collaborate on an average of 2 intensive monthly planning calls to drive success.

Sponsor Strategy Consulting Support
- Up to 10 custom renderings provided by NFC Design Team to support outreach to local sponsors and partners. Up to 5 custom slide presentations provided for in-person meetings and internal stakeholder consensus-building.

CAMPAIGN SERVICES

FITNESS COURT® APP

The Fitness Court App
Free mobile app for iOS / Android teaches proper use, routines and challenges to all users

- **Classes:** schedule, run and track attendance using the Fitness Court App back-end scheduling tool, providing live class manageme through the OnSched platform. Training and basic setup provided by NFC within 30 days of launch event.
- **Learn:** video guides deliver workouts, and teach the basics for beginners on the Fitness Court. New content released quarterly, an updated by NFC National Training Team.
- **Train:** individual audio guides. New content released quarterly, updated by NFC National Training Team.
- **Challenge:** competitive tracking allows users to participate in timed, scored challenges, with an option to submit their scores to a national Leaderboard. Acts as a regional and national event qualification tool.

CERTIFIED AMBASSADOR TRAINING

Programming and Training Tools
Fitness Court Ambassadors build and sustain a healthy culture around the Fitness Court ecosystem

- **Learn:** education modules provided by the NFC Training Team are eligible for a range of industry certifications, are offered both in- person and remote, and provide a range of class templates, coaching tips and more to qualified Ambassadors. Partnership include program vouchers for up to 12 individual Ambassadors per Fitness Court, individually eligible for up to 3 continuing education cred (CECs), approved through the American Council on Exercise (ACE).
- **Train:** classes, clinics and challenges become the building blocks of a Fitness Season, led by Ambassadors, that engage all ages a fitness levels. These guided workout options expand the user community and increase long-term usage and adoption.
- **Share:** continuous online and print storytelling, engagement and social connection further build out a healthy culture on each Fitne Court. Up to five local Ambassadors are eligible to attend an in-person regional training event of their choice in 2021. **Regional tra schedule provided May 2021*

MEDIA, PRESS, & PROMOTIONS

Promotions and Marketing Package
Media support and community engagement materials excite users and strengthen program adoption

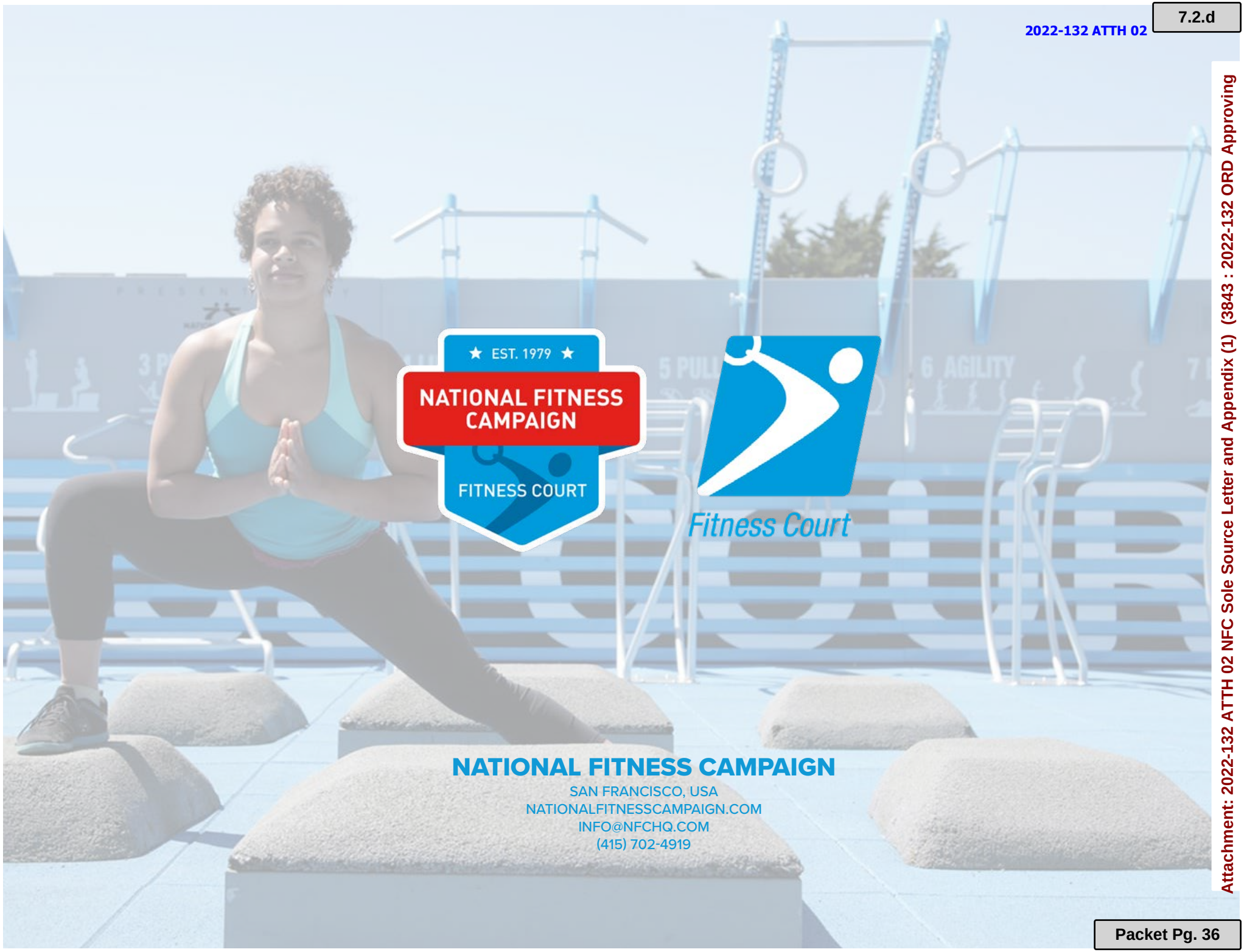
- **Custom Grant Announcement Kit:** promote the development of the program in your community with NFC support through traditio and social media channels - including a custom Press Release, site rendering, and outreach planning tools.
- **Launch Event Promotions Toolkit:** announce the launch of the Fitness Court on traditional media channels with a separate custom press release, outreach support and uniquely branded assets for social media.
- **NFC Website Feature Story:** NFC-hosted custom storytelling showcases the partnership and program development in your commu
- **Fitness Court Gear:** minimum $750 credit towards the official NFC gear store - gear and giveaways (provided in part by national Campaign sponsor, Badger Sport®) nurture Ambassador relationships, honor stakeholders and excite event attendees, to amplify launch activities.
- **Opening Day Launch Support:** NFC provides event management templates, guidance for launch event planning, and custom promotional materials (flyers, media assets).

FITNESS SEASON 2021

Annual Activation Series: 2021 Fitness Season
Bring the Latest Events & Programs to Your Fitness Court® this Year!

- Spring 2021 : 18 new workout routines & video tutorials introduced to the Fitness Court App, featuring pro trainer, Mark Lauren.
- Summer 2021: Classes and Clinics support ongoing programming for group exercise and app-based class
- Fall 2021: Challenge series builds competition & strengthens community. Marks the success of year's activation program for all use
- Healthy Infrastructure Awards: annual recognition program highlighting exceptional partners and leaders nationwide, winners rece custom awards, decals and press support to announce

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving



NATIONAL FITNESS CAMPAIGN
SAN FRANCISCO, USA
NATIONALFITNESSCAMPAIGN.COM
INFO@NFCHQ.COM
(415) 702-4919

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving

2022-132 ATTH 02

FITNESS COURT™

SCHEMATIC DESIGN SET



NOT FOR CONSTRUCTION

NATIONAL FITNESS CAMPAIGN

DATE

DESIGN NUMBER
565382

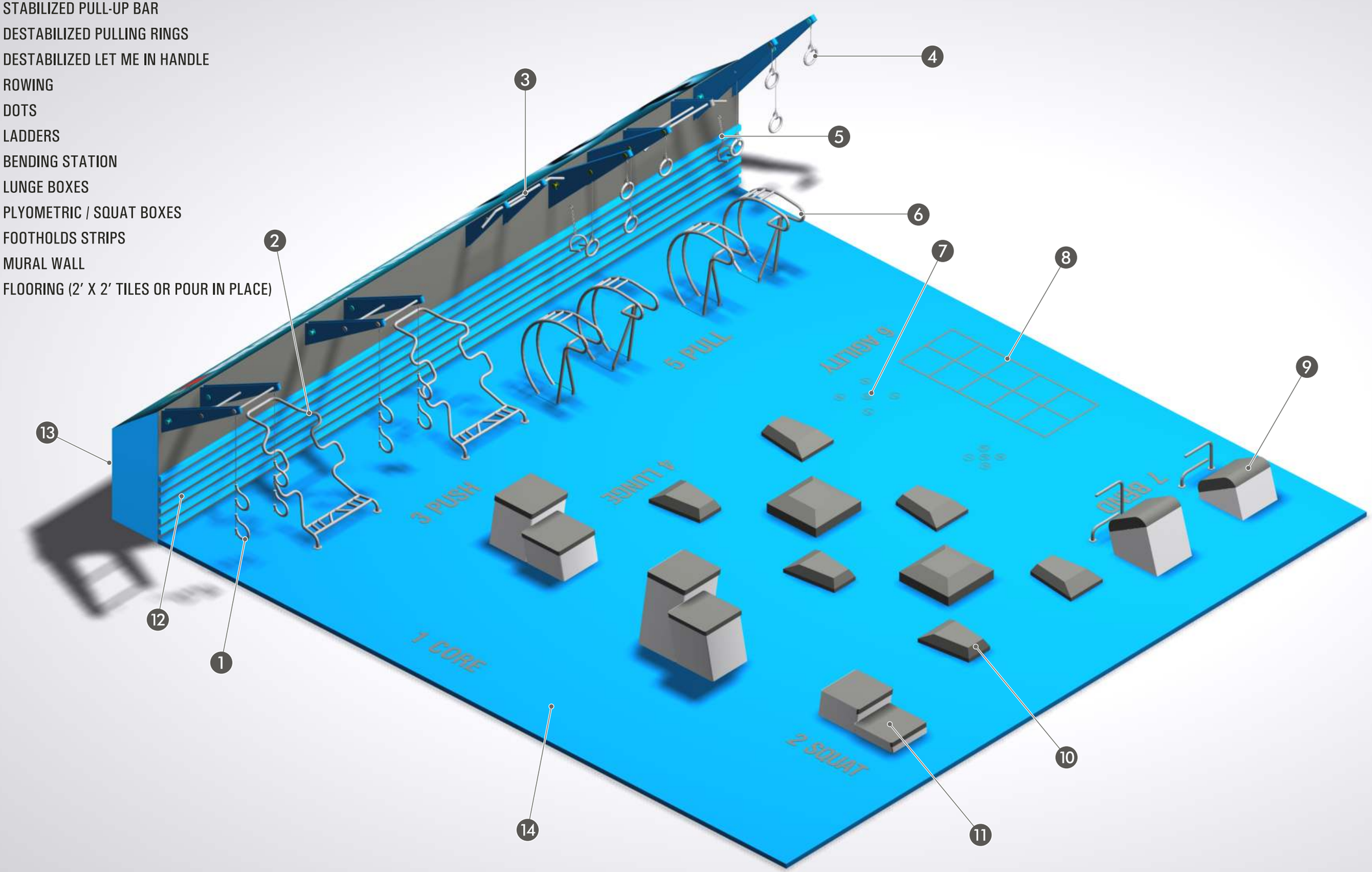
ARCHIVE NUMBER

SHEET
FC.01

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving NFC equipment purchase)

2022-132 ATTH 02

1. DESTABILIZED PUSHING RINGS
2. STABILIZED FREEFORM PUSHING BARS
3. STABILIZED PULL-UP BAR
4. DESTABILIZED PULLING RINGS
5. DESTABILIZED LET ME IN HANDLE
6. ROWING
7. DOTS
8. LADDERS
9. BENDING STATION
10. LUNGE BOXES
11. PLYOMETRIC / SQUAT BOXES
12. FOOTHOLDS STRIPS
13. MURAL WALL
14. FLOORING (2' X 2' TILES OR POUR IN PLACE)



Body Weight Fitness

NOT FOR CONSTRUCTION

NATIONAL FITNESS CAMPAIGN

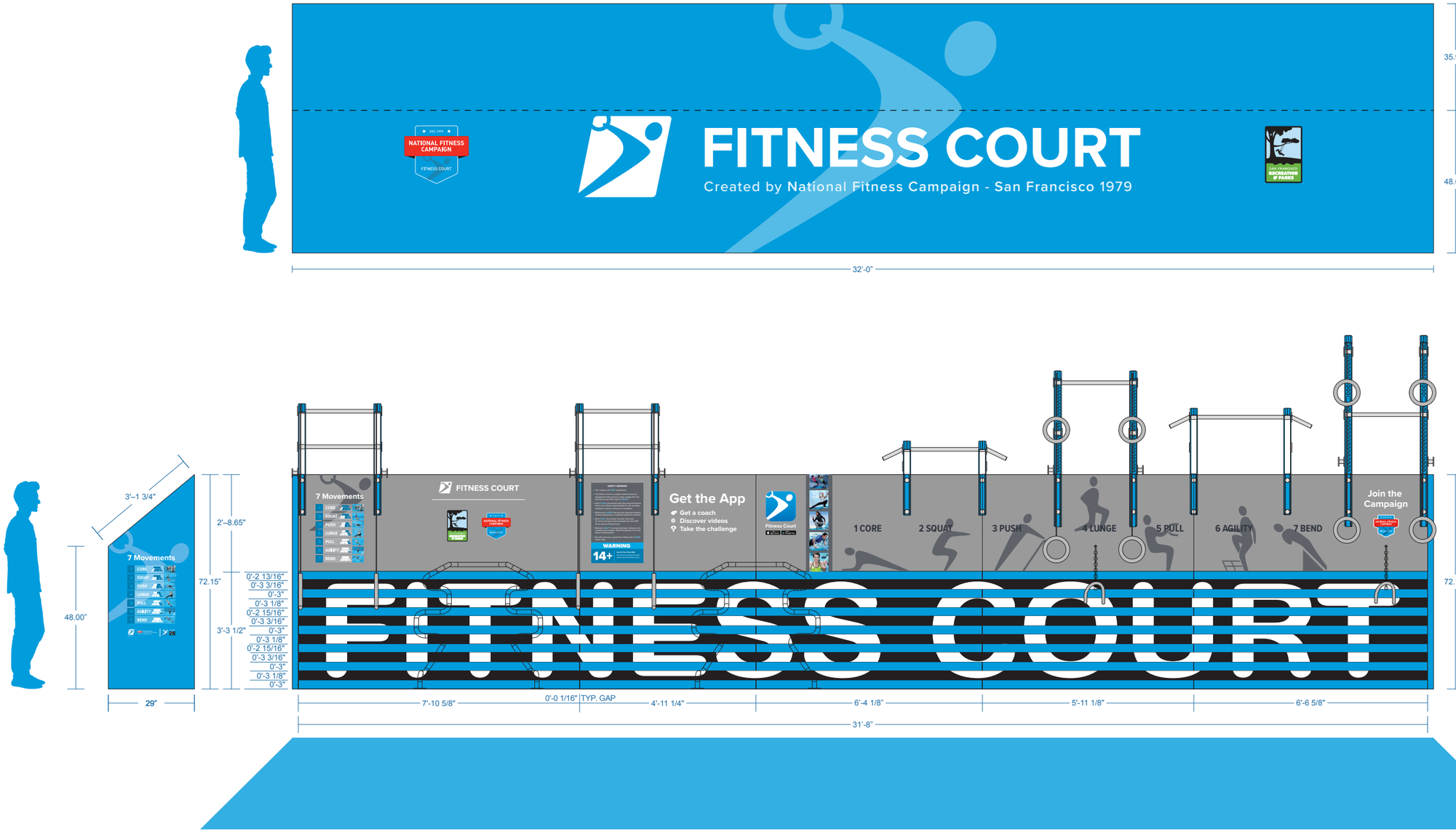
DATE 06.30.17

DESIGN NUMBER 565382

ARCHIVE NUMBER

SHEET FC.02

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving NFC equipment purchase)



NOTE: Sponsor Recognition shown for reference only. For Custom Decals, additional fee applies.

NFC FITNESS COURT SCHEMATIC ELEVATIONS

NOT FOR CONSTRUCTION

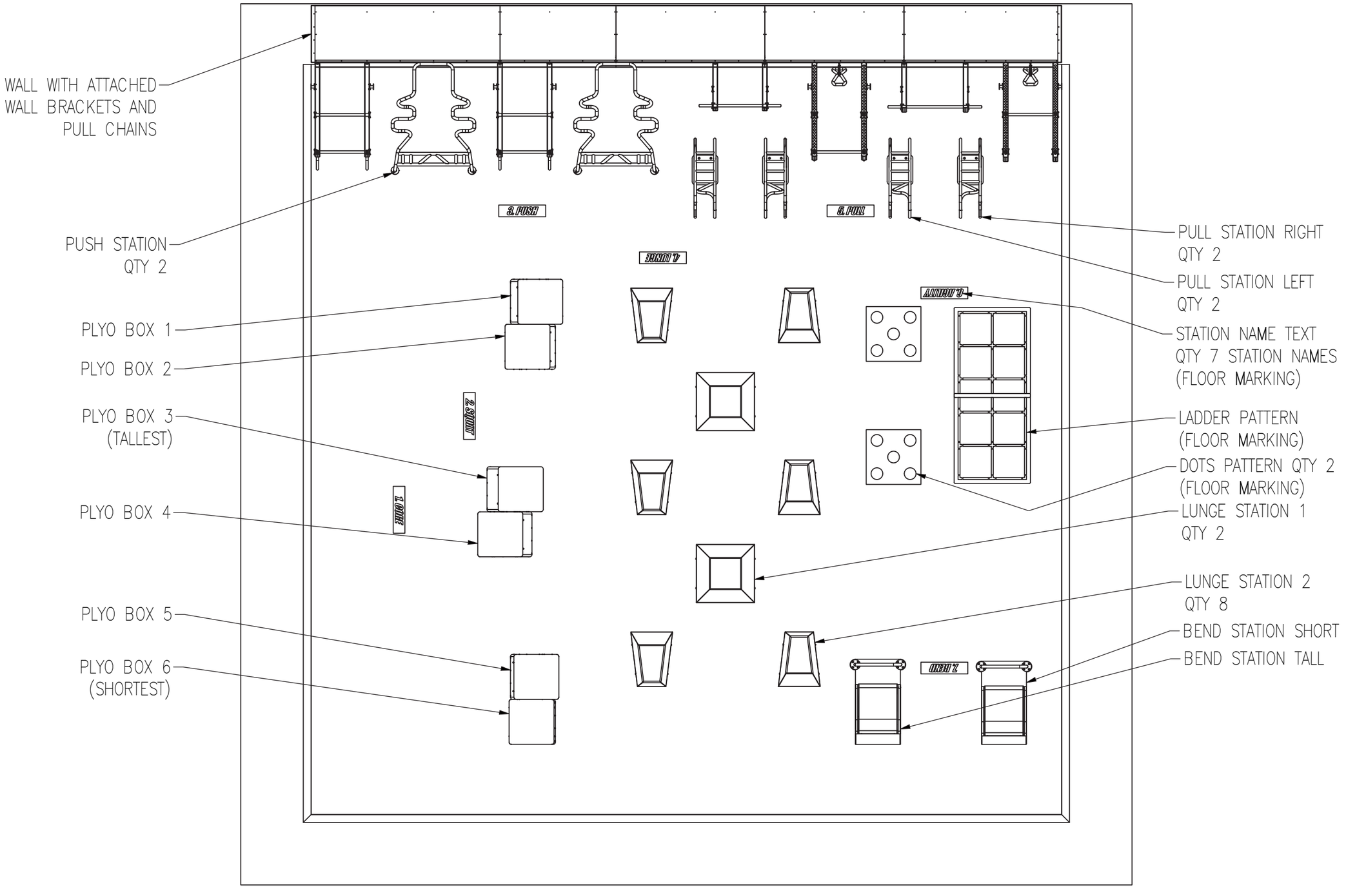
NATIONAL FITNESS CAMPAIGN

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving NFC equipment purchase)

DATE	06.30.17
DESIGN NUMBER	565382
ARCHIVE NUMBER	
SHEET	FC 03

2022-132 ATTH 02

EQUIPMENT AND FLOOR MARKING LAYOUT



THIS DOCUMENT IS PROPERTY OF NFC (THE NATIONAL FITNESS CAMPAIGN). THIS DOCUMENT CONTAINS CONFIDENTIAL AND PROPRIETARY INFORMATION AND MAY ONLY BE USED BY PERMISSION FROM NFC AND FOR THE PURPOSES AUTHORIZED BY NFC. DISCLOSURE, DUPLICATION, MODIFICATION, OR OTHER USE OF THIS DOCUMENT IS NOT PERMITTED WITHOUT THE PRIOR WRITTEN PERMISSION OF NFC.

NOT FOR CONSTRUCTION

NATIONAL FITNESS CAMPAIGN

DATE 06.30.17

DESIGN NUMBER 565382

ARCHIVE NUMBER

SHEET

Attachment: 2022-132 ATTH 02 NFC Sole Source Letter and Appendix (1) (3843 : 2022-132 ORD Approving NFC equipment purchase)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/21/2022 8:41 AM

Lead Department: Parks, Recreation & Health **Action Officer:** Keith Beason,

Subject: Resolution No. 2022-133 authorizing the City Manager to execute a contract with Pro Track & Tennis Inc. of Bennington, Nebraska for the resurfacing, crack seal, color coating and pickleball court installation at the Southwest Center tennis courts in an amount not to exceed $105,478 with funds budgeted in the parks capital improvement projects budget in the General Fund (Fund 101).

Briefing: 10/24/2022 **Public Hearing:** **Council Vote:** 10/24/2022

Item Schedule

Updates/History of Briefing:

(October 24, 2022):
NOT APPLICABLE

Executive Summary and Background Information:

The Parks and Recreation Staff requests the purchase of resurfacing of tennis courts at the Southwest Center, including crack seal, color coating and pickleball court installation, from Pro Track and Tennis, which were identified from the Buy Board. The attached quote includes a $2,500.00 discount due to a similar project installation at Texarkana College.

Potential Options:

- Approve
- Deny

Fiscal Implications:

$105,478.00 from Parks Capital Improvements Budget

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-133 RES approving resurfacing of tennis courts (rev) KLP revised (DOCX)
b. 2022-133 EXH 'A' Pro Track and Tennis Quote (PDF)
c. 2022-133 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	David Orr	Department Head Review	Completed	10/21/2022 12:24 PM
Finance Department	Kristin Peeples	Finance Review	Completed	10/19/2022 5:00 PM
City Manager	David Orr	City Manager Review	Completed	10/21/2022 12:25 PM
City Council	Vicky Coopwood	Meeting	Pending	10/24/2022 6:00 PM

Meeting History

Attachment: 2022-133 RES approving resurfacing of tennis courts (rev) KLP revised (3844 : 2022-133 RES Approving resurfacing tennis courts

RESOLUTION NO. 2022-133

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PRO TRACK & TENNIS INC. OF BENNINGTON, NEBRASKA, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED AND FIVE THOUSAND FOUR HUNDRED AND SEVENTY-EIGHT DOLLARS ($105,478), TO BE PAID WITH FUNDS BUDGETED FOR PARKS CAPITAL IMPROVEMENT PROJECTS IN THE GENERAL FUND (FUND 101); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, tennis courts located at the Southwest Center are in need of repair and this is a budgeted project in the parks capital improvement budget in the General Fund (Fund 101); and

WHEREAS, the project will consist of resurfacing, crack seal, color coating and pickleball court installation; and

WHEREAS, Pro Track and Tennis Inc. of Bennington, Nebraska submitted a proposal with a total cost of **one hundred and five thousand and four hundred and seventy-eight dollars ($105,478)** through the Texas Buy Board Purchasing Cooperative which includes a discount of two thousand and five hundred dollars ($2,500) for similar work performed at Texarkana College; and

WHEREAS, the proposal from Pro Track and Tennis Inc. of Bennington, Nebraska is attached as **Exhibit "A"**.

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

SECTION 1: The City Manager be and is hereby authorized to execute a contract with Pro Track and Tennis Inc. of Bennington, Nebraska through the Texas Buy Board Purchasing Cooperative in an amount not to exceed **one hundred and five thousand and four hundred and seventy-eight dollars ($105,478).**

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

PASSED AND APPROVED in Regular Council Session on this the **24th day of October, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Professional Track and Tennis
A Division Of

7409 N. 160th Street
Bennington, NE 68007
PH 402.238.2900
PH 800.498.4395
FX 402.238.2987
www.protrackandtennis.com

PRO TRACK AND TENNIS, INC.

Tennis Court Proposal



We Proudly Present This Proposal To:

Mr. Robby Robertson
Parks & Rec Director
3222 W. 9th St.
Texarkana, TX 75501
Cell: 903-276-9273
rrobertson@txkusa.org

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

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PART 3: PRODUCTS 7

PART 4: SYSTEM INSTALLATION PROCESS 9

PART 5: WARRANTY 12

ACCEPTANCE OF PROPOSAL 13

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

PROPOSED SYSTEM

RESURFACE ASPHALT BASED TENNIS COURT

Pro Track and Tennis, Inc. proposes to install the following:

1. **Install Nova Sports Color Coating System to two (2) east courts.**
2. **Armor Crack Repair System is included as an option. 5 yr. warranty. 578 LF.**
3. **Install eight (8) sets of pickleball net post systems. Includes removal of current tennis posts.**
4. **Install Nova Sports Color Coating System to four (4) courts. Ridge on back of court #1 will attempted to be ground down and made flush as best of possible. No guarantee ridge will be completely eliminated.**
5. **Armor Crack Repair System is included as an option. 5 yr. warranty. 1,262 LF.**

NOTE: No guarantee that all low areas/negative drainage will be completely eliminated.

Note: *If you recolor the courts again with us within (5) five years, we will extend your Armor warranty for another (5) five years*

PART 1: GENERAL

1.01 RELATED DOCUMENTS:

A. If Architectural or Engineering specifications and or drawings are involved those specifications will take precedence over the following where noted and determined suitable for the project.

1.02 SUMMARY:

A. Pro Track and Tennis, Inc. shall furnish all materials, labor, tools, and equipment necessary for the installation of the Nova Sports Color Coating system to the tennis court.

B. The court(s) will be laid out for game lines according to the USTA.

1.03 GOVERNING BODIES:

A. Codes and standards will follow the current guidelines set forth by the (USTA) United States Tennis Association and The (ASBA) American Sports Builders Association tennis court construction manual will be the reference source for all guidelines for construction.

1.04 SUBMITTALS:

A. One copy of the color coating manufacturer's product specification sheet.

B. One surface color sample. Brochure.

C. One copy of the Material Safety Data Sheets (MSDS) for each product to be used.

D. One copy of the certificate that Pro Track and Tennis, Inc. is a member of the American Sports Builders Association in good standing

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

PART 2: OWNER'S PRECONSTRUCTION RESPONSIBILITIES

2.01 APPARATUS REMOVAL:

A. All athletic equipment should be removed and or moved out of the way of the areas to be worked on. Items such as bleachers, nets, divider nets, benches, etc.

B. Any other items that are sitting on the surface to be coated that are not permanent fixtures.

2.02 GROUNDSKEEPING:

A. All edges of surface areas to be worked on should be treated as needed to kill all weeds. This should include weeds in cracks in the surface also. Applications should be repeated as needed to assure that the vegetation is killed off.

B. Drainage issues should be addressed. If there are visible drainage problems where dirt and debris are deposited onto the court surface during a rain this should be addressed prior to the work starting.

C. Severe leaching of weeds and sod/soil encroachment should be cut back and removed prior to Pro Track and Tennis beginning work. It sometimes takes days for the surface to dry out prior to being able to work on the surface.

D. Any deposits of caked on dirt must be removed and cleaned. Built up dirt can trap moisture and may take days to completely dry out after cleaning and washing of the surface area.

E. Sprinklers should be shut off four days prior to Pro Track and Tennis's arrival. The sprinklers can be run as long as the heads are adjusted not to spray water onto the court. Wind blowing water onto the court should be taken into consideration.

F. We recommend that the area around the court be mowed prior to our arrival. This will keep grass from blowing onto the courts while the color coating is going down.

G. Fertilizing turf adjacent to the court surface is strictly prohibited. Fertilizer will damage and discolor the court surface.

H. The owner must provide a water source within 100 feet of the work area.

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

2.03 SECURITY:

A. We recommend that the staff at the owner's site be notified of the dates the court(s) will be closed. Especially gym classes, tennis lessons, practices, tennis matches that may use the courts during the renovation period.

B. The community should be notified, if feasible, to deter attempts to enter the work area during installation.

C. The work area should be secured as best as possible by locking all gates that will not be used and placing signage warning of the court(s) being closed during renovation. It is the responsibility of the owner to secure the work area and to keep all

D. Unauthorized persons from entering the court area Pro Track and Tennis is not responsible for damaged caused by trespassers.

The successful and timely completion of your court renovation project relies on your cooperation. We thank you in advance for your commitment to the important items listed above.

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

PART 3: PRODUCTS

3.01 COLOR COATING APPLICATION:

A. The acrylic color coating shall be the Nova Sports 100% acrylic color coating system specifically designed for installing on concrete and asphalt substrates.

B. The color coating material will have silica sand added to it for the desired speed of play.

C. Note: Unless otherwise specified, the speed of play will be medium. Fast and slow speeds can be installed at the owner's request.

D. See attached spec sheet for details and coverage rates.

3.02 SYSTEM COMPONETS:

A. VEGETATION STERILANT: (Roundup or equal) shall be used to control vegetation along edges and in cracks as needed.

B. LATEX BASED CRACK SEALANT: Nova Sports 100% latex Crack Flex shall be used on the smaller surface cracks as determined by the lead technician.

C. PATCHING MATERIAL: Nova Sports 100% acrylic latex patch binder shall be used to fill bird baths and other imperfections. It will be used for irregularities that need to be filled or evened out and smoothed over. This product also will be used to fill very large thermo and structural cracks.

D. Note: The above crack sealers will be used as determined by the lead technician. All or just one may be used per job surface conditions, weather and temperatures.

E. LATEX PRIMER: Nova Sports concrete primer will be used to prime bare concrete both old and new prior to applying any color coating.

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

F. NOVA SPORTS ACYLIC FILL: The acrylic resurfacer is used to prime, level and create a uniform surface to apply the color coating to. It also will black out the courts to hide color bleed through if colors are going to be changed.

G. NOVA SPORTS COLORING SYSTEM: Nova Sports color coating is a 100% acrylic concentrate designed specifically for color coating sport courts both indoor and outdoor. The concentrate is diluted with potable water and sand is added for texture and the desired speed of play.

H. NOVA SPORTS LINE SHARP: Line sharp is used to seal the tape down prior to applying line paint. The product is clear in color. This helps to prevent bleed through.

I. NOVA SPORTS LINE PAINT: Line paint is 100% latex heavy-duty paint specifically designed for striping game lines on a colored surface.

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

PART 4: SYSTEM INSTALLATION PROCESS

4.01 QUALITY ASSURANCE:

A. The owner should have one designated person who all communication will go through during the course of the project.

B. Pre-construction meeting. A meeting will be held on the court prior to any work beginning. The lead technician will go over the scope of work with the owner and answer any questions. The owner will be required to sign off on a production sheet attesting to the fact that this meeting took place..

C. The owner's representative will be contacted daily by the lead technician to give a progress report.

D. Post-construction meeting. A meeting will be held after the work has been installed. A production sign off sheet will be reviewed with the owner at which time the owner will approve the project by signing off on the production sheet and evaluating our performance.

4.02 VEGETATION:

A. Vegetation will be trimmed if needed on all edges to receive the color coat surfacing.

B. Please refer to PART 2 item 2.2.

4.03 CLEANING:

A. The entire surface area to be coated will be blown off using high-pressure wind machines.

B. Any areas that need additional attention will be wire brushed as needed.

The entire court surface will be power washed with 4000psi pressure and a special designed walk behind spinner head that deep cleans and scarifies the surface to give a 100% mechanical bond for the new coatings.

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

4.04 CRACK SEALING:

A. Cracks will be cleaned as needed using high-pressure air.

B. Major cracks will be filled with a combination of products as determined by the field technician.

C. Please see PART 3, 3.2, C and E for clarification of the different crack sealers.

D. Note: Cracks are not guaranteed to not reappear and open back up. Cracks will open back up and can open slightly prior to leaving the job site. Only if you use the armor system are cracks warranted. New cracks that may form are not covered by warranty.

E. OPTIONAL - ARMOR CRACK REPAIR SYSTEM. Five year warranty on system.

4.05 REPAIR OF LOW SPOTS:

A. An acrylic patch binder, “patching primer” will be used to prime low areas.

B. All areas needing patched will have an acrylic patch binder mix applied.

C. The patched areas will be sanded prior to color coating.

D. Note: There is no guarantee that all low spots can be totally eliminated. However, Pro Track and Tennis, Inc. will do everything possible to attain a level court. Negative drainage will not be eliminated. No attempt will be made to correct planarity issues.

4.06 ACRYLIC RESURFACER:

A. One (1) coat of Nova Sports 100% acrylic fill will be applied over the entire surface.

B. Silica sand will be added to the coat at a 60-80 mesh.

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

4.07 COLOR COATING:

A. Two (2) coats of Nova Sports fortified, 100% acrylic color coating will be applied.

B. The color coat will be applied perpendicular to the primer coat.

C. An sample color sheet of choices is attached.

D. A fortified mixture will be used for the common area to withstand the water vapor and high traffic wear.

E. The product used by Pro Track and Tennis, Inc. contains no asphalt emulsions or asbestos.

4.08 LINE STRIPING:

A. The courts will be laid out for striping according to the U.S. Tennis Association.

B. Textured white line paint will be used.

4.09 JOB SITE CLEAN-UP:

A. The court area will be left “play” ready.

B. All job related debris will be cleaned up and disposed of properly.

C. All unused material will be removed from the job site and recycled.

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

4.10 OPTIONS:

#1: ARMOR CRACK REPAIR SYSTEM

A. Armor crack repair system will be used to repair cracks. If you recolor the courts again with us within (5) five years, we will extend your Armor warranty for another (5) five years.

B. See attached literature and/or visit www.armorcrackrepair.com.

C. Five-year warranty on system. If you color the courts again us within five years (5), we will extend your armor warranty another, five (5) years.

D. New cracks that may form are not covered by warranty.

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

PART 5: WARRANTY

Pro Track and Tennis, Inc. warrants its labor and materials for a period of three (3) years from the date of completion of work on any tennis court. There is a five (5) year warranty on the Armor Crack Repair System. If you recolor the courts again with us within (5) five years, we will extend your Armor warranty for another (5) five years. All work performed by Pro Track and Tennis, Inc. is warranted against peeling, chipping and flaking under normal use. Pro Track and Tennis, Inc. further warrants that any paint applied during the striping on any tennis court will not flake or peel for a period of two (2) years from the date application is completed.

Customer acknowledges that they are aware that Pro Track and Tennis, Inc. is not responsible for defects, cracks, patches or uneven surfaces in the substrate which is being resurfaced by Pro Track and Tennis, Inc. Pro Track and Tennis, Inc. does not warrant that existing cracks or patches in existing substrate surfaces will not open or continue to increase in size. Pro Track and Tennis, Inc. shall not warrant nor be in anyway be responsible for peeling of paint or damage to any surface caused by failure of customer to keep the surface free of debris, vegetation or dirt and shall further not be responsible for damage to painted surfaces or any other actions caused by the customer. Pro Track and Tennis, Inc. does not warrant separation of the coatings from the concrete base where the base lacks a vapor barrier. Lack of a vapor barrier can cause moisture to be retained under the coating, which will eventually result in lack of adhesion to the surface. Pro Track and Tennis, Inc. does not warrant separation of the coating or bubbling of the coating when moisture is present due to passing from below an asphalt or concrete base.

In the event of any claims arising under this Warranty, damages incurred by the customer shall be limited to such repairs to be performed by Pro Track and Tennis, Inc. as are necessary to remedy any defects. Pro Track and Tennis, Inc. hereby agrees to perform any such repairs (weather permitting) promptly, after written notification of such claim from customer. Pro Track and Tennis, Inc. shall not be liable for any breach of any express or implied warranty except where expressly prohibited by applicable law.

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

ACCEPTANCE OF PROPOSAL

This proposal is valid for 60 days from October 14, 2022.

Pro Track and Tennis, Inc. proposes to furnish labor and material and equipment complete in accordance with the specifications in this proposal for the sum of:

Please initial the appropriate boxes below to designate acceptance of the following options.

[ ]	**Color Coat Two (2) Court** Thirty-six thousand dollars	**$36,000.00**
[ ]	**Option #1: Add to Color Coating** **Armor Crack Repair System – 550 LF** Ten thousand, four hundred fifty dollars	**$10,450.00**
[X]	**Option #2: Add to Either Color Coating Option** **Pickleball Net Post Installation: Eight (8)** Thirty-two thousand dollars	**$32,000.00**
[X]	**Color Coat Four (4) Courts** Fifty-two thousand dollars	**$52,000.00**
[X]	**Option #1: Add to Color Coating** **Armor Crack Repair System – 1,262 LF** Twenty-three thousand, nine hundred seventy-eight dollars	**$23,978.00**

$2,500.00 discount if done with college courts

Due to current market conditions, all prices are subject to a surcharge before date of install.

BUYBOARD #: 641-21
Professional Track and Tennis, Inc

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

Payment to be made as follows:

A 33% down payment is due upon acceptance of proposal. Another 33% is due when project is 50% complete. The remainder is due the day the job is complete and accepted by the owner. Any applicable taxes will be added to the total cost.

Acceptance:

The above price, specifications and conditions found in this proposal are satisfactory and are hereby accepted. Pro Track and Tennis, Inc. is authorized to do the work as specified. Payment will be made as outlined.

_____	_____
Signature	Signature
_____ _____	_____ _____
Print Date	Print Date
City of Texarkana, TX	Professional Track and Tennis A Division of Pro Track and Tennis Inc. A Nebraska Corporation

After signing, please return to Professional Track and Tennis
A Division of Pro Track and Tennis Inc.
Thank you very much for your business!

Attachment: 2022-133 EXH 'A' Pro Track and Tennis Quote (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2022-133 Goals & Perspectives (3844 : 2022-133 RES Approving resurfacing tennis courts at Southwest Center)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/20/2022 10:24 AM

Lead Department: Fire Department **Action Officer:** Eric Schlotter, Fire Chief

Subject: Resolution No. 2022-134 accepting the 2022 Homeland Security Grant in the amount of $219,679.49 for IT hardware.

Briefing: 10/24/2022 **Public Hearing:** **Council Vote:** 10/24/2022

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The City of Texarkana, Texas Office of Emergency Management has been awarded a Homeland Security grant in the amount of $219,679.49 for data protection hardware. This program supports state and local efforts to prevent terrorism and targeted violence and prepare for the threats and hazards that pose the greatest risk to the security of Texas citizens.

Whitney Fezell, Homeland Security Coordinator for the Ark-Tex Council of Governments congratulated the city on a successful grant application.

“The City of Texarkana wrote an awesome application and was ranked 3rd Statewide for the NPA Competitive projects,” Fezell said. “The city always puts in the effort to write quality applications each year and sets the example for the rest of the region.”

The FY2023 *City of Texarkana Cybersecurity Hardening and Disaster Recovery Enhancement Project* includes the purchase of data protection hardware and 60 months of licensure and support which will significantly improve the cybersecurity capabilities of the City of Texarkana, Texas, City of Texarkana Arkansas, and Texarkana Water Utilities.
The item before council is a resolution to authorize the application and acceptance of a Homeland Security Grant. The grant would allow the IT department to purchase and operate a piece of hardware used to improve our cybersecurity.

We have already received notice that we will receive the grant with council approval.

Potential Options:

- Approve resolution as presented.
- Reject the resolution and turn down the grant award.

Fiscal Implications:

This grant will provide funding to purchase hardware that is not otherwise in the budget.

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-134 RES accepting 2022 Homeland Security Grant (DOC)
b. 2022-134 ATTH 01 Press Release (DOCX)
c. 2022-134 Goals & Perspectives (DOCX)

Staff Coordination

Fire Department	Eric Schlotter 10/19/2022 4:13 PM	Department Head Review	Completed	
City Manager 12:25 PM	David Orr	City Manager Review	Completed	10/21/2022
City Council 6:00 PM	Vicky Coopwood	Meeting	Pending	10/24/2022

Meeting History

RESOLUTION NO. 2022-134

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE FISCAL YEAR 2023 ARK-TEX COUNCIL OF GOVERNMENTS HOMELAND SECURITY GRANT PROJECT SUBMISSION TO THE OFFICE OF THE GOVERNOR; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council finds the **Cybersecurity Project** to be operated from October 1, 2022, through September 30, 2023, to be in the best interest of the citizens of Texarkana; and

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

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

SECTION 1: The **Cybersecurity Project** submission to the Office of the Governor is approved.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **24th day of October, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-134 RES accepting 2022 Homeland Security Grant (3845 : 2022-134 RES Accepting the 2022 Homeland Security Grant)

2022-134 ATTH 01

NEWS RELEASE

Brooke Stone, Communications Manager
City of Texarkana, Texas
West 3rd and Texas Boulevard
Texarkana, TX 75501
(903) 798-3901 office

October 7, 2022

Homeland Security Grant Approval

For Immediate Release:

TEXARKANA, TX- The City of Texarkana, Texas Office of Emergency Management has been awarded a Homeland Security grant in the amount of $219,679.49 for data protection hardware. This program supports state and local efforts to prevent terrorism and targeted violence and prepare for the threats and hazards that pose the greatest risk to the security of Texas citizens.

Whitney Fezell, Homeland Security Coordinator for the Ark-Tex Council of Governments congratulated the city on a successful grant application.

“The City of Texarkana wrote an awesome application and was ranked 3rd Statewide for the NPA Competitive projects,” Fezell said. “The city always puts in the effort to write quality applications each year and sets the example for the rest of the region.”

The FY2023 *City of Texarkana Cybersecurity Hardening and Disaster Recovery Enhancement Project* includes the purchase of data protection hardware and 60 months of licensure and support which will significantly improve the cybersecurity capabilities of the City of Texarkana, Texas, City of Texarkana Arkansas, and Texarkana Water Utilities.

Director of Texarkana Water Utilities Information Technology, Brandon Uselton highlights the important of this funding.

“The impact of this grant on the ability of both cities and the water utility to recover from cyber incidents is significant,” Uselton said. “Without the help of the

Attachment: 2022-134 ATTH 01 Press Release (3845 : 2022-134 RES Accepting the 2022 Homeland Security Grant)

Texarkana Texas Office of Emergency Management, this outstanding tool that will help safeguard citizens data would be out of reach. This award will make a big impact for all of Texarkana, USA."

The deployment of a purpose-built immutable data security appliance in the computer environment of the City of Texarkana will significantly increase protection of electronic communication systems, information and services from damage, unauthorized use and exploitation while also protecting critical infrastructure. This will also protect our 9-1-1 call and public safety dispatching center, as well as safeguard water production and sewage treatment for the Texarkana region.

For additional information please contact Fire Chief Eric Schlotter at (903) 798-3994.

###

Attachment: 2022-134 ATTH 01 Press Release (3845 : 2022-134 RES Accepting the 2022 Homeland Security Grant)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

Public Information Plan:

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

Other:

Attachment: 2022-134 Goals & Perspectives (3845 : 2022-134 RES Accepting the 2022 Homeland Security Grant)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/14/2022 9:24 AM

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

Subject: Resolution No. 2022-117 approving the bank depository contract with Farmers Bank & Trust for a two (2) year period beginning on February 1, 2023, with three (3) one-year renewal options.

Briefing: 10/24/2022 **Public Hearing:** **Council Vote:** 10/24/2022

Item Schedule

Updates/History of Briefing:

Not applicable

Executive Summary and Background Information:

The City of Texarkana, Texas sent out a Request for Application for primary bank depository services for the City of Texarkana, Texas and Texarkana Water Utilities on July 15, 2022. On August 18, 2022 the city received applications from Bank OZK, BancorpSouth, and Farmers Bank & Trust. An analysis of the responses is included in Exhibit "A". Based on the results of the analysis, staff recommends entering into a contract with Farmers Bank & Trust for primary bank depository services for the City of Texarkana, Texas and Texarkana Water Utilities for a two (2) year period beginning on February 1, 2023, with three (3) one-year renewal options.

Potential Options:

- Approve
- Deny

Fiscal Implications:

The proposed contract with Farmers Bank & Trust offers the best overall benefit to the city when considering service provided, fees charged, and income generated.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

Not applicable

Board/Committee Recommendation:

Not applicable

Advisory Board/Committee Meeting Date and Minutes:

Not applicable

Attachments

a. 2022-117 RES Bank Depository Services Contract (DOC)
b. 2022-117 EXH 'A' Texarkana - Depository RFA Response Analysis (PDF)
c. 2022-117 ATTH 01 Texarkana and TWU RFA Project Recap (PDF)
d. 2022-117 Goals and Perspectives (DOCX)

Staff Coordination

Finance Department	Kristin Peeples	Department Head Review	Completed	10/03/2022 4:43 PM
Public Works Department	Amanda Freeland	Reviewer	Completed	10/06/2022 9:19 AM
City Manager	David Orr	City Manager Review	Completed	10/06/2022 1:45 PM
City Council	Jennifer Evans	Meeting	Completed	10/10/2022 6:00 PM

Meeting History

10/10/22 City Council MOVED FORWARD Next: 10/24/22
Kristin Peeples briefed this agenda item. Tim Pinon, with Valley View Consulting, shared a presentation highlighting the process of selecting a bank depository contract with a suitable financial institution.

RESOLUTION NO. 2022-117

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FARMERS BANK & TRUST OF TEXARKANA, TEXAS, FOR PRIMARY BANK DEPOSITORY SERVICES FOR THE CITY OF TEXARKANA, TEXAS, AND TEXARKANA WATER UTILITIES FOR A TWO (2) YEAR PERIOD BEGINNING ON FEBRUARY 1, 2023, WITH THREE (3) ONE-YEAR RENEWAL OPTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, sent out a Request for Application for primary bank depository services for the City of Texarkana, Texas, and Texarkana Water Utilities on July 15, 2022; and

WHEREAS, on August 18, 2022, three (3) applications were received and Farmer's Bank & Trust submitted the most advantageous application summarized on the Response Analysis as **Exhibit "A"**; and

WHEREAS, based on the results of the analysis, staff recommends entering into a contract with Farmers Bank & Trust of Texarkana, Texas, for primary bank depository services for both the City of Texarkana, Texas, and Texarkana Water Utilities for a two (2) year period beginning on February 1, 2023, with three (3) one-year renewal options.

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

SECTION 1: The City Manager is hereby authorized to enter into a contract with Farmers Bank & Trust of Texarkana, Texas, for primary bank depository services for both the City of Texarkana, Texas, and Texarkana Water Utilities for a two (2) year period beginning February 1, 2023, with three (3) one-year renewal options.

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

PASSED AND APPROVED in Regular Council Session on this the **24th day of October, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-117 RES Bank Depository Services Contract (3814 : 2022-117 RES bank depository contract)

City of Texarkana, Texas

Valley View Consulting, L.L.C.

Primary Depository Services - RFA# 22-1601-06

September 7, 2022		Bank OZK - City	Bank OZK - TWU	BancorpSouth - Cadence - City Opt. 2	BancorpSouth - Cadence - TWU Opt 2	Farmers Bank & Trust - City (Incumbent)	Farmers Bank & Trust - TWU (Incumbent)
Evaluation Criteria							
1	Ability of applicant to perform and provide the required and requested services;						
2	References provided and quality of services;						
3	Cost of services;						
4	Transition cost, retention and transition offers and incentives;						
5	Interest rates on interest bearing accounts and deposits;						
6	Earnings credit rate on compensating balances;						
7	Previous service relationship with the City;						
8	Convenience of location(s);						
9	Completeness of application; and						
10	Financial strength and stability of the institution.						
DETAIL RESPONSE ANALYSIS OF DEPOSITORY SERVICES							
Expected Depository Services							
	Online Banking Portal						
1	Online Reporting Services	Yes		Yes		Yes	
2	Wire Transfers	Yes		Yes		Yes	
3	ACH	Yes		Yes		Yes	
4	Stop Payments						
	Term of Initial Stop	182 Days		182 Days		6 Months	
	Automatic Renewal Offered (Y/N)	No		No		No	
5	Does Stop Payment remove item from Positive Pay?	No		No		No	
6	Online Banking Historical Information Retention (90 days, 180, 12 Months. 19 Months, Other)	24 Months		18 Months		18 Months	
7	Online Banking Administration	Request to Bank		Customer Preference		Self Admin	
8	Alert/Messaging System						
	Messaging provided at no cost	Yes		Yes		Yes	
9	Electronic Data Interchange (EDI)	Yes		Yes		Yes	

Attachment: 2022-117 EXH 'A' Texarkana - Depository RFA Response Analysis (3814 : 2022-117 RES bank

	September 7, 2022	Bank OZK - City	Bank OZK - TWU	BancorpSouth - Cadence - City Opt. 2	BancorpSouth - Cadence - TWU Opt 2	Farmers Bank & Trust - City (Incumbent)	Farmers Bank & Trust - TWU (Incumbent)
10	Paid Check Image Options						
	Printed with Statements	Yes		Yes		Yes	
	Printed in online version of statements	Yes		Yes		Yes	
	Downloadable PDF file monthly	Yes		Yes		Yes	
	Online InquirySearch	Yes		Yes		Yes	
	Collections						
1	Lockbox Processing	Yes		Yes		No	
	Disbursements						
1	Employee Check Cashing Without Service Charges of Fees	Yes		Yes		Yes	
	Fraud Protection Services						
1	Positive Pay and Account Reconciliation	Yes		Yes		Yes	
2	Automatic Stale Dating of Checks	Yes		Yes		No	
3	ACH Positive Pay / ACH Fraud Filter	Yes		Yes		Yes	
	Miscellaneous						
1	Account Statements	Yes		Yes		Yes	
2	Account Analysis	Yes		Yes		Yes	
3	Payment For Services and Quarterly Account Settlement	Yes		Yes		Fees Waived	
4	Overdraft Policy - Account or Collective Level	Account		Collective		Collective	
5	Balance Assessment						
	Fee to be waived	Yes		n/a		Yes	
	Fee to be passed in full to City	n/a		Yes		n/a	
6	Reserve Requirement	Yes - 10% (n/a)		Yes - 12%		Yes - 10% (n/a)	
7	Earnings Credit Rate	All TM fees waived (24 Month Initial term)				n/a	
	ECR%	n/a		0.20%		0.10% (n/a)	
	Rate Formula/Index	n/a		Bank Managed		Bank Managed	
	Frequency of adjustment if not indexed	n/a		Bank Managed		Bank Managed	
	ECR Floor%	n/a		0.05%		0.00%	

Attachment: 2022-117 EXH 'A' Texarkana - Depository RFA Response Analysis (3814 : 2022-117 RES bank

	September 7, 2022	Bank OZK - City	Bank OZK - TWU	BancorpSouth - Cadence - City Opt. 2	BancorpSouth - Cadence - TWU Opt 2	Farmers Bank & Trust - City (Incumbent)	Farmers Bank & Trust - TWU (Incumbent)
8	Interest Rate Option / Formula / Rate Floor						
	Rate %	1.55%		1.50%		2.48%	
	Rate Formula/Index	Upper Range of Fed Funds Target - 95 bps; CAP of 2.50%		Upper Range of Fed Funds Target - 1.00%; CAP of (2.00% or 2.25%?)		90 DayT-bill asked rate in WSJ on first day of each month	
	Floor %	0.20%		0.05% / Cap??		1.00% / Cap 3.00%	
	Type of Account (MMF, Interest Bearing DDA, Sweep, etc)	IB Checking		IB Checking		IB Checking	
	Fees associated with recommended option	None		None		None	
Safekeeping of City Owned Securities							
1	Provide Safekeeping Services to the City	Yes		Yes		Yes	
Services Under Consideration							
1	Remote Deposit Capture	Yes		Yes		Yes	
2	Cash Vault	No		Yes		No	
3	Smart Safe	No		Yes - thru Loomis		No	
Incentives/Enhancements Offered							
1	Tamperproof Deposit Bags at No Cost	Yes		Yes		No	
2	Endorsement Stamps & Deposit Slips	Yes		Yes		No	
3	Remote Deposit Scanners - Offered at No Cost						
	Number provided	2 (1 for City; 1 for TWU)		Minimum 1 for City; 1 for TWU		Unlimited	
	Brand of Scanner	TBD		Panini		Panini Vision X	
	Single or multi-feed	TBD		Multi (50)		Multi (50)	
4	Courier or Armored Car Services	Not Offered		Not Offered		Not Offered	
5	Incentive Fee Waiver			No Waiver			
	Zero pricing waiver:			n/a		Yes	
	Number of Months	24 months (Initial Term of Contract)		n/a		60 Months	
	Maximum Amount (if applicable)	n/a		n/a		n/a	

	September 7, 2022	Bank OZK - City	Bank OZK - TWU	BancorpSouth - Cadence - City Opt. 2	BancorpSouth - Cadence - TWU Opt 2	Farmers Bank & Trust - City (Incumbent)	Farmers Bank & Trust - TWU (Incumbent)
Other Stipulations							
1	Right to Cancel Under Federal or State Law Rulings	Agreed		Agreed		Agreed	
2	Right to Open and Maintain Other Accounts	Agreed		Agreed		Agreed	
3	Certificates of Deposit	Agreed		Agreed		Agreed	
4	Right To Terminate	Agreed		Agreed		Agreed	
5	Terms Fixed	Agreed (24 Months w/ mutual option to renew)		Agreed (24 Months)		Agreed	
6	Semi-Annual Meeting	Agreed		Agreed		Agreed	
7	Formal Contract Required	Agreed		Agreed		Agreed	
8	Net Overdraft Defined	Agreed		Agreed		Agreed	
9	Overdraft Notification	Agreed		Agreed		Agreed	
10	Research	Agreed		Agreed		Agreed	
11	Bank Errors	Agreed		Agreed		Agreed	
12	Audit Confirmations Provided to City Auditors at No Cost	Agreed		Agreed		Agreed	
13	One Relationship Officer	Toney Livingston, Market President, 903.255.6300		George Merrill, Market President, 903.233.2205		Leigh A. Cheek, VP-Treasury Management, 903.255.1803	
Collateral Requirements							
1	Collateral Amount	Yes		Yes		Yes	
2	Collateral Custody	Yes		Yes		Yes	
	Proposed Custodian	FHLB		First Horizon Bank		FHLB	
3	Letters of Credit or Pledged Securities	Both		Securities		LOC	
	If Pledging Securities:					n/a	
4	Ledger Balance - Same Day v Prior Day Balances	Prior Day ending Balance		Prior Day ending Balance		n/a	
5	Collateral Substitution	w/prior written auth.		Without prior Auth		n/a	
6	Collateral Reductions	w/prior written auth.		w/prior written auth.		n/a	
7	Collateral Report	Yes		Yes		n/a	
8	Online Reporting	No		No		n/a	
9	Board Resolution	Yes		Yes		Yes	

Attachment: 2022-117 EXH 'A' Texarkana - Depository RFA Response Analysis (3814 : 2022-117 RES bank

	September 7, 2022	Bank OZK - City	Bank OZK - TWU	BancorpSouth - Cadence - City Opt. 2	BancorpSouth - Cadence - TWU Opt 2	Farmers Bank & Trust - City (Incumbent)	Farmers Bank & Trust - TWU (Incumbent)
Complete Application Checklist							
1	Account Analysis - pro-forma	Provided		Provided		Provided	
2	Sample Collateral Agreement	Provided		Provided		Provided	
3	Sample Safekeeping Agreement	Provided		Provided		Provided	
4	Sample Safekeeping Report	Provided		Provided		Provided	
5	Securities Safekeeping Fees	Provided		Provided		Provided	
6	References	All Arkansas		Did not Find		Provided	
7	Sample FIRREA Compliant Document	Provided		Did not Find		Provided	
8	Completed and Signed Disclosures	Provided		Provided		Provided	
9	Completed and Signed Application Submitted By Form	Provided		Provided		Provided	
10	Exceptions To RFA Requirements	Not Separate		Not Separate		None	
Other Considerations							
*	VERIBANC Ratings - Source www.veribanc.com Rating Effective Date 8/26/22; Quarter Ending Date 6/30/22; Data Release Date 8/26/22 *VERIBANC rating and or Blue Ribbon designation cannot be republished, redistributed or otherwise made known without VERIBANC'S expressed written permission.	Green / *** / BB		Green / *** / B		Green / ***	
FEE ANALYSIS OF DEPOSITORY SERVICES							
	Projected Bank Balance	$37,200,913	$10,026,201	$37,200,913	$10,026,201	$37,200,913	$10,026,20
Proposed Fees - Banking Services							
	Current Services Fee Estimate	0	0	(6,226)	(2,353)	0	
	MEMO Balance Assessment Fee	Waived 24 Months	Waived 24 Months	5,208	1,404	Waived	Waive
	Safekeeping of City Owned Securities						
	Number of months of **TOTAL** fee waiver	24	24	0	0	0	0
	Fees for Two Year Term	0	0	(149,421)	(56,469)	0	
	Fees for Five Year Term	**0**	**0**	(373,554)	(141,172)	0	
Earnings Credit							
	Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	Net Fees for Two Year Term	**0**	**0**	**(149,421)**	**(56,469)**	**0**	
	Net Fees for Five Year Term	**0**	**0**	**(373,554)**	**(141,172)**	**0**	

Attachment: 2022-117 EXH 'A' Texarkana - Depository RFA Response Analysis (3814 : 2022-117 RES bank

September 7, 2022	Bank OZK - City	Bank OZK - TWU	BancorpSouth - Cadence - City Opt. 2	BancorpSouth - Cadence - TWU Opt 2	Farmers Bank & Trust - City (Incumbent)	Farmers Bank & Trust - TWU (Incumbent)
Interest Income Estimate						
Investment Option	IB Checking	IB Checking	IB Checking	IB Checking	IB Checking	IB Checking
Rate Basis	Upper Range of Fed Funds Target - 95 bps; CAP of 2.50%	Upper Range of Fed Funds Target - 95 bps; CAP of 2.50%	Upper Range of Fed Funds Target - 100 bps; CAP of 2.25% MAX bal of $50M	Upper Range of Fed Funds Target - 100 bps; CAP of 2.25% MAX bal of $50M	90 Day T-Bill asked rate quoted in WSJ. Max 3.00% Floor of 1.00%	90 Day T-Bill aske rate quoted in WS. Max 3.00% Floor c 1.00%
			Reserves right to quote separate rates on bond proceeds and legal settlments		Rate as of 8/1/22:	Rate as of 8/1/2
Interest Rate	1.55%	1.55%	1.50%	1.50%	2.48%	2.48%
Investment Balance Available During Waiver Period	37,200,913	10,026,201	0	0	0	
Number of months	24	24	0	0	0	
Monthly Investment fees if applicable	0	0	0	0	0	
"Bonus Interest" earned during waiver period	1,153,228	310,812	0	0	0	
Investment Balance			37,200,913	10,026,201	37,200,913	10,026,2(
Monthly Investment Income	48,051	12,951	46,501	12,533	76,882	20,7
Two Year Investment Income	1,153,228	310,812	1,116,027	300,786	1,845,165	497,3(
Five Year Investment Income	0	0	2,790,068	751,965	4,612,913	1,243,2
Two Year Income/(Cost)	**1,153,228**	**310,812**	**966,606**	**244,317**	**1,845,165**	**497,3(**
Five Year Income/(Cost)	**0**	**0**	**2,416,515**	**610,793**	**4,612,913**	**1,243,2**
Contract Incentives						
Tamperproof Deposit Bags at No Cost	yes		yes			
Endorsement Stamps & Other Supplies at No Cost	yes		Yes			
Remote Deposit Scanners	500	500	1,000	1,000	1,000	1,0(
Two Year Income/(Cost) with Contract Incentives	**1,153,728**	**311,312**	**967,606**	**245,317**	**1,846,165**	**498,3(**
Five Year Income/(Cost) with Contract Incentives	**0**	**0**	**2,417,515**	**611,793**	**4,613,913**	**1,244,2**

Attachment: 2022-117 EXH 'A' Texarkana - Depository RFA Response Analysis (3814 : 2022-117 RES bank

September 7, 2022	Bank OZK - City	Bank OZK - TWU	BancorpSouth - Cadence - City Opt. 2	BancorpSouth - Cadence - TWU Opt 2	Farmers Bank & Trust - City (Incumbent)	Farmers Bank & Trust - TWU (Incumbent)
Rates As of RFA Due Date:						
August 18, 2022						
Average Historical Bank Balance - City	$37,200,913					
Average Historical Bank Balance - TWU	$10,026,201					
Fed Funds Target Rate	2.25-2.50%					
Fed Funds Effective Rate	2.33%					
91-Day T-Bill Discount Rate	2.61%					
Local Government Investment Pool (TexPool)	2.17%					

Attachment: 2022-117 EXH 'A' Texarkana - Depository RFA Response Analysis (3814 : 2022-117 RES bank

Attachment: 2022-117 ATTH 01 Texarkana and TWU RFA Project Recap (3814 : 2022-117 RES bank depository contract)

Valley View Consulting, L.L.C.

September 29, 2022

Ms. Kristin Peeples
Chief Financial Officer
City of Texarkana
220 Texas Blvd
Texarkana, TX 75501

Dear Ms. Peeples:

Thank you for the opportunity to assist the City of Texarkana and Texarkana Water Utilities, (collectively, the "City") with this Depository Services Request for Applications (the "RFA") project. Our assistance was provided at no additional cost to the City as a service included in the Investment Advisory Services agreement.

The objective of this engagement was to assist the City in selecting a primary depository following the expiration/termination of the current contract which ends January 31, 2023. The new contract period will be an initial term of two-years commencing February 1, 2023 and with provisions for three (3) optional one-year extensions based on the same terms and conditions.

Procedure

The project began with the establishment of a Calendar of Events to ensure that the required project steps were performed in a timely and sequential manner.

The process for selecting a primary depository bank is governed by the State of Texas Local Government Codes: Chapter 105 Municipal Depository Act; Chapter 176 Conflict of Interest Act; Chapter 2256 Public Funds Investment Act; and Chapter 2257 Public Funds Collateral Act.

In addition to complying with these State statutory requirements, it was necessary to comply with the City's financial and purchasing policies, and Investment Policy.

The RFA procedure was conducted as follows:

1. Analyzed bank service usage and balance records.
2. Reviewed bank accounts and statements.
3. Established the minimum required banking services and potential additional services.

2428 Carters Mill Road, Huddleston, VA 24104-4003
540.297.3419

4. Developed a list of eligible financial institutions within the City's municipal boundaries:

    a. Bank OZK
    b. Bodcaw Bank
    c. Cadence Bank (former BancorpSouth Bank)
    d. CapitalOne, N.A.
    e. Commercial National Bank of Texarkana
    f. Diamond Bank
    g. Farmers Bank & Trust Company (Incumbent)
    h. Guaranty Bank & Trust, N.A.
    i. Regions Bank
    j. State Bank of DeKalb
    k. Texana Bank, N.A.
    l. Wells Fargo Bank, N.A.
    m. Woodforest National Bank

5. Contacted each of the identified financial institutions.
6. Drafted the RFA for review and approval.
7. Advertised as required.
8. Posted the RFA documents on the City's website.
9. Hosted a Pre-Application Conference that was attended by representatives from:
    a. Bank OZK
    b. Bodcaw Bank
    c. Cadence Bank (former BancorpSouth Bank)
    d. Farmers Bank & Trust (Incumbent)
10. No additional RFA requests were received as a result of the required advertisement.
11. By the deadline, three applications were received:

    a. Bank OZK
    b. Cadence Bank
    c. Farmers Bank & Trust (Incumbent)

This process created a competitive environment with three banks submitting applications. The evaluation of the applications was based on, but not limited to, the following considerations, in no particular order of priority:

1. Ability to perform and provide the required and requested services.
2. References provided and quality of services;
3. Cost of services;
4. Transition cost, retention and transition offers and incentives;
5. Interest rates on interest bearing accounts and deposits;
6. Earnings credit rate on compensating balances;
7. Previous service relationship with the City;
8. Convenience of location(s);

Attachment: 2022-117 ATTH 01 Texarkana and TWU RFA Project Recap (3814 : 2022-117 RES bank depository contract)

Valley View Consulting, L.L.C.

9. Completeness of application; and
10. Financial strength and stability of the institution.

In addition to the considerations listed above, the following categories of financial and operational elements were considered:

Fees - Depository Services

Farmers Bank & Trust offered a waiver of fees for all five years. Bank OZK offered to waive fees for at least the first two years, and potentially for all five years. Bancorp South proposed a schedule of fees based on the monthly volumes of specific services to be provided to the City. The terms offered by the financial institutions were the same for the City and TWU.

Interest Rate Options

All three banks offered very attractive indexed rates, meaning that rates will automatically move with changes as set by the Federal Reserve. The table below compares the adjustments, maximum rates, floor rate, and current rate based on the indexes as of August 1, 2022:

Rates as of August 1, 2022	Bank OZK	Cadence Bank	Farmers Bank & Trust
Rate Basis	Upper Range of Fed Funds Target	Upper Range of Fed Funds Target	90 Day T-Bill Rate
Adjustment to Basis	Less 95 bps	Less 100 bps	No adjustment
Maximum Rate	2.50%	2.25%	3.00%
Floor Rate	No Floor	No Floor	1.00%
Interest Rate	1.55%	1.50%	2.48%

The following table summarizes the financial analysis of the applications considered for the City for the two-year term, based on rates as of August 1, 2022:

Summary Financial Comparison for the City			
	Bank OZK	**Cadence Bank**	**Farmers Bank & Trust**
Average Bank Balance	$37,200,913	$37,200,913	$37,200,913
Fees for Two Year Term	Waived	($149,421)	Waived
Two Year Investment Income	1,153,228	1,116,027	1,845,165
Net Two Year Income	**$1,153,228**	**$966,606**	**$1,845,165**

Attachment: 2022-117 ATTH 01 Texarkana and TWU RFA Project Recap (3814 : 2022-117 RES bank depository contract)

Valley View Consulting, L.L.C.

The following table summarizes the financial analysis of the applications considered for TWU for the two-year term, based on rates as of August 1, 2022:

Summary Financial Comparison for TWU			
	Bank OZK	**Cadence Bank**	**Farmers Bank & Trust**
Average Bank Balance	$10,026,201	$10,026,201	$10,026,201
Fees for Two Year Term	Waived	($56,469)	Waived
Two Year Investment Income	310,812	300,786	497,300
Net Two Year Income	**$310,812**	**$244,317**	**$497,300**

Conclusion

The banking relationship is a critical component of the City's financial operations and Farmers Bank & Trust has demonstrated over the last five years that they have the ability to provide the services that the City requires in an efficient and effective manner; they have also submitted an application that is the most advantageous to the City in terms of overall ability to service the City and provide an attractive interest rate on the City's balances held at the bank.

As the City's consultants we concur with the City staff's recommendation that the City Council award the Primary Depository Bank Services contract to Farmers Bank & Trust, subject to execution of all related documentation. The initial contract term is proposed to be two years commencing February 1, 2023 with the option to renew for three (3) additional one-year extensions under the original terms and conditions.

Please contact E.K. Hufstedler, Tom Ross, Richard Long, or me to discuss any questions or additional information needs. Thank you for this opportunity to serve the City of Texarkana.

Sincerely,

Tim Pinon

Timothy Pinon
Valley View Consulting, L.L.C.

2428 Carters Mill Road, Huddleston, VA 24104-4003
540.297.3419

Attachment: 2022-117 ATTH 01 Texarkana and TWU RFA Project Recap (3814 : 2022-117 RES bank depository contract)

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:

Attachment: 2022-117 Goals and Perspectives (3814 : 2022-117 RES bank depository contract)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/14/2022 9:23 AM

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

Subject: Resolution No. 2022-118 approving Bowie Central Appraisal District's 2022 tax roll.

Briefing: 10/24/2022 **Public Hearing:** **Council Vote:** 10/24/2022

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bowie Central Appraisal District has completed and presented the City's 2022 tax roll for the City, TIRZ District No. 1 and TIRZ District No. 2. This roll, as presented, needs to be approved by signature of the City Council, and returned to the Appraisal District.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Collections by Bowie Central Appraisal District from the approved tax roll provide funds needed for the operating budget for fiscal year ending September 30, 2023.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-118 RES Approving 2022 Tax Roll (DOC)
b. 2022-118 Goals & Perspectives (DOCX)

c. 2022-118 EXH 'A' CY 22 FY 23 Tax Roll (PDF)

Staff Coordination

Finance Department	Kristin Peeples 10/10/2022 8:41 AM	Department Head Review	Completed	
Finance Department	Kristin Peeples	Finance Review	Completed	10/10/2022 8:41 AM
City Manager	David Orr	City Manager Review	Completed	10/14/2022 9:53 AM
City Council	Vicky Coopwood	Meeting	Pending	10/24/2022 6:00 PM

Meeting History

RESOLUTION NO. 2022-118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE BOWIE CENTRAL APPRAISAL DISTRICT 2022 TAX ROLL FOR THE CITY OF TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Bowie Central Appraisal District has completed the 2022 Tax Roll; and

WHEREAS, it is recommended by the Finance Department that the 2022 Tax Roll for the City of Texarkana, Texas, be approved as presented.

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

SECTION 1: The 2022 Tax Roll for the City of Texarkana, Texas, as prepared and presented by the Bowie Central Appraisal District, is hereby approved. Copies of the City of Texarkana, Texas, 2022 Tax Roll are attached hereto and incorporated herein as **Exhibit "A".**

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

PASSED AND APPROVED in Regular Council Session on this the **24th day of October, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-118 RES Approving 2022 Tax Roll (3815 : 2022-118 RES approving 2022 Tax Roll)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2022-118 Goals & Perspectives (3815 : 2022-118 RES approving 2022 Tax Roll)

CITY OF TEXARKKANA

2022 TAX ROLL

TOTAL TAXABLE VALUE	2,668,072,180
GROSS TAX LEVY	$17,342,475.26
LESS TAX ON FROZEN ITEMS	$2,517,852.48
PLUS FROZEN TAXES	$1,833,403.47
PLUS LATE PENALTY GAIN	$21,901.04
TOTAL TAX LEVY	$16,679,927.29

COUNCIL MEMBERS :

MAYOR , BOB BRUGGEMAN _____

MEMBER , JEAN MATLOCK _____

MEMBER , MARY HART _____

MEMBER , BETTY WILLIAMS _____

MEMBER , CHRISTIE PAGE _____

MEMBER , JAY DAVIS _____

MEMBER, BILL HARP _____

APPROVED THE _____ DAY OF _____ 2022

Attachment: 2022-118 EXH 'A' CY 22 FY 23 Tax Roll (3815 : 2022-118 RES approving 2022 Tax Roll)

CITY OF TEXARKKANA T1

2022 TAX ROLL

TOTAL TAXABLE VALUE	392,477,073
GROSS TAX LEVY	$2,551,101.16
LESS TAX ON FROZEN ITEMS	$21,374.99
PLUS FROZEN TAXES	$13,695.89
PLUS LATE PENALTY GAIN	$0.00
TOTAL TAX LEVY	$2,543,422.06

COUNCIL MEMBERS :

MAYOR , BOB BRUGGEMAN _____

MEMBER , JEAN MATLOCK _____

MEMBER , MARY HART _____

MEMBER , BETTY WILLIAMS _____

MEMBER , CHRISTIE PAGE _____

MEMBER , JAY DAVIS _____

MEMBER, BILL HARP _____

APPROVED THE _____ DAY OF _____ 2022

Attachment: 2022-118 EXH 'A' CY 22 FY 23 Tax Roll (3815 : 2022-118 RES approving 2022 Tax Roll)

CITY OF TEXARKKANA T2

2022 TAX ROLL

TOTAL TAXABLE VALUE	69,329,459
GROSS TAX LEVY	$450,641.73
LESS TAX ON FROZEN ITEMS	$3,536.22
PLUS FROZEN TAXES	$2,942.23
PLUS LATE PENALTY GAIN	$0.00
TOTAL TAX LEVY	$450,047.74

COUNCIL MEMBERS :

MAYOR , BOB BRUGGEMAN _____

MEMBER , JEAN MATLOCK _____

MEMBER , MARY HART _____

MEMBER , BETTY WILLIAMS _____

MEMBER , CHRISTIE PAGE _____

MEMBER , JAY DAVIS _____

MEMBER, BILL HARP _____

APPROVED THE _____ DAY OF _____ 2022

Attachment: 2022-118 EXH 'A' CY 22 FY 23 Tax Roll (3815 : 2022-118 RES approving 2022 Tax Roll)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/21/2022 1:20 PM

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

Subject: Resolution No. 2022-130 approving a Strategic Partnership Agreement by and between the City of Texarkana, Texas, and Macedonia-Eylau Municipal Utility District No. 1 of Bowie County.

Briefing: 10/24/2022 **Public Hearing:** **Council Vote:** 10/24/2022

Item Schedule

Updates/History of Briefing:

The City Council and the Board of Directors of the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County have conducted two joint public hearings pursuant to requirements of Texas law, affording a forum for members of the public to present testimony or evidence regarding a proposed Strategic Partnership Agreement for commercial development of specific, limited territory within the Municipal Utility District and the City's extraterritorial jurisdiction as authorized by Section 43.0751 of the Texas Local Government Code. On August 8, 2022, during the first of the two joint public meetings held at City Hall, an overview of this proposed agreement was provided; and the second joint public meeting was held on September 13, 2022, at the office of the Municipal Utility District, 701 S. Kings Hwy, Texarkana, Texas 75501. On September 26, 2022, the Board of Directors of the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County met in a special meeting and approved the proposed Strategic Partnership Agreement. (Texas law required that the Board of Directors must approve the proposed agreement before the City Council may consider the proposed agreement.)

Executive Summary and Background Information:

In 2021, the City was approached to evaluate for commercial development the voluntary annexation of real property generally situated at the Northeast corner of the intersection of U.S. Highway 59 and S. Kings Highway --- an area within the City's extraterritorial jurisdiction and within the territory and service area of the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County. This led to City and District administrators and engineers exploring and analyzing (i) City annexation of the commercial property generally along the U.S. Hwy. 59 "corridor" bordered to the west by Kings Highway and to the east by the City's territorial city limits, (ii) City and District interest in possible commercial development of certain areas north of the "corridor" up to Findley Street but stopping before the Union Pacific Railroad line, and (iii) arising from a much later and separate inquiry for voluntary annexation, City and District interest in possible commercial development of an area generally to the west of Loop 151, portions of which border Terry St. and S. Bishop Rd.

The requirements of strategic partnership agreements are set out in Section 43.0751 of the Texas Local Government Code. The law authorizes the City and District to define limited-purpose annexation (which provides for the continued existence of the District) and full-

purpose annexation on terms acceptable to both. In a 2017 amendment to the law, the Texas Legislature specified that a municipality shall follow the procedures established under a strategic partnership agreement for full-purpose annexation of an area subject to such agreement.

The proposed agreement addresses as possible development strategies both limited-purpose annexation and full-purpose annexation of the specified areas. Note, however, that mere approval of this agreement does not necessarily lead to or result in annexation -- either full or limited -- of any real property; such determinations would be the subject of possible future ordinances, and approval of this agreement does not bind the City Council to approve any such possible future ordinances.

Potential Options:

- Approval or no approval of proposed strategic partnership agreement.

Fiscal Implications:

The cost of recordation of the agreement in the Bowie County real property (deed) records. (The "Statement of Work" in the proposed agreement estimates costs arising from full-purpose annexation of the U.S. Hwy. 59 "corridor" --- costs that would be presented to the City Council as the fiscal implications of approving a possible future annexation ordinance.)

Staff Recommendation:

Council consideration

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-130 RES approving M-E MUD SPA cond blank (DOCX)
b. 2022-130 EXH 1 SPA to City Council with MUD signature (PDF)
c. 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (PDF)
d. 2022-130 ATTH 02 Board minutes 092622 (003) (PDF)
e. 2022-130 ATTH 03 MUD's Resolution (PDF)
f. 2022-130 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	Jennifer Evans	Department Head Review	Completed 10/14/2022 11:40 AM

City of Texarkana, Texas

City Manager 1:15 PM	David Orr	City Manager Review	Completed	10/14/2022
City Council 6:00 PM	Vicky Coopwood	Meeting	Pending	10/24/2022

Meeting History

RESOLUTION NO. 2022-130

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING A STRATEGIC PARTNERSHIP AGREEMENT BY AND BETWEEN THE CITY OF TEXARKANA, TEXAS, AND MACEDONIA-EYLAU MUNICIPAL UTILITY DISTRICT NO. 1 OF BOWIE COUNTY; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Local Government Code Section 43.0751 ("the Act") authorizes the City of Texarkana, Texas, a home-rule municipality operating under a municipal charter adopted as authorized by Article XI, Section 5, of the Texas Constitution and as recognized by Texas Local Government Code Section 5.004 and having full power of local self-government ("City"), and Macedonia-Eylau Municipal Utility District No. 1 of Bowie County, a municipal utility district created under and subject to the authority, conditions, and restrictions of Article XVI, Section 59, and Article III, Section 52, of the Texas Constitution and Chapters 49 and 54 of the Texas Water Code, as amended ("District"), to negotiate and enter into a strategic partnership agreement by mutual consent; and

WHEREAS, City and District desire to enter into the "Strategic Partnership Agreement" attached to this resolution and incorporated herein by reference for all purposes; and

WHEREAS, District encompasses a coverage area for water and sewer service to the west and southwest of City, and portions of District are located within City's extraterritorial jurisdiction ("ETJ"); and

WHEREAS, the "Strategic Partnership Agreement" sets out the terms acceptable to District and City for limited-purpose annexation of any commercial property within delineated areas or boundaries wholly within the District and City's ETJ ("Limited Purpose Property"), and full-purpose annexation at the option of the City of certain commercial property in and within such boundaries; and

WHEREAS, subject to the terms and conditions of the Strategic Partnership Agreement and for the health, safety, and welfare of the residents within the District, the District is willing to allow the City to annex any portion of Limited Purpose Property for the limited purposes set forth in the agreement; and

WHEREAS, in accordance with the Act, City and District provided notice of and conducted two joint public hearings — the first joint meeting held within the City on August 8, 2022, and the second joint meeting held within the District on September 13, 2022 — for the purpose of providing the public with an opportunity to speak or present testimony or evidence regarding this Agreement and the proposed limited-purpose annexation, together with providing separate locations within City and District where copies of the proposed Agreement may be obtained prior to each hearing; and

Attachment: 2022-130 RES approving M-E MUD SPA cond blank (3841 : 2022-130 RES approving SPA w/MEMUD)

WHEREAS, in accordance with the requirements of Subsection (p) of the Act, the Strategic Partnership Agreement (1) does not require District to provide revenue to City solely for the purpose of an agreement with City to forgo annexation of any District Property, and (2) provides benefits to City and District, including revenue, services, and regulatory benefits, which are reasonable and equitable with regard to the benefits provided by the other party; and

WHEREAS, District's Board of Directors adopted and approved this Agreement on September 26, 2022. in open session at a meeting held in accordance with Chapter 551 of the Texas Government Code; and

WHEREAS, all notices, hearings, and other requirements imposed by law for the City's adoption of this Agreement have been met.

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

SECTION 1: The City Council approves the "Strategic Partnership Agreement" attached to this Resolution **(EXH 1)** and authorizes the City Manager to execute the Agreement on behalf of the City and to take any other action necessary to effectuate the Agreement and its intent.

SECTION 2: The Recitals set out in this Resolution are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

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

PASSED AND APPROVED in Regular Council Session on this the **24th day of October, 2022**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-130 RES approving M-E MUD SPA cond blank (3841 : 2022-130 RES approving SPA w/MEMUD)

Strategic Partnership Agreement
* * * * *
Macedonia-Eylau Municipal Utility District No. 1 of Bowie County
and
City of Texarkana, Texas

This Strategic Partnership Agreement ("Agreement"), authorized by Section 43.0751 of the Texas Local Government Code, is entered into by and between the City of Texarkana, Texas, a home-rule municipality operating under a municipal charter adopted as authorized by Article XI, Section 5, of the Texas Constitution and as recognized by Texas Local Government Code Section 5.004 and having full power of local self-government ("City"), and Macedonia-Eylau Municipal Utility District No. 1 of Bowie County, a municipal utility district created under and subject to the authority, conditions, and restrictions of Article XVI, Section 59, and Article III, Section 52, of the Texas Constitution and Chapters 49 and 54 of the Texas Water Code, as amended ("District").

RECITALS

WHEREAS, Local Government Code Section 43.0751 (the "Act") authorizes City and District to negotiate and enter into a strategic partnership agreement by mutual consent; and

WHEREAS, City and District desire to enter into this Agreement, which they negotiated by mutual consent; and

WHEREAS, District encompasses a coverage area for water and sewer service to the west and southwest of City as set out in **Exhibit "A"**, and portions of District are located within City's extraterritorial jurisdiction ("ETJ"); and

WHEREAS, this Agreement sets out the terms acceptable to District and City for limited- purpose annexation of any commercial property within the delineated boundaries of **Exhibit "B"** which is wholly within the District and City's ETJ ("Limited Purpose Property"), and full-purpose annexation at the option of the City of certain commercial property in and within such boundaries as set forth herein, with a corresponding Statement of Work to implement such full-purpose annexation detailed in **Exhibit "C"**; and

WHEREAS, this Agreement sets out the terms acceptable to District and City for limited- purpose annexation of any commercial property within the delineated boundaries of **Exhibit "D"** which is wholly within the District and City's ETJ ("Limited Purpose Property"), and full-purpose annexation at the option of the City of property in and within such boundaries as set forth herein; and

[Type here]

Attachment: 2022-130 EXH 1 SPA to City Council with MUD signature (3841 : 2022-130 RES approving SPA w/MEMUD)

WHEREAS, subject to the terms and conditions of this Agreement and for the health, safety, and welfare of the residents within the District, the District is willing to allow the City to annex any portion of Limited Purpose Property for the limited purposes set forth herein; and

WHEREAS, in accordance with the Act, City and District provided notice of and conducted two joint public hearings — the first joint meeting held within the City on August 8, 2022, and the second joint meeting held within the District on September 13, 2022 — for the purpose of providing the public with an opportunity to speak or present testimony or evidence regarding this Agreement and the proposed limited-purpose annexation, together with providing separate locations within City and District where copies of the proposed Agreement may be obtained prior to each hearing; and

WHEREAS, District's Board of Directors adopted and approved this Agreement on September 26, 2022, in open session at a meeting held in accordance with Chapter 551 of the Texas Government Code; and

WHEREAS, following District's adoption and approval of this Agreement, City, by its City Council, adopted and approved this Agreement on October 24, 2022, in open session at a meeting held in accordance with Chapter 551 of the Texas Government Code; and

WHEREAS, all notices, hearings, and other requirements imposed by law for the adoption of this Agreement have been met; and

WHEREAS, in accordance with the requirements of Subsection (p) of the Act, this Agreement (1) does not require District to provide revenue to City solely for the purpose of an agreement with City to forgo annexation of any District Property, and (2) provides benefits to City and District, including revenue, services, and regulatory benefits, which are reasonable and equitable with regard to the benefits provided by the other party.

NOW, THEREFORE, for and in consideration of the mutual agreements, covenants and conditions contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and District agree as follows:

Article I. Recitals

The above and foregoing recitals are true and correct and are incorporated herein and made a part hereof as findings by both District and City for all purposes.

Attachment: 2022-130 EXH 1 SPA to City Council with MUD signature (3841 : 2022-130 RES approving SPA w/MEMUD)

Article II. Adoption and Term of Agreement

2.1 Public Hearings. District and City acknowledge and agree that prior to the execution of this Agreement, the governing bodies of the District and the City conducted two joint public hearings for the purpose of considering the adoption of this Agreement and that such hearings were noticed and conducted in accordance with the terms of the Act, this Agreement, and Chapter 551 of the Government Code.

2.2 Effective Date and Filing. Pursuant to Subsection (c) of the Act, this Agreement is effective on the date that the City adopts and approves this Agreement ("Effective Date"). City shall file this Agreement in the Real Property Records of Bowie County, Texas; provided, however, that the filing date of this Agreement shall not be construed as the Effective Date of this Agreement.

2.3 Term. This Agreement commences on the Effective Date and shall continue until the City annexes the entirety of Limited Purpose Property for full purposes or disannexes the entirety of Limited Purpose Property; and except as otherwise provided herein, this Agreement shall not apply to any portion of the Limited Purpose Property that has been fully annexed by City.

Article III. Scope of Agreement

3.1 District Continuity; Powers and Functions Retained by District. District shall continue in existence during the term of this Agreement and is authorized to exercise all of its powers and functions provided by existing law or any amendments or additions thereto as it pertains to the Limited Purpose Property. District's assets, liabilities, indebtedness, and obligations will remain the responsibility of District. [*See* Act, subsection (f)(1).] This Agreement does not convert District into a "Limited District" as defined by law. [*See* Act, subsections (a)(3), (f)(6).]

3.2 District Consent: Limited-Purpose Annexation. District, on behalf of itself and all present and future landowners within the District, hereby requests that City annex any commercial property within the Limited Purpose Property (**Exhibit "B"** and **Exhibit "D"** of this Agreement) for the express limited purposes as set forth in this Agreement; District consents to such limited-purpose annexation; District further consents to noncontiguous annexation of such commercial property [*see* Act, subsection (r)]; and such consent shall bind District and all current and future landowners within the District. City

Attachment: 2022-130 EXH 1 SPA to City Council with MUD signature (3841 : 2022-130 RES approving SPA w/MEMUD)

may commence limited-purpose annexation of any commercial property within the Limited Purpose Property following the Effective Date. District acknowledges that City may adopt and approve one or more limited-purpose annexation ordinances at one or more meetings conducted in accordance with Chapter 551 of the Government Code at various times throughout the Term of this Agreement; and District acknowledges and agrees that no additional notices, hearings, or other procedures are required by law in order for City to adopt and approve such limited-purpose annexations. District and City agree that limited-purpose annexation of any commercial property in and within the Limited Purpose Property pursuant to this Agreement shall not obligate the City to provide any municipal services to such property. Should City choose to annex any commercial property within the Limited Purpose Property for a limited-purpose annexation and thereby exercise any authority set out in this Agreement over such property, then from and after the date of such limited-purpose annexation, (i) such limited-purpose annexation and exercise of authority shall not be interpreted to bind City to the assumption or repayment of District debt, (ii) neither District nor any landowners of taxable property within the District are liable for any present or future City debts, (iii) current and future ad valorem taxes levied by City will not be levied on taxable property within the District; and (iv) City may enact any ordinance not otherwise proscribed by law or this Agreement for zoning, health, safety, and use of such limited-purpose annexed property, including any ordinance authorized by Chapter 251 of the Texas Alcoholic Beverage Code.

3.3 Voting Rights: Limited-Purpose Annexation. District and City anticipate that the Limited Purpose Property will consist of commercial property. If, however, the Limited Purpose Property includes residential dwellings as part of a mixed-use development, then the qualified voters of an area annexed for limited purposes are entitled to vote in City municipal elections regarding the election or recall of members of the City Council and the amendment of the City's municipal charter. However, such voters may not vote in any municipal bond election; and a resident of an area annexed for limited purposes is not eligible to be a candidate for or to be elected to a City municipal office. [*See* Act, subsection (q), and Tex. Loc. Gov't Code §§ 43.130 (a) and (b).]

3.4 District Consent: Full-Purpose Annexation of U.S. Hwy. 59 Corridor to Kings Highway. District consents to full-purpose annexation of commercial property in and within the Limited Purpose Property generally along the U.S. Hwy. 59 corridor bordered to the west by Kings Highway and to the east by the City's territorial city limits ("Corridor") pursuant to the terms set forth in this section. [*See* Act, subsections (f)(4), (f)(5), and (h).] Specifically, the Corridor shall encompass (1) the commercial property only on the north side of the Corridor and abutting U.S. Hwy. 59, (2) the portion of the U.S. Hwy. 59 footprint within the Corridor, and (3) the right-of-way only on the south side

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of the Corridor. District further consents to noncontiguous annexation of such commercial property. [*See* Act, subsection (r).] District acknowledges that City may adopt and approve a full-purpose annexation ordinance for the Corridor at a meeting conducted in accordance with Chapter 551 of the Government Code; the date of City's approval and adoption of such ordinance shall be deemed the full-purpose annexation date of the Corridor; and District acknowledges and agrees that no additional notice, hearing, or other procedures are required by law in order for City to adopt and approve such full-purpose annexation. City may utilize, but is not required by this Agreement to utilize, other applicable annexation law for full-purpose annexation of the Corridor. Nothing in this Agreement shall be construed to require the City to submit to its City Council for approval or the City Council to approve full-purpose annexation of any or all of the Corridor. In the event of full-purpose annexation of any or all of the Corridor, City and District shall work cooperatively to obtain updated Certificates of Convenience and Necessity from the Texas Commission on Environmental Quality consistent with full-purpose annexation of the Corridor. **Exhibit "C"** to this Agreement sets out the Statement of Work for implementing full-purpose annexation of the Corridor. The parties shall execute respective bills of sale for any and all assets conveyed for implementation of full-purpose annexation of the Corridor. Upon full-purpose annexation of the Corridor:

(a) In exchange for City acquisition of water customers and respective water revenues from full-purpose annexation of the Corridor, City shall transfer the account of the Liberty-Eylau Middle School and associated respective water revenues to District together with relocating master meters at the respective locations at City's cost;

(b) City will be required to install sewer flow meters at two lift stations which currently have non-operational flow meters, and District will be required to install flow meters at other lift stations in its system; and

(c) District will transfer to City ownership the existing three-inch force main within the right-of-way on the south side of the Corridor that City currently maintains for District.

3.5 District Consent: Full-Purpose Annexation of Certain Terry St. / S. Bishop Rd. Acreage. District consents to full-purpose annexation of commercial property in and within the Limited Purpose Property as detailed in **Exhibit "D"**, generally bordered to the north in part by Terry St. and to the east by S. Bishop Rd. ("Terry/Bishop Tracts") pursuant to the terms set forth in this section. [*See* Act, subsections (f)(4), (f)(5), and (h).] District further consents to noncontiguous annexation of such property. [*See* Act, subsection (r).] District represents that it cannot provide either water or sewer service to the Terry/Bishop Tracts. District acknowledges that City may adopt and approve a full-purpose annexation ordinance for one or more of the Terry/Bishop Tracts at a meeting or meetings conducted in accordance with Chapter 551 of the Government Code; the date of City's approval and

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adoption of such respective ordinance for one or more of such tracts shall be deemed the full-purpose annexation date of the respective Terry/Bishop Tracts; and District acknowledges and agrees that no additional notice, hearing, or other procedures are required by law in order for City to adopt and approve such full-purpose annexation. City may utilize, but is not required by this Agreement to utilize, other applicable annexation law for full-purpose annexation of the Terry/Bishop Tracts. Nothing in this Agreement shall be construed to require the City to submit to its City Council for approval or the City Council to approve full-purpose annexation of any or all of the Terry/Bishop Tracts. In the event of full-purpose annexation of any or all of the Terry/Bishop Tracts, City and District shall work cooperatively to obtain updated Certificates of Convenience and Necessity from the Texas Commission on Environmental Quality consistent with such full-purpose annexation.

3.6 Other Full-Purpose Annexation. Except as provided in Sections 3.4 and 3.5 of this Agreement, City and District must supplement this Agreement in the event of full-purpose annexation of other commercial property in and within the Limited Purpose Property pursuant to the terms set forth in this section. [*See* Act, subsections (f)(4), (f)(5), and (h).] District consents to noncontiguous annexation of such commercial property. [*See* Act, subsection (r).] City may, but is not required by this Agreement to utilize, other applicable annexation law for full-purpose annexation of other commercial property in and within the Limited Purpose Property; and supplementation of this Agreement shall not be a requirement for City to utilize such other applicable annexation law for full-purpose annexation of other commercial property in and within the Limited Purpose Property.

3.7 Request for Annexation. In the event a person requests City annexation of property wholly within the District and City's ETJ but not designated as Limited Purpose Property in this Agreement, and District's General Manager confirms to the City Manager that the District cannot provide water or sewer service to such property, then representatives of City and District shall meet and confer to evaluate and respond to the request as may be deemed to be in the best interests of the District and the City.

Article IV. Breach, Notice, and Remedies

4.1 Notification of Breach. If either party commits a breach of this Agreement, the non-breaching party shall give Notice to the breaching party that described the breach in reasonable detail.

4.2 Cure of Breach. The breaching party shall commence curing such breach within fourteen (14) calendar days after receipt of Notice of the breach and shall complete

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the cure within fourteen (14) calendar days from the date of commencement of the cure; however, if the breach is not reasonable susceptible to cure by the breaching party within such fourteen (14) day period, the non-breaching party shall not bring any action so long as the breaching party has commenced to cure the breach within such fourteen (14) day period and diligently completes the cure within a reasonable time without unreasonable cessation.

4.3 Remedies for Breach. If the breaching party does not substantially cure such breach within the stated period of time, the non-breaching party may, in its sole discretion, and without prejudice to any other right under this Agreement, law, or equity, seek relief available at law or in equity, including, but not limited to, an action under the Uniform Declaratory Judgment Act, specific performance, mandamus and injunctive relief; provided, however, the non-breaching party shall not be entitled to terminate this Agreement. Damages, if any, to which any non-breaching party may be entitled shall be limited to actual damages and shall not include special or consequential damages.

Article V. Additional Provisions

5.1 Notices. All notices under this Agreement ("Notice") shall be in writing, shall be signed by or on behalf of the party giving the Notice, and shall become effective as follows: (a) on the third (3rd) business day after being deposited with the United States mail service, Certified Mail, Return Receipt Requested with a confirming copy sent by facsimile; (b) on the day delivered by private delivery or private messenger service (such as FedEx or UPS) as evidenced by a receipt signed by any person at the delivery address (whether or not such person is the person to whom the Notice is addressed); or (c) otherwise on the day actually received by the person to whom the Notice is addressed, including, but not limited to, delivery in persona and delivery by regular mail. All Notices given pursuant to this section shall be addressed as follows:

To City:

City of Texarkana, Texas
Attn: City Manager
220 Texas Boulevard
Texarkana, TX 75501

With copy to:
Atchley, Russell, Waldrop & Hlavinka, L.L.P.
Attn: Jeffery C. Lewis
1730 Galleria Oaks Dr.
Texarkana, TX 75503

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To District:

Macedonia-Eylau Municipal Utility
District No. 1 of Bowie County
Attn: General Manager
701 S Kings Hwy
Texarkana, TX 75501

With copy to:
Miller, James, Miller & Hornsby, L.L.P.
Attn: Troy Hornsby
1725 Galleria Oaks Drive
Texarkana, Texas 75503

5.2 No Waiver. Any failure by a party to insist upon strict performance by the other party of any provision of this Agreement shall not be deemed a waiver thereof, and the party shall have the right at any time thereafter to insist upon strict performance of any and all of the provisions of this Agreement. No provision of this Agreement may be waived except in writing signed by the party waiving such provision. Any waiver shall be limited to the specific purpose for which it is given. No waiver by any party hereto of any term or condition of this Agreement shall be deemed or construed to be a waiver of any other term or condition or subsequent waiver of the same term or condition.

5.3 Governing Law and Venue. This Agreement must be construed and enforced in accordance with the laws of the State of Texas, as they apply to contracts performed within the State of Texas and without regard to any choice of law rules or principles to the contrary. The Parties acknowledge that this Agreement is performable in Bowie County, Texas, and hereby submit to the jurisdiction of the courts of Bowie County, Texas, and agree that any such court with proper jurisdiction shall be a proper forum for the determination of any dispute arising hereunder.

5.4 Authority to Execute. City warrants that this Agreement has been approved by the City Council in accordance with all applicable public meeting and public notice requirements (including, but not limited to, notices required by the Texas Open Meetings Act) and that the individual executing this Agreement on behalf of City has been authorized to do so. District warrants that this Agreement has been approved by the Board in accordance with all applicable public meeting and public notice requirements (including, but not limited to, notices required by the Open Meetings Act) and the individual executing this Agreement on behalf of District has been authorized to do so.

5.5 Entire Agreement; Severability. City and District have other agreements in effect pertaining to water and wastewater, and this Agreement shall not be construed as amending those agreements in any manner. With respect to matters authorized by law under the Act, this Agreement constitutes the entire agreement between City and District and supersedes all prior agreements, whether oral or written, covering the subject matter of this Agreement. If any provision of this Agreement is determined by a court of

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competent jurisdiction to be unenforceable for any reason, then (a) such unenforceable provision shall be deleted from this Agreement; (b) the unenforceable provision shall, to the extent possible, be rewritten to be enforceable and to give effect to the intent of City and District; and (c) the remainder of this Agreement shall remain in full force and effect and shall be interpreted to give effect to the intent of City and District.

5.6 Changes in State or Federal Law. If any state or federal law changes so as to make it impossible for the City or the District to perform its obligations under this Agreement, the Parties will cooperate to amend this Agreement in such a manner that is most consistent with the original intent of this Agreement and legally possible.

5.7 Assignability; Successors and Assigns. This Agreement shall not be assignable by any party without the other party's written consent. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective representatives, successors and assigns.

5.8 Amendment. This Agreement may be amended only by written agreement with approval of the governing bodies of both the City and the District.

5.9 Interpretation. City and District acknowledge that each party and its legal counsel have reviewed and drafted this Agreement such that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or any amendments or exhibits hereto.

5.10 No Third-Party Beneficiaries. This Agreement is solely for the benefit of City and District. Neither City nor District intends by any provision of this Agreement to create any rights in any third-party beneficiaries or to confer any benefit or enforceable rights under this Agreement or otherwise upon anyone other than City and District.

5.11 Governmental Powers. By execution of this Agreement, neither City nor District waives or surrenders any of its respective governmental functions, powers, immunities, or rights. Nothing in this Agreement shall waive any claims, defenses or immunities that City or District has with respect to suits against City or District by persons or entities not a party to this Agreement.

5.12 Incorporation of Exhibits by Reference. All exhibits attached to this Agreement are incorporated into this Agreement by reference for the purposes set forth herein, as follows:

Exhibit "A" Coverage Map of District

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Exhibit "B" Map of Limited Purpose Property
Exhibit "C" Statement of Work to Implement Full-Purpose Annexation of Corridor-
Exhibit "D" Map of Limited Purpose Property ("Terry/Bishop Tracts")

Macedonia-Eylau Municipal Utility District No. 1 of Bowie County

By: Debra Elijah Date: 10-19-2022, 2022

Debra Elijah
Board President

City of Texarkana, Texas

By: _____ Date: _____, 2022

David W. Orr, Ph.D.
City Manager

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Exhibit "A"

MACEDONIA-EYLAU WATER M.U.D.

Texarkana, Texas

NOVEMBER 2017

WATER SYSTEM COVERAGE MAP

N
W E
S

1,300 650 0 1,300 2,600

Scale: 1" = 1,300'

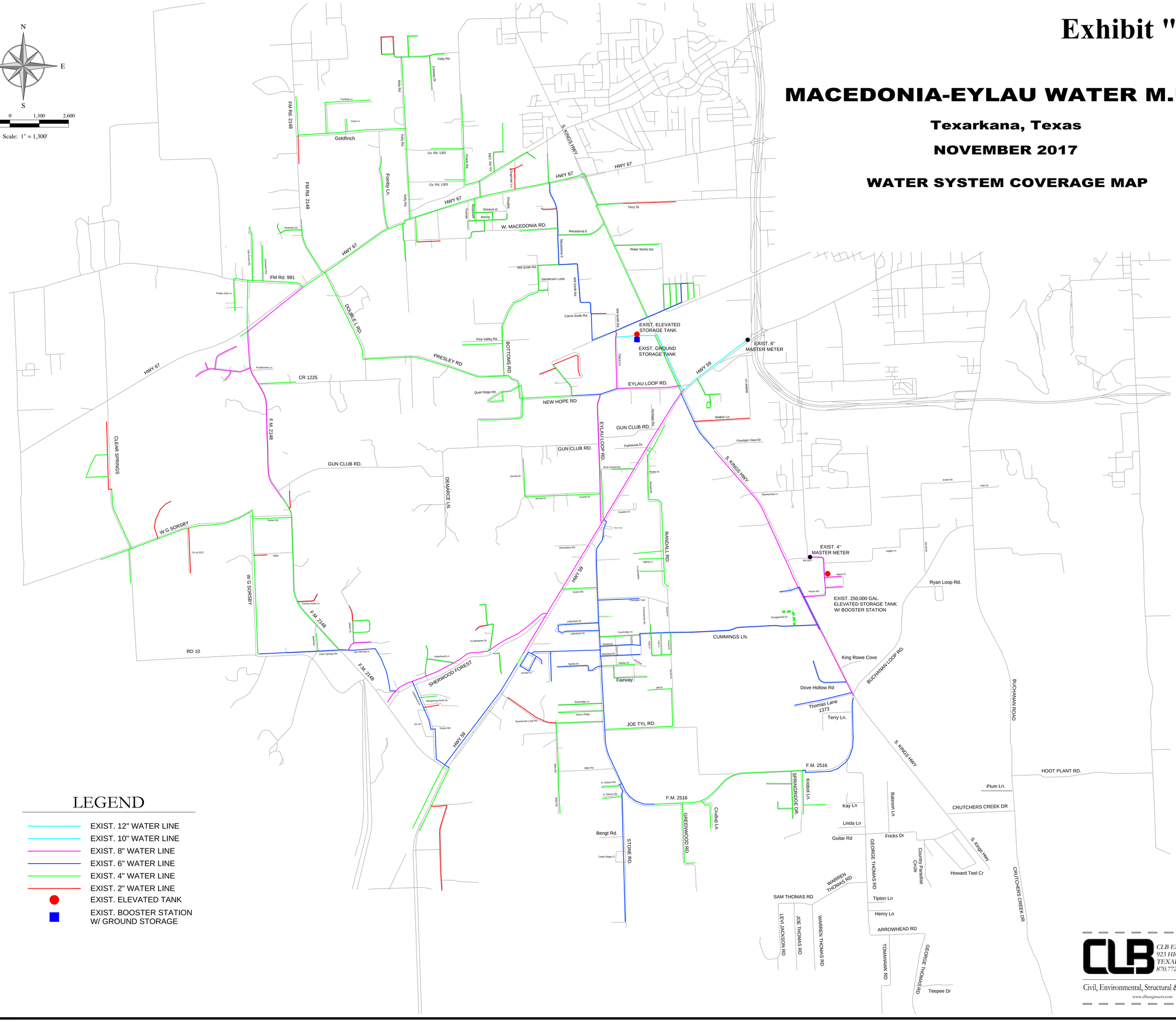
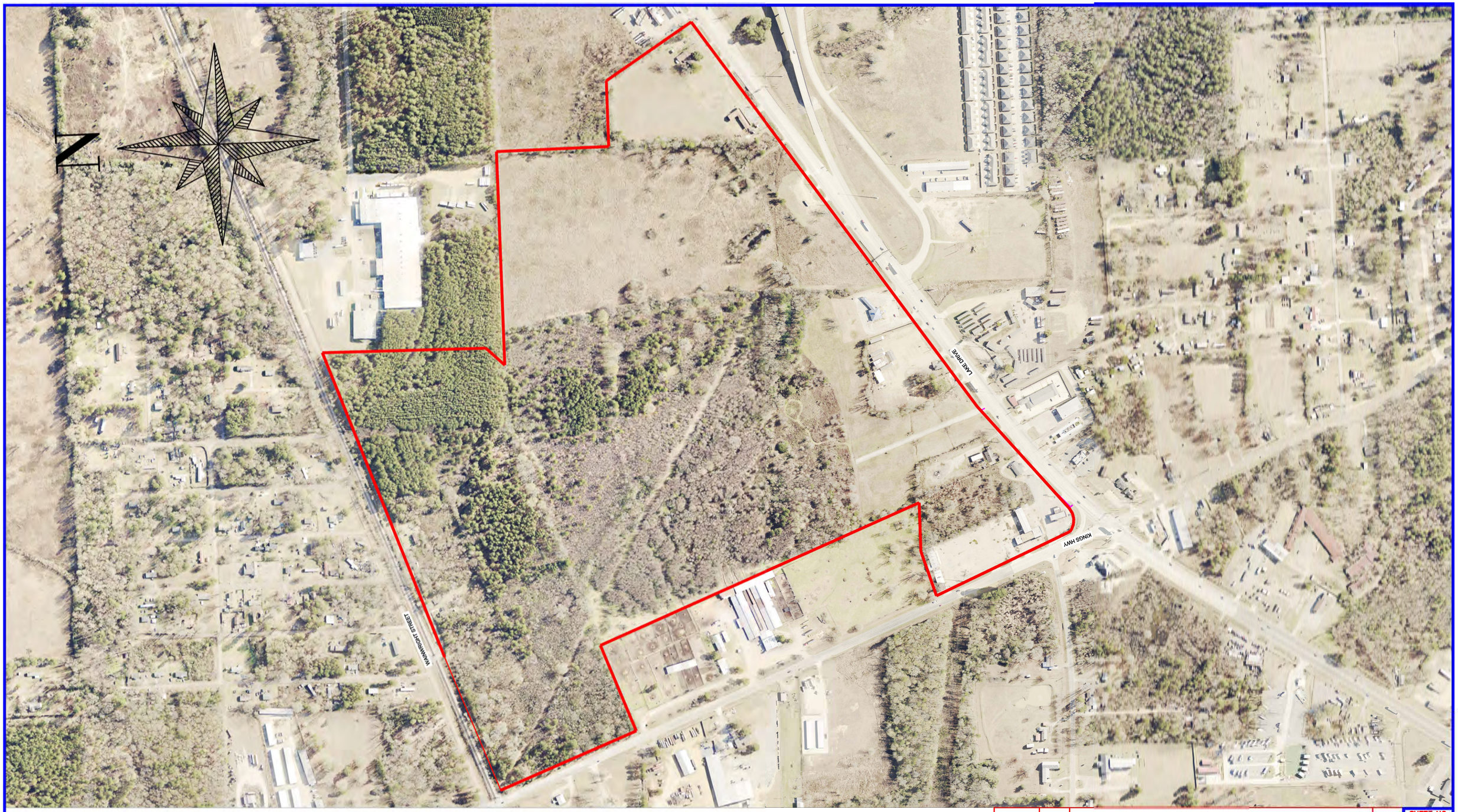

Kelly Rd.
Conway Dr.
Cardinal Ln.
Carol Ln.
Goldfinch
FM Rd. 2148
Kelly Rd.
Co. Rd. 1302
Co. Rd. 1303
Powe Rd.
Fortbly Ln.
HWY 67
S. KINGS HWY
Chapman Ln.
Douglas
Bookout
Tiurman
Geneva st.
Ronny
W. MACEDONIA RD.
Terry St.
Macedonia E
Macedonia S
Water Works Rd.
Will Smith Rd
Sanderson Loop
Carrie Smith Rd.
EXIST. ELEVATED STORAGE TANK
EXIST. GROUND STORAGE TANK
EXIST. 6" MASTER METER
Clara Ln.
Pine Valley Rd.
DOUBLE E RD.
PRESLEY RD
BOTTOMS RD.
Quail Ridge Rd
NEW HOPE RD
EYLAU LOOP RD.
HWY 59
Walker Ln.
Fountain View Dr
Parkwood Dr.
GUN CLUB RD.
Rock School Rd.
Sunny Dr.
Cavalier Dr
Pyes Circle
Richardson Rd.
RANDALL RD.
Hillbilly Ln.
Chevalier Trail
Evans Rd.
Lakeshore Dr.
Cummings Ln.
CUMMINGS LN.
Orangewood Dr.
EXIST. 4" MASTER METER
FM 3057
Merrit Cr.
Prison Rd.
EXIST. 250,000 GAL. ELEVATED STORAGE TANK W/ BOOSTER STATION
Ryan Loop Rd.
King Rowe Cove
Dove Hollow Rd
Tthomas Lane 1373
Terry Ln.
BUCHANAN LOOP RD.
BUCHANAN ROAD
S. KINGS HWY
F.M. 2516
HOOT PLANT RD.
Plum Ln.
CRUTCHERS CREEK DR
Kay Ln
Linda Ln
Guitar Rd
Fricks Dr
Howard Teel Cr
S. Kinger Hwy
Country Paradise Circle
GEORGE THOMAS RD
Tipton Ln
Henry Ln
ARROWHEAD RD
TOMAHAWK RD
Teepee Dr
SAM THOMAS RD
WARREN THOMAS RD
LEVI JACKSON RD
JOE THOMAS RD
SPRINGRIDGE DR.
Knobol Ln.
Coudjo Ln.
GREENWOOD RD.
Bengt Rd.
STONE RD.
Cedar Ridge Cr.
JOE TYL RD.
Fairway
Buchanan Loop Rd.
Ort Dr.
Pryers Rd.
Whispering Rivers Dr.
SHERWOOD FOREST
Rothhond Ln.
Knottingham St.
Clear Springs Rd.
Dan Michael Cr.
F.M. 2148
RD 10
W G SORSBY
Co rd 1227
Trevino Rd.
Miller
Tommy Hicks Ln.
CLEAR SPRINGS
F.M. 2148
DEMARCE LN.
Cr 1225
Prudhomme Ln.
FM Rd. 991
Timber Oak Ln.
Elmwood Dr.
Oleanview Dr.
Will Smith Rd
Sunset Dr.
Starlite Dr.
Southridge Ln.
Sherry Ridge
Jeff Dr.
Bilek Rd.
N. Gibson Rd.
S. Gibson Rd.
Smith Rd.
Alan St.
Blankenship Ln
Haigler Ln
Lewis Rd
Rock School Rd.
Rector Dr.
Parker Dr.
Hillbilly Ln.
Richardson Rd.
Cornerstone Rd.
Rosewood Dr.
Redwood
Maryland Dr.
Allen Ln.
Hewett Dr.
Starlite Dr.
Sunset Dr.
Jeff Dr.
Southridge Ln.
Sherry Ridge
Buchanan Loop Rd.
Bilek Rd.
N. Gibson Rd.
S. Gibson Rd.
Bengt Rd.
Cedar Ridge Cr.
Ort Dr.
Pryers Rd.
Whispering Rivers Dr.
Rothhond Ln.
Knottingham St.
Clear Springs Rd.
Dan Michael Cr.
Trevino Rd.
Miller
Tommy Hicks Ln.
Co rd 1227
Timber Oak Ln.
Elmwood Dr.
Oleanview Dr.
Prudhomme Ln.
Cr 1225
Quail Ridge Rd
Pine Valley Rd.
Clara Ln.
Will Smith Rd
Carrie Smith Rd.
Sanderson Loop
Will Smith Rd
Water Works Rd.
Macedonia S
Macedonia E
Terry St.
Geneva st.
Ronny
Douglas
Bookout
Tiurman
Chapman Ln.
Powe Rd.
Co. Rd. 1303
Co. Rd. 1302
Kelly Rd.
Conway Dr.
Kelly Rd.
Cardinal Ln.
Carol Ln.
Goldfinch
FM Rd. 2148
Fortbly Ln.
HWY 67
S. KINGS HWY
Kelly Rd.
Kelly Rd.
Kelly Rd.

Exhibit "B"

2022-130 EXH 1



REVISION	DATE	DESCRIPTION	BY

SHEET NO. C2

Texarkana Water Utilities

TWU
801 WOOD STREET
TEXARKANA, TEXAS 75501
(903)798-3829

ANNEXATION PROPOSAL

PLAN VIEW

Scale:	NA	Date:	5/3/2022
Dsn. By:	G.L.S.	Dwn. By:	M.W.L.
Ckd. By:	G.L.S.		

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EXHIBIT "C"

Statement of Work to Implement Full-Purpose Annexation of Corridor

City and District set out their Statement of Work ("SOW") to implement Section 3.4 of the Agreement and full-purpose annexation of the Corridor as described in the Agreement.

Cost estimates and detail maps for certain aspects of this SOW are attached to this exhibit; estimates are preliminary and may not reflect actual costs.

City delegates to its City Manager, and District delegates to its General Manager, the authority to agree to written change orders or modifications to this SOW consistent with the intent of the parties as set out in the Agreement, including revisions of cost estimates to reflect actual costs; and such change orders or modifications, upon execution, shall be appended to this exhibit.

Except as otherwise stated herein, this Statement of Work is conditioned upon the City, through its City Council, approving full-purpose annexation of any or all of the Corridor.

I. Wastewater/Sewer

A. A commercial business has made inquiry to both District and City for a proposed commercial development within the Corridor on the northeast corner of Kings Highway and US Hwy 59 ("the Prospect"). District intends to convey to City the lift station on US Hwy 59 and the associated eight-inch (8") force main, located on the North side of US Hwy 59 and just to the east of the proposed commercial development (the proposed development would gravity flow into this lift station). City intends to install a flow meter on this lift station: when the City reads the meter, the usage of the Prospect (based on the water meter readings of the Prospect) will be deducted, and the difference would calculate the District's flow going into this lift station; District will be responsible for the cost of its flow. Prior to full-purpose annexation of the Corridor, City and District will work to secure the following information: customer usage and flow into the lift station, including dry weather flow and wet weather flow; the demands on the lift station with regard to the Prospect and existing customers within the Corridor to the east of the proposed development; whether the proposed commercial development or other factors relating to the Prospect's anticipated use may require a new lift station for existing and proposed customers; if a new lift station is required, the fair market value of the cost of the lift station attributable to the Prospect or other factors, and the equitable allocation of costs as between City and District.

B. City intends to install a flow meter on the lift station located in the southwest quadrant of the intersection of US Hwy 67 and Kings Highway.

C. City and District intend to re-route the Golden Rule force main to connect to the District's manhole (which flows into the lift station described in subsection A, above) located on the south side of US Hwy 59. Prior to full-purpose annexation of the Corridor, City and District

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will work collaboratively on the installation of a meter on the lift station that serves the duplex subdivision located on the south side of US Hwy 59 just west of Loop 151, operation and ownership of the lift station after full-purpose annexation, and the equitable allocation of costs as between City and District.

II. Treated Water

A. City intends to relocate District's existing six-inch (6”) master meter (located at the northwest quadrant of the intersection of US Hwy 59 and Loop 151) to the northeast quadrant of the intersection of US Hwy 59 and Kings Highway.

B. City intends to run a new six-inch (6”) water main, beginning just west of the new master meter location, on the north side of Hwy 59, connecting to the existing four-inch (4”) water main at Golden Rule (and City will decommission Golden Rule’s existing connection to the existing twelve-inch (12”) water main located on the north side of US Hwy 59), which will put the Golden Rule area on the downstream side of the new master meter location; and City intends to add an additional water line of approximately 750 feet to connect the 12” water line that serves the duplex subdivisions.

C. City intends to relocate District's existing four-inch (4”) master meter (located at the intersection of Leopard Drive and Stipp Lane) to just north of Liberty Eylau’s Middle School's northern-most water meter located on Leopard Drive. This will facilitate the transfer of the school's customer account as set out in the Agreement.

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INSTALLATION OF SEWER METERS					
PRELIMINARY COST ESTIMATE - MAY 15, 2022 REVISED JUNE 23, 2022					
Item No.	**Description**	**Unit**	**Bid Quantity**	**Unit Price**	**Total Bid**
1	Mobilization, Bonds, & Submittals	EA	1	$5,000.00	$5,000.00
2	Mag Meter	EA	3	$3,506.00	$10,518.00
3	Signal Converter	EA	3	$1,642.00	$4,926.00
4	Vault	EA	3	$8,500.00	$25,500.00
5	Installation of Vault, Meter, & Controls	EA	3	$5,000.00	$15,000.00
6	Remote Monitoring System	EA	3	$15,000.00	$45,000.00
7	8" Sewer Pipe	LF	120	$50.00	$6,000.00
8	Electrical Power to Site	EA	3	$7,000.00	$21,000.00
9	Equipment Electrical Connections	EA	3	$1,500.00	$4,500.00
10	Fencing	LF	75	$30.00	$2,250.00
11	Gate	EA	3	$250.00	$750.00
12	Miscellaneous	LS	1	$7,500.00	$7,500.00
13	3" Force Main & Connection	LF	200	$20.00	$4,000.00
17	Cut, Plug, & Abandon 3" Force Main	EA	1	$1,000.00	$1,000.00
20	Trench Protection	LS	1	$3,000.00	$3,000.00
21	Cellulose Fiber Mulch Seeding	LS	1	$2,000.00	$2,000.00
22	Golden Rule 3" FM by Open Cut	LF	210	$20.00	$4,200.00
23	Golden Rule 3" FM by Bore	LF	20	$50.00	$1,000.00
24	3" Force Main Connection to Exist. MH	EA	1	$1,500.00	$1,500.00
25	Remove & Replace Concrete	SY	70	$400.00	$28,000.00
	SUB-TOTAL				**$192,644.00**
	15% CONTINGENCIES				$28,896.60
	SUB-TOTAL				**$221,540.60**
	ENGINEERING				$22,154.06
	TOTAL				**$243,694.66**

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RELOCATE 6" & 4" MASTER METERS					
PRELIMINARY COST ESTIMATE - MAY 2, 2022 REVISED JUNE 23, 2022					
Item No.	Description	Unit	Bid Quantity	Unit Price	Total Bid
1	Mobilization, Bonds, & Submittals	LS	1	$5,000.00	$5,000.00
2	6" Master Meter & Vault	LS	1	$65,000.00	$65,000.00
3	12" x 6" Tapping Sleeve & Valve	EA	2	$5,000.00	$10,000.00
4	12" Stop Valve	EA	2	$10,000.00	$20,000.00
5	Cut, Plug, & Abandon 12"	EA	2	$2,500.00	$5,000.00
6	Miscellaneous Piping	LS	1	$5,000.00	$5,000.00
7	Remove Exist. 6" Meter & Install Pipe	LS	1	$2,500.00	$2,500.00
8	Remove & Replace Existing Pavement	SY	45	$400.00	$18,000.00
9	6" PVC C-900 Water Pipe by Open Cut	LF	1000	$45.00	$45,000.00
10	6" Certa-Lok C-900 Water Pipe by Bore	LF	460	$120.00	$55,200.00
11	6" x 6" Tapping Sleeve & Valve	EA	1	$4,000.00	$4,000.00
12	Cut, Plug, & Abandon 6"	EA	1	$2,500.00	$2,500.00
13	12" x 6" Tapping Sleeve & Valve	EA	1	$5,000.00	$5,000.00
14	6" x 4" Tapping Sleeve & Valve	EA	1	$3,000.00	$3,000.00
15	Cut, Plug, & Abandon 4"	EA	2	$2,000.00	$4,000.00
16	4" Master Meter & Vault	LS	1	$45,000.00	$45,000.00
17	10" x 4" Tapping Sleeve & Valve	EA	2	$3,500.00	$7,000.00
18	10" Stop Valve	EA	2	$10,000.00	$20,000.00
19	Cut, Plug, & Abandon 10"	EA	2	$2,500.00	$5,000.00
20	Miscellaneous Piping	LS	1	$4,000.00	$4,000.00
21	Remove Exist. 4" Meter & Install Pipe	LS	1	$2,500.00	$2,500.00
22	Trench Protection	LS	1	$3,500.00	$3,500.00
23	Cellulose Fiber Mulch Seeding	LS	1	$4,000.00	$4,000.00
24	Silt Fence	LF	490	$6.50	$3,185.00
	SUB-TOTAL				**$343,385.00**
	15% CONTINGENCIES				$51,507.75
	SUB-TOTAL				**$394,892.75**
	ENGINEERING				$39,489.28
	TOTAL				**$434,382.03**

Attachment: 2022-130 EXH 1 SPA to City Council with MUD signature (3841 : 2022-130 RES approving SPA w/MEMUD)

2022-130 EXH 1



REVISION	DATE	DESCRIPTION	BY

SHEET NO. C2

Texarkana Water Utilities

TWU
801 WOOD STREET
TEXARKANA, TEXAS 75501
(903)798-3829

MASTER METER RELOCATION
LAKE DRIVE
PLAN VIEW

Scale:	1=300	Date:	5/3/2022
Dsn. By:	G.L.S.	Dwn. By:	M.W.L.
		Ckd. By:	G.L.S.

Attachment: 2022-130 EXH 1 SPA to City Council with MUD signature (3841 : 2022-130 RES approving SPA w/MEMUD)



REVISION	DATE	DESCRIPTION	BY

SHEET NO. C1

Texarkana Water Utilities

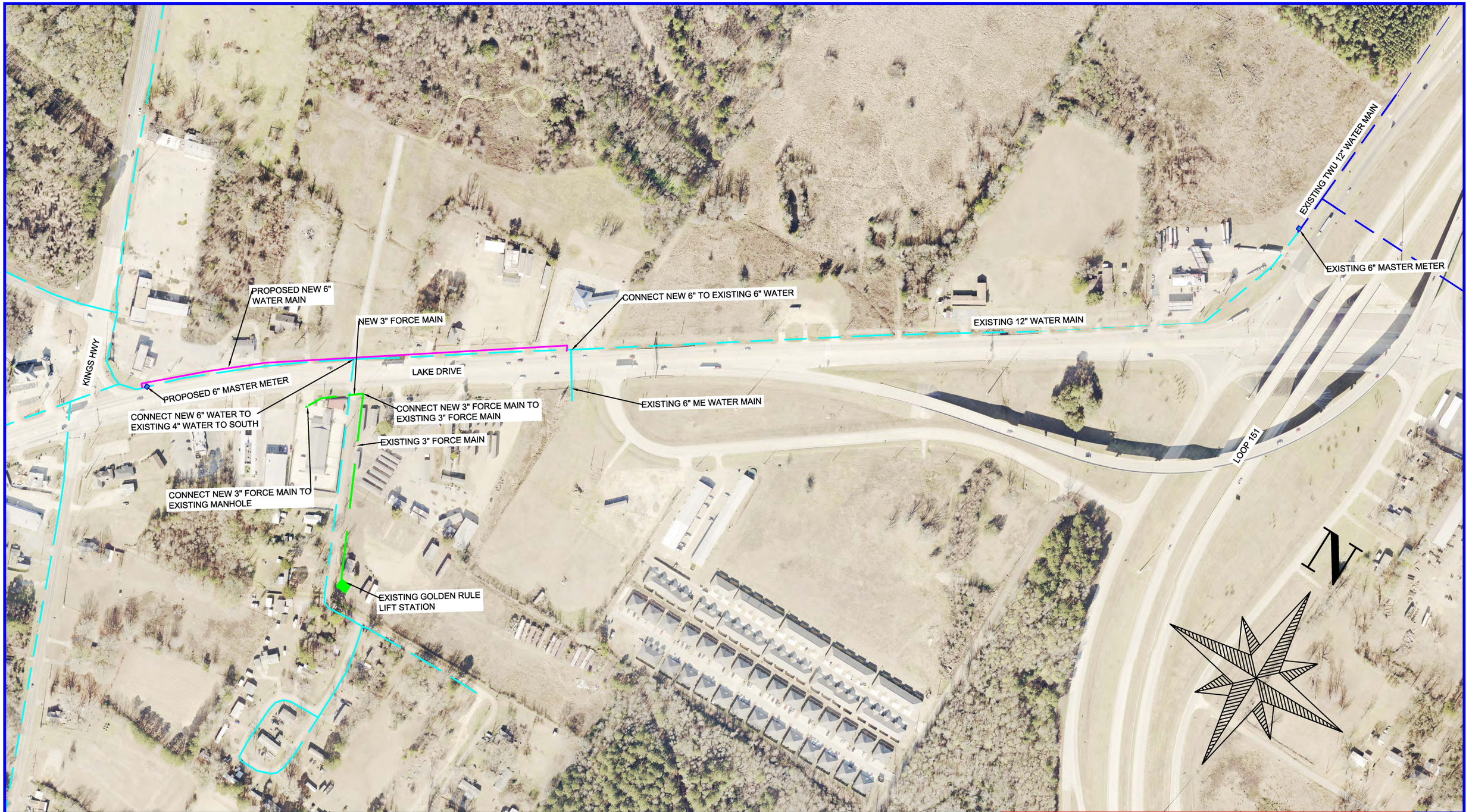
TWU
801 WOOD STREET
TEXARKANA, TEXAS 75501
(903)798-3829

MASTER METER RELOCATION
LEOPARD DRIVE
PLAN VIEW

Scale:	1=100	Date:	5/3/2022
Dsn. By:	G.L.S.	Dwn. By:	M.W.L.
Ckd. By:	G.L.S.		

Attachment: 2022-130 EXH 1 SPA to City Council with MUD signature (3841 : 2022-130 RES approving SPA w/MEMUD)

2022-130 EXH 1



REVISION	DATE	DESCRIPTION	BY

SHEET NO. C2

Texarkana Water Utilities

TWU
801 WOOD STREET
TEXARKANA, TEXAS 75501
(903)798-3829

MASTER METER RELOCATION
LAKE DRIVE
PLAN VIEW

Scale:	1=300	Date:	5/3/2022
Dsn. By:	G.L.S.	Dwn. By:	M.W.L.
Ckd. By:	G.L.S.		

Attachment: 2022-130 EXH 1 SPA to City Council with MUD signature (3841 : 2022-130 RES approving SPA w/MEMUD)

Exhibit "D"



Attachment: 2022-130 EXH 1 SPA to City Council with MUD signature (3841 : 2022-130 RES approving

Strategic Partnership Agreement
*** * * * ***
Macedonia-Eylau Municipal Utility District No. 1 of Bowie County
and
City of Texarkana, Texas

This Strategic Partnership Agreement ("Agreement"), authorized by Section 43.0751 of the Texas Local Government Code, is entered into by and between the City of Texarkana, Texas, a home-rule municipality operating under a municipal charter adopted as authorized by Article XI, Section 5, of the Texas Constitution and as recognized by Texas Local Government Code Section 5.004 and having full power of local self-government ("City"), and Macedonia-Eylau Municipal Utility District No. 1 of Bowie County, a municipal utility district created under and subject to the authority, conditions, and restrictions of Article XVI, Section 59, and Article III, Section 52, of the Texas Constitution and Chapters 49 and 54 of the Texas Water Code, as amended ("District").

RECITALS

WHEREAS, Local Government Code Section 43.0751 (the "Act") authorizes City and District to negotiate and enter into a strategic partnership agreement by mutual consent; and

WHEREAS, City and District desire to enter into this Agreement, which they negotiated by mutual consent; and

WHEREAS, District encompasses a coverage area for water and sewer service to the west and southwest of City as set out in **Exhibit "A"**, and portions of District are located within City's extraterritorial jurisdiction ("ETJ"); and

WHEREAS, this Agreement sets out the terms acceptable to District and City for limited-purpose annexation of any commercial property within the delineated boundaries of **Exhibit "B"** which is wholly within the District and City's ETJ ("Limited Purpose Property"), and full-purpose annexation at the option of the City of certain commercial property in and within such boundaries as set forth herein, with a corresponding Statement of Work to implement such full-purpose annexation detailed in **Exhibit "C"**; and

WHEREAS, this Agreement sets out the terms acceptable to District and City for limited-purpose annexation of any commercial property within the delineated boundaries of **Exhibit "D"** which is wholly within the District and City's ETJ ("Limited Purpose Property"), and full-purpose annexation at the option of the City of property in and within such boundaries as set forth herein; and

WHEREAS, subject to the terms and conditions of this Agreement and for the health, safety, and welfare of the residents within the District, the District is willing to allow the City to annex any portion of Limited Purpose P roperty for the limited purposes set forth herein; and

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WHEREAS, in accordance with the Act, City and District provided notice of and conducted two joint public hearings — the first joint meeting held within the City on August 8, 2022, and the second joint meeting held within the District on _____, 2022 — for the purpose of providing the public with an opportunity to speak or present testimony or evidence regarding this Agreement and the proposed limited-purpose annexation, together with providing separate locations within City and District where copies of the proposed Agreement may be obtained prior to each hearing; and

WHEREAS, District's Board of Directors adopted and approved this Agreement on _____, 2022, in open session at a meeting held in accordance with Chapter 551 of the Texas Government Code; and

WHEREAS, following District's adoption and approval of this Agreement, City, by its City Council, adopted and approved this Agreement on _____, 2022, in open session at a meeting held in accordance with Chapter 551 of the Texas Government Code; and

WHEREAS, all notices, hearings, and other requirements imposed by law for the adoption of this Agreement have been met; and

WHEREAS, in accordance with the requirements of Subsection (p) of the Act, this Agreement (1) does not require District to provide revenue to City solely for the purpose of an agreement with City to forgo annexation of any District Property, and (2) provides benefits to City and District, including revenue, services, and regulatory benefits, which are reasonable and equitable with regard to the benefits provided by the other party.

NOW, THEREFORE, for and in consideration of the mutual agreements, covenants and conditions contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and District agree as follows:

Article I. Recitals

The above and foregoing recitals are true and correct and are incorporated herein and made a part hereof as findings by both District and City for all purposes.

Article II. Adoption and Term of Agreement

2.1 Public Hearings. District and City acknowledge and agree that prior to the execution of this Agreement, the governing bodies of the District and the City conducted two joint public hearings for the purpose of considering the adoption of this Agreement and that such hearings were noticed and conducted in accordance with the terms of the Act, this Agreement, and Chapter 551 of the Government Code.

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

2.2 Effective Date and Filing. Pursuant to Subsection (c) of the Act, this Agreement is effective on the date that the City adopts and approves this Agreement ("Effective Date"). City shall file this Agreement in the Real Property Records of Bowie County, Texas; provided, however, that the filing date of this Agreement shall not be construed as the Effective Date of this Agreement.

2.3 Term. This Agreement commences on the Effective Date and shall continue until the City annexes the entirety of Limited Purpose Property for full purposes or disannexes the entirety of Limited Purpose Property; and except as otherwise provided herein, this Agreement shall not apply to any portion of the Limited Purpose Property that has been fully annexed by City.

Article III. Scope of Agreement

3.1 District Continuity; Powers and Functions Retained by District. District shall continue in existence during the term of this Agreement and is authorized to exercise all of its powers and functions provided by existing law or any amendments or additions thereto as it pertains to the Limited Purpose Property. District's assets, liabilities, indebtedness, and obligations will remain the responsibility of District. [*See* Act, subsection (f)(1).] This Agreement does not convert District into a "Limited District" as defined by law. [*See* Act, subsections (a)(3), (f)(6).]

3.2 District Consent: Limited-Purpose Annexation. District, on behalf of itself and all present and future landowners within the District, hereby requests that City annex any commercial property within the Limited Purpose Property (**Exhibit "B"** and **Exhibit "D"** of this Agreement) for the express limited purposes as set forth in this Agreement; District consents to such limited-purpose annexation; District further consents to noncontiguous annexation of such commercial property [*see* Act, subsection (r)]; and such consent shall bind District and all current and future landowners within the District. City may commence limited-purpose annexation of any commercial property within the Limited Purpose Property following the Effective Date. District acknowledges that City may adopt and approve one or more limited-purpose annexation ordinances at one or more meetings conducted in accordance with Chapter 551 of the Government Code at various times throughout the Term of this Agreement; and District acknowledges and agrees that no additional notices, hearings, or other procedures are required by law in order for City to adopt and approve such limited-purpose annexations. District and City agree that limited-purpose annexation of any commercial property in and within the Limited Purpose Property pursuant to this Agreement shall not obligate the City to provide any municipal services to such property. Should City choose to annex any commercial property within the Limited Purpose Property for a limited-purpose annexation and thereby exercise any authority set out in this Agreement over such property, then from and after the date of such limited-purpose annexation, (i) such limited-purpose annexation and exercise of authority shall not be interpreted to bind City to the assumption or repayment of District debt, (ii) neither District nor any landowners of taxable property within the District are liable for any present or future City debts, (iii) current and future ad valorem taxes levied by City will not be levied on taxable property within the District; and (iv)

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

City may enact any ordinance not otherwise proscribed by law or this Agreement for zoning, health, safety, and use of such limited-purpose annexed property, including any ordinance authorized by Chapter 251 of the Texas Alcoholic Beverage Code.

3.3 Voting Rights: Limited-Purpose Annexation. District and City anticipate that the Limited Purpose Property will consist of commercial property. If, however, the Limited Purpose Property includes residential dwellings as part of a mixed-use development, then the qualified voters of an area annexed for limited purposes are entitled to vote in City municipal elections regarding the election or recall of members of the City Council and the amendment of the City's municipal charter. However, such voters may not vote in any municipal bond election; and a resident of an area annexed for limited purposes is not eligible to be a candidate for or to be elected to a City municipal office. [*See* Act, subsection (q), and Tex. Loc. Gov't Code §§ 43.130 (a) and (b).]

3.4 District Consent: Full-Purpose Annexation of U.S. Hwy. 59 Corridor to Kings Highway. District consents to full-purpose annexation of commercial property in and within the Limited Purpose Property generally along the U.S. Hwy. 59 corridor bordered to the west by Kings Highway and to the east by the City's territorial city limits ("Corridor") pursuant to the terms set forth in this section. [*See* Act, subsections (f)(4), (f)(5), and (h).] Specifically, the Corridor shall encompass (1) the commercial property only on the north side of the Corridor and abutting U.S. Hwy. 59, (2) the portion of the U.S. Hwy. 59 footprint within the Corridor, and (3) the right-of-way only on the south side of the Corridor. District further consents to noncontiguous annexation of such commercial property. [*See* Act, subsection (r).] District acknowledges that City may adopt and approve a full-purpose annexation ordinance for the Corridor at a meeting conducted in accordance with Chapter 551 of the Government Code; the date of City's approval and adoption of such ordinance shall be deemed the full-purpose annexation date of the Corridor; and District acknowledges and agrees that no additional notice, hearing, or other procedures are required by law in order for City to adopt and approve such full-purpose annexation. City may utilize, but is not required by this Agreement to utilize, other applicable annexation law for full-purpose annexation of the Corridor. Nothing in this Agreement shall be construed to require the City to submit to its City Council for approval or the City Council to approve full-purpose annexation of any or all of the Corridor. In the event of full-purpose annexation of any or all of the Corridor, City and District shall work cooperatively to obtain updated Certificates of Convenience and Necessity from the Texas Commission on Environmental Quality consistent with full-purpose annexation of the Corridor. **Exhibit "C"** to this Agreement sets out the Statement of Work for implementing full-purpose annexation of the Corridor. The parties shall execute respective bills of sale for any and all assets conveyed for implementation of full-purpose annexation of the Corridor. Upon full-purpose annexation of the Corridor:

(a) In exchange for City acquisition of water customers and respective water revenues from full-purpose annexation of the Corridor, City shall transfer the account of the Liberty-Eylau Middle School and associated respective water revenues to District together with relocating master meters at the respective locations at City's cost;

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

(b) City will be required to install sewer flow meters at two lift stations which currently have non-operational flow meters, and District will be required to install flow meters at other lift stations in its system; and

(c) District will transfer to City ownership the existing three-inch force main within the right-of-way on the south side of the Corridor that City currently maintains for District.

3.5 District Consent: Full-Purpose Annexation of Certain Terry St. / S. Bishop Rd. Acreage. District consents to full-purpose annexation of commercial property in and within the Limited Purpose Property as detailed in **Exhibit "D"**, generally bordered to the north in part by Terry St. and to the east by S. Bishop Rd. ("Terry/Bishop Tracts") pursuant to the terms set forth in this section. [*See* Act, subsections (f)(4), (f)(5), and (h).] District further consents to noncontiguous annexation of such property. [*See* Act, subsection (r).] District represents that it cannot provide either water or sewer service to the Terry/Bishop Tracts. District acknowledges that City may adopt and approve a full-purpose annexation ordinance for one or more of the Terry/Bishop Tracts at a meeting or meetings conducted in accordance with Chapter 551 of the Government Code; the date of City's approval and adoption of such respective ordinance for one or more of such tracts shall be deemed the full-purpose annexation date of the respective Terry/Bishop Tracts; and District acknowledges and agrees that no additional notice, hearing, or other procedures are required by law in order for City to adopt and approve such full-purpose annexation. City may utilize, but is not required by this Agreement to utilize, other applicable annexation law for full-purpose annexation of the Terry/Bishop Tracts. Nothing in this Agreement shall be construed to require the City to submit to its City Council for approval or the City Council to approve full-purpose annexation of any or all of the Terry/Bishop Tracts. In the event of full-purpose annexation of any or all of the Terry/Bishop Tracts, City and District shall work cooperatively to obtain updated Certificates of Convenience and Necessity from the Texas Commission on Environmental Quality consistent with such full-purpose annexation.

3.6 Other Full-Purpose Annexation. Except as provided in Sections 3.4 and 3.5 of this Agreement, City and District must supplement this Agreement in the event of full-purpose annexation of other commercial property in and within the Limited Purpose Property pursuant to the terms set forth in this section. [*See* Act, subsections (f)(4), (f)(5), and (h).] District consents to noncontiguous annexation of such commercial property. [*See* Act, subsection (r).] City may, but is not required by this Agreement to utilize, other applicable annexation law for full-purpose annexation of other commercial property in and within the Limited Purpose Property; and supplementation of this Agreement shall not be a requirement for City to utilize such other applicable annexation law for full-purpose annexation of other commercial property in and within the Limited Purpose Property.

3.7 Request for Annexation. In the event a person requests City annexation of property wholly within the District and City's ETJ but not designated as Limited Purpose Property in this Agreement, and District's General Manager confirms to the City Manager that the District cannot provide water or sewer service to such property, then representatives of City and District shall

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

meet and confer to evaluate and respond to the request as may be deemed to be in the best interests of the District and the City.

Article IV. Breach, Notice, and Remedies

4.1 Notification of Breach. If either party commits a breach of this Agreement, the non-breaching party shall give Notice to the breaching party that described the breach in reasonable detail.

4.2 Cure of Breach. The breaching party shall commence curing such breach within fourteen (14) calendar days after receipt of Notice of the breach and shall complete the cure within fourteen (14) calendar days from the date of commencement of the cure; however, if the breach is not reasonable susceptible to cure by the breaching party within such fourteen (14) day period, the non-breaching party shall not bring any action so long as the breaching party has commenced to cure the breach within such fourteen (14) day period and diligently completes the cure within a reasonable time without unreasonable cessation.

4.3 Remedies for Breach. If the breaching party does not substantially cure such breach within the stated period of time, the non-breaching party may, in its sole discretion, and without prejudice to any other right under this Agreement, law, or equity, seek relief available at law or in equity, including, but not limited to, an action under the Uniform Declaratory Judgment Act, specific performance, mandamus and injunctive relief; provided, however, the non-breaching party shall not be entitled to terminate this Agreement. Damages, if any, to which any non-breaching party may be entitled shall be limited to actual damages and shall not include special or consequential damages.

Article V. Additional Provisions

5.1 Notices. All notices under this Agreement ("Notice") shall be in writing, shall be signed by or on behalf of the party giving the Notice, and shall become effective as follows: (a) on the third (3rd) business day after being deposited with the United States mail service, Certified Mail, Return Receipt Requested with a confirming copy sent by facsimile; (b) on the day delivered by private delivery or private messenger service (such as FedEx or UPS) as evidenced by a receipt signed by any person at the delivery address (whether or not such person is the person to whom the Notice is addressed); or (c) otherwise on the day actually received by the person to whom the Notice is addressed, including, but not limited to, delivery in persona and delivery by regular mail. All Notices given pursuant to this section shall be addressed as follows:

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

To City:

City of Texarkana, Texas
Attn: City Manager
220 Texas Boulevard
Texarkana, TX 75501

With copy to:
Atchley, Russell, Waldrop & Hlavinka, L.L.P.
Attn: Jeffery C. Lewis
1730 Galleria Oaks Dr.
Texarkana, TX 75503

To District:

Macedonia-Eylau Municipal Utility
District No. 1 of Bowie County
Attn: General Manager
701 S Kings Hwy
Texarkana, TX 75501

With copy to:
Miller, James, Miller & Hornsby, L.L.P.
Attn: Troy Hornsby
1725 Galleria Oaks Drive
Texarkana, Texas 75503

5.2 No Waiver. Any failure by a party to insist upon strict performance by the other party of any provision of this Agreement shall not be deemed a waiver thereof, and the party shall have the right at any time thereafter to insist upon strict performance of any and all of the provisions of this Agreement. No provision of this Agreement may be waived except in writing signed by the party waiving such provision. Any waiver shall be limited to the specific purpose for which it is given. No waiver by any party hereto of any term or condition of this Agreement shall be deemed or construed to be a waiver of any other term or condition or subsequent waiver of the same term or condition.

5.3 Governing Law and Venue. This Agreement must be construed and enforced in accordance with the laws of the State of Texas, as they apply to contracts performed within the State of Texas and without regard to any choice of law rules or principles to the contrary. The Parties acknowledge that this Agreement is performable in Bowie County, Texas, and hereby submit to the jurisdiction of the courts of Bowie County, Texas, and agree that any such court with proper jurisdiction shall be a proper forum for the determination of any dispute arising hereunder.

5.4 Authority to Execute. City warrants that this Agreement has been approved by the City Council in accordance with all applicable public meeting and public notice requirements (including, but not limited to, notices required by the Texas Open Meetings Act) and that the individual executing this Agreement on behalf of City has been authorized to do so. District warrants that this Agreement has been approved by the Board in accordance with all applicable public meeting and public notice requirements (including, but not limited to, notices required by the Open Meetings Act) and the individual executing this Agreement on behalf of District has been authorized to do so.

5.5 Entire Agreement; Severability. City and District have other agreements in effect pertaining to water and wastewater, and this Agreement shall not be construed as amending those agreements in any manner. With respect to matters authorized by law under the Act, this

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

Agreement constitutes the entire agreement between City and District and supersedes all prior agreements, whether oral or written, covering the subject matter of this Agreement. If any provision of this Agreement is determined by a court of competent jurisdiction to be unenforceable for any reason, then (a) such unenforceable provision shall be deleted from this Agreement; (b) the unenforceable provision shall, to the extent possible, be rewritten to be enforceable and to give effect to the intent of City and District; and (c) the remainder of this Agreement shall remain in full force and effect and shall be interpreted to give effect to the intent of City and District.

5.6 Changes in State or Federal Law. If any state or federal law changes so as to make it impossible for the City or the District to perform its obligations under this Agreement, the Parties will cooperate to amend this Agreement in such a manner that is most consistent with the original intent of this Agreement and legally possible.

5.7 Assignability; Successors and Assigns. This Agreement shall not be assignable by any party without the other party's written consent. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective representatives, successors and assigns.

5.8 Amendment. This Agreement may be amended only by written agreement with approval of the governing bodies of both the City and the District.

5.9 Interpretation. City and District acknowledge that each party and its legal counsel have reviewed and drafted this Agreement such that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or any amendments or exhibits hereto.

5.10 No Third-Party Beneficiaries. This Agreement is solely for the benefit of City and District. Neither City nor District intends by any provision of this Agreement to create any rights in any third-party beneficiaries or to confer any benefit or enforceable rights under this Agreement or otherwise upon anyone other than City and District.

5.11 Governmental Powers. By execution of this Agreement, neither City nor District waives or surrenders any of its respective governmental functions, powers, immunities, or rights. Nothing in this Agreement shall waive any claims, defenses or immunities that City or District has with respect to suits against City or District by persons or entities not a party to this Agreement.

5.12 Incorporation of Exhibits by Reference. All exhibits attached to this Agreement are incorporated into this Agreement by reference for the purposes set forth herein, as follows:

Exhibit "A"	Coverage Map of District
Exhibit "B"	Map of Limited Purpose Property
Exhibit "C"	Statement of Work to Implement Full-Purpose Annexation of Corridor
Exhibit "D"	Map of Limited Purpose Property ("Terry/Bishop Tracts")

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

Macedonia-Eylau Municipal Utility District No. 1 of Bowie County

By: _____ Date: _____, 2022

Keith Griffie
General Manager

City of Texarkana, Texas

By: _____ Date: _____, 2022

David W. Orr, Ph.D.
City Manager

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

Exhibit "A"

MACEDONIA-EYLAU WATER M.U.D.

Texarkana, Texas

NOVEMBER 2017

WATER SYSTEM COVERAGE MAP

N
W E
S

1,300 650 0 1,300 2,600

Scale: 1" = 1,300'

EXIST. ELEVATED STORAGE TANK

EXIST. GROUND STORAGE TANK

EXIST. 6" MASTER METER

EXIST. 4" MASTER METER

EXIST. 250,000 GAL. ELEVATED STORAGE TANK W/ BOOSTER STATION

LEGEND

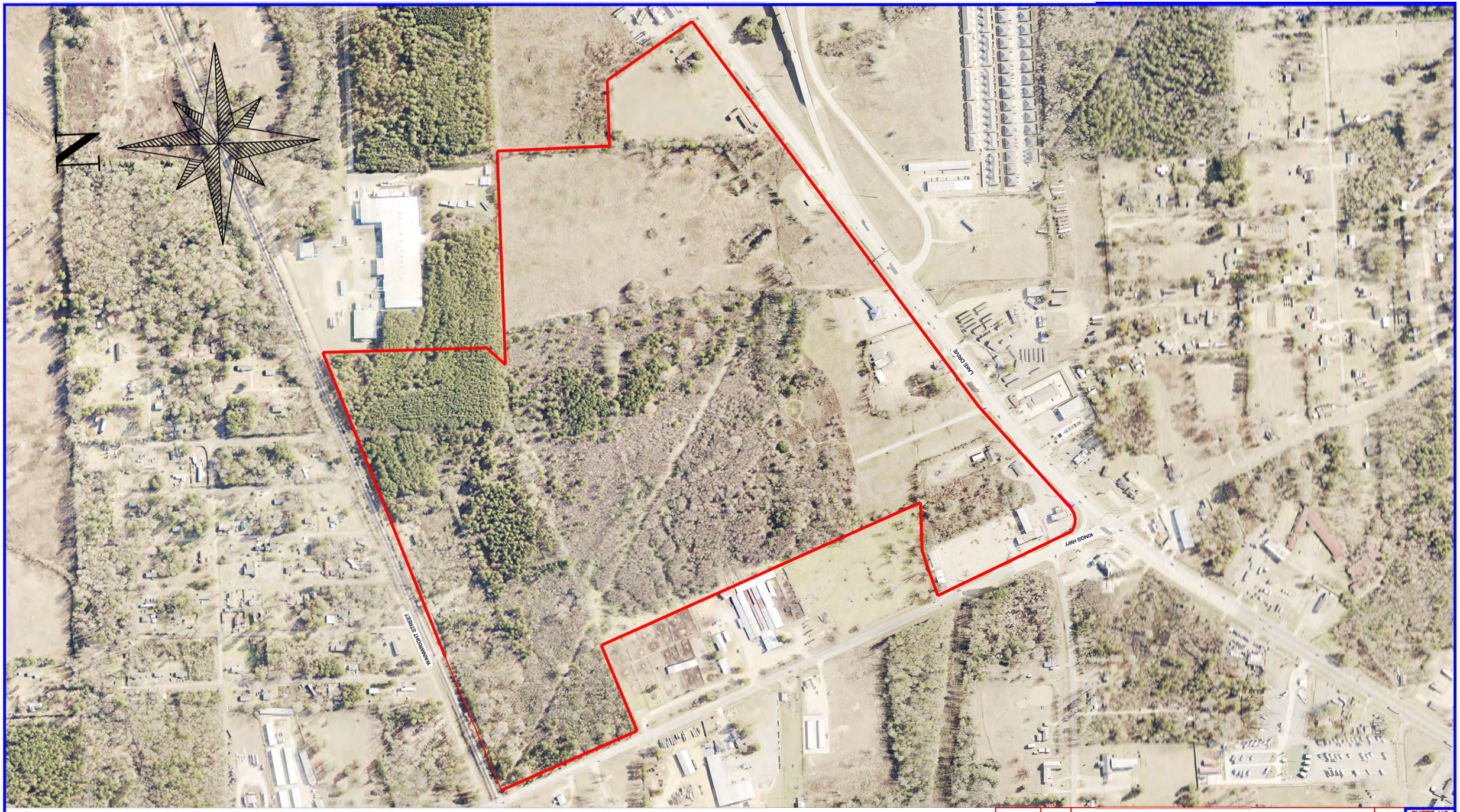
- EXIST. 12" WATER LINE
- EXIST. 10" WATER LINE
- EXIST. 8" WATER LINE
- EXIST. 6" WATER LINE
- EXIST. 4" WATER LINE
- EXIST. 2" WATER LINE
- EXIST. ELEVATED TANK
- EXIST. BOOSTER STATION W/ GROUND STORAGE

CLB ENGINEERS, INC.
923 HICKORY STREET
TEXARKANA, AR 71854
870.772.6934

Civil, Environmental, Structural & Design / Build
www.clbengineers.com

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA wMEMUD)

Exhibit "B"



REVISION	DATE	DESCRIPTION	BY

SHEET NO. C2

Texarkana Water Utilities

TWU
801 WOOD STREET
TEXARKANA, TEXAS 75501
(903)798-3829

ANNEXATION PROPOSAL

PLAN VIEW

Scale:	NA	Date:	5/3/2022
Dsn. By:	G.L.S.	Dwn. By:	M.W.L.
Ckd. By:	G.L.S.		

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

EXHIBIT "C"

Statement of Work to Implement Full-Purpose Annexation of Corridor

City and District set out their Statement of Work ("SOW") to implement Section 3.4 of the Agreement and full-purpose annexation of the Corridor as described in the Agreement.

Cost estimates and detail maps for certain aspects of this SOW are attached to this exhibit; estimates are preliminary and may not reflect actual costs.

City delegates to its City Manager, and District delegates to its General Manager, the authority to agree to written change orders or modifications to this SOW consistent with the intent of the parties as set out in the Agreement, including revisions of cost estimates to reflect actual costs; and such change orders or modifications, upon execution, shall be appended to this exhibit.

Except as otherwise stated herein, this Statement of Work is conditioned upon the City, through its City Council, approving full-purpose annexation of any or all of the Corridor.

I. Wastewater/Sewer

A. A commercial business has made inquiry to both District and City for a proposed commercial development within the Corridor on the northeast corner of Kings Highway and US Hwy 59 ("the Prospect"). District intends to convey to City the lift station on US Hwy 59 and the associated eight-inch (8") force main, located on the North side of US Hwy 59 and just to the east of the proposed commercial development (the proposed development would gravity flow into this lift station). City intends to install a flow meter on this lift station: when the City reads the meter, the usage of the Prospect (based on the water meter readings of the Prospect) will be deducted, and the difference would calculate the District's flow going into this lift station; District will be responsible for the cost of its flow. Prior to full-purpose annexation of the Corridor, City and District will work to secure the following information: customer usage and flow into the lift station, including dry weather flow and wet weather flow; the demands on the lift station with regard to the Prospect and existing customers within the Corridor to the east of the proposed development; whether the proposed commercial development or other factors relating to the Prospect's anticipated use may require a new lift station for existing and proposed customers; if a new lift station is required, the fair market value of the cost of the lift station attributable to the Prospect or other factors, and the equitable allocation of costs as between City and District.

B. City intends to install a flow meter on the lift station located in the southwest quadrant of the intersection of US Hwy 67 and Kings Highway.

C. City and District intend to re-route the Golden Rule force main to connect to the District's manhole (which flows into the lift station described in subsection A, above) located on the south side of US Hwy 59. Prior to full-purpose annexation of the Corridor, City and District

will work collaboratively on the installation of a meter on the lift station that serves the duplex subdivision located on the south side of US Hwy 59 just west of Loop 151, operation and ownership of the lift station after full-purpose annexation, and the equitable allocation of costs as between City and District.

II. Treated Water

A. City intends to relocate District's existing six-inch (6”) master meter (located at the northwest quadrant of the intersection of US Hwy 59 and Loop 151) to the northeast quadrant of the intersection of US Hwy 59 and Kings Highway.

B. City intends to run a new six-inch (6”) water main, beginning just west of the new master meter location, on the north side of Hwy 59, connecting to the existing four-inch (4”) water main at Golden Rule (and City will decommission Golden Rule’s existing connection to the existing twelve-inch (12”) water main located on the north side of US Hwy 59), which will put the Golden Rule area on the downstream side of the new master meter location; and City intends to add an additional water line of approximately 750 feet to connect the 12” water line that serves the duplex subdivisions.

C. City intends to relocate District's existing four-inch (4”) master meter (located at the intersection of Leopard Drive and Stipp Lane) to just north of Liberty Eylau’s Middle School's northern-most water meter located on Leopard Drive. This will facilitate the transfer of the school's customer account as set out in the Agreement.

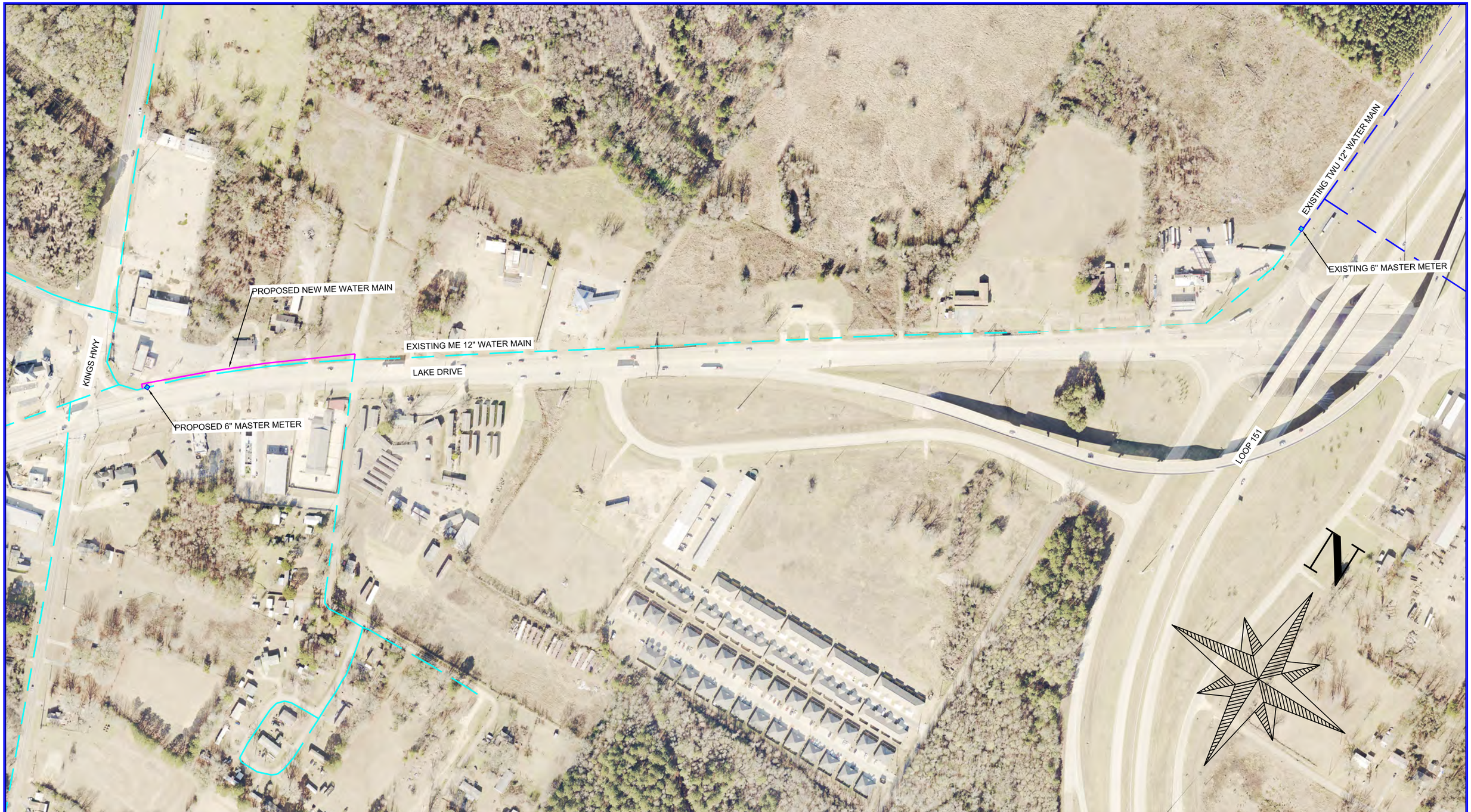
Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

INSTALLATION OF SEWER METERS					
PRELIMINARY COST ESTIMATE - MAY 15, 2022 REVISED JUNE 23, 2022					
Item No.	Description	Unit	Bid Quantity	Unit Price	Total Bid
1	Mobilization, Bonds, & Submittals	EA	1	$5,000.00	$5,000.00
2	Mag Meter	EA	3	$3,506.00	$10,518.00
3	Signal Converter	EA	3	$1,642.00	$4,926.00
4	Vault	EA	3	$8,500.00	$25,500.00
5	Installation of Vault, Meter, & Controls	EA	3	$5,000.00	$15,000.00
6	Remote Monitoring System	EA	3	$15,000.00	$45,000.00
7	8" Sewer Pipe	LF	120	$50.00	$6,000.00
8	Electrical Power to Site	EA	3	$7,000.00	$21,000.00
9	Equipment Electrical Connections	EA	3	$1,500.00	$4,500.00
10	Fencing	LF	75	$30.00	$2,250.00
11	Gate	EA	3	$250.00	$750.00
12	Miscellaneous	LS	1	$7,500.00	$7,500.00
13	3" Force Main & Connection	LF	200	$20.00	$4,000.00
17	Cut, Plug, & Abandon 3" Force Main	EA	1	$1,000.00	$1,000.00
20	Trench Protection	LS	1	$3,000.00	$3,000.00
21	Cellulose Fiber Mulch Seeding	LS	1	$2,000.00	$2,000.00
22	Golden Rule 3" FM by Open Cut	LF	210	$20.00	$4,200.00
23	Golden Rule 3" FM by Bore	LF	20	$50.00	$1,000.00
24	3" Force Main Connection to Exist. MH	EA	1	$1,500.00	$1,500.00
25	Remove & Replace Concrete	SY	70	$400.00	$28,000.00
	SUB-TOTAL				**$192,644.00**
	15% CONTINGENCIES				$28,896.60
	SUB-TOTAL				**$221,540.60**
	ENGINEERING				$22,154.06
	TOTAL				**$243,694.66**

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

RELOCATE 6" & 4" MASTER METERS					
PRELIMINARY COST ESTIMATE - MAY 2, 2022 REVISED JUNE 23, 2022					
Item No.	Description	Unit	Bid Quantity	Unit Price	Total Bid
1	Mobilization, Bonds, & Submittals	LS	1	$5,000.00	$5,000.00
2	6" Master Meter & Vault	LS	1	$65,000.00	$65,000.00
3	12" x 6" Tapping Sleeve & Valve	EA	2	$5,000.00	$10,000.00
4	12" Stop Valve	EA	2	$10,000.00	$20,000.00
5	Cut, Plug, & Abandon 12"	EA	2	$2,500.00	$5,000.00
6	Miscellaneous Piping	LS	1	$5,000.00	$5,000.00
7	Remove Exist. 6" Meter & Install Pipe	LS	1	$2,500.00	$2,500.00
8	Remove & Replace Existing Pavement	SY	45	$400.00	$18,000.00
9	6" PVC C-900 Water Pipe by Open Cut	LF	1000	$45.00	$45,000.00
10	6" Certa-Lok C-900 Water Pipe by Bore	LF	460	$120.00	$55,200.00
11	6" x 6" Tapping Sleeve & Valve	EA	1	$4,000.00	$4,000.00
12	Cut, Plug, & Abandon 6"	EA	1	$2,500.00	$2,500.00
13	12" x 6" Tapping Sleeve & Valve	EA	1	$5,000.00	$5,000.00
14	6" x 4" Tapping Sleeve & Valve	EA	1	$3,000.00	$3,000.00
15	Cut, Plug, & Abandon 4"	EA	2	$2,000.00	$4,000.00
16	4" Master Meter & Vault	LS	1	$45,000.00	$45,000.00
17	10" x 4" Tapping Sleeve & Valve	EA	2	$3,500.00	$7,000.00
18	10" Stop Valve	EA	2	$10,000.00	$20,000.00
19	Cut, Plug, & Abandon 10"	EA	2	$2,500.00	$5,000.00
20	Miscellaneous Piping	LS	1	$4,000.00	$4,000.00
21	Remove Exist. 4" Meter & Install Pipe	LS	1	$2,500.00	$2,500.00
22	Trench Protection	LS	1	$3,500.00	$3,500.00
23	Cellulose Fiber Mulch Seeding	LS	1	$4,000.00	$4,000.00
24	Silt Fence	LF	490	$6.50	$3,185.00
	SUB-TOTAL				**$343,385.00**
	15% CONTINGENCIES				$51,507.75
	SUB-TOTAL				**$394,892.75**
	ENGINEERING				$39,489.28
	TOTAL				**$434,382.03**

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)



REVISION	DATE	DESCRIPTION	BY

SHEET NO. C2

TWU
801 WOOD STREET
TEXARKANA, TEXAS 75501
(903)798-3829

MASTER METER RELOCATION
LAKE DRIVE
PLAN VIEW

Scale:	1=300	Date:	5/3/2022
Dsn. By:	G.L.S.	Dwn. By:	M.W.L.
Ckd. By:	G.L.S.		

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)



REVISION	DATE	DESCRIPTION	BY

SHEET NO. C1

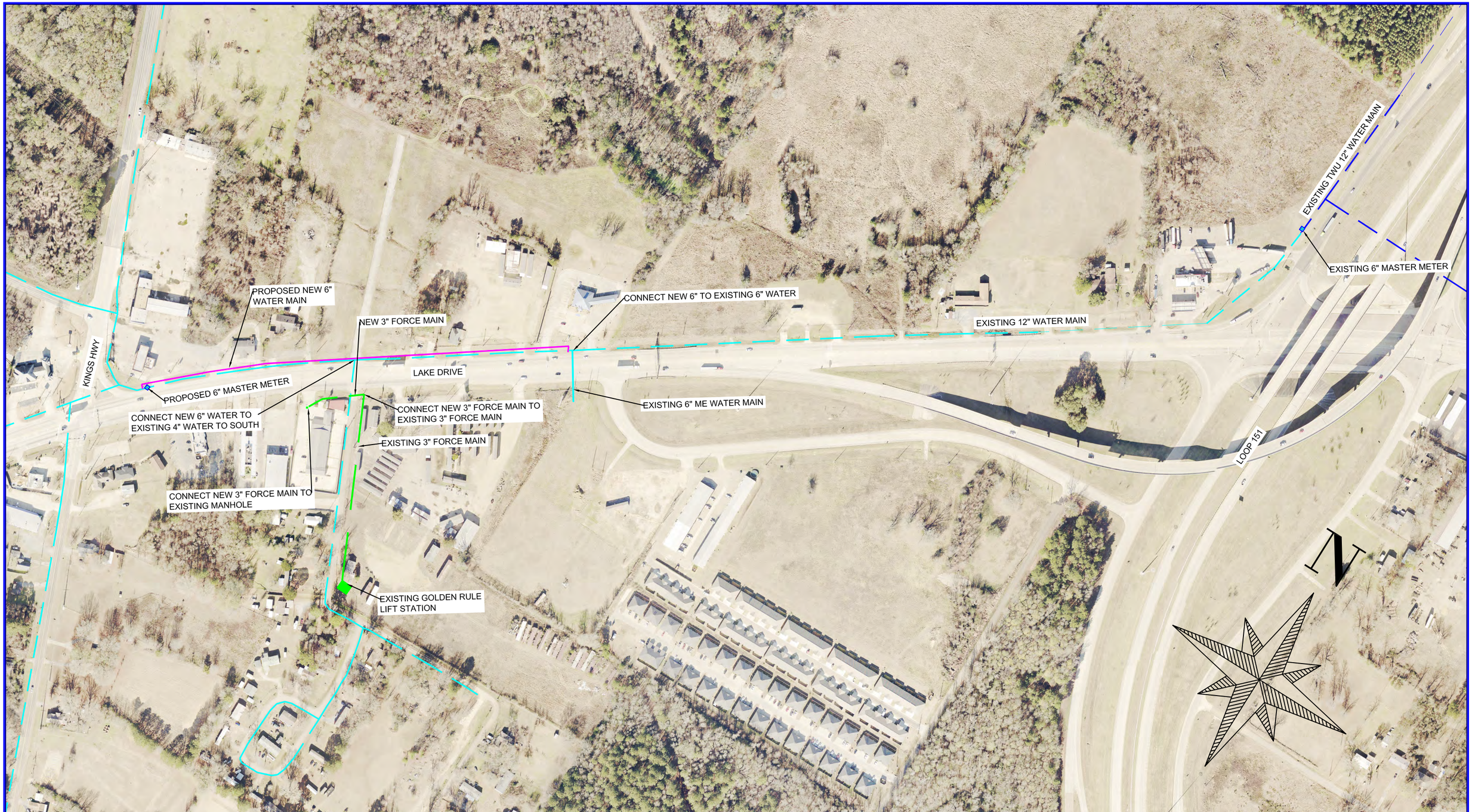
Texarkana Water Utilities

TWU
801 WOOD STREET
TEXARKANA, TEXAS 75501
(903)798-3829

MASTER METER RELOCATION
LEOPARD DRIVE
PLAN VIEW

Scale:	1=100	Date:	5/3/2022
Dsn. By:	G.L.S.	Dwn. By:	M.W.L.
Ckd. By:	G.L.S.		

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)



REVISION	DATE	DESCRIPTION	BY

SHEET NO. C2

Texarkana Water Utilities

TWU
801 WOOD STREET
TEXARKANA, TEXAS 75501
(903)798-3829

MASTER METER RELOCATION
LAKE DRIVE
PLAN VIEW

Scale:	1=300	Date:	5/3/2022
Dsn. By:	G.L.S.	Dwn. By:	M.W.L.
Ckd. By:	G.L.S.		

Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving SPA w/MEMUD)

Exhibit "D"



Attachment: 2022-130 ATTH 01 SPA draft TXK - MEMUD (RELEASE 7-19) (3841 : 2022-130 RES approving

MACEDONIA-EYLAU MUNICIPAL UTILITY DISTRICT #1
701 S. KINGS HIGHWAY
TEXARKANA, TX. 75501
SPECIAL MEETING OF BOARD MEMBERS
SEPTEMBER 26, 2022

Members present: Robert Bryan
Vincent Johnson
Malvin Patterson
Debra Elijah
Robert Radford

Also present: Keith Griffie and Kristy Harvey

The meeting was called to order at 5:35 P.M.

Malvin Patterson made a motion to accept the Board meeting minutes from August 2, 2022, to August 8, 2022, with the exception of taking off Board members Robert Radford and Vincent Johnson who didn't attend, and September 13, 2022. Robert Bryan seconded the motion. Motion carried.

Keith discussed with the members that Kyle Trumble has property off of Heritage Blvd. that he is wanting to develop and sell lots. He explained that currently there is a pressure problem at Heritage Blvd. due to only having an 8-inch line there. He explained if we approve Mr. Trumble to get water through us that it's going to bring the pressure even lower for the current residents that live there. The only way to fix the problem is to build another above-ground storage tank and run new lines that will handle any more water customers being on that current line. At this time, we don't have the funds to do that project. The board decided for right now we couldn't take on any more customers that would be tying into that line.

The Board discussed the Proposed Strategic Partnership Agreement between the City of Texarkana and Macedonia-Eylau M.U.D. #1. Debra Elijah Board President asked if all members were in agreement on accepting their proposal. The Board member's main concern is that the ETJ needs to be agreed on and can't go back on the city trying to annex more of our boundaries. We need to know where we

Attachment: 2022-130 ATTH 02 Board minutes 092622 (003) (3841 : 2022-130 RES approving SPA w/MEMUD)

stand legally on this matter. If we keep our current ETJ we will accept the proposed Strategic Partnership Agreement for the Commercial development of the specific, limited territory within the Municipal Utility District and the City's extraterritorial jurisdiction as authorized by Section 43.0751 of the Texas Local Government Code. Robert Radford voted to accept these terms regarding the proposed Strategic Partnership Agreement. Malvin Patterson seconded the motion. Motion carried.

Debra Elijah called for the meeting to adjourn at 6:11 P.M. Robert Bryan accepted the motion. Malvin Patterson seconded the motion. Motion carried.

X Robert Radford

Robert Radford
Board of Directors-Secretary

Attachment: 2022-130 ATTH 02 Board minutes 092622 (003) (3841 : 2022-130 RES approving SPA w/MEMUD)

RESOLUTION ADOPTING STRATEGIC PARTNERSHIP AGREEMENT WITH CITY OF TEXARKANA, TEXAS

No. 2022-_____

A RESOLUTION OF THE MACEDONIA-EYLAU MUNICIPAL UTILITY DISTRICT NO. 1 OF BOWIE COUNTY, APPROVING AND ADOPTING THE PROPOSED STRATEGIC PARTNERSHIP AGREEMENT WITH CITY OF TEXARKANA, TEXAS AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE ATTACHED AGREEMENT.

WHEREAS, the Board of the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County unanimously desires to enter into the Proposed Strategic Partnership Agreement with City of Texarkana, Texas (SPA) attached hereto; and

WHEREAS, the Board of the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County has authorized the Board President, Deborah Elijah, to execute the attached SPA,

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED BY THE MACEDONIA-EYLAU MUNICIPAL UTILITY DISTRICT NO. 1 OF BOWIE COUNTY:

Section 1. **Agreed.** The Board hereby unanimously agrees to the attached Strategic Partnership Agreement with the City of Texarkana, Texas.

Section 2. **Authorization.** The Board hereby authorizes the Board President, Deborah Elijah, to execute the attached SPA between the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County and the City of Texarkana, Texas.

Section 3. **Effective Date.** This Ordinance shall be effective upon passage and execution.

DULY PASSED AND APPROVED on this 29th day of September, and executed this _____ day of October, 2022.

APPROVED:

Deborah Elijah
Board President

Attachment: 2022-130 ATTH 03 MUD's Resolution (3841 : 2022-130 RES approving SPA w/MEMUD)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

Public Information Plan:

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

Other:

Attachment: 2022-130 Goals & Perspectives (3841 : 2022-130 RES approving SPA w/MEMUD)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/21/2022 11:54 AM

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

Subject: Ordinance No. 2022-123 amending Chapter 140, Article V, Sec. 106 (f) Historic Designation, of the Code of Ordinances of the City of Texarkana, Texas, to provide tax relief for redeveloped non-residential zoned historic properties.

Briefing: 10/24/2022 **Public Hearing:** 11/14/2022 **Council Vote:** 11/14/2022

Item Schedule

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

Chapter 140 Article V Section 106 (f) currently provides tax relief from Annual City Ad Valorem taxation to properties located in a designated Historic District. This tax relief is ten (10 percent of the assessed value of a structure, including the land necessary for access to and use of the structure.

In order to encourage redevelopment of our historic structures and reinvestment in our community, this amendment to Chapter 140 Article V Section 106 (f) provides tax relief from annual City Ad Valorem taxation for non-residential zoned properties that are listed on the National Register of Historic Places, a Recorded Texas Landmark, State Archaeological Landmark, or locally designated landmark including commercial property redeveloped for residential uses holding one of the historic designations. The following criteria must be met

1. Structure is in use providing an economic service to the community, or being redeveloped to provide an economic impact to the community; and meet the following:
    a. Restorations of twenty-five thousand dollars ($25,000) or more in BCAD improvement value
    b. Structural repairs and improvements
    c. Electrical repairs and improvements
    d. Plumbing repairs and improvements
    e. Mechanical repairs and improvements
    f. Interior repairs and improvements
    g. Exterior Restoration
2. Each applicant must submit documentation reflecting the cost of the eligible reinvestment project and complete the project within the agreed time frame.
3. Façade restoration must comply with Design Guidelines, which are based on the Secretary of the Interior's standards and must obtain a Certificate of Appropriateness through the Historic Landmark Preservation Committee.
4. Consultation with the Texas Historic Commission and Tribal Consultation (when applicable) required for any property listed on the National Register of Historic Places, a Recorded Texas Landmark, or State Archaeological Landmark.

5. Must be in compliance with all adopted City building codes with a current Certificate of Occupancy.
6. City Staff will coordinate with Bowie Central Appraisal District to create a tax exemption rebate process for the program.

This tax relief of non-residential zoned historic property is in line with other comparable East Texas cities. Paris Texas offers one hundred (100) percent of the increased value for seven (7) years; Tyler offers abatement on fifty (50) percent of the assessed value and abatement on 100 percent of the increased value; and Mt. Vernon offers a fifty (50) percent reduction in the city's portion of their property taxes with no limit to the number of years the owner can apply for the exemption as long as at least $1,250 of improvements are completed during the year application is submitted.

City staff will coordinate with Bowie Central Appraisal District to finalize the process, but the process planned would include requirements for the applicant to submit proof of paid taxes each year and an application for reimbursement annually. This would provide the opportunity for staff to confirm the project is either still moving forward toward redevelopment, or that the planned redevelopment is complete and still in operation continuing to provide an economic impact.
The Historic Landmark Preservation Committee has reviewed this change via email and unanimously recommends approval. Minutes with an official vote will be provided after the October 26th Historic Landmark Preservation Committee Meeting.

Potential Options:

- Approve
- Deny

Fiscal Implications:

The fiscal implications of this tax relief are outlined in two parts. There are eight (8) properties with the potential to utilize this tax relief. At the current tax value of the eight (8) properties the fiscal implications would total $25,835.30 in tax relief over 10 years. Making considerations for an average level of redevelopment and the varying sizes of the properties, the estimated fiscal implications for all eight (8) properties after redevelopment could total $1,970,539.63 over a five to ten year period depending on the chosen tax relief option.

Staff Recommendation:

Staff Recommends Approval

Advisory Board/Committee Review:

Board/Committee Recommendation:

Historic Landmark Preservation Committee reviewed and recommended approval via email and this item will be on the official agenda October 27, 2022.

Advisory Board/Committee Meeting Date and Minutes:

(Insert Minutes Here - PENDING)

Attachments

a. 2022-123 ORD Amending Ch 140-106 (rev) (DOCX)
b. 2022-123 EXH 'A' Sample Cities in East Texas (PDF)
c. 2022-123 ATTH 01 Fiscal Impact Texarkana (XLSX)
d. 2022-123 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	Skipped	Vicky Coopwood 10/20/2022 2:57 PM	Department Head Review	
City Manager 3:07 PM	David Orr	City Manager Review	Completed	10/20/2022
City Council 6:00 PM	Vicky Coopwood	Meeting	Pending	10/24/2022

Meeting History

ORDINANCE NO. 2022-123

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 140-106 (F) TO PROVIDE TAX RELIEF FOR REDEVELOPED NON-RESIDENTIAL ZONED HISTORIC PROPERTIES IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The City of Texarkana, Texas desires to preserve its historic assets; and

WHEREAS, the proposed change is intended to facilitate reinvestment in our community for sites listed on the National Register of Historic Places, a Recorded Texas Landmark, State Archaeological Landmark, or locally designated landmark; and

WHEREAS, the Historic Landmark Preservation Committee voted unanimously to recommend approval of this amendment; and

WHEREAS, after consideration of this amendment and the recommendation of the Historic Landmark Preservation Committee, the City Council of the City of Texarkana, Texas, does hereby find that approval of this amendment 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: Chapter 140-106 (f) is hereby amended to include:

a. Adding a definition for Tax Incentive

Tax Relief means relief from annual City Ad Valorem taxation for properties located in a designated historic district or properties listed on the National Register of Historic Places, a Recorded Texas Landmark, State Archaeological Landmark, or locally designated landmark.

b. Amending Chapter 140-106 (f) to read

(f) In accordance with state law, the city council finds that all structures located within designated Historic Residential Overlay Districts and non-residential zoned property that is listed on the National Register of Historic Places, a Recorded Texas Landmark, State Archaeological landmark, or locally designated landmark including commercial property redeveloped for residential uses, are historically significant and entitled to tax relief in order to encourage historic preservation and redevelopment

(1) The city shall exempt ten percent of the assessed value of a structure, including the land necessary for access to and use of the structure, from annual city ad valorem taxation. In order to receive this tax exemption, the structure must have been

Attachment: 2022-123 ORD Amending Ch 140-106 (rev) (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic

located within a designated Historic Residential Overlay District on January 1 of the applicable tax year and must be designated as the owner's homestead for the applicable tax year.

(2) The city shall exempt fifty (50) percent of the assessed value of a structure, including the land necessary for access to and use of the structure from annual city ad valorem taxation for a period of 10 years from start of redevelopment, or one hundred (100) percent of the assessed value of said structure for five (5) years for any non-residential zoned property that is listed on the National Register of Historic Places, a Recorded Texas Landmark, State Archaeological Landmark, or locally designated landmark including commercial property redeveloped for residential uses holding one of the historic designations. In order to receive this exemption, the structure must be in use providing an economic service to the community, or being redeveloped to provide an economic impact to the community and meet the following:

- *a. Restorations amounting to twenty-five thousand dollars ($25,000) or more in BCAD improvement value*
- *b. Structural repairs and improvements;*
- *c. Electrical repairs and improvements;*
- *d. Plumbing repairs and improvements;*
- *e. Mechanical repairs and improvements;*
- *f. Interior repairs and improvements;*
- *g. Exterior restoration.*

(3) Each applicant must submit documentation reflecting the cost of the eligible reinvestment project and complete the project within the agreed time frame.

(4) Façade restoration must comply with Design Guidelines, which are based on the Secretary of the Interior's Standards. Prior to beginning the reinvestment project, the property owner shall apply for and receive a certificate of appropriateness pursuant to 140-106 (e) of this ordinance.

(5) For properties listed on the National Register of Historic Places, a Recorded Texas Landmark, or State Archaeological Landmark, consultation with the Texas Historic Commission is required as well as Tribal Consultation when applicable.

(6) Must be in compliance with all adopted City building codes with a current Certificate of Occupancy.

(7) City staff will coordinate with Bowie Central Appraisal District to create a tax exemption rebate process for the program.

Attachment: 2022-123 ORD Amending Ch 140-106 (rev) (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic

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 **14th day of November, 2022.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2022-123 ORD Amending Ch 140-106 (rev) (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic

City of Paris, Texas

Division 4. Tax Exemption for Historically Significant Sites

Sec. 2.08.091 Authorized; eligibility

(a) Designation of historically significant sites in need of tax relief to encourage their preservation. For the purposes of this division, and subject to the eligibility requirements of subsection (d) of this section, all properties located within the boundaries of historic districts, as the same are and shall be hereafter designated in accordance with article 9.05 of the Code of Ordinances of the city (the historic preservation ordinance), and the zoning ordinance of the city, are hereby designated as historically significant sites in need of tax relief to encourage their preservation.

(b) Rehabilitation of property.

(1) Any property which is designated as a "historically significant site in need of tax relief to encourage its preservation" pursuant to the terms of this division, and which is substantially rehabilitated as provided herein, shall have exempted for a period of seven (7) years, one hundred (100) percent of any increase in the assessed value for ad valorem tax purposes in excess of the assessed value of the property for the tax year immediately prior to its rehabilitation; that is, the taxable value of said property for ad valorem tax purposes shall not for seven (7) years exceed the value of the property for the tax year immediately prior to the rehabilitation.

(2) Only the historic structure and the land reasonably necessary for access to, and use of, the structure shall be subject to the tax exemption. The exemption period shall begin on the first day of the tax year following completion of the rehabilitation project. Upon qualification, said exemption shall be available to any particular historically significant site one (1) time only for a period of seven (7) years as set forth above.

(c) New construction.

(1) Any property which is designated as a "historically significant site in need of tax relief to encourage its preservation" pursuant to the terms of this division, and is the site for new, historically compatible construction as provided herein, shall have exempted for a period of three (3) years, one hundred (100) percent of any increase in the assessed value for ad valorem tax purposes in excess of the assessed value of the property for the tax year immediately prior to the construction of the new, historically compatible structure(s); that is, the taxable value of said property for ad valorem purposes shall not for three (3) years exceed the value of the property for the tax year immediately prior to the new construction.

(2) Only the new, historically compatible construction and the land reasonably necessary for access to, and use of, the new, historically compatible construction shall be subject to the tax exemption. The exemption period shall begin on the first day of the tax year following completion of the new, historically compatible construction project. Upon qualification, said exemption shall be available to any particular historically significant site one (1) time only for a period of three (3) years as set forth above.

(d) Eligibility requirements. To be eligible for a property tax exemption, a property must as a minimum meet the following requirements:

(1) The property must meet the requirements for designation as a historically significant site in need of tax relief to encourage its preservation.

(2) The property must meet all requirements for application and verification as set forth herein.

(3) Tax exemption will be considered for eligible projects resulting in an expenditure to rehabilitate the property in an amount of not less than five thousand dollars ($5,000.00) for property zoned or used for residential purposes, and not less than ten thousand dollars ($10,000.00) for property zoned or used for retail, office, commercial, or central area district purposes. Only expenditures for improvements to the exterior of structures, such as improvements to the foundation, roof, outer walls, and fences, and/or

Attachment: 2022-123 EXH 'A' Sample Cities in East Texas (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic Property

expenditures for improvements to the property which would require the issuance of a certificate of appropriateness under the city's historic preservation ordinance, shall be eligible to qualify for tax exemption. Expenditures on the interior of a structure shall not be used in determining whether a property has qualified for tax exemption.

(4) Tax exemption will be considered for eligible projects resulting in an expenditure for new, historically compatible construction on the property in an amount of not less than one hundred thousand dollars ($100,000.00) for property zoned or used for residential purposes, and not less than two hundred thousand dollars ($200,000.00) for property zoned or used for retail, office, commercial, or central area district purposes. Only expenditures for the cost of constructing new, historically compatible structures, which would require the issuance of a certificate of appropriateness under the city's historic preservation ordinance, shall be eligible for tax exemption.

(5) To be eligible for such an exemption, no property taxes may be owed on the property itself, and the property owner must be current in the payment of all property taxes for property owned and located within the city at the time of application and throughout the term of the exemption.

(6) All construction must be performed in full compliance with all applicable city codes.

(e) Grant of exemption discretionary. The grant of any tax exemption shall be at the sole discretion of the city council, and the creation of this policy providing for such tax exemption shall not in any way be construed to imply that any applicant for tax exemption under this division has the right or entitlement to any such tax exemption. In exercising such discretion, the city council may by future policy, amendments or otherwise determine those tax exemptions which best serve the needs of the city for preservation of historical structures relative to the tax revenue lost as the result of such exemption.

(Ordinance 2004-055, sec. 3, adopted 11/18/04; Ordinance 2005-020, sec. 2, adopted 5/18/05; 1988 Code, sec. 30-50)

Sec. 2.08.092 Application process

Applications for a historically significant site tax exemption pursuant to this division are to be filed with the city manager, or such other city official designated by the city manager, who shall be the agent for the city for the purposes of administering this division. Each application must be signed by the owner of the property, be acknowledged before a notary public, and shall:

(1) State the legal description;

(2) Include an affidavit by the owner stating the proposed property is located within a historic district (HD), that no taxes are owed thereon, and that no taxes are owed on any property in the city owned by the property owner;

(3) Include detailed plans and/or descriptions of the proposed work demonstrating new construction or rehabilitation is in accordance with the city's historic preservation ordinance, any applicable design guidelines, and all city codes;

(4) Include cost estimates indicating the cost of the construction, repair or rehabilitation will equal or exceed the minimum requirements established in section 2.08.091(d)(3) and 2.08.091(d)(4) of this division;

(5) Include a projection of the estimated construction time and predicted completion date of the construction, repair or rehabilitation;

(6) Authorize the members of the historic preservation commission, the city manager or designee, representatives of the Lamar County Appraisal District, and elected officials to visit and inspect the property proposed for exemption to verify that it is in need of construction, repair or rehabilitation and to verify construction, repair or rehabilitation;

(7) Sign an agreement, styled "historic preservation tax exemption agreement," to in all things comply with the requirements of this division regarding the tax exemption, agreeing to comply with all requirements of the city governing said improvements, providing for recapture of all exempted taxes in the event of noncompliance with the requirements hereof, and including such other terms and conditions as

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the city shall require;

(8) Include a tax certificate showing all taxes due upon the property have been paid;

(9) Provide any additional information to the historic preservation commission and the city manager or designee, or representatives of the Lamar County Appraisal District, which the city, the commission, the district, or the owner deems relevant or useful, such as the history of the site, access to the site by the public, or any proposed changes in use of the site.

(Ordinance 2004-055, sec. 3, adopted 11/18/04; Ordinance 2005-020, sec. 3, adopted 5/18/05; 1988 Code, sec. 30-51)

Sec. 2.08.093 Application review process

Upon receipt of the sworn application, the city manager, or his designee, shall forward the application to the historic preservation commission and to appropriate city code officials for review. The historic preservation commission shall review the proposed repair or rehabilitation or new, historically compatible construction for conformance with the city's historic preservation ordinance and any applicable design guidelines with regard to issuance of certificates of appropriateness where required. City code officials shall review the proposed construction for compliance with all applicable city codes. Following completion of its review, the historic preservation commission shall notify the city manager accordingly. The city manager shall approve a properly completed application as eligible for tax exemption, subject to verification of completion as provided herein. (Ordinance 2004-055, sec. 3, adopted 11/18/04; Ordinance 2005-020, sec. 4, adopted 5/18/05; 1988 Code, sec. 30-52)

Sec. 2.08.094 Verification process

Upon completion of the repair or rehabilitation, or new, historically compatible construction, the applicant shall submit to the city manager, or his designee, a sworn statement of completion acknowledging that the site has been substantially repaired or rehabilitated or new, historically compatible construction has been completed in accordance with the plan approved under this division. In the instance of repair or rehabilitation, the applicant must also present documentation verifying that the cost of repair or rehabilitation meets or exceeds the amounts established in section 2.08.091(d)(3) of this division. In the instance of new, historically compatible construction, the applicant must also present documentation verifying that the cost of the new, historically compatible construction meets or exceeds the amounts established in section 2.08.091(d)(4) of this division. The city manager, or his designee, and the historic preservation commission, upon receipt of the sworn statement of completion, but no later than thirty (30) days thereafter, shall make an investigation of the property and shall approve or disapprove that the property has been completed as required. If the repair, renovation, or new, historically compatible construction deviates in any way from the plans approved by the historic preservation commission or the city's code officials, verification of completion shall be deemed unfavorable, and the applicant shall be required to complete or correct the repair, rehabilitation, or new construction in order to obtain the tax exemption provided by this division, or appeal the city manager's or historic preservation commission's decision to the city council. When the verification of completion receives a favorable review by the historic preservation commission, the commission shall notify the city manager in writing of compliance. Thereafter, if the city manager is likewise satisfied, the city manager shall enter into a tax exemption agreement and execute a tax exemption certificate and forward same to the Lamar County Appraisal District. If required by the Lamar County Appraisal District, the city manager, or designee, shall provide annually a list of sites eligible for tax exemption under this division. (Ordinance 2004-055, sec. 3, adopted 11/18/04; Ordinance 2005-020, sec. 5, adopted 5/18/05; 1988 Code, sec. 30-53)

Sec. 2.08.095 Property appearance guidelines

Properties that receive tax exemption in accordance with this division shall be maintained in accordance with the requirements of the historic preservation ordinance and all applicable city codes. (Ordinance 2004-055, sec. 3, adopted 11/18/04; 1988 Code, sec. 30-54)

Sec. 2.08.096 Alteration or destruction of property; recapture of taxes for noncompliance

(a) During the exemption period, if the city manager or his designee, or the historic preservation commission, has reason to believe that a structure receiving tax exemption pursuant to this division has been altered or totally or partially destroyed without compliance with all applicable city codes and ordinances, or allowed to deteriorate by the willful act or negligence of the owner or his/her representative, the city manager or his designee shall immediately cause the matter to be scheduled for

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consideration by the city council. If, after giving notice and hearing to the owner, the city council determines that the structure receiving tax exemption pursuant to this division has been totally or partially destroyed or altered without compliance with all applicable city codes and ordinances, or allowed to deteriorate by the willful act or negligence of the owner or his representative, then the tax exemption agreement shall terminate, all exemption of taxes shall likewise terminate, and the current owner shall immediately repay to the city and all other local taxing entities all of the tax revenues that were not paid because of the exemption plus interest calculated at an annual rate of seven (7) percent. This provision shall not apply to destruction or alterations that result from acts of God.

(b) If the tax exemption certificate executed by the city manager is timely recorded by the owner of the site in the deed records of Lamar County with the approved application, the tax exemption authorized herein shall constitute a covenant running with the land for a period of three (3) years as provided in section 2.08.091(c) of this division or for a period of seven (7) years as provided in section 2.08.091(b) of this division. Likewise, any tax exemption approved in accordance with this division shall apply for future owners of the affected property for the remainder of the three (3) or seven (7) year term (whichever is applicable), provided the owner or owners execute an assignment of the tax exemption agreement in such form as the city shall specify. Should the current owner of the site ever cease to comply with the terms of the application, the tax exemption agreement, or this division during the three (3) or seven (7) year period, the exemption may be revoked for the years remaining within the applicable three (3) or seven (7) year period, upon the finding of such noncompliance by the city council, after giving notice of hearing to the owner. The city manager, or his designee, shall advise the chief appraiser of the Lamar County Appraisal District of the revocation of the exemption and shall file an appropriate document in the deed records of Lamar County revoking the tax exemption.

(c) In the event that the city or any other affected jurisdiction having granted a tax exemption hereunder determines that the applicant or owner is in default of any of the terms or conditions contained in the application, in the tax exemption agreement, or in this division, then the affected jurisdiction shall give the applicant or current owner (60) days' written notice to cure such default. In the event such default is not cured to the satisfaction of the affected jurisdiction within the sixty-day notice period, then the tax exemption agreement shall terminate, all exemption of taxes shall likewise terminate, and the current owner shall immediately repay to the city and all other local taxing entities all of the tax revenues that were not paid because of the exemption plus interest calculated at an annual rate of seven (7) percent.

(d) In every case of termination set forth above, any affected jurisdiction having granted the tax exemption may determine whether default has occurred by the applicant or owner in the terms and conditions of the application, the tax exemption agreement, or this division, and shall so notify all other affected jurisdictions. Termination of the tax exemption agreement by any affected jurisdiction shall constitute simultaneous termination of all tax exemption agreements of all other affected jurisdictions.

(Ordinance 2004-055, sec. 3, adopted 11/18/04; Ordinance 2005-020, sec. 6, adopted 5/18/05; 1988 Code, sec. 30-55)

Secs. 2.08.097–2.08.120 Reserved

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Funding—IncentiveSources

The following are several major sources of funding that may have potential for implementing the initiatives presented in this Strategic Historic Preservation Plan.

LOCAL LEVEL FUNDING

Ad Valorem/Property Tax Abatement.
The City of Tyler and the Historical Preservation Board currently offer abatement on 50 percent of the assessed value of a designated Tyler Historic Landmark and an abatement on 100 percent of the increase in property value following a Board-approved rehabilitation project

Tax Increment Reinvestment Zone (TIRZ).
Tax Increment Financing is a State authorized program administered by a municipality that allocates future increases in property taxes from a designated area for improvements dedicated to that area, including property enhancements, façade improvements, adaptive use projects, and streetscape and gateway enhancements. In Texas, Tax Increment Financing is implemented at the local level through the establishment of a Tax Increment Reinvestment Zone (TIRZ).

Public Improvement Districts (PIDs).
A Public Improvement District is a State authorized financing program that can be administered by the City or by a designated service provider agency to deliver a wide range of physical improvements and additional services in a defined geographic area, such as a Downtown commercial district. A PID usually has a defined term limit such as three to five years and is funded by a special tax assessment paid by the property owners within the designated PID. A PID is only established and renewed through a municipal enabling ordinance.

Capital Improvement Plan.
Most communities incorporate some aspects of public improvement initiatives for historic resources, such as brick street maintenance within the municipal capital improvements plan.

Hotel Occupancy Tax.
Local communities in Texas are permitted to levy a six percent tax on the occupancy of rooms in hotels, motels, bed and breakfasts and short-term accommodations in apartments and condominiums. Proceeds from the Hotel Occupancy Tax can be used for tourism and community marketing and promotion activities.

Equity/Community-Supported Financing.
A community equity fund is most often used to provide gap financing for start-up businesses or for the rehabilitation or adaptive use of a commercial property. Equity funds themselves are formed by the pooling of funds from local investors. An equity fund can also be used in combination with other incentives as part of a gap financing structure for a building rehabilitation project.

Community Foundations.
Local community foundations may provide support for specific preservation outreach and education activities.

Preservation Easement.
A preservation easement donation is a one-time charitable Federal income tax deduction equal to the appraised value of the preservation easement. The easement assigns the right to review and approve alterations to a qualified non-profit organization for preserving the property in perpetuity. Property must be a certified historic structure in the National Register of Historic Places, individually listed, or contributing to a local Landmark District.

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City of Mt. Vernon, Texas

Sec. 5.2-31. - Purpose.

The purpose of these guidelines is to help the property owner and the Landmark Commission of the City of Mt. Vernon in determining the types of alterations, renovations, and changes that will maintain the special qualities of historical residential districts in Mt. Vernon, Texas.

The guidelines apply only to the exterior of properties in the historic residential districts of the City of Mt. Vernon, Texas, and will guide the landmark commission for issuing a certificate of appropriateness. Nothing in these guidelines shall change the requirements for issuance of a building permit through the City of Mt. Vernon.

There are several points to remember when using the guidelines. Every building is unique. Even buildings that look identical have a few details or a setting that distinguishes them from any other buildings. This means that what is appropriate for one (1) building may not be appropriate for another. Each building must be reviewed on an individual basis both by the property owner and by the landmark commission.

Over the years, some buildings have been altered or details have been removed. Although it may be preferred to restore these buildings to their original appearance, the guidelines and the landmark commission acknowledge that an exact restoration is not always practical economically.

The purpose of design guidelines for the Historic Residential Districts of Mt. Vernon:

- Protect, enhance and perpetuate landmarks and districts of historical, cultural, architectural or archeological importance that reflect distinctive and important elements of the unique historical heritage of Mt. Vernon.

- Foster civic pride by recognizing accomplishments of the past.

- Protect and enhance the attractiveness of the city to tourists and visitors and support and stimulate the economy.

- Insure the harmonious, orderly and efficient growth and development of the city.

- Promote the economic prosperity and welfare of the community.

- Promote stabilization and increase in property values.

- Encourage the stabilization, restoration and improvement of property. Maintain a generally harmonious outward appearance of both historic and modern structures, which are compatible and complimentary in scale, form, color, proportion, texture and material.

These guidelines are presented to aid residential property owners in Mt. Vernon to protect and enhance the historic resources of the community. The standards describe design ideas for appropriate alterations and new construction, and also provide basic maintenance tips.

(Ord. No. 2009-05, 4-14-09)

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Sec. 5.2-32. - A history of the town.

A history of the Town of Mt. Vernon and the three (3) historical residential districts adopted by the City of Mt. Vernon subject to administration under the Historic Preservation Ordinance of the City of Mt. Vernon.

The town of Mt. Vernon grew up as a settlement near the Fanning Springs (Holbrook Street south of the present town square). By 1848 the United States government established a post office; a formal townsite was laid out on land donated by Stephen and Rebecca Keith in April 1849 and the town was laid out in its present configuration with lots and blocks around a town square. Since there were two (2) other Mount Vernons in Texas the post office was called Keith (1848-1849) and then Lone Star (1850-1875) before the name Mount Vernon became available in 1875. Franklin County was carved out of Titus County in 1875 and Mt. Vernon was named the county seat. The arrival of the railroad in 1887 led to the city's growth as a center for transportation. The town of Mt. Vernon was incorporated as a city in 1910.

The county's economy has been based in mixed agriculture, commencing with cotton farms, followed with over five hundred thousand (500,000) peach trees in production in the 1920's; watermelons in the 1930's; and the state's top record production of cane syrup in the 1940's. The 1936 discovery of oil in the north part of the county led to diversified economy with oil production continuing today combined with light industry, manufacturing, and diverse agricultural endeavors.

The Cherokee Trace runs along the eastern edge of the county south toward Nacogdoches. The Choctaw Trail runs through the center of the county toward Dallas. The Bankhead Highway (early east-west transcontinental automobile route through the United States - 1919) remains as Mt. Vernon's Main Street.

The earliest homes still standing in the town of Mt. Vernon date from the 1870's; there are four (4) ante-bellum homes in the county. Over sixty (60) homes built before World War I are marked with attractive signs designating the original owners and year of construction. Tour maps are available. There are over twenty (20) official state historical markers. The present courthouse was erected on the north side of the square in 1912.

The three (3) historic residential districts are described as follows:

(1) The 1841—Village/Fanning Springs/New Liberty in the W.S. Keith Survey. This district includes the area in the W.S. Keith Survey on the east side of Holbrook Street; the property basically follows the "town branch" or Denton Creek from its headwaters at Fanning Springs to the north. A high ridge provided a secure site for houses, churches and the first school in the village; the original development in this "village" would have been haphazard and the first settlers were squatting in an area near where a major Indian massacre occurred. The commercial buildings at this location were burned during the Civil War which precipitated the movement to the present town square. The African-American community here has churches on sites occupied since the Civil War and a cemetery started at the same time. This early village includes both the African-American community on the south and the Anglo community to the north.

(2) The 1849—Early Mount Vernon Community. The gift by Stephen and Rebecca Keith of twenty-four (24) acres for formation of a town led to the movement from the original village to a formal townsite. The formal commercial center was laid out at the northeast corner of the twenty-four (24) acres. Land to the south and east was sold off for residential development and this area of about twenty (20) acres has many early homes.

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(3) The 1885—Silk Stock Row area. After the railroad arrived, the area along Main Street west of town and then north of Main Street developed with "new" houses and became the premier residential area in the town.

The boundaries of the three (3) districts are set out in Appendix A with a map attached as Appendix B hereto. Architectural terms and styles are reflected in a glossary and then in line drawings attached as Appendix C and Appendix D hereto [Appendixes A—D are on file with the city].

The predominant building type throughout all three (3) historic residential districts is the single-family residence, with wood frame bungalows being the most common configuration. Variations on the Four Square form are scattered throughout the district. Growth in the districts generally reflected proximity to downtown and the transportation routes with the earlier homes being the closest to the downtown.

Different neighborhoods within all three (3) districts do have a consistent, unified feeling with variations in scale. Any construction, restoration or adaptation with the boundaries of the three (3) historic residential districts requiring a building permit under the building codes of the City of Mt. Vernon, Texas, shall be pursuant to these guidelines and shall be made to conform to the historic integrity of the neighborhood and district.

The dominant impression in the three (3) historic residential districts is of block upon block of houses, set back from the street in constant rows. Garages were commonly constructed at the backs of lots, accessed by a narrow drive passing between houses from the street. Although alleyways were platted, few are open or in use. Shade trees occur in places throughout the districts, but there is no regular pattern of landscaping. In the 1841 Village District, all construction was configured to follow the boundary of the W.S. Keith Survey (present Holbrook Street) so that all construction is laid back from this defined boundary. In the 1849 Village District, the roads follow meandering lanes which served various functions, with Leftwich Street running directly into the center of the 1894 Depot and Hunnicutt Street and Fleming Streets arising out of lanes left for milk cattle maintained in small barns behind early homes to wander to pasture and water.

The earliest homes in the 1841 Village and in the 1849 Village have Greek Revival and Victorian influences dominant in residential architecture throughout the turn of the century.

Since all three (3) districts developed before there was a real concept of a subdivision, the house styles are varied. There are consistent mixes where numerous grand Victorian Houses were demolished to allow for construction of modern Ranch Style brick homes; sometimes standing next to much newer construction (even Geodesic Domes in two (2) historic districts). An earlier photographic legacy documents the houses which are now gone and their location against the historic houses which still remain.

In the 1849 Village, two (2) homes on Kaufman Street still have barns and other outbuildings intact from the time when horses and cows were stabled behind the owner's homes. A house on Leftwich has its original well evidencing the need for water wells before public water became available in the 1920's. A house on Miller Street and several other homes in the historic districts include pastures of three to five (3—5) acres where a horse could be maintained before the advent of the automobile negated the continued need for maintaining a horse and carriage for transportation. An aerial view of the town shows numerous green spaces and an unusual configuration of land use which predates modern town development patterns.

Old magnolia trees still stand to mark the location of several homes which were built to face the railroad soon after tracks were laid in 1887 in deference to this new mode of transportation.

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There are true Victorians, Queen Anne Victorians, four (4) square houses and ultimately bungalow cottages, all mixed together with construction that "filled in" spaces as people needed smaller lots as horses and cattle lots were removed; or as homes burned or were demolished and new homes built. The three (3) districts all demonstrate a real evolution with no real consistency of construction. There are arts and crafts style bungalows with the exposed rafter tails or eave brackets that are this style's main identifying elements.

A few churches stand in the various middle-class neighborhoods they served. The real loss is in the 1849 Village which was truly filled with fine gingerbread Victorian houses; in the 1950's through the 1970's all but two (2) have been demolished.

(Ord. No. 2009-05, 4-14-09)

Sec. 5.2-33. - Programs for recognition of the three historic residential districts.

(a) *The National Park Service.* National Register listing does not place any restrictions on the property owner unless grant assistance or tax incentives are involved. Also, financial advantages are available in the form of federal investment tax credit for income producing buildings, which are listed in the National Register.

(b) *Texas Historical Commission.* The Texas Historical Commission is the State agency responsible for coordination of preservation activities in Texas. As the statewide preservation agency, it offers services to individuals and organizations regarding National Register nominations, Tax Act certifications, technical assistance and other preservation related inquiries. Structures in the districts may also be eligible for the Recorded Texas Historic Landmark designation. This special status conveys various benefits such as grant programs administered by the Architecture Division of the Texas Historical Commission. Other benefits include access to Historic Preservation grant-in-aid assistance for non-profit organizations and Texas Historic Preservation Grant funding.

(c) *The City of Mt. Vernon and the Landmark Commission.* The City of Mt. Vernon has adopted numerous tax incentives designed to promote historic preservation. Property owners will want to check with the city office of economic development to obtain information regarding benefits available based on their ownership of properties within the districts. The City of Mt. Vernon Landmark Commission oversees application procedures for certificates of appropriateness pursuant to these guidelines. Again, forms and information are available through the city offices.

(Ord. No. 2009-05, 4-14-09)

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Non-Residential National Historic Structures With Current Tax Valuation	Date Listed
Hotel McCartney	9/6/1979
Rialto Building	6/17/1982
Texarkana National Bank	4/21/2021
Texarkana National Bank Motor Bank and Garage	4/21/2021
Texarkana Union Station	10/19/1978

Non- Residential Recorded Texas Historic Landmark	
Moores-Burke-Ragland House (Mansion on Main)	1978
Cervini House (Has been office)	1988
The Jamison Building	1983

Attachment: 2022-123 ATTH 01 Fiscal Impact Texarkana (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic

Address	Parcel ID	2021 Tax Value	Current Yearly City Ad Valorem Taxes
100 Main (Listed as 100 Block of State Line)	03840019300	$26,642.00	$173.17
317 North State Line Avenue	03840008800	$57,665.00	$456.79
100 Broad Street	03840009700	$173,500.00	$1,409.85
217 Pine Street	03840009300	$35,000.00	$1,409.85
State Line and Front Street #1 Union Plaza	03841068400	$48,078.00	$312.51
802 Main Street	03840056500	$49,467.00	$401.92
524 Spruce Street	03840035200	$78,449.00	$509.92
523 W. 3rd Street	03840014800	$40,521.00	$493.05
			$5,167.06

Attachment: 2022-123 ATTH 01 Fiscal Impact Texarkana (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic

10 Years City Ad Valorum Taxes at Current Rate	Fiscal Impact of 50% City Ad Valorem Taxes Over 10 Years	Redeveloped Estimated Value	Tax Rate	Annual City Ad Valorem Taxes After Redevelopment
$1,731.70	$865.85	$10,000,000.00	0.81259366	$81,259.37
$4,567.90	$2,283.95	$6,000,000.00	0.81259366	$48,755.62
$14,098.50	$7,049.25	$10,000,000.00	0.81259366	$81,259.37
$14,098.50	$7,049.25	$8,000,000.00	0.81259366	$65,007.49
$3,125.10	$1,562.55	$10,000,000.00	0.81259366	$81,259.37
$4,019.20	$2,009.60	$2,000,000.00	0.81259366	$16,251.87
$5,099.20	$2,549.60	$500,000.00	0.81259366	$4,062.97
$4,930.50	$2,465.25	$2,000,000.00	0.81259366	$16,251.87
$51,670.60	$25,835.30			$394,107.93

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2022-123 ATTH 01

Fiscal Impact of 50% City Ad Valorem Taxes Over 10 Years Post Redevelopment

$406,296.83
$243,778.10
$406,296.83
$325,037.46
$406,296.83
$81,259.37
$20,314.84
$81,259.37
$1,970,539.63

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City of Texarkana, Texas

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

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

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

Attachment: 2022-123 Goals & Perspectives (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic Property

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/13/2022 4:52 PM

Lead Department: Planning & Zoning Commission
Action Officer: Laura Puckett, Administrative Coordinator

Subject: Ordinance No. 2022-124 rezoning Lots 19 and 20, Block A, Parish Place, located at 103 Parish Street. Single Family-2 to General Retail. Rocky Murray, owner.

Briefing: 10/24/2022 **Public Hearing:** 11/14/2022 **Council Vote:** 11/14/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Rocky Murray, owner, to rezone Lots 19, and 20, Block A, Parish Place Addition located at 103 Parish Street from Single Family- to General Retail. The current structure will be demolished.

The Future Land Use Map has designated this property as “Neighborhood Retail”.

The adjacent zoning is General Retail to the north and south, Single Family-2 to the east and west. The adjacent land use is a car lot to the north, appliance sales to the south, and residential to the east, and west.

The property located to the west of this site is owned by applicant and will be demolished and is the subject of rezoning in a separate case.

The proposed use is new and used auto sales (outdoor lot). Staff Recommends for approval of this request.

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

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

Potential Options:

Admit or deny.

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-124 ORD rezoning 103 Parish Street (DOCX)
b. 2022-124 ATTH 01 (Maps) (PDF)
c. 2022-124 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed 10/13/2022 4:58 PM
City Manager	David Orr	Reviewer	Completed	10/14/2022 9:53 AM
City Council	Vicky Coopwood	Meeting	Pending	10/24/2022 6:00 PM

Meeting History

Z-22-16

ORDINANCE NO. 2022-124

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 19 AND 20, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 103 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO GENERAL RETAIL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to General Retail on Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Single Family-2 to General Retail**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to General Retail** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail.**

Attachment: 2022-124 ORD rezoning 103 Parish Street (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

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 **14th day of November, 2022.**

ATTEST:

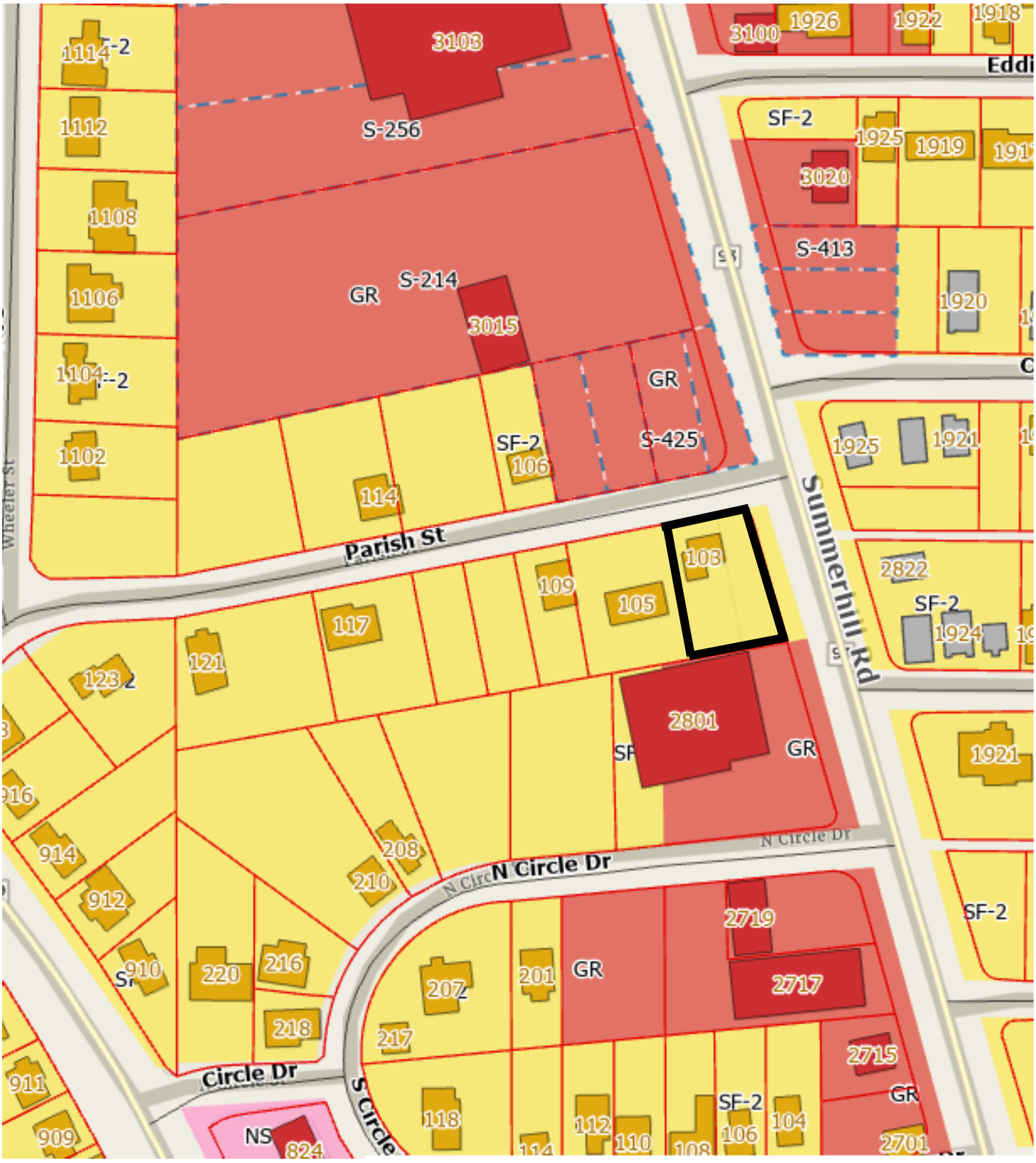
_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-124 ORD rezoning 103 Parish Street (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

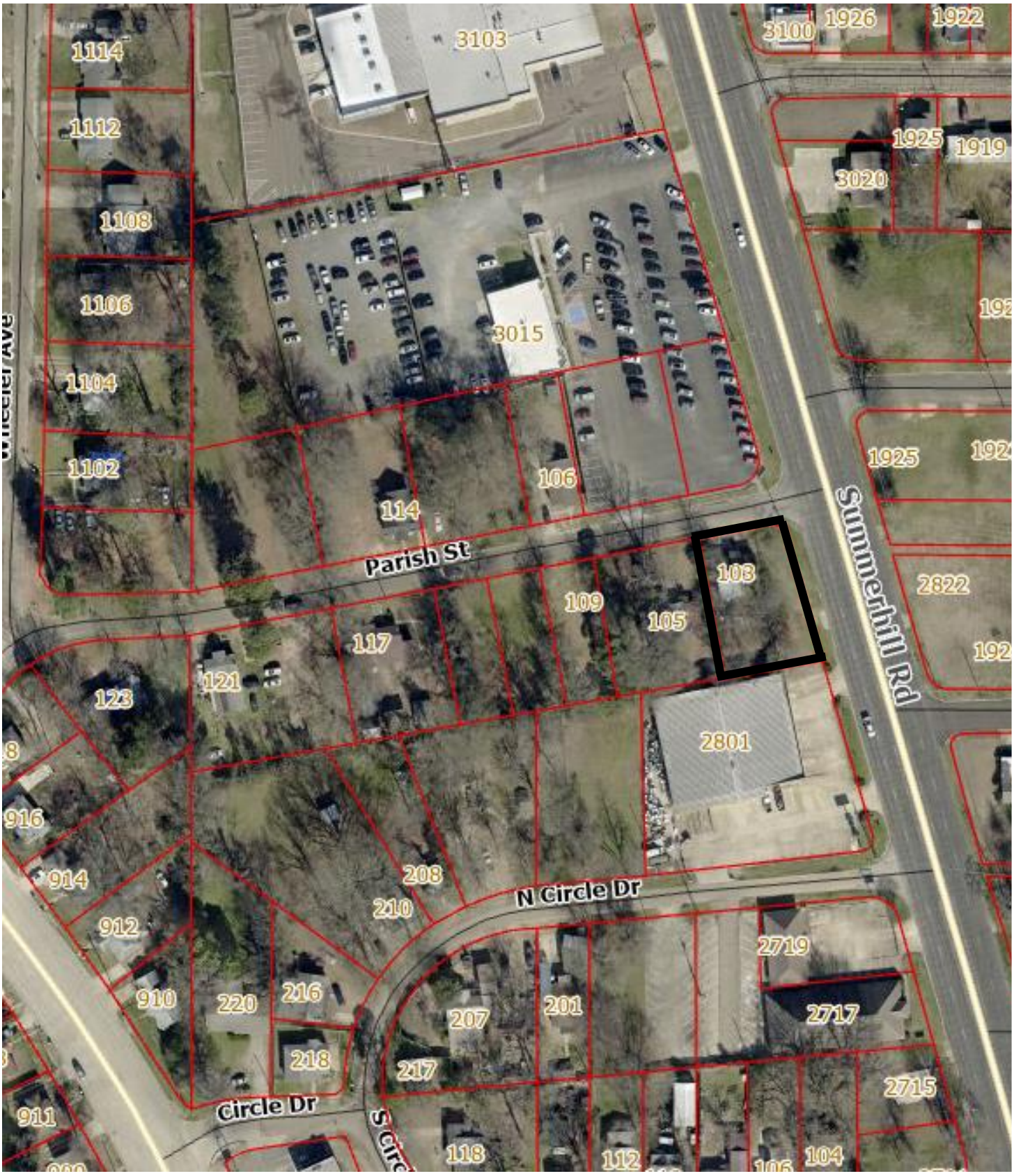
Z-22-16

103 Parish Street



Attachment: 2022-124 ATTH 01 (Maps) (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

103 Parish Street



Attachment: 2022-124 ATTH 01 (Maps) (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

City of Texarkana, Texas

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

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

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

Attachment: 2022-124 Goals & Perspectives (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/14/2022 9:13 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-125 granting a Specific Use Permit to allow new and used auto sales (outdoor lot) on Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street. Rocky Murray, owner.		

Briefing: 10/24/2022 **Public Hearing:** 11/14/2022 **Council Vote:** 11/14/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Rocky Murray, owner, for a Specific Use Permit to allow new and used car sales (outdoor lot) on Lots 19, and 20, Block A, Parish Place Addition, located at 103 Parish Street. The property is zoned Single Family-2.

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

The adjacent zoning is General Retail to the north, south, and Single Family-2 to the east and west. The adjacent land usage is a car lot to the north, appliance sales to the south, residential to the east and west.

The property to the west is owned by the applicant and subject to a separate zoning change request.

A Specific Use Permit is required to allow a new or used auto sales outdoor lot in this zoning district.

Staff recommends for approval of this request.

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-125 ORD SUP auto sales 103 Parish Street (DOCX)
b. 2022-125 ATTH 01 (Maps) (PDF)
c. 2022-125 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed 10/13/2022 4:59 PM
City Manager	David Orr	Reviewer	Completed	10/14/2022 9:53 AM
City Council	Vicky Coopwood	Meeting	Pending	10/24/2022 6:00 PM

Meeting History

S-764

ORDINANCE NO. 2022-125

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-764 TO ALLOW NEW AND USED AUTO SALES (OUTDOOR LOT) ON LOTS 19 AND 20, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 103 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of new and used auto sales (outdoor lot) on **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street**, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **five (5) to one (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted allowing new and used auto sales (outdoor lot)** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-764** to allow the location of new and used auto sales (outdoor lot) on **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street,** in the City of Texarkana, Bowie County, Texas.

Attachment: 2022-125 ORD SUP auto sales 103 Parish Street (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

SECTION 2: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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

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

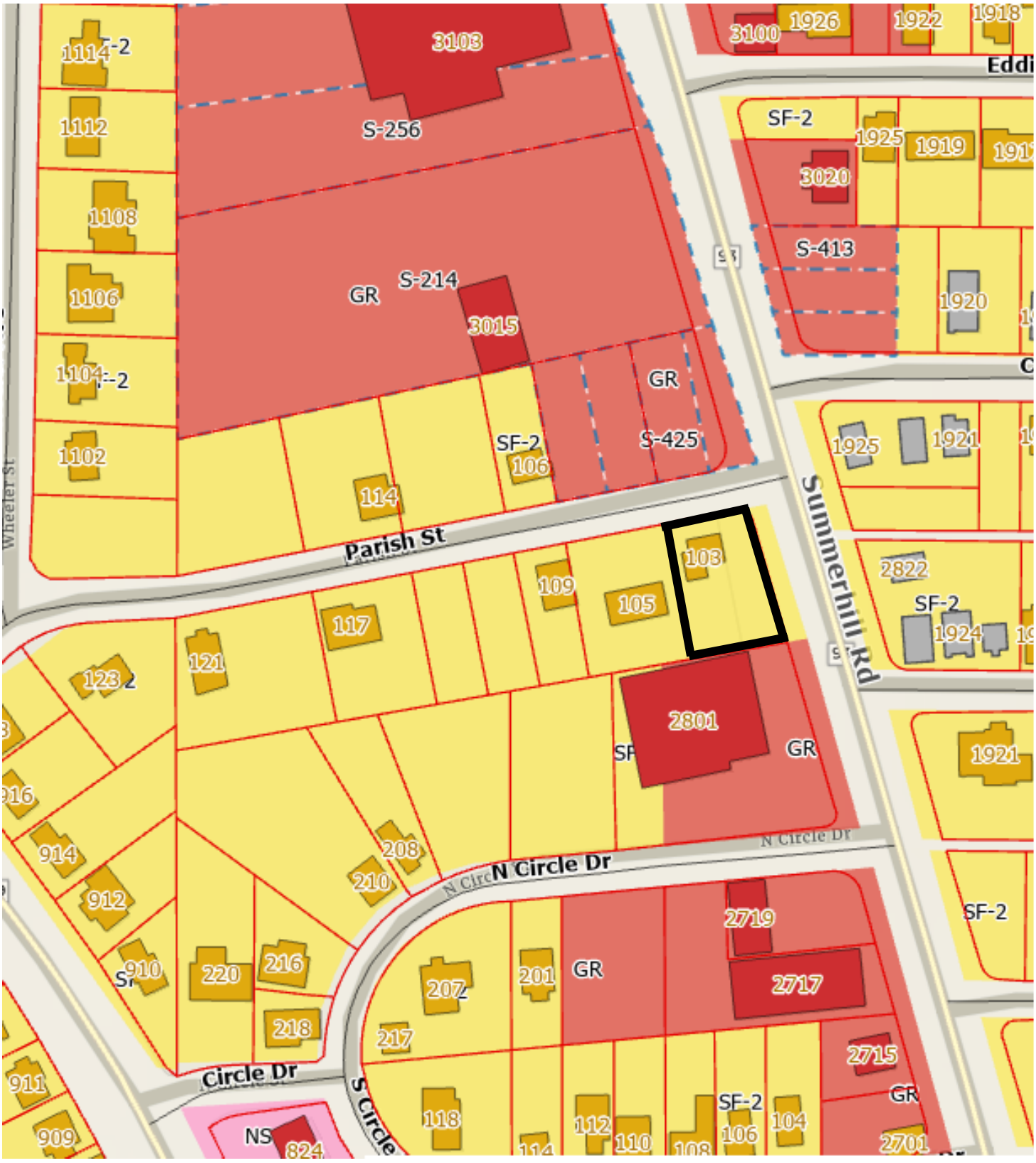
PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2022-125 ORD SUP auto sales 103 Parish Street (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

103 Parish Street



Attachment: 2022-125 ATTH 01 (Maps) (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

103 Parish Street



Attachment: 2022-125 ATTH 01 (Maps) (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

City of Texarkana, Texas

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

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

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

Attachment: 2022-125 Goals & Perspectives (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/14/2022 9:13 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-126 rezoning Lots 17 and 18, Block A. Parish Place Addition, located at 105 Parish Street. Single Family-2 to General Retail. Rocky Murray, owner.		

Briefing: 10/24/2022 **Public Hearing:** 11/14/2022 **Council Vote:** 11/14/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Rocky Murray, owner, to rezone Lots 17, and 18, Block A, Parish Place Addition located at 105 Parish Street from Single Family-2 to General Retail. The current structure will be demolished.

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

The adjacent zoning is General Retail to the north and south, Single Family-2 to the east and west. The adjacent land use is a car lot to the north, appliance sales to the south, and residential to the east, and vacant land to the west.

The property located to the east of this site is owned by applicant and will be demolished and is the subject of rezoning in a separate case.

The proposed use is new and used auto sales (outdoor lot). Staff Recommends for approval of this request.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-126 ORD rezoning 105 Parish Street (DOCX)
b. 2022-126 ATTH 01 (Maps) (PDF)
c. 2022-126 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed 10/13/2022 4:59 PM
City Manager	David Orr	Reviewer	Completed	10/14/2022 9:54 AM
City Council	Vicky Coopwood	Meeting	Pending	10/24/2022 6:00 PM

Meeting History

Z-22-17

ORDINANCE NO. 2022-126

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 17 AND 18, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 105 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-2 TO GENERAL RETAIL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to General Retail on Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Single Family-2 to General Retail**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to General Retail** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail.**

Attachment: 2022-126 ORD rezoning 105 Parish Street (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

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 **14th day of November, 2022.**

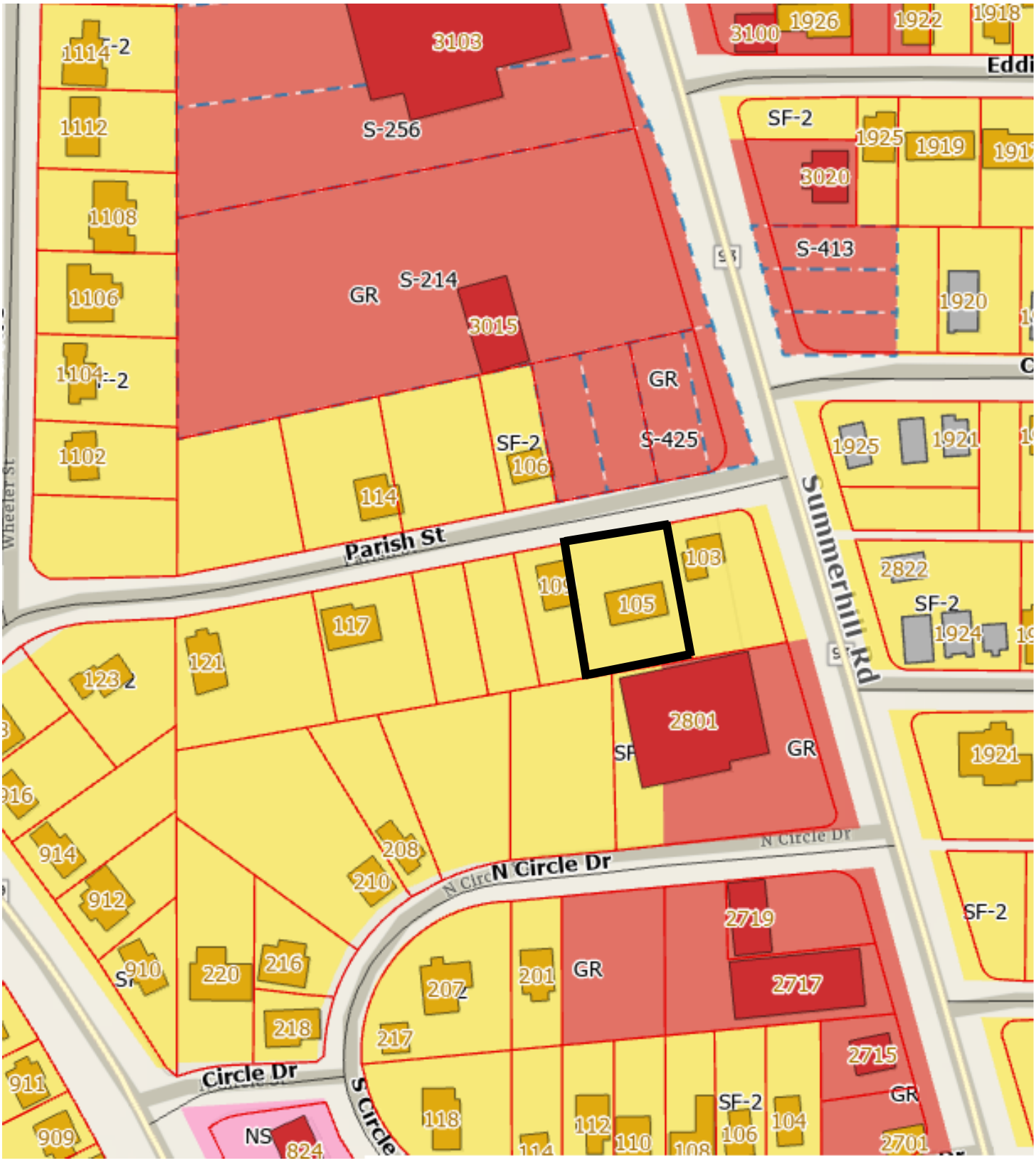
ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-126 ORD rezoning 105 Parish Street (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

105 Parish Street



Attachment: 2022-126 ATTH 01 (Maps) (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

105 Parish Street



Attachment: 2022-126 ATTH 01 (Maps) (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

City of Texarkana, Texas

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

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

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

Attachment: 2022-126 Goals & Perspectives (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/14/2022 9:12 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-127 granting a Specific Use Permit to allow new and used auto sales (outdoor lot) on Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street. Rocky Murray, owner.		

Briefing: 10/24/2022 **Public Hearing:** 11/14/2022 **Council Vote:** 11/14/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Rocky Murray, owner, for a Specific Use Permit to allow new and used car sales (outdoor lot) on Lots 17, and 18, Block A, Parish Place Addition, located at 105 Parish Street. The property is zoned Single Family-2.

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

The adjacent zoning is General Retail to the north, south, and Single Family-2 to the east and west. The adjacent land usage is a car lot to the north, appliance sales to the south, residential to the east and vacant land to the west.

The property to the east is owned by the applicant and subject to a separate zoning change request.

A Specific Use Permit is required to allow a new or used auto sales outdoor lot in this zoning district.

Staff recommends for approval of this request.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-127 ORD SUP 105 Parish Street (DOCX)
b. 2022-127 ATTH 01 (Maps) (PDF)
c. 2022-127 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed 10/13/2022 5:00 PM
City Manager	David Orr	Reviewer	Completed	10/14/2022 9:54 AM
City Council	Vicky Coopwood	Meeting	Pending	10/24/2022 6:00 PM

Meeting History

S-765

ORDINANCE NO. 2022-127

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-765 TO ALLOW NEW AND USED AUTO SALES (OUTDOOR LOT) ON LOTS 17 AND 18, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 105 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of new and used auto sales (outdoor lot) on **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street**, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **five (5) to one (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted allowing auto sales (outdoor lot)** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-765** to allow the location of new and used auto sales (outdoor lot) on **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street,** in the City of Texarkana, Bowie County, Texas.

Attachment: 2022-127 ORD SUP 105 Parish Street (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

SECTION 2: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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

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

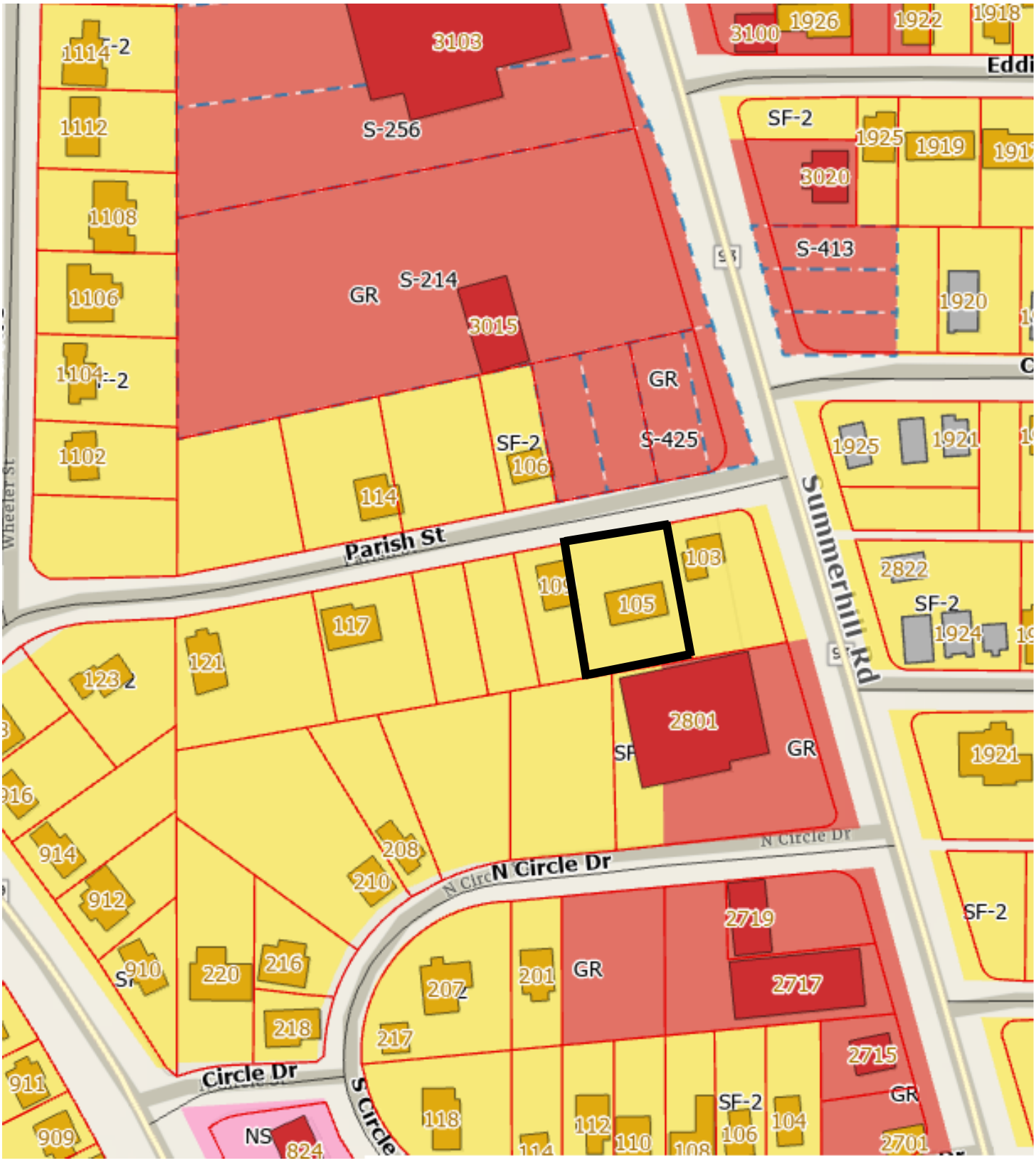
PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2022-127 ORD SUP 105 Parish Street (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

105 Parish Street



Attachment: 2022-127 ATTH 01 (Maps) (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

105 Parish Street



Attachment: 2022-127 ATTH 01 (Maps) (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

City of Texarkana, Texas

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

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

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

Attachment: 2022-127 Goals & Perspectives (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/17/2022 1:28 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-128 amending PD-02-13(GR) for site plan approval on Lots 12 and 13, Block 6, Richmond Development Fifth Subdivision, (Phase 3), located in the 3400 block of Brooke Place. Brad Meador and Brandon Taylor, 2B Builders, owner.		

Briefing: 10/24/2022 **Public Hearing:** 11/14/2022 **Council Vote:** 11/14/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Amendment to PD-02-13(GR) Phase 3: This is a request for site plan approval by Brad Meador, 2B Builders, owner, on Lots 12, and 13, Block 6, Richmond Development Fifth Subdivision, located in the 3400 block of Brooke Place, for the purpose of constructing 19 apartment units (Phase 3). This property is currently vacant land.

The adjacent zoning is Planned Development-General Retail to north, east, west, and Office and Planned Development-Multiple Family-1 to the south. The adjacent land use is vacant land to the north, retail sales to the east, offices to the west and apartments and offices to the South.

The site plan consists of the following:

1. Nineteen (19) two-story, one, two, and three-bedroom apartment units.
2. Façade will be hardi board siding, brick, and concrete with rock columns.
3. Access will be from Brooke Place.
4. 45 parking spaces.
5. Screened dumpster site.

Staff recommends for approval of the site plan.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-128 ORD Site plan 3400 Brooke Place (Phase 3) (DOCX)
b. 2022-128 EXH 'A' (Site Plan)(PDF)
c. 2022-128 ATTH 01 (Maps) (PDF)
d. 2022-128 ATTH 02 (Elevations-Floorplans) (PDF)
e. 2022-128 Goals and Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	10/13/2022 5:01 PM
City Manager	David Orr	Reviewer	Completed	10/14/2022 9:59 AM
City Council	Vicky Coopwood	Meeting	Pending	10/24/2022 6:00 PM

Meeting History

Amendment to
PD-02-13(GR)

ORDINANCE NO. 2022-128

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-02-13(GR) FOR SITE PLAN APPROVAL ON LOTS 12 AND 13, BLOCK 6, RICHMOND DEVELOPMENT FIFTH SUBDIVISION, LOCATED IN THE 3400 BLOCK OF BROOKE PLACE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lots 12 and 13, Block 6, Richmond Development Fifth Subdivision, located in the 3400 block of Brooke Place** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-02-13(GR)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-02-13(GR); and

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

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

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

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

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

SECTION 1: The site plan for **(Exhibit 'A') on Lots 12 and 13, Block 6, Richmond Development Fifth Subdivision, located in the 3400 block of Brooke Place** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-02-13(GR).

SECTION 2: PD-02-13(GR) is hereby amended by approval of the site plan (**Exhibit 'A'**),

Attachment: 2022-128 ORD Site plan 3400 Brooke Place (Phase 3) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block

incorporated herein by reference for all purposes, and includes the following:

1. Nineteen (19) two-story, one, two, and three-bedroom apartment units.
2. Façade will be hardi board siding, brick, and concrete with rock columns.
3. Access will be from Brooke Place.
4. 45 parking spaces.
5. Screened dumpster site.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

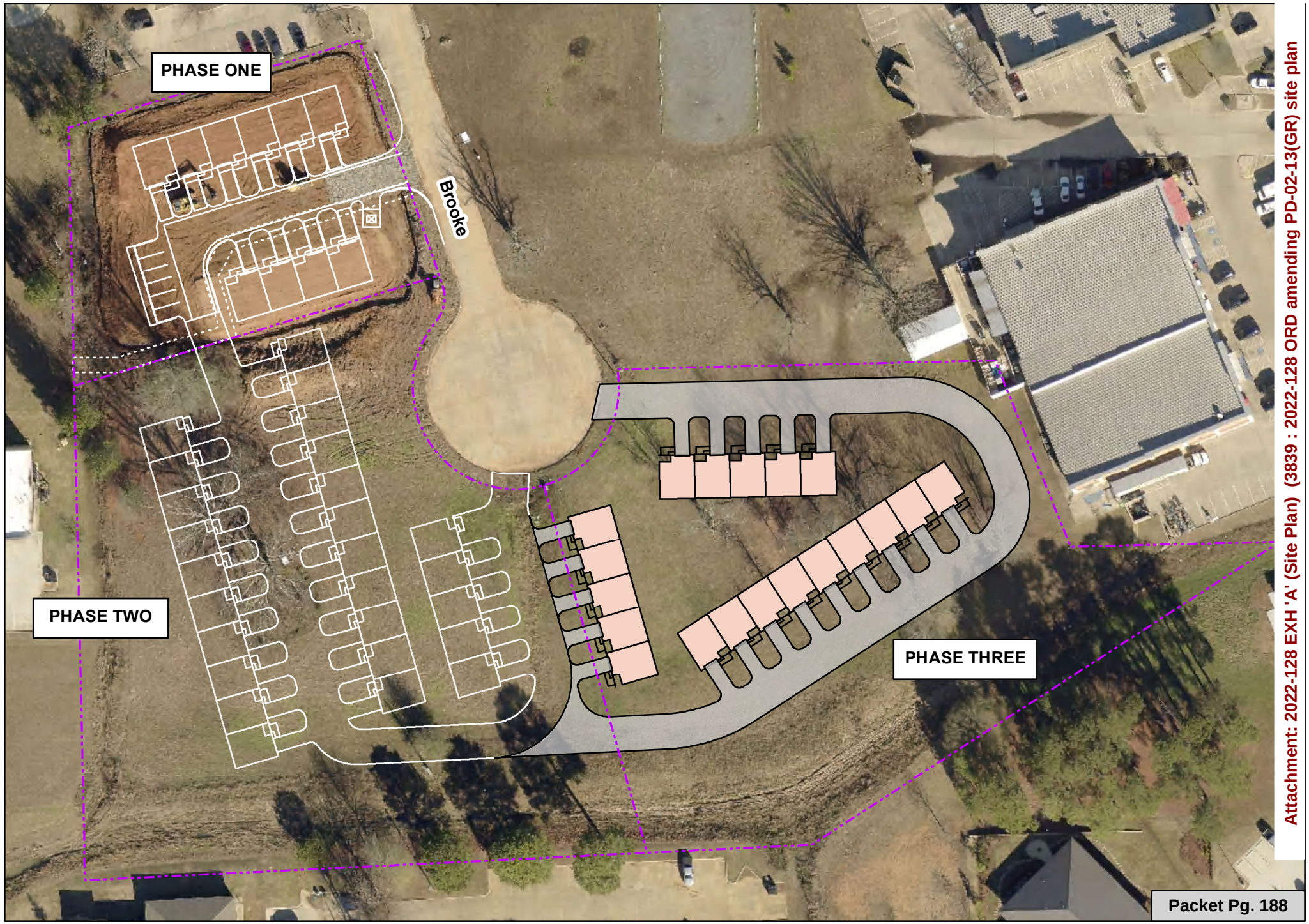
Attachment: 2022-128 ORD Site plan 3400 Brooke Place (Phase 3) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block

MTG | ENGINEERS & SURVEYORS

BROOKE PLAZA TOWNHOMES
TEXARKANA, TEXAS

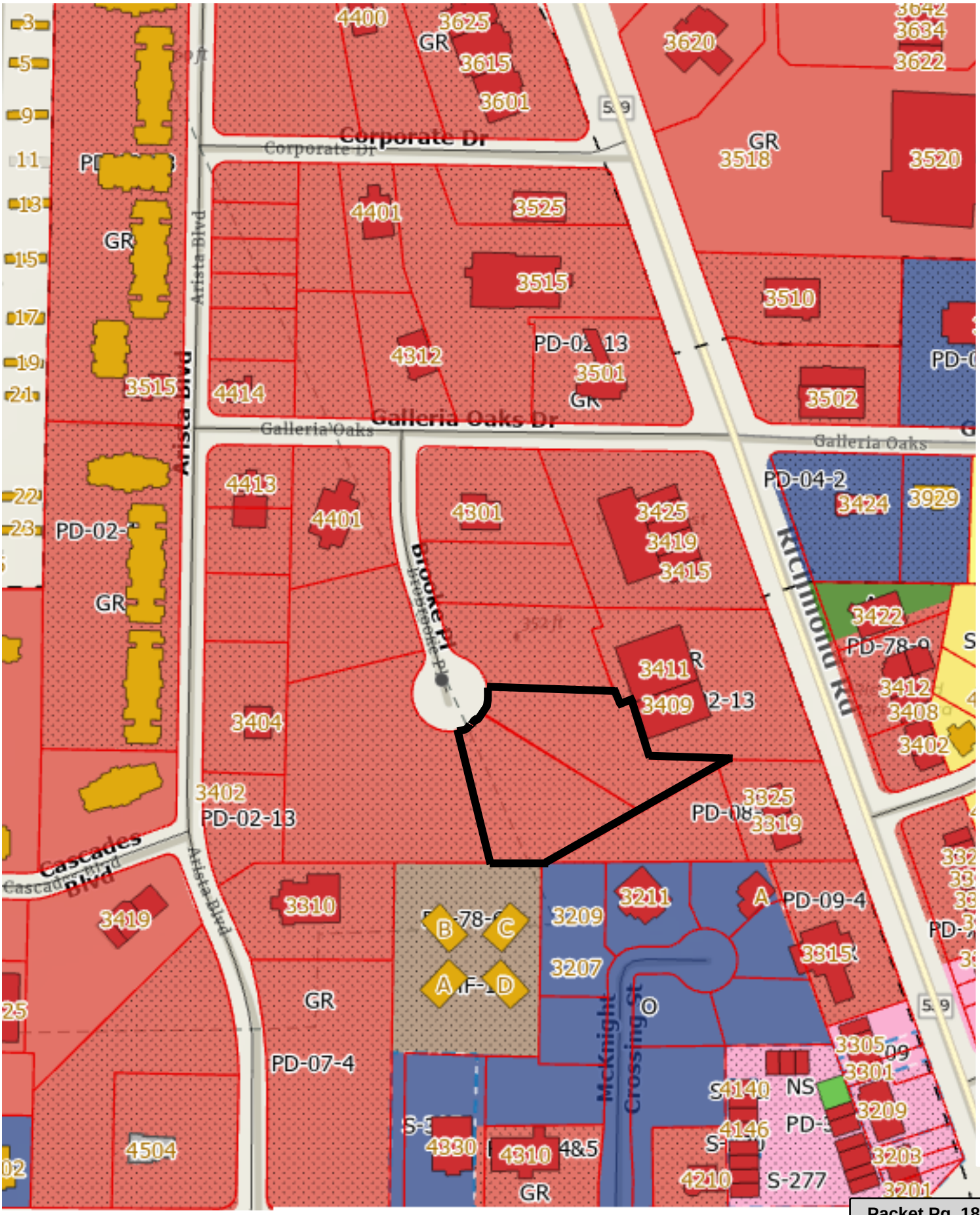
2022-128 EXH 'A'

0 25 50 100 F



Attachment: 2022-128 EXH 'A' (Site Plan) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan

Brooke Place Phase 3



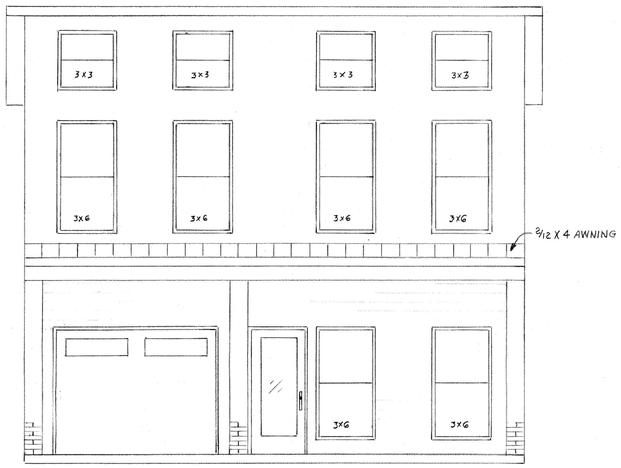
Attachment: 2022-128 ATTH 01 (Maps) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block Brooke Pl)

Brooke Place Phase 3



Attachment: 2022-128 ATTH 01 (Maps) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block Brooke Pl)

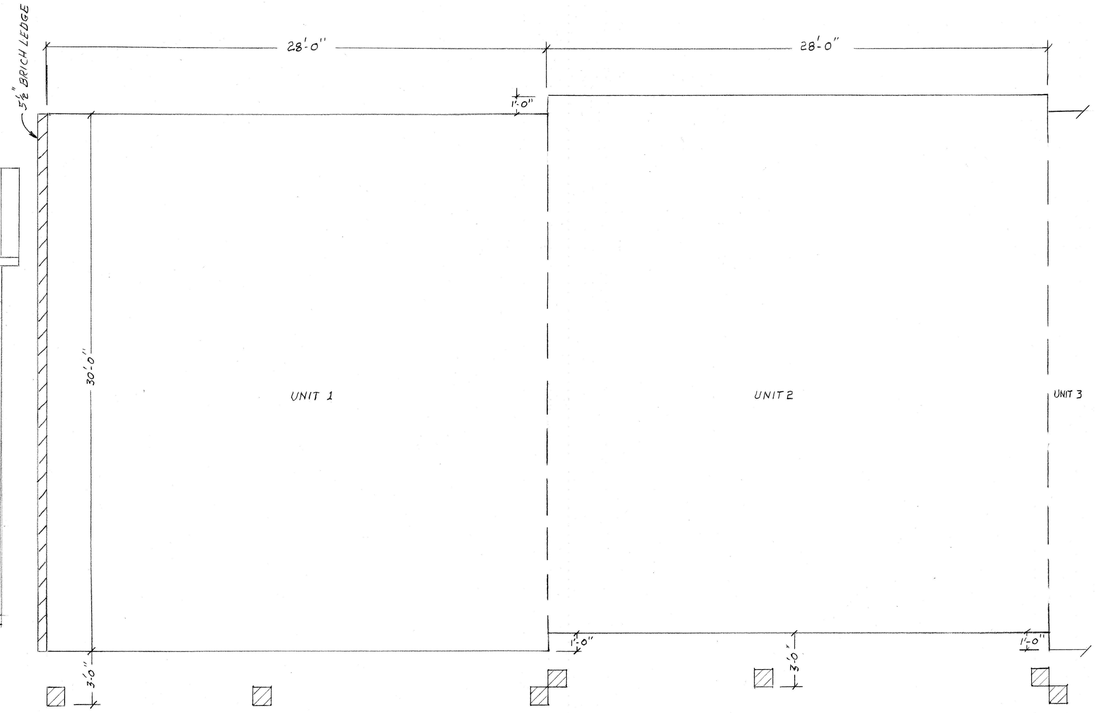
2022-128 ATTH 02



FRONT

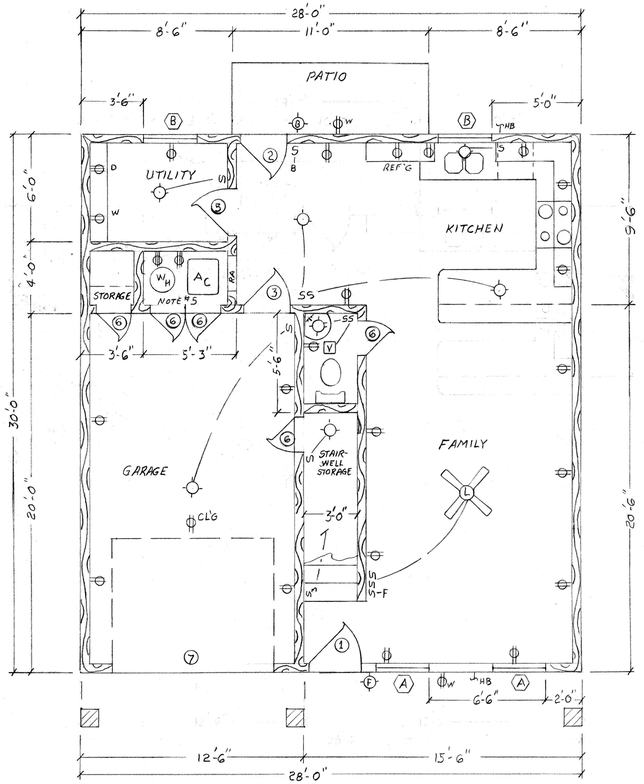


BACK

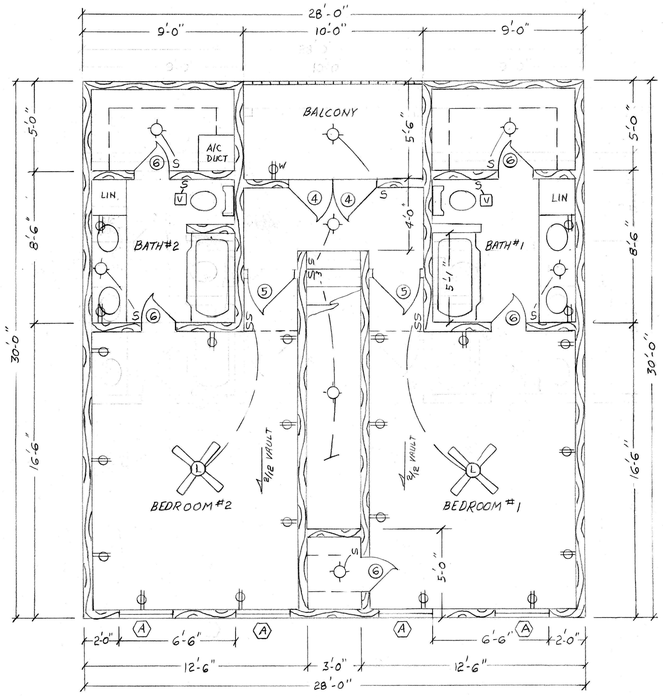


FOUNDATION

NOTE: EVER OTHER UNIT RECESSED 1'-0"



1ST FLOOR



2ND FLOOR

DOORS

KEY	SIZE	DESCRIPTION
1	3'-0"X6'-8"	EXTERIOR FULL GLASS
2.	2'-8"X6'-8"	✓ 1/2 GLASS
3.	2'-8"X6'-8"	✓ METAL
4.	2'-6"X6'-8"	✓ FULL GLASS
5.	2'-8"X6'-8"	INTERIOR HOLLOW CORE
6.	2'-0"X6'-8"	✓ ✓ ✓
7.	9'-0"X7'-0"	OVERHEAD W/ OPENER

WINDOWS

KEY	SIZE	DESCRIPTION
A	3'-0"X6'-0"	INSULATED SINGLE HUNG 1/1
B	3'-0"X3'-0"	✓ ✓ ✓ ✓

NOTES

1. 2X4 X16" O.C. WALLS
2. 2ND FLOOR BACK WALL PLATE HEIGHT
   8'-6" UNITS 1,3,5 etc.
   8'-4" UNITS 2,4,6 etc.
3. ROOF PITCH 3/12, MAINTAIN COMMON ROOF THROUGHOUT
4. BRICK LEDGE ON END UNITS ONLY
5. RAISE FLOOR 17"
6. WATER HEATER PAN REQUIRED
7. 1ST FLOOR 9'-0" CEILING HEIGHT

SQUARE FOOTAGES

1ST A/C AREA	785 S.F
2ND A/C AREA	554 S.F.
TOTAL	1,339 S.F.
GARAGE	240 S.F.
STORAGE	28 S.F.
BALCONY	55 S.F

2 BEDROOM 2 1/2 BATH

2 B BUILDERS

TEXARKANA, USA

FLOOR / ELEVATIONS
SCALE: 1/4" = 1'-0"
DATE: 8-21-2021
SHEET: 1/1

Attachment: 2022-128 ATTH 02 (Elevations-Floorplans) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block Brooke Pl)

City of Texarkana, Texas

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

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

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

Attachment: 2022-128 Goals and Perspectives (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block Brooke Pl)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/13/2022 4:59 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-129 rezoning Lots 1-4, Block 1, Jake Eldridge 1st Addition, located at 2315 Texas Boulevard. General Retail to Commercial. David Owen, owner.		

Briefing: 10/24/2022 **Public Hearing:** 11/14/2022 **Council Vote:** 11/14/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by David Owen, owner, to rezone Lots 1-4, Block 1, Jake Eldridge 1st Addition, located at 2315 Texas Boulevard from General Retail to Commercial. The proposed use is light manufacturing of cbd/cannabis products. They currently sell their products at a separate location on Texas Boulevard.

The adjacent zoning is General Retail to the north, Commercial to the south and east and Single Family-2 to the west. The adjacent land use is retail sales to the north, south and east and a residence to the west.

Staff recommends for approval of this request.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission voted four to one to recommend approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-129 ORD rezoning 2315 Texas Blvd (DOCX)
b. 2022-129 ATTH 01 (Maps) (PDF)
c. 2022-129 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed 10/13/2022 5:02 PM
City Manager	David Orr	Reviewer	Completed	10/14/2022 10:00 AM
City Council	Vicky Coopwood	Meeting	Pending	10/24/2022 6:00 PM

Meeting History

Z-22-18

ORDINANCE NO. 2022-129

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 1-4, BLOCK 1, JAKE ELDRIDGE 1ST ADDTITION, LOCATED AT 2315 TEXAS BOULEVARD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM GENERAL RETAIL TO COMMERCIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **Lots 1-4, Block 1, Jake Eldridge Addition, located at 2315 Texas Boulevard,** in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted four (4) to one (1) to recommend the application for rezoning from General Retail to Commercial on Lots 1-4, Block 1, Jake Eldridge Addition, located at 2315 Texas Boulevard** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **General Retail to Commercial**; 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 **General Retail to Commercial** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **Lots 1-4, Block 1, Jake Eldridge Addition, located at 2315 Texas Boulevard** in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial.**

Attachment: 2022-129 ORD rezoning 2315 Texas Blvd (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)

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 **14th day of November, 2022.**

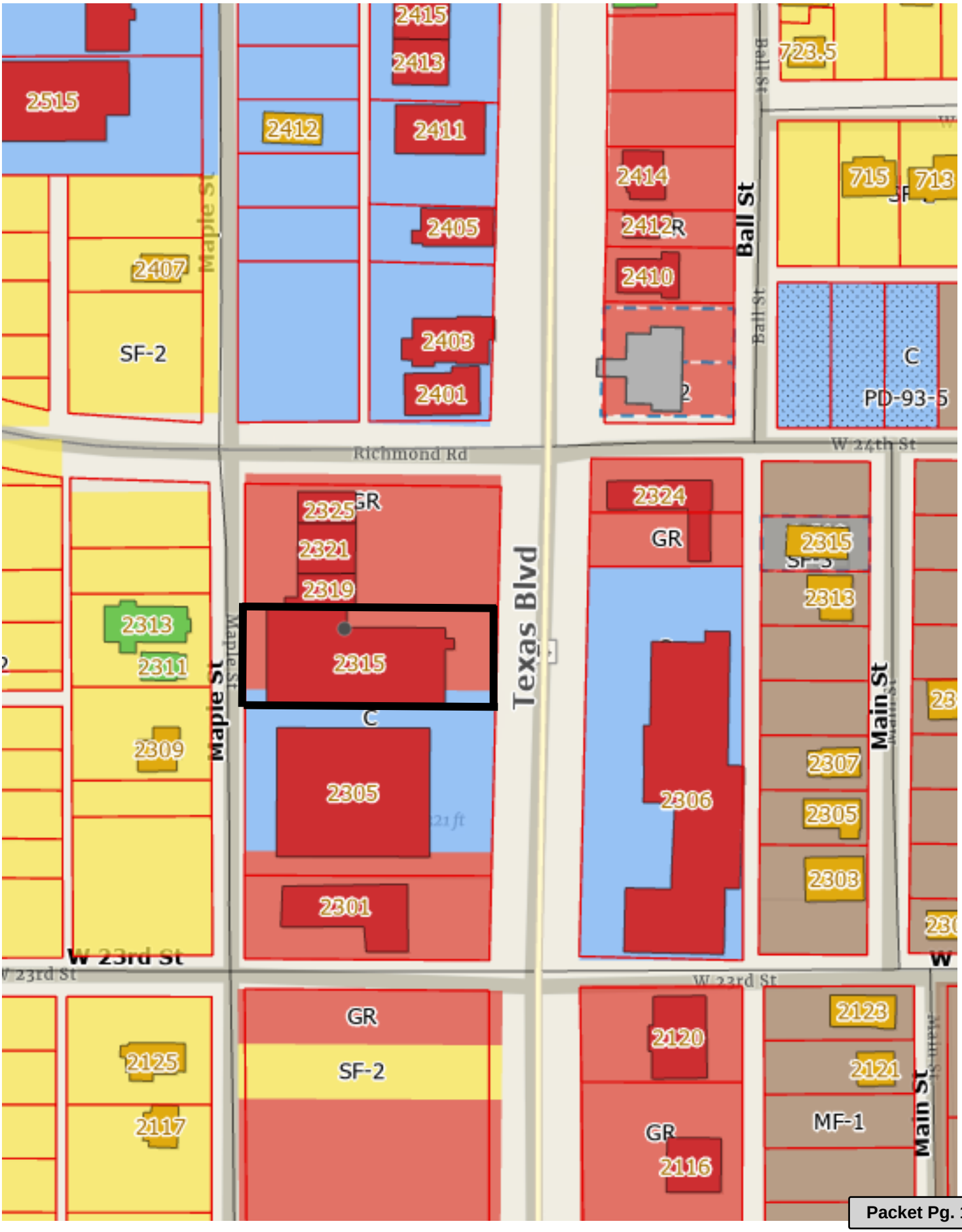
ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

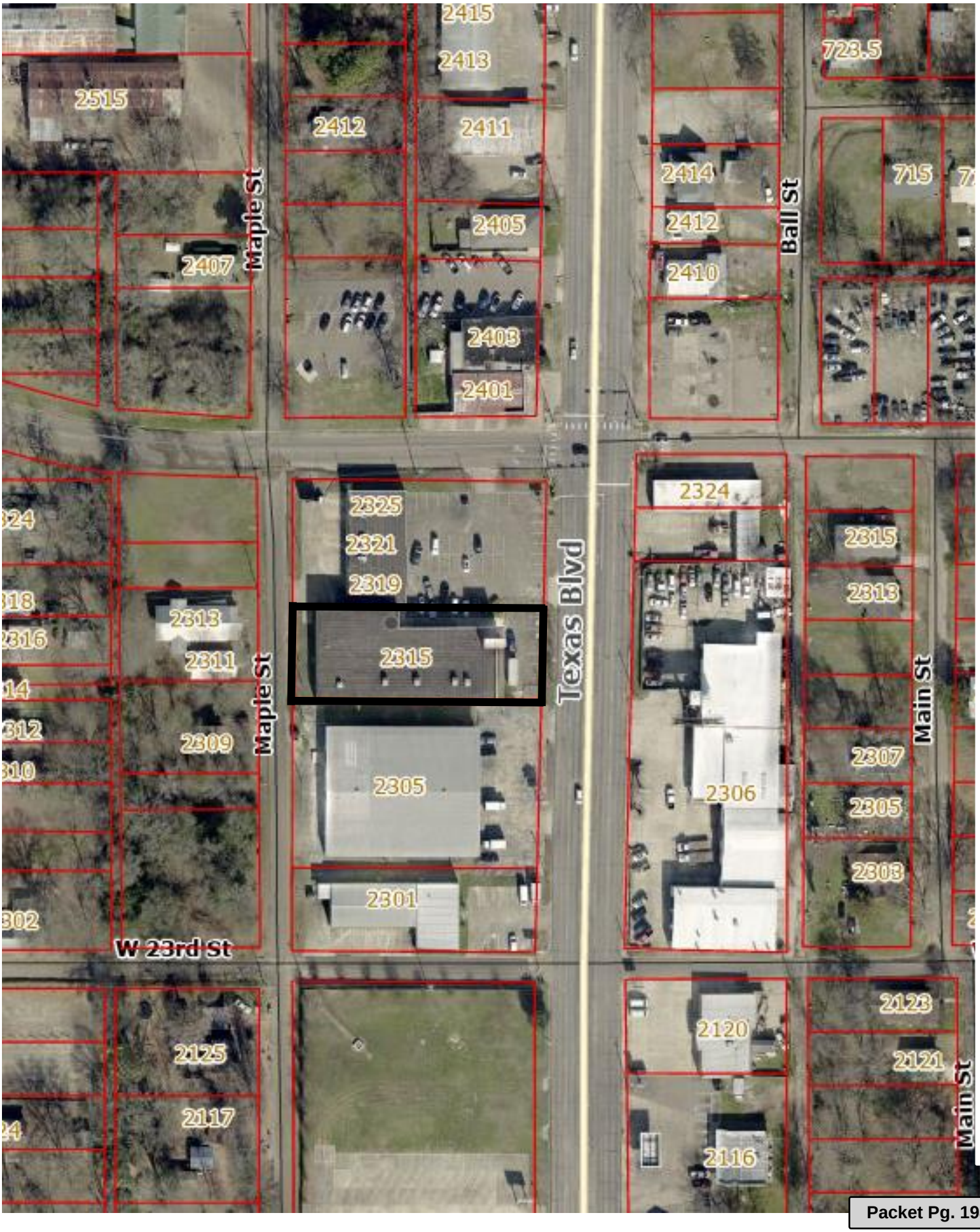
Attachment: 2022-129 ORD rezoning 2315 Texas Blvd (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)

2315 Texas Boulevard



Attachment: 2022-129 ATTH 01 (Maps) (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)

2315 Texas Boulevard



Attachment: 2022-129 ATTH 01 (Maps) (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)

City of Texarkana, Texas

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

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

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

Attachment: 2022-129 Goals & Perspectives (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/7/2022 10:41 AM

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

Subject: Resolution No. 2022-122 supporting the Texarkana Metropolitan Planning Organization's adoption of the State Line Avenue Corridor Plan Alternative Two to the Arkansas Department of Transportation (ARDOT) for the design of the State Line Avenue corridor.

Briefing: 10/24/2022 **Public Hearing:** 10/24/2022 **Council Vote:** 10/24/2022

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The Texarkana Metropolitan Planning Organization (MPO) is responsible for performing transportation planning activities with the Texarkana Study Area Boundary and the Arkansas Department of Transportation (ARDOT) is responsible for the design of the Stateline Avenue Corridor.

The Texarkana Metropolitan Planning Organization (MPO), had a Corridor Study prepared for the Stateline Avenue corridor; and the intent of the Corridor Study is to create a framework for equitable future development and define acceptable levels of access and mobility. The study identified improvements to the corridor consistent with Complete Streets planning concepts, which, when implemented will result in a dynamic and vibrant corridor for use by City residents and visitors.

The Technical Committee and Policy Board of the Texarkana Metropolitan Planning Organization recommended the Stateline Avenue Corridor Plan Alternative Two (no raised median option) to the Arkansas Department of Transportation (ARDOT) for the design of the Stateline Ave Corridor:

- The design shown in these plans are conceptual in nature and that safety modifications may need to be incorporated at various intersections along the corridor.
- That the general scope of the DOT's responsibility for design purposes will include the roadway pavement sections, the 8' shared use paths including pedestrian crossing systems and corridor lighting. All other plan concepts including transit facilities, landscaping and specialty features will be the responsibility of Texarkana, Arkansas, Texarkana, Texas, ATCOG or other MPO designated funding.
- That an MPO work group will be formed including policy board and technical committee members to review design documents at 30%, 60% and 90% plan sets.

Both cities have been asked to consider supporting the Stateline Avenue Corridor Plan Alternative Two for planning purposes and provide direction for ARDOT to begin design work.

Potential Options:

- Approve
- Deny

Fiscal Implications:

To be determined. All other plan concepts including transit facilities, landscaping and specialty features will be the responsibility of Texarkana, Arkansas, Texarkana, Texas, ATCOG or other MPO designated funding.

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-122 RES State Line Alternative Two (DOCX)
b. 2022-122 ATTH 01 Resolution 23 Stateline Corridor Plan alternative Two (PDF)
c. 2022-122 ATTH 02 Corridor Plan Summary (PDF)
d. 2022-122 Goals and Perspectives (DOCX)

Staff Coordination

City Manager	David Orr	Department Head Review	Completed	10/03/2022 4:43 PM
City Manager	David Orr	City Manager Review	Completed	10/03/2022 4:43 PM
City Council	Jennifer Evans	Meeting	Completed	10/10/2022 6:00 PM

Meeting History

10/10/22 City Council MOVED FORWARD Next: 10/24/22
City Manager Orr briefed this agenda item.

RESOLUTION NO. 2022 - 122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUPPORTING THE TEXARKANA METROPOLITAN PLANNING ORGANIZATION'S ADOPTION OF THE STATE LINE AVENUE CORRIDOR PLAN ALTERNATIVE TWO TO THE ARKANSAS DEPARTMENT OF TRANSPORTATION (ARDOT) FOR THE DESIGN OF THE STATE LINE AVENUE CORRIDOR; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Texarkana Metropolitan Planning Organization (MPO) for the Texarkana metropolitan planning area, is responsible for performing transportation planning activities with the Texarkana Study Area Boundary; and

WHEREAS, the Arkansas Department of Transportation (ARDOT) is responsible for the design of the Stateline Avenue Corridor; and

WHEREAS, the Texarkana Metropolitan Planning Organization (MPO), had a corridor study prepared for the Stateline Avenue corridor; and

WHEREAS, the intent of the corridor study is to create a framework for equitable future development and define acceptable levels of access and mobility; and

WHEREAS, the study identified improvements to the corridor consistent with Complete Streets planning concepts, which, when implemented will result in a dynamic and vibrant corridor for use by city residents and visitors; and

WHEREAS, the Technical Committee and Policy Board of the Texarkana Metropolitan Planning Organization recommended the Stateline Avenue Corridor Plan Alternative Two (no raised median option) to the Arkansas Department of Transportation (ARDOT) for the design of the Stateline Ave Corridor.

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

SECTION 1: The City Council supports the Policy Board of the Texarkana Metropolitan Planning Organization's recommendation for the Stateline Avenue Corridor Plan Alternative Two (no raised median option) to the Arkansas Department of Transportation (ARDOT) for the design of the Stateline Ave Corridor noting the following:

The design shown in these plans are conceptual in nature and that safety modifications may need to be incorporated at various intersections along the corridor.

That the general scope of the DOT's responsibility for design purposes will include the roadway pavement sections, the 8' shared use paths including pedestrian crossing systems and corridor lighting. All other plan concepts including transit facilities, landscaping and specialty features will

Attachment: 2022-122 RES State Line Alternative Two (3831 : 2022-122 RES State Line Alternative Two)

be the responsibility of Texarkana, Arkansas, Texarkana, Texas, ATCOG or other MPO designated funding.

That an MPO work group will be formed including policy board and technical committee members to review design documents at 30%, 60% and 90% plan sets.

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

PASSED AND APPROVED in Regular Council Session on this the **24th day of October, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2022-122 RES State Line Alternative Two (3831 : 2022-122 RES State Line Alternative Two)

TEXARKANA METROPOLITAN PLANNING ORGANIZATION

RESOLUTION # 23-2022

A RESOLUTION BY THE POLICY BOARD OF THE TEXARKANA METROPOLITAN PLANNING ORGANIZATION RECOMMENDING THE ADOPTION OF THE STATELINE AVENUE CORRIDOR PLAN ALTERNATIVE TWO TO THE ARKANSAS DEPARTMENT OF TRANSPORTATION (ARDOT) FOR THE DESIGN OF THE STATELINE AVENUE CORRIDOR.

WHEREAS, the Texarkana Metropolitan Planning Organization (MPO) for the Texarkana metropolitan planning area is responsible for performing transportation planning activities with the Texarkana Study Area Boundary and

WHEREAS, the Arkansas Department of Transportation (ARDOT) is responsible for the design of the Stateline Avenue Corridor; and

WHEREAS, the Texarkana Metropolitan Planning Organization (MPO), had a Corridor Study prepared for the Stateline Avenue corridor; and

WHEREAS, the intent of the Corridor Study is to create a framework for equitable future development and define acceptable levels of access and mobility; and

WHEREAS, the study identified improvements to the corridor consistent with Complete Streets planning concepts which, when implemented will result in a dynamic and vibrant corridor for use by City residents and visitors.

WHEREAS, the study will assist in determining transportation system needs to support surrounding land uses consolidate, and control access points, and promote operational efficiency and redevelopment of an underperforming corridor; and

WHEREAS, the Technical Advisory Committee recommended submission of the Stateline Corridor Study Plan to the Policy Board.

NOW, THEREFORE, BE IT RESOLVED that the Policy Board of the Texarkana Metropolitan Planning Organization recommends the Stateline Avenue Corridor Plan Alternative Two to the Arkansas Department of Transportation (ARDOT) for the design of the Stateline Ave Corridor:

- The design shown in these plans are conceptual in nature and that safety modification may need to be incorporated at various intersections along the corridor.
- That the general scope of the DOT's responsibility for design purposes will include the roadway pavement sections, the 8' shared use paths including pedestrian crossing systems and corridor lighting. All other plan concepts including transit facilities, landscaping and specialty features will be the responsibility of Texarkana, Arkansas, Texarkana, Texas, ATCOG or other MPO designated funding.
- That an MPO work group will be formed including policy board and technical advisory committee members to review design documents at 30%, 60% and 90% plan sets.

SECTION 1: That the Stateline Avenue Corridor Plan Alternative Two is hereby adopted for planning purposes.

SECTION 2: That the Study Director of the Texarkana Metropolitan Planning Organization is hereby authorized to submit any necessary planning documents to ARDOT to begin design work.

SECTION 3: That this Resolution shall become effective immediately upon adoption.

ADOPTED in Regular Session on the 21st day of September 2022.

Attachment: 2022-122 ATTH 01 Resolution 23 Stateline Corridor Plan alternative Two (3831 : 2022-122 RES State Line Alternative Two)

TEXARKANA METROPOLITAN PLANNING ORGANIZATION (MPO)
STATELINE AVENUE CORRIDOR PLAN ALTERNATIVE TWO

Tom Whitten, Bowie County Commissioner
Policy Board Chairman
Texarkana MPO

I hereby certify the above is a true copy of Resolution #23-2022: Stateline Avenue Corridor Plan Alternative Two.
This resolution was:
Motioned by: Mary Hart, Council Member, City of Texarkana, Texas
Seconded by: William Cheatham, District 3 Engineer, ARDOT
Resolution #23 passed unanimously in regular session on September 21, 2022.

Rea Donna Jones
Director
Texarkana MPO

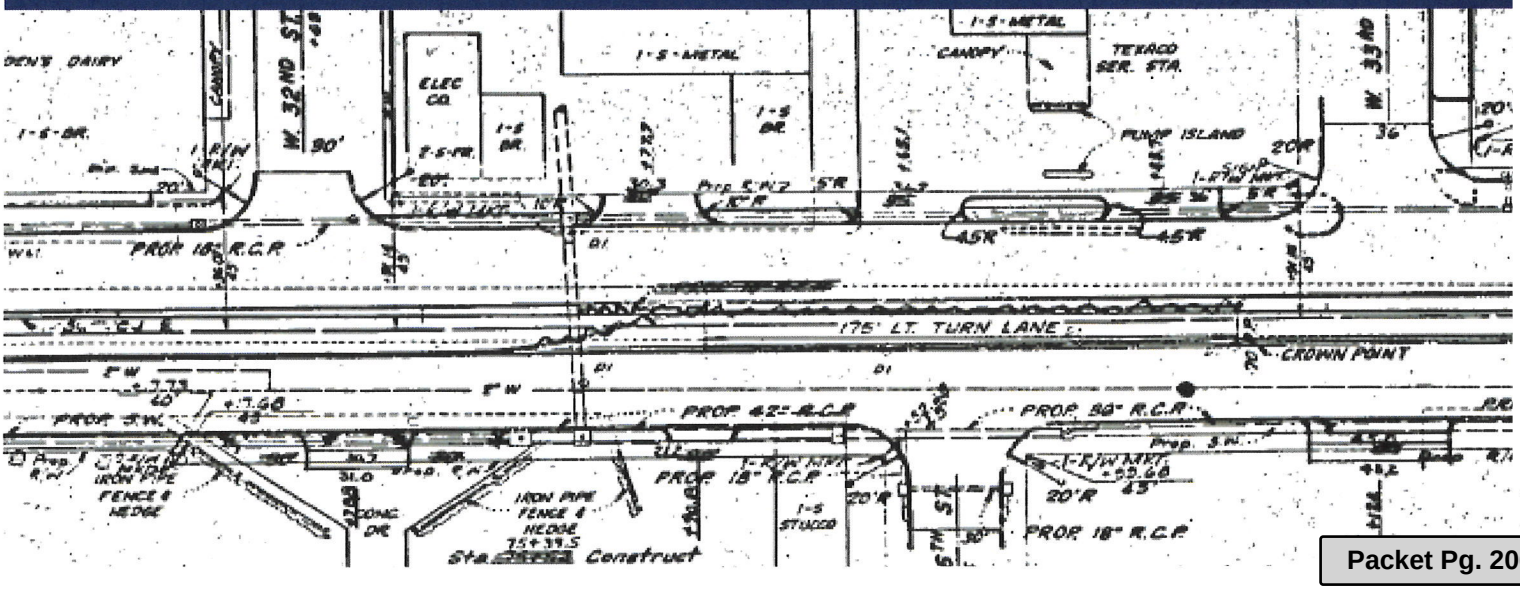
Attachment: 2022-122 ATTH 01 Resolution 23 Stateline Corridor Plan alternative Two (3831 : 2022-122 RES State Line Alternative Two)

TEXARKANA STATELINE

Corridor Plan



US 71/Stateline Avenue Corridor Plan | January 2022



Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

TEXARKANA STATELINE

The US 71 / Stateline Avenue Corridor Plan was prepared by MTG Engineers & Surveyors under direct contract with the Texarkana Metropolitan Planning Organization.

Consultant Team

MTG Engineers & Surveyors

Norris Design

Peters & Associates

Special Thanks:

Rea Donna Jones, Texarkana MPO

Jo Anne Grey, Texarkana MPO

Project Advisory Team

Technical Advisory Committee

MPO Policy Board

City of Texarkana, Arkansas

City of Texarkana, Texas

ArDOT

TxDOT

MTG ENGINEERS & SURVEYORS

NORRIS DESIGN

PETERS & ASSOCIATES ENGINEERS, INC.

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Executive Summary

Connecting two separate municipalities and two different states, the Stateline Corridor is a unique roadway. This corridor study directs the Texarkana Metropolitan Planning Organization to future improvements and advancements for Stateline Avenue. Throughout this study, the main emphasis has been centered on safety and efficiency for the proposed multimodal 2.75-mile corridor.

Aesthetic and economic decline along Stateline have contributed to the need for revitalization. This corridor plan will be a guide to future development on Stateline and will serve as a starting point for vital improvements. This plan will outline two potential alternatives that, if implemented along the Stateline Corridor, could greatly improve safety, promote redevelopment, and encourage individuals to utilize this area more frequently.

The first alternative, named the Boulevard Concept, utilizes raised medians, while the second alternative, named the Redevelopment Concept, would focus on an Overlay District that promotes a driveway consolidation plan. Both options would address the primary safety issues experienced on Stateline today, which include pedestrian safety and access management. Similar strategies are included for each alternative to address pedestrian safety. These strategies are centered around an 8-foot-wide mixed-use path on both sides of the corridor and improved connectivity to promote safer roadway crossings.

The addition of softening elements (landscaping, street furniture, etc.) in the Right of Way would provide a more inviting corridor and promote use. Due to limited space, segmentation of landscape areas caused by driveways/side streets, sight visibility for traffic movements, and Department of Transportation (DOT) requirements, some features, such as trees, must be minimized.

Implementation of aspects outlined in this report range from short term, or immediate, to long term redevelopment goals. Since Stateline Avenue is classified as US Highway 71 and is a vital connection between Interstate 30, US Highway 67, and US Highway 82, this corridor is owned and maintained by the Arkansas Department of Transportation and the Texas Department of Transportation. In order to implement many aspects of this plan, approval from these agencies will be required. Additionally, with a roadway reconstruction project slated to begin in the year 2022, this is a prime opportunity for any roadway reconfiguration necessary to accommodate the changes outlined in this plan.

Due to the limited time and scope of this project, further studies will be necessary prior to detailed design. The improvements outlined in this report are general considerations and may not reflect the final design. Additionally, some elements recommended will require further traffic studies and have been noted as such in the plan.

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Projected Alternative #1 -Boulevard Concept Conditions (Raised Medians)

Capacity and level of service analyses were performed for projected Alternative #1 traffic conditions. This analysis included increases of existing traffic volumes in the Stateline Avenue corridor consisting of two percent compounded volume growth for 10 years on Stateline Avenue and one percent compounded volume growth on intersection side streets for 10 years. The lane widths, anticipated driveway closures and median breaks included in analysis for this condition are as described in the previous sections. Traffic controls for the intersections were assumed to be the same as for existing conditions for this analysis condition. Additional pedestrian crossings were conservatively assumed at the rate of 20 conflicting pedestrians per hour at signalized intersections. Operational analysis was done without changes to signal phasing but with corridor coordinated signal timing optimized. Some vehicle movements show improved operation compared to "Existing Conditions" and "Projected Do Nothing Conditions," even with background traffic volume growth, as a result of optimized signal timing. It is noted that higher volumes associated with background volume growth result in some vehicle movements at the intersection of Stateline Avenue and Texas Boulevard / Arkansas Boulevard falling below acceptable levels in the PM peak period. Analysis results are summarized below in Table 3.

PROJECTED TRAFFIC CONDITIONS ALTERNATIVE #1 WITH RAISED MEDIAN AND BACKGROUND GROWTH		Traffic Control	Eastbound Left-Turn	Eastbound Thru	Eastbound Right-Turn	Westbound Left-Turn	Westbound Thru	Westbound Right-Turn	Northbound Left-Turn	Northbound Thru	Northbound Right-Turn	Southbound Left-Turn	Southbound Thru	Southbound Right-Turn	Overall Intersection	Avg. Control Delay Seconds / Vehicle	Intersection Capacity Utilization (%)
INTERSECTION	PEAK HR		PEAK HOUR - LEVEL OF SERVICE														
Stateline Avenue and W. 52nd Street / E. 49th Street	AM	SIGNAL	B			B			A	A		B	A		A	9.7	53.2%
	PM		B			B			A	A		B	A		A	9.1	48.5%
Stateline Avenue and Texas Blvd. / Arkansas Blvd.	AM	SIGNAL	C	B		C	B		C	C		C	C	A	C	20.1	56.3%
	PM		F	F		F	F		F	E		F	D	A	F	96.6	94.3%
Stateline Avenue and E. 37th Street	AM	1-WAY "STOP" SIGN				B		B		A		A	A		n/a	0.2	39.6%
	PM					B		B		A		A	A		n/a	0.3	52.4%
Stateline Avenue and W. 41st Street / E. 35th Street	AM	SIGNAL	B			B			A	A	A	A	A		A	8.5	51.5%
	PM		C			C			A	B	A	B	B		B	14.6	62.0%
Stateline Avenue and College Drive	AM	SIGNAL	C	B		B	B		B	A		A	A		A	9.7	59.3%
	PM		D	B		C	C		C	A		A	B		B	14.7	75.0%
Stateline Avenue and E. 24th Street	AM	SIGNAL				B		B		B		A	A		A	8.6	45.2%
	PM					B		B		B		C	A		B	13.6	69.2%
Stateline Avenue and E. 16th Street	AM	1-WAY "STOP" SIGN				C		C		A		A	A		n/a	1.1	35.2%
	PM					C		C		A		B	A		n/a	0.8	47.3%
Stateline Avenue and W. 19th Street / E. 12th Street	AM	SIGNAL	B			B			A	A		A	A		A	8.2	45.0%
	PM		D			B			B	B		B	A		B	16.8	68.3%
Stateline Avenue and Hazel Street / E. 9th Street	AM	2-WAY "STOP" SIGN	C			C			A	A		A	A		n/a	3.9	50.3%
	PM		F			F			A	A		A	A		n/a	25.8	61.4%
Stateline Avenue and Dr. Martin Luther King Jr. Boulevard	AM	SIGNAL				B			A	A			A		A	9.6	30.6%
	PM					B			A	A			A		A	9.4	42.0%
Stateline Avenue and W. 7th Street / E. 7th Street	AM	SIGNAL	B							A		A	A		B	10.5	34.1%
	PM		B							A		A	A		B	10.2	42.0%

Table 3 – Level of Service Projected Alternative #1 – Raised Median Conditions

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Projected Alternative #2 Conditions
(Two-Way Left Turn Lanes)

Capacity and level of service analysis was performed for projected Alternative #2 traffic conditions. This analysis included increases of existing traffic volumes in the Stateline Avenue corridor consisting of two percent compounded volume growth for 10 years on Stateline Avenue and one percent compounded volume growth on intersection side streets for 10 years. The analysis conditions include a two-way center left turn lane in the corridor, lane widths and anticipated driveway closures as described in the previous sections. Traffic control for the intersections were assumed to be the same as for existing conditions for this analysis condition. Additional pedestrian crossings were conservatively assumed at the rate of 20 conflicting pedestrians per hour at signalized intersections. Operational analysis was done without changes to signal phasing but with corridor coordinated signal timing optimized. Some vehicle movements show improved operation compared to "Existing Conditions" and "Projected Do Nothing Conditions," even with background traffic volume growth, as a result of optimized signal timing. It is noted that higher volumes associated with background volume growth result in some vehicle movements at the intersection of Stateline Avenue and Texas Boulevard / Arkansas Boulevard falling below acceptable levels in the PM peak period. Analysis results are summarized below in Table 4.

PROJECTED TRAFFIC CONDITIONS ALTERNATIVE #2 TWLT WITH GROWTH		Traffic Control	Eastbound Left-Turn	Eastbound Thru	Eastbound Right-Turn	Westbound Left-Turn	Westbound Thru	Westbound Right-Turn	Northbound Left-Turn	Northbound Thru	Northbound Right-Turn	Southbound Left-Turn	Southbound Thru	Southbound Right-Turn	Overall Intersection	Avg. Control Delay Seconds / Vehicle	Intersection Capacity Utilization (%)
INTERSECTION	PEAK HR		PEAK HOUR - LEVEL OF SERVICE														
Stateline Avenue and W. 52nd Street / E. 49th Street	AM	SIGNAL	B			B			A	A		B	A		A	9.7	53.2%
	PM		C			B			A	B		A	B		B	11.8	47.5%
Stateline Avenue and Texas Blvd. / Arkansas Blvd.	AM	SIGNAL	C	B		C	B		C	C		C	C	A	C	20.0	56.3%
	PM		F	D		D	E		E	E		E	D	A	D	52.0	98.1%
Stateline Avenue and E. 37th Street	AM	1-WAY "STOP" SIGN				B		B		A		A	A		n/a	0.2	45.5%
	PM					B		B		A		A	A		n/a	0.4	60.9%
Stateline Avenue and W. 42nd Street / E. 36th Street	AM	2-WAY "STOP" SIGN	C			B			A	A		A	A		n/a	1.6	69.4%
	PM		C			B			A	A		A	A		n/a	0.7	67.0%
Stateline Avenue and W. 41st Street / E. 35th Street	AM	SIGNAL	B			B			A	A	A	A	A		A	8.5	51.5%
	PM		C			C			A	B	A	B	A		B	12.0	60.4%
Stateline Avenue and College Drive	AM	SIGNAL	C	B		B	B		B	A		A	A		A	9.7	59.3%
	PM		D	C		C	D		B	A		A	C		B	17.3	72.9%
Stateline Avenue and E. 24th Street	AM	SIGNAL				B		B		B		A	A		A	8.6	45.2%
	PM					B		B		B		B	A		B	10.9	67.1%
Stateline Avenue and E. 16th Street	AM	1-WAY "STOP" SIGN				B		B		A		A	A		n/a	0.9	35.2%
	PM					B		B		A		B	A		n/a	0.4	45.8%
Stateline Avenue and W. 19th Street / E. 12th Street	AM	SIGNAL	B			B			A	A		A	A		A	8.2	45.0%
	PM		C			B			B	B		B	B		B	14.3	55.6%
Stateline Avenue and W. 12th Street / E. 10th Street	AM	2-WAY "STOP" SIGN	B			B			A	A		A	A		n/a	0.4	31.0%
	PM		B			B			A	A		B	A		n/a	0.3	39.7%
Stateline Avenue and Hazel Street / E. 9th Street	AM	2-WAY "STOP" SIGN	B			B			A	A		A	A		n/a	3.3	50.3%
	PM		C			D			A	A		A	A		n/a	4.9	60.4%
Stateline Avenue and Dr. Martin Luther King Jr. Boulevard	AM	SIGNAL				B			A	A			A		A	9.4	30.6%
	PM					B			A	A			A		A	8.9	43.6%
Stateline Avenue and W. 7th Street / E. 7th Street	AM	SIGNAL	B							A		A	A		B	10.5	34.1%
	PM		B							A		A	A		B	10.6	43.0%

Table 4 – Level of Service Projected Alternative #2 – Two-Way Left Turn Lanes Conditions

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

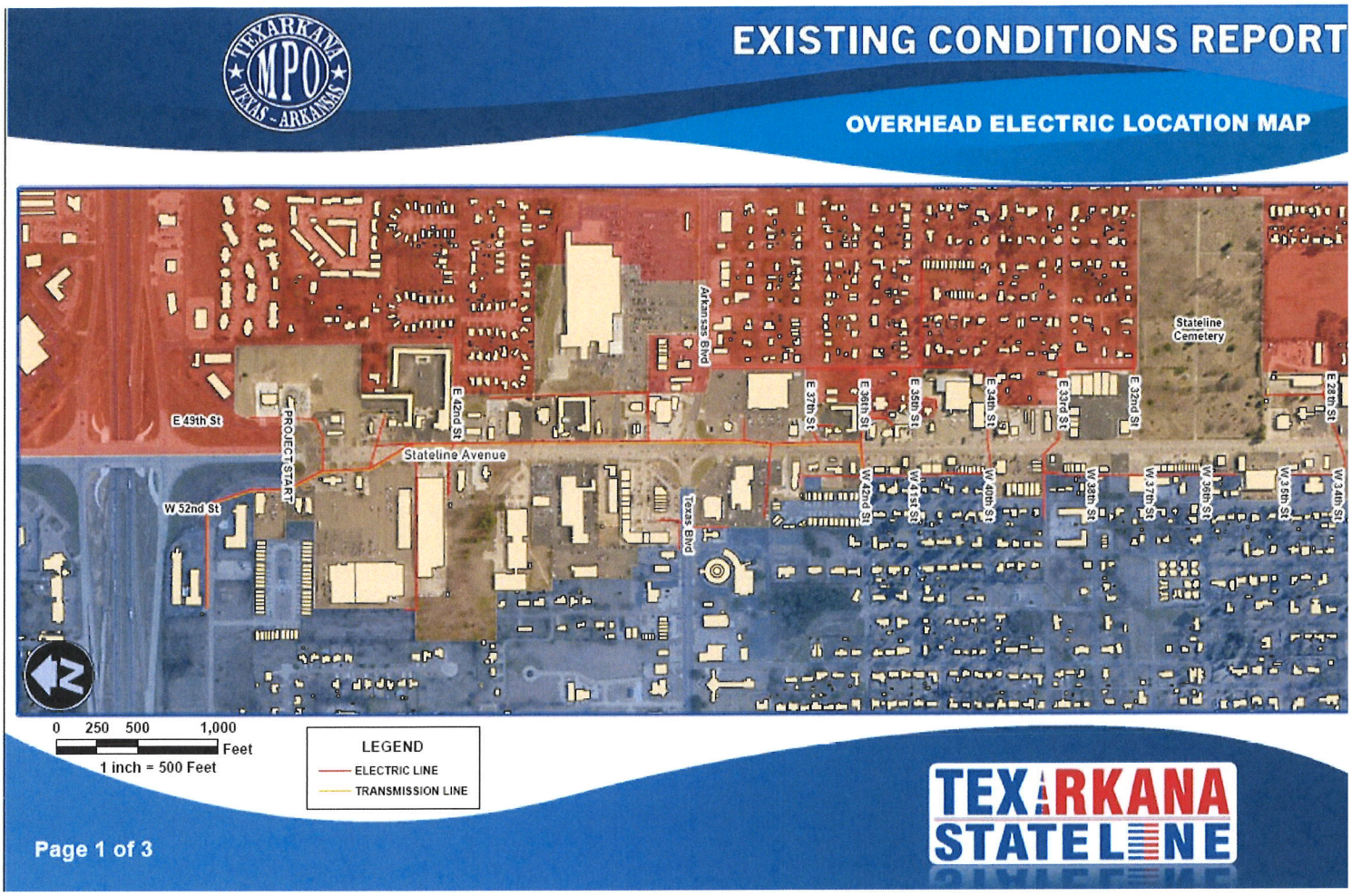
Capacity and Level of Service Summary

Capacity and level of service analysis results indicate all intersections earning a LOS "C" or better for the existing corridor. Only the intersection of Stateline Avenue and Texas Boulevard-Arkansas Boulevard has intersection capacity utilization greater than 80 percent. That intersection has the highest volume of entering traffic volume of any of the Stateline Avenue corridor intersections.

With traffic volume growth assumed over the next ten years, only the intersection of Stateline Avenue and Texas Boulevard-Arkansas Boulevard shows potential intersection capacity deficiency with intersection capacity utilization projected to be approaching 100 percent for the "Do Nothing" alternative as well as for Alternative #1 and Alternative #2. Higher volumes associated with background volume growth result in some vehicle movements at the intersection of Stateline Avenue and Texas Boulevard-Arkansas Boulevard falling below acceptable levels in the PM peak period for all scenarios. The analysis results for that intersection indicate that future capacity improvements at the intersection may become needed as volumes increase. The other study intersections in the Stateline Avenue corridor have projected analysis results of overall intersection LOS "B" or better with projected traffic volume growth for each of the alternatives analyzed.

Except as noted above for the intersection of Stateline Avenue and Texas Boulevard-Arkansas Boulevard, both Alternative #1 (Raised Medians) and Alternative #2 (Two-Way Left Turn Lanes) with planned pedestrian improvements offer acceptable traffic operations while improving safety for pedestrians in the corridor.

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)



Utility Impacts

Per conversations with TxDOT and ArDOT, it is our understanding that the proposed Stateline Reconstruction currently does not include utility modifications. Both design alternatives included in this report propose narrower pavement widths than existing traffic lanes and do not propose any vegetation that would have negative impacts to buried utilities. All above grade utilities, such as communications pedestals, can be incorporated into these designs or avoided completely without the need for costly relocation efforts.

Currently, the only overhead electric is between W. 52nd Street and E. 36th Street. These facilities include distribution and larger transmission lines. Existing developments would not allow for these facilities to be relocated outside of ROW, and proposed improvements within this report can be adjusted to avoid overhead electric facilities.

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Safety Improvements

Alternative #1- Boulevard Concept

Design Considerations in the Boulevard Concept to improve safety include:

- Raised Medians
  - Raised medians would create predictable left turn movements for oncoming traffic. Studies have shown raised medians can reduce accidents by over 15%.

Alternative #2- Redevelopment Concept

Design Considerations in the Boulevard Concept to improve safety include:

- Driveway Reduction Plan
  - The stretch of Stateline included in this study has 210+ driveway connections which create hazardous conditions for vehicles and pedestrians/cyclists traveling the shared use path. Reducing the quantity of drive connections reduces the quantity of possible conflict points and should improve safety.

Common Safety Improvements to both Alternatives

Design Considerations in the Boulevard Concept to improve safety include:

- Shared Use Paths
  - Current cyclists must either use the 4- to 5-foot-wide sidewalk or travel in the main lanes of Stateline. The shared use path would create a safe environment from vehicular traffic, except at driveway and side street intersections. See Bicycle Level of Stress for Further Analysis.
- Mid-Block Crossings
  - Most pedestrian accidents on Stateline have occurred by individuals attempting to cross travel lanes at unsignalized locations. The addition of these new locations could provide additional signalized opportunities to cross, hopefully eliminating future accidents. Additional studies would be required by DOT's to confirm applicability of location.
- Pedestrian Facility Extension from Texas Boulevard to W. 52nd Street
  - This section has the highest number of pedestrian incidents and does not currently have any pedestrian facilities. Adding sidewalks and crosswalks along this section should increase pedestrian awareness for vehicular traffic and provide safer opportunities for pedestrians to reach their desired destinations.
- Narrower Travel Lanes
  - Studies have shown that narrower travel lanes induce lower speeds from drivers and decrease the potential for accidents. Additionally, accidents at higher speeds have a higher fatality rate than the same accidents at lower speeds.

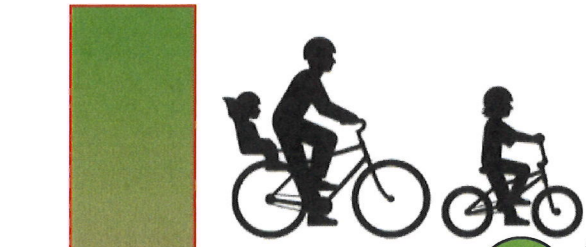
Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Bicycle Level of Stress

As developed by the Mineta Transportation Institute, Bicycle Level of Traffic Stress Analysis is regarded as one of the best practices for assessing a bicycle network.

This is a data driven approach to determine the cyclist level of comfort and stress along any given bicycle corridor.

As outlined in the graphic, the results from this analysis are based on a rating system from one to four.



Level of Stress: 1

Comfortable for all ages & abilities

Examples:

- Bike Path
- Separate Bike Lane



Level of Stress: 2

Comfortable for most ages & abilities

Examples:

- Buffered Bike Lane/Calm Street
- Separate Bike Lane/Busy Street



Level of Stress: 3

Comfortable for confident riders

Examples:

- Shoulder Space/ Busy Street
- Narrow Bike Lane/Busy Street



Level of Stress: 4

Uncomfortable for most riders

Examples:

- No Bike Facility/Busy Street

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Existing Bicycle Facilities

Currently no bicycle facilities exist along the corridor. Cyclists must either utilize main lanes of traffic or portions of the narrow pedestrian sidewalk. To travel Stateline Avenue as a cyclist requires extreme awareness and would be considered very unsafe.

Level of Stress: 4

Boulevard Concept: Alternative #1

This concept would create shared use paths along both sides of the corridor. The eight-foot width shown is the minimum allowable width for TXDOT and does not meet the ten-foot width required by ARDOT to be considered a full shared use path. Since paths will be proposed down both sides of the roadway and current bicycle counts are very low, the proposed width should be adequate to support current level of usage. If use increases dramatically in the coming years, the elements within the ROW may need to be reconfigured to accommodate increased bicycle usage.

Buffers will be provided between shared use path and vehicular traffic, but numerous conflicts will occur at the 210+ driveway crossings and 50+ stop sign regulated, side street crossings.

Level of Stress: 3 → 2

Regional Commercial — Urban

Redevelopment Concept: Alternative #2

This concept would create shared use paths along both sides of the corridor. The eight-foot width shown is the minimum allowable width for TXDOT and does not meet the ten-foot width required by ARDOT to be considered a full shared use path. Since paths will be proposed down both sides of the roadway and current bicycle counts are very low, the proposed width should be adequate to support current level of usage. If use increases dramatically in the coming years, the elements within the ROW may need to be reconfigured to accommodate increase bicycle usage.

Buffers will be provided between shared use path and vehicular traffic, but numerous conflicts will occur at the 210+ driveway crossings and 50+ stop sign regulated, side street crossings.

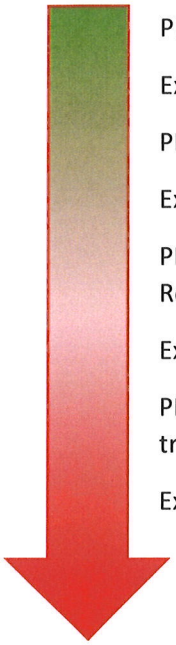
Level of Stress: 3 → 2

Regional Commercial — Urban

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Pedestrian Level of Stress

Like the Bicycle Level of Stress, the pedestrian scale is based on a 1 through 4 rating system:



PLTS 1- Suitable for all users and requires little attention to the traffic situation.

Example: Wooded Trail adjacent to Roadway (large buffer)

PLTS 2- Suitable for teens and adults and requires some attention to the traffic situation.

Example: Lower Speed Roadways with wide sidewalks and buffer zone.

PLTS 3- Able-bodied adults feel uncomfortable but are safe in this environment. Requires moderate attention to traffic situation.

Example: Higher Speed Roadways with smaller buffers zones.

PLTS 4- Only used by confident or trip-purpose users. Requires constant attention to traffic.

Example: High Speed Roadways with narrow sidewalks and little/no buffer.

Segment: Regional Commercial		Existing	Boulevard	Redevelopment
Sidewalk	Condition	Poor	Good	Good
	Width (ft)	4ft	8ft	8ft
Buffer	Width (ft)	None	2ft-9ft	2ft-10ft
	Buffer Type	None	Landscaped	Landscaped
Roadway	# of Lanes	6	6	7
	Speed (mph)	40	40	40
Mid-Block Crossing	Signage	None	PHB	PHB
	Refuge Island	None	Yes	Yes
Land Use	Type	Commercial	Commercial	Commercial

Segment: Regional Commercial	Existing	Boulevard	Redev
Sidewalk Condition	PLTS 4	PLTS 1	PLTS 1
Physical Buffer Type	PLTS 4	PLTS 2	PLTS 2
Total Buffer Width	PLTS 4	PLTS 3	PLTS 3
Intersection Crossing	PLTS 4	PLTS 3	PLTS 3
Mid-Block Crossing	N/A	PLTS 3	PLTS 3
General Land Use	PLTS 3	PLTS 3	PLTS 3
Final Level of Stress	**PLTS 4**	**PLTS 3**	**PLTS 3**

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Final Corridor Plan

Segment: Business		Existing	Boulevard	Redevelopment
Sidewalk	Condition	Poor	Good	Good
	Width (ft)	4ft - 5ft	8ft	8ft
Buffer	Width (ft)	None	3ft-9ft	5ft-11ft
	Buffer Type	None	Landscaped	Landscaped
Roadway	# of Lanes	5	4	5
	Speed (mph)	40	40	40
Mid-Block Crossing	Signage	None	PHB	PHB
	Refuge Island	None	Yes	Yes
Land Use	Type	Commercial	Commercial	Commercial

Segment: Business	Existing	Boulevard	Redev
Sidewalk Condition	PLTS 3	PLTS 1	PLTS 1
Physical Buffer Type	PLTS 4	PLTS 2	PLTS 2
Total Buffer Width	PLTS 4	PLTS 3	PLTS 3
Intersection Crossing	PLTS 4	PLTS 3	PLTS 3
Mid-Block Crossing	N/A	PLTS 3	PLTS 3
General Land Use	PLTS 3	PLTS 3	PLTS 3
Final Level of Stress	**PLTS 4**	**PLTS 3**	**PLTS 3**

Segment: Residential	Existing	Boulevard	Redev
Sidewalk Condition	PLTS 3	PLTS 1	PLTS 1
Physical Buffer Type	PLTS 4	PLTS 2	PLTS 2
Total Buffer Width	PLTS 4	PLTS 3	PLTS 3
Intersection Crossing	PLTS 4	PLTS 3	PLTS 3
Mid-Block Crossing	N/A	PLTS 3	PLTS 3
General Land Use	PLTS 2	PLTS 2	PLTS 2
Final Level of Stress	**PLTS 4**	**PLTS 3**	**PLTS 3**

Segment: Residential		Existing	Boulevard	Redevelopment
Sidewalk	Condition	Poor	Good	Good
	Width (ft)	4ft - 5ft	8ft	8ft
Buffer	Width (ft)	None	3ft-9ft	5ft-11ft
	Buffer Type	None	Landscaped	Landscaped
Roadway	# of Lanes	5	4	5
	Speed (mph)	40	40	40
Mid-Block Crossing	Signage	None	PHB	PHB
	Refuge Island	None	Yes	Yes
Land Use	Type	Commercial	Commercial	Commercial

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Segment: Urban		Existing	Boulevard	Redevelopment
Sidewalk	Condition	Poor	Good	Good
	Width (ft)	4ft - 5ft	8ft	8ft
Buffer	Width (ft)	None	3ft-9ft	5ft-11ft
	Buffer Type	None	Landscaped	Landscaped
Roadway	# of Lanes	5	4	5
	Speed (mph)	40	30*	40
Mid-Block Crossing	Signage	None	N	RRFB
	Refuge Island	None	Yes	Yes
Land Use	Type	Commercial	Commercial	Commercial

**To achieve median openings as shown in previous exhibits design speed must be reduced in the urban district to allow for shortened deceleration lanes. This would extend the current 30 mph speed limit that starts just south of the project limits.*

Segment: Urban	Existing	Boulevard	Redev
Sidewalk Condition	PLTS 3	PLTS 1	PLTS 1
Physical Buffer Type	PLTS 4	PLTS 2	PLTS 2
Total Buffer Width	PLTS 4	PLTS 3	PLTS 3
Intersection Crossing	PLTS 4	PLTS 3	PLTS 3
Mid-Block Crossing	N/A	N/A	N/A
General Land Use	PLTS 2	PLTS 2	PLTS 2
Final Level of Stress	**PLTS 4**	**PLTS 3**	**PLTS 3**

Both alternatives offer the same level of stress reduction from existing

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Chapter 7: Implementation

Cost Analysis

Currently, a reconstruction project is slated to begin design next year as a joint project between TxDOT and ArDOT. This scheduled construction project is considered separate from this corridor study, but any modifications to the travel lanes of Stateline for the purpose of this budget is assumed to be covered in the funding set aside for the Stateline Redevelopment. In all alternatives proposed, the overall pavement width is narrower than existing traffic lanes, so no additional cost should be encountered to implement the designs included in this report.

Items shown are assumed to be outside the scope of work for the DOT project and would require additional funding mechanisms to achieve.

The unit prices shown are based on best available information as it relates to current prices. Due to the instability of current prices, no adjustment has been made for future cost inflation or contingencies. Estimates shown are for rough budgeting purposes only, additional refinement will be necessary based upon actual design plans.

Median Costs

Based on an approximate cost comparison of a Two-Way Left Turn (TWLT) and raised median section, the prices are comparable and thus, the cost to install raised medians is not included in the estimate below. The only additional items included for the Boulevard Concept regarding raised medians are:

- Upgrade to a Colored/ Stamped Material
- Landscape Materials (including Sod)
- Irrigation Systems

If medians are to be installed, they should be incorporated into the 2022 DOT project and should require no additional funding unless median hardscape/landscape is upgraded at the time of installation.

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Design Alternative 1: Boulevard Concept

Description	UNIT	QTY	UNIT PRICE	TOTAL
Pedestrian/Bike Facilities				
8' Shared Use Path (Both Sides)	LF	14,600	$ 130.00	$ 1,898,000.00
Pedestrian Hybrid Beacon System Crossing	EA	3	$ 65,000.00	$ 195,000.00
Pedestrian Street Lights (2 globe ornamental/18' tall)	EA	150	$ 5,500.00	$ 825,000.00
Street Furniture				
T-Line Bus Shelters & Benchs	EA	15	$ 12,000.00	$ 180,000.00
Trash Receptacle (metal)	EA	60	$ 1,500.00	$ 90,000.00
Bicycle Rack (metal)	EA	10	$ 1,000.00	$ 10,000.00
Pedestrian Bench (metal)	EA	60	$ 3,000.00	$ 180,000.00
Landscaping				
Deciduous Trees (2-3" Cal)	EA	250	$ 1,250.00	$ 312,500.00
Shrubs (5 gal)	EA	2,500	$ 40.00	$ 100,000.00
Sod	SF	53,400	$ 1.25	$ 66,750.00
Bed Prep and Mulch	SF	106,800	$ 5.00	$ 534,000.00
Steel Edger	LF	18,000	$ 2.00	$ 36,000.00
Stamped Concrete (Red Brick Appearance)	SF	46,000	$ 10.00	$ 460,000.00
Shrubs (5 gal, median)	EA	600	$ 40.00	$ 24,000.00
Native Grasses (median)	EA	1,200	$ 40.00	$ 48,000.00
Sod (median)	SF	75,000	$ 1.25	$ 93,750.00
Irrigation Tap and Meter	EA	6	$ 5,000.00	$ 30,000.00
Irrigation	SF	64,000	$ 2.00	$ 128,000.00
Irrigation (median)	SF	80,000	$ 2.00	$ 160,000.00
Backflow Prevention	EA	6	$ 2,500.00	$ 15,000.00
Controller	EA	6	$ 2,500.00	$ 15,000.00
Specialty Features				
Upgraded Stamped Concrete Cross Walks	LF	5,800	$ 125.00	$ 725,000.00
Street Banners & Brackets (heavy vinyl)	EA	450	$ 750.00	$ 337,500.00
Colossal Flag (150' tall)	EA	2	$ 35,000.00	$ 70,000.00
Flag Lighting	EA	2	$ 25,000.00	$ 50,000.00
Columns (16' masonry pair)	EA	2	$ 20,000.00	$ 40,000.00
Twin Parks Concept (Allowance Per Park)	EA	4	$ 45,000.00	$ 180,000.00
Stateline Crossing Experience	EA	1	$ 20,000.00	$ 20,000.00
			Pedestrian/Bike Facilities Total	**$ 2,918,000.00**
			Street Furniture	**$ 460,000.00**
			Landscaping	**$ 2,023,000.00**
			Specialty Features	**$ 1,422,500.00**
			BOULEVARD CONCEPT TOTAL	**$ 6,823,500.00**

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Design Alternative 2: Redevelopment Concept

Description	*UNIT*	*QTY*	*UNIT PRICE*	*TOTAL*
Pedestrian/Bike Facilities				
8' Shared Use Path (Both Sides)	LF	14,600	$ 130.00	$ 1,898,000.00
Pedestrian Hybrid Beacon System Crossing W/ Refuge	EA	3	$ 95,000.00	$ 285,000.00
Pedestrian Street Lights (2 globe ornamental/18' tall)	EA	150	$ 5,500.00	$ 825,000.00
Street Furniture				
T-Line Bus Shelters & Benchs	EA	15	$ 12,000.00	$ 180,000.00
Trash Receptacle (metal)	EA	60	$ 1,500.00	$ 90,000.00
Bicycle Rack (metal)	EA	10	$ 1,000.00	$ 10,000.00
Pedestrian Bench (metal)	EA	60	$ 3,000.00	$ 180,000.00
Landscaping				
Deciduous Trees (2-3" Cal)	EA	250	$ 1,250.00	$ 312,500.00
Shrubs (5 gal)	EA	2,500	$ 40.00	$ 100,000.00
Sod	SF	53,400	$ 1.25	$ 66,750.00
Bed Prep and Mulch	SF	106,800	$ 5.00	$ 534,000.00
Steel Edger	LF	18,000	$ 2.00	$ 36,000.00
Irrigation Tap and Meter	EA	6	$ 5,000.00	$ 30,000.00
Irrigation	SF	64,000	$ 2.00	$ 128,000.00
Backflow Prevention	EA	6	$ 2,500.00	$ 15,000.00
Controller	EA	6	$ 2,500.00	$ 15,000.00
Specialty Features				
Upgraded Stamped Concrete Cross Walks	LF	5,800	$ 125.00	$ 725,000.00
Street Banners & Brackets (heavy vinyl)	EA	450	$ 750.00	$ 337,500.00
Colossal Flag (150' tall)	EA	2	$ 35,000.00	$ 70,000.00
Flag Lighting	EA	2	$ 25,000.00	$ 50,000.00
Columns (16' masonry pair)	EA	2	$ 20,000.00	$ 40,000.00
Twin Parks Concept (Allowance Per Park)	EA	4	$ 45,000.00	$ 180,000.00
Stateline Crossing Experience	EA	1	$ 20,000.00	$ 20,000.00
			Pedestrian/Bike Facilities Total	**$ 3,008,000.00**
			Street Furniture	**$ 460,000.00**
			Landscaping	**$ 1,237,250.00**
			Specialty Features	**$ 1,422,500.00**
			BOULEVARD CONCEPT TOTAL	**$ 6,127,750.00**

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Potential Funding Mechanisms

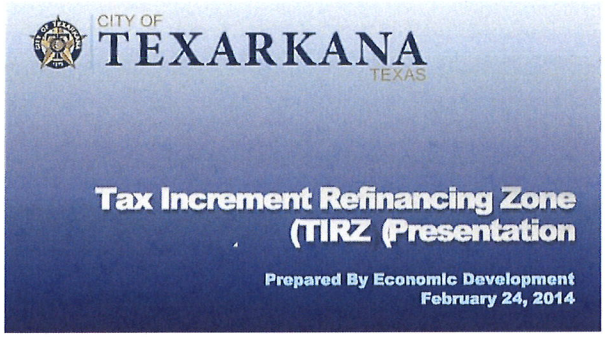


Public-Private Partnerships

A potential source of funding could be through public-private partnerships with local organizations. Multiple organizations have shown interest in the advancement of Stateline and may be willing to help with funding elements of the design or aiding in the maintenance of landscape improvements.

Tax Increment Financing

Tax Increment Financing (TIF) is a method local governments can use to pay for improvements that will draw private investment to an area. Tax increment financing is not a new tax; instead, it redirects some of the ad valorem tax from properties in a geographic area designated as a Tax Increment Reinvestment Zone (TIRZ) to pay for improvements in the zone.



Grant Funding

Multiple agencies at State and Federal levels have grant funds established for pedestrian improvements and downtown revitalization areas. Portions of the proposed improvements could be funded through the grant process in the coming years.

ARDOT ARKANSAS DEPARTMENT OF TRANSPORTATION

Texas Department of Transportation

U.S. Department of Transportation Federal Highway Administration

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Action Plan

The table below includes action items required to achieve the design alternatives previously detailed. This includes additional action items that would be required to achieve the desired goals. Additional "soft cost" or fees beyond the included construction estimates may be necessary and are not included in the scope of this report.

Implementation in DOT Project

With the reconstruction project slated in the short term, this has a significant impact to the action plan provided below. With the last major improvements to Stateline having been accomplished over 50 years ago, this would be the most opportune time to incorporate some of the elements of this report.

Time Frame Guideline

Time frames depicted on the implementation plan are detailed as:

Short Term Time Frame

Should begin Development & Coordination Immediately.

0 - 5 years to Completion

Mid Term Time Frame

Does not require immediate action but could be pursued alongside DOT project or immediately after.

5 - 10 years to Completion

Long Term Time Frame

Will require additional planning and coordination with local government and state agencies.

5 – 25+ years to Completion, Or Perpetual

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Implementation Plan

Goal	*Action Items*	Time Frame			Approx. Funding	Maintenance Required
		Short Term	Mid Term	Long Term		
Lane Reconfiguration	Coordinate design w/ DOT Additional Studies may be necessary	X			None	None
Median Construction (Alt #1 Only)	Coordinate Design w/ DOT Public Involvement Additional Studies will be necessary Develop Design for median treatment (pavers, landscape, gen. concrete)	X			Varies Depending on Median Treatment	Depends on Landscaping o Medians
Shared Use Path Install	Potentially install as part of DOT Project Develop Design	X			See full cost in Table Above (portions may be covered in DOT Project)	None
Establish Landscape Areas	Coordinate with DOT Project the desire to establish areas for landscape and amenity zones	X			Minimal up to $500,000 depending on install during DOT project	Yes
Pedestrian Lighting	Develop Design based on constructed DOT Project & Pedestrian Facilities in Place Coordinate Improvements with DOTs Maintenance Agreement in place for Cities to Maintain		X		Up to $825,000 Cost could be affected by DOT project	Yes
Street Furniture Installation	Develop Design based on constructed DOT Project & Pedestrian Facilities in Place *Explore funding opportunities (potentially public/private partnerships)*		X		Up to $350,000	Minimal

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

Implementation Plan

Goal	*Action Items*	Time Frame			Approx. Funding	Maintenance Required
		Short Term	Mid Term	Long Term		
Upgrade Landscape Areas	Determine Funding Source for implementation and maintenance		X		Varies (See Cost Breakdown)	Yes
Colossal Flag Feature	Permit Placement with DOTs Funding Source and lighting/foundation design		X		$120,000	Minimal
Street Banners & Gateway Features	Funding source, coordinate placement with DOT		X		Up to $360,000	Minimal
Crossing Experience	Draft Designs, receive public input Establish funding and DOT Approval			X	$20,000	Minimal
Twin Green Spaces Construction	Draft Designs, receive public input Establish funding and DOT Approval			X	Varies based on Design	Yes
Stateline Overlay District	Draft Overlay District Guidelines Review and Approval Process Begin Implementation for development projects			X	None	No
Driveway Reduction Plan	Draft Driveway reduction guidelines Additional study to determine driveways that could be targeted for removal Coordinate Agreement with Owners (voluntary, exchange for improvements or compensation for loss of drive) Construction phase to remove driveways			X	Unknown (Based on Owner Agreements)	No

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Summary

Both alternatives, if implemented per this report, would redefine Stateline as a premiere corridor that promotes all uses and creates a more user-friendly environment that encourages economic development.

Public Input

Of the 270+ participants at the first public meeting 70% agreed that medians could create a safer roadway, based solely on minimal understanding of the design & purpose of a raised median.

At the second public meeting raised medians were depicted for the residential and urban district on large printed medium and traffic impacts among other topics were discussed with the attendees and business owners in breakout groups for each district. Traffic impacts included discussion relating to reroutes onto adjacent side streets. Public input based on 75+ participants showed 87% approved of raised medians in the residential district and 81% wanted the regional commercial concept revised to include raised medians. Questions regarding the Urban and business district were not specifically asked.

At the final public meeting both alternatives outlined in this report were presented to approximately 50 individuals and they selected their preferred option for each of the 4 districts. Based on 28 responses, the Boulevard Alternative was selected in each district with increasing support the closer to downtown the corridor went as the preferred alternative.

MPO Public Meeting #3- Proposed Alternatives Input			
District	Concept	YES	%
Regional Commercial	Boulevard Concept	15	54%
Regional Commercial	Redevelopment Concept	13	46%
Business	Boulevard Concept	16	57%
Business	Redevelopment Concept	12	43%
Residential	Boulevard Concept	17	61%
Residential	Redevelopment Concept	11	39%
Urban	Boulevard Concept	18	64%
Urban	Redevelopment Concept	10	36%

Attachment: 2022-122 ATTH 02 Corridor Plan Summary (3831 : 2022-122 RES State Line Alternative Two)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2022-122 Goals and Perspectives (3831 : 2022-122 RES State Line Alternative Two)