



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • OCTOBER 26, 2020

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

220 TEXAS BLVD.
TEXARKANA, TX 75501

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

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Jean H. Matlock	Ward 1	Present	
Mary Hart	Ward 2	Present	
Betty Williams	Ward 3	Present	
Christie Alcorn	Ward 4	Present	
Bill Harp	Ward 5	Present	
Jay Davis	Ward 6	Present	

Staff Present: City Manager Shirley Jaster, Jennifer Evans, David Orr, Jonathan Wade, Lisa Thompson, Karey Parker, Sherry Jackson Hawkins, Dusty Henslee, and Mashell Daniel.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER JAY DAVIS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, November 9, 2020 at 6:00 p.m.

Monday, November 23, 2020 at 6:00 p.m.

Monday, December 14, 2020 at 6:00 p.m.

Local Events:

October 31st Annual "Bark at the Park" 9 a.m. - 2 p.m at Spring Lake Park

Parks & Recreation Events:

Thursday Night - Movies in the Park - Spring Lake Park

October 29th "The Town that Dreaded Sundown"

****Movie will begin at dusk****

October 31st Drive-thru Trunk or Treat 4 p.m. - 6 p.m. Spring Lake Park

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.

Mayor Bruggeman provided a COVID-19 update: As of October 23rd, there has been a total of 1,788 cases, resulting in 78 deaths related to the virus. As of this meeting, there are 42 new cases in Bowie County. Citizens were encouraged to wear masks especially while frequenting restaurants and stores.

The Mayor thanked Mike Malone, of the Texarkana Chamber of Commerce, for hosting a Small Business Expo recently on October 15th. Several downtown business owners participated and it was well attended by the public. It was a very fun evening and needless to say, the "pie eating" contest is forever etched in Mayor Bruggeman's memory!

IV. ITEM FOR DISCUSSION

Consider changes to City Recycling Program and/or "Municipal Solid Waste Collection and Transportation Agreement" with Waste Management of Texas, Inc.

Mayor Bruggeman said most of the citizens he spoke with chose option #2. A consensus from council members as to which option their constituents favored was shared as follows:

Ward 1 Jean Matlock - Option #2
 Ward 2 Mary Hart - No comment
 Ward 3 Betty Williams - Option #2
 Ward 4 Christie Alcorn - Option #2
 Ward 5 Bill Harp - Option #1 (60/40 split)
 Ward 6 Jay Davis - Option #2

Opt 1	1x wk Trash	\$20.82/home/month	N/A
	1x wk Yard Waste		
	1x wk Recycle		
	(Cardboard + Mixed Paper to Caraustar)		
	Introduce Pilot Program for		
	Cardboard Recycling for Schools		
Opt 2	1x wk Trash & Bulky Waste	\$24.59/home/month	+ \$3.77/home/month
	1x wk yard waste		
	1x wk Recycle		
	(Single-Stream to Little Rock MRF)		
Opt 3	1x wk Trash	\$17.84/home/month	- \$2.98/home/month
	1x wk Yard Waste		
	No Recycle		

Doug Sims, of Waste Management, was present for questions. City Attorney Lewis made himself available to discuss the solid waste collection and transportation agreement in closed session at council's discretion.

WM Recycle Service Options Summary

RESULT:	CLOSE ACTION
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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.

Ginger Dovell addressed council with comments related to the Confederate Mother's Monument in downtown Texarkana.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

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

VII. ITEMS FOR CONSIDERATION

Consent Items

(6:19 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Mary Hart, Ward 2
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on October 12, 2020 at 6:00 PM.
2. Resolution No. 2020-122 approving Bowie Central Appraisal District's 2020 tax roll.

Public Hearing:
Council Vote: October 26, 2020

Action Items

3. Resolution No. 2020-128 suspending the effective date for 90 days in connection with the application to increase rates filed by SWEPCO on or about October 13, 2020; and authorizing participation in Cities Advocating Reasonable Deregulation, participation in related rate proceedings, and retention of special counsel.

Public Hearing:

Council Vote: October 26, 2020

City Attorney Lewis briefed this agenda.

(6:26 p.m.)

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

VIII. FIRST BRIEFINGS

1. Ordinance No. 2020-114 rezoning a 2.206-acre tract of land in the John A. Talbot HRS, A-564, located in the 5600 block of Richmond Road. Office to Planned Development-General Retail. Kirk Patton, representing PHRMG Developers, owner and Don Robertson, agent.

Public Hearing: November 9, 2020

Council Vote: November 9, 2020

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/9/2020 6:00 PM
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2. Ordinance No. 2020-123 amending PD-20-5(GR) for site plan approval on a 2.206-acre tract of land in the John A. Talbot HRS, A-564, located in the 5600 block of Richmond Road. Kirk Patton, representing PHRMG Developers, owner and Don Robertson, agent.

Public Hearing: November 9, 2020

Council Vote: November 9, 2020

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/9/2020 6:00 PM
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3. Ordinance No. 2020-115 rezoning a 1.500-acre tract of land in the John A. Talbot HRS, A-564, located at 5605 Richmond Road. Office to Planned Development-General Retail. Kirk Patton, representing PHRMG Developers, owner and Richard Reynolds, agent.

Public Hearing: November 9, 2020
Council Vote: November 9, 2020

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/9/2020 6:00 PM
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4. Ordinance No. 2020-124 amending PD-20-6(GR) for site plan approval to allow the location of a convenience store on a 1.500-acre tract of land in the John A. Talbot HRS, A-564 located at 5605 Richmond Road. Kirk Patton, owner and Richard Reynolds, agent.

Public Hearing: November 9, 2020
Council Vote: November 9, 2020

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/9/2020 6:00 PM
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5. Ordinance No. 2020-116 amending PD-96-4(GR) for site plan approval on a 3.94-acre tract of land being part of Lots 10-13, Block 4, Urban Heights Addition, located on Chelf Road (between Pansy and Collom Streets). James Naples, owner and David Williams, MTG Engineers and Surveyors, agent.

Public Hearing: November 9, 2020
Council Vote: November 9, 2020

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/9/2020 6:00 PM
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6. Ordinance No. 2020-117 amending PD-16-1(NS) for site plan approval on a 1.295-acre tract of land in the George Brinlee HRS, A-18, located at 4824 McKnight Road. Aaron Gaylor, dba Gaylor Equities, LLC, owner.

Public Hearing: November 9, 2020
Council Vote: November 9, 2020

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/9/2020 6:00 PM
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7. Ordinance No. 2020-118 amending PD-01-9(GR) for site plan approval on a 1.156-acre tract of land being Lot B Replat, Block 1, Walsh Carter Master Tract, located at 5001 Cowhorn Creek Road. The Saxton Group (McAlister's Deli), owner and Angela Marie Odom, Odom Architects, agent.

Public Hearing: November 9, 2020
Council Vote: November 9, 2020

Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/9/2020 6:00 PM
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8. Ordinance No. 2020-121 amending the City's Traffic Register to establish a twenty-five miles per hour (25 mph) school zone speed limit for sections of Galleria Oaks Drive, Christus Drive, and Sam Warren Drive in the vicinity of the Pleasant Grove Margaret Fischer Davis Elementary School on school days.

Public Hearing: November 9, 2020
Council Vote: November 9, 2020

Jonathan Wade briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/9/2020 6:00 PM
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9. Resolution No. 2020-125 recognizing the Texarkana Arts & Historic District Committee and formalizing the entities represented to make strategic marketing decisions for the downtown cultural district and granting authority to function as a creative clearinghouse.

Public Hearing:
Council Vote: November 9, 2020

Lisa Thompson briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/9/2020 6:00 PM
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IX. PUBLIC HEARINGS - NONE

X. ITEMS FOR DISCUSSION

Staff Updates - None

XI. ADMINISTRATIVE COMMENTS

1. City Council

The Mayor said he accepted an invitation to spend the afternoon with students at Redwater Elementary School. Third grade students were studying and learning about the

inter workings of city government. The Mayor discussed voting, duties of a mayor, and responsibilities of city council members.

2. City Staff

Staff had no administrative comments for council.

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Section 551.071 of the Texas Government Code for a private consultation with the City Attorney and Section 551.074 (Personnel Matters) to discuss or deliberate the City Manager's contract, evaluation, duties, goals, and performance review.

Mayor Bruggeman also announced the closed session would include a private consultation with the City Attorney pursuant to Section 551.071 with regard to the noticed agenda item pertaining to the Waste Management contract.

XIII. RECONVENED INTO OPEN SESSION

1. Ordinance No. 2020-127 extending and amending the City Manager Employment Contract. (NOTE: Materials will be provided at the council meeting.)

Public Hearing:

Council Vote: October 26, 2020

The City Attorney provided Ordinance No. 2020-127 and Exhibit "A" or Amendment #2 to the City Manager's Employment Contract.

(8:21 p.m.)

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

XIV. ADJOURNMENT

A motion was made to adjourn the meeting.

(8:21 p.m.)

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

Minutes Finalized - City Secretary & Mayor



Jennifer Evans
City Secretary



Bob Bruggeman
Mayor

Briefing Sheet

Version:
Update Date: 10/19/2020 11:25 AM

Lead Department: City Manager

Action Officer: Jennifer Evans, City Secretary

Subject: WM Recycle Service Options Summary

Attachments

- a. WM Recycle Service Options Summary (102620 cm) (PDF)

Texarkana, Texas - Residential Recycling Options

As of October 1, 2020

Scenario	Residential Collection Service	Household Rate (Includes City 10% FF)	Change
Prior	1x wk Trash	\$20.82/home/month	N/A
	1x wk Yard Waste		
	1x wk Recycle		
	(Single-Stream to Caraustar)		
Option 1	1x wk Trash	\$20.82/home/month	N/A
	1x wk Yard Waste		
	1x wk Recycle		
	(Cardboard + Mixed Paper to Caraustar)		
	Introduce Pilot Program for		
	Cardboard Recycling for Schools		
Option 2	1x wk Trash & Bulky Waste	\$24.59/home/month	+ \$3.77/home/month
	1x wk yard waste		
	1x wk Recycle		
	(Single-Stream to Little Rock MRF)		
Option 3	1x wk Trash	\$17.84/home/month	- \$2.98/home/month
	1x wk Yard Waste		
	No Recycle		



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

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

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Jean H. Matlock	Ward 1	Present	
Mary Hart	Ward 2	Present	
Betty Williams	Ward 3	Present	
Christie Alcorn	Ward 4	Absent	
Bill Harp	Ward 5	Present	
Jay Davis	Ward 6	Present	

Staff Present: Assistant City Manager David Orr, Jennifer Evans, Kristin Peebles, Sherry Jackson Hawkins, Mashell Daniel, Karey Parker, Dusty Henslee, and Lisa Thompson.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER BILL HARP

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, October 26, 2020 at 6:00 p.m.
Monday, November 9, 2020 at 6:00 p.m.
Monday, November 23, 2020 at 6:00 p.m.

Local Events:

October 15th Small Business Expo - 3 p.m. -7 p.m. on Main Street in front of Perot Theatre
October 31st Annual "Bark at the Park" 9 a.m. - 2 p.m at Spring Lake Park

Parks & Recreation Events:

Thursday Night - Movies in the Park - Spring Lake Park
October 15th "Trolls World Tour"

Minutes Acceptance: Minutes of Oct 12, 2020 6:00 PM (Consent Items)

October 22nd “Sonic the Hedgehog”
 October 29th “The Town that Dreaded Sundown”

****Movies will begin at dusk****

October 24th	3V3 Soccer Spookout Tournament	Wallace Park
October 31st	Drive-thru Trunk or Treat 4 p.m. - 6 p.m.	Spring Lake Park

Southwest Center has reopened with limited hours of operation from 8:00 a.m. - 7:00 p.m., Monday through Friday. Meeting rooms, classes and gym activities will be limited to 15 people per session.

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.

Early Voting starts Tuesday, October 13th and ends on Friday, October 30th. Early Voting will be conducted at three locations for the city's registered voters:

EV1 Bowie County Courthouse, 710 James Bowie Drive, New Boston Texas

EV2 Southwest Center, 3222 W. 7th Street, Texarkana, Texas

EV3 Walnut Church of Christ, 2720 Moores Lane, Texarkana, Texas

The Mayor welcomed Texarkana Regional Airport Director Paul Mehrlich to the meeting.

SPECIAL PRESENTATION: WASTE MANAGEMENT UPDATE - BY DOUG SIMS

Mr. Sims provided three recycling dilemma options to the council after discussions with city staff:

Option 1 - Continue taking curbside cardboard and mixed paper to Caraustar, which would limit what is allowed in the recycling bin;

Option 2 - Begin taking single-stream recycling to Little Rock, which would require customers to pay an additional \$3.77 per month; or

Option 3 - Discontinue the program altogether.

Mayor Bruggeman said citizens that he had spoken with were in favor of paying the extra \$3.77 per month to continue the program. The Mayor asked each council member to discuss the three options with his or her ward constituents in order to get a citywide consensus as to which option citizens favor the most.

IV. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

Dorcas Townsend addressed council with comments related to keeping the confederate monument in downtown Texarkana.

V. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

The council made no appointments or reappointments at this meeting.

VI. ITEMS FOR CONSIDERATION

Consent Items

(6:28 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Harp, Ward 5
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Bruggeman, Matlock, Hart, Williams, Harp, Davis
ABSENT:	Alcorn

1. Consider approval of the minutes of the Regular Meeting of the City Council held on September 28, 2020 at 6:00 PM.
2. Resolution No. 2020-120 approving an easement for a water line across a small section of land located on property of the Texarkana Airport Authority.

Public Hearing:

Council Vote: October 12, 2020

Action Items - None

VII. FIRST BRIEFINGS - NONE

VIII. PUBLIC HEARINGS

1. Ordinance No. 2020-024 amending the Code of Ordinances, Land Development Code, Chapter 105 "Buildings and Construction", Article III "Electrical Code" by adding section 105-181, "Electric Branch Circuits Feeding Sub-panels for Separate Occupancies of Multi-tenant Structures."

Public Hearing: October 12, 2020

Council Vote: October 12, 2020

There were no public comments made at this hearing.

(6:29 p.m.)

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

2. Ordinance No. 2020-098 rezoning an approximate 1.254-acre tract of land in the R.E. Sevey HRS, A-523, located at 2725 Page Street. Single Family-2 to Single Family-3. Alisha and Jeffrey Greene, applicants.

Public Hearing: October 12, 2020

Council Vote: October 12, 2020

There were no public comments made at this hearing.

(6:31 p.m.)

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

3. Ordinance No. 2020-099 granting a Specific Use Permit to allow the location of a double-wide HUD code manufactured home on an approximate 1.254-acre tract of land in the R.E. Sevey, A-523, located at 2725 Page Street. Alisha and Jeffrey Greene, applicants.

Public Hearing: October 12, 2020

Council Vote: October 12, 2020

There were no public comments made at this hearing.

(6:32 p.m.)

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

4. Ordinance No. 2020-100 rezoning Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane. Single Family-2 to Single Family-3. Brian Proctor, applicant.

Public Hearing: October 12, 2020

Council Vote: October 12, 2020

There were no public comments made at this hearing.
(6:33 p.m.)

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

5. Ordinance No. 2020-101 granting a Specific Use Permit to allow the location of a single-wide HUD code manufactured home on Lot 6, Block 3, Urban Heights Addition, located at 3011 Clover Lane. Brian Proctor, applicant.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

There were no public comments made at this hearing. The Mayor asked the City Secretary for a roll call vote.
(6:35 p.m.)

RESULT:	ADOPTED [5 TO 1]
MOVER:	Mary Hart, Ward 2
SECONDER:	Jay Davis, Ward 6
AYES:	Bruggeman, Hart, Williams, Harp, Davis
NAYS:	Matlock
ABSENT:	Alcorn

6. Ordinance No. 2020-102 rezoning a 26.54-acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive. Single Family-1 to Planned Development-General Retail. Cheney Pruett, dba Ames Development, LLC., applicant. Kayla Wood, MTG Engineering & Surveyors, agent. (A 3/4 vote of the City Council is required to approve this request).

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

Gabe Tarr asked council to consider the possible increase of drainage and erosion issues that could result from the development of this project for citizens who live in the Bel-Air Addition.

Kayla Wood said providing detention is being addressed, as it is included in the site plan application. Alternatives are also being looked at for the location of the detention basin. Once the project is fully developed, Ms. Wood does not anticipate the water flow from this development to add to or make worse the current drainage and erosion situation for the residents of the neighboring area.
(6:55 p.m.)

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

7. Ordinance No. 2020-103 granting a Specific Use Permit to allow a mini-warehouse development on a portion of a 26.54-acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive. Cheney Pruett, dba Ames Development, LLC., applicant. Kayla Wood, MTG Engineering & Surveyors, agent.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

There were no public comments made at this hearing.
(6:57 p.m.)

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

8. Ordinance No. 2020-104 amending PD-20-4 for site plan approval to allow a mini-warehouse development on a portion of a 26.54-acre tract of land in the John A. Talbot HRS, A-564, located at the corner of Richmond Road and Airline Drive. Cheney Pruett, dba Ames Development, LLC., applicant. Kayla Wood, MTG Engineering & Surveyors, agent.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

There were no public comments made at this hearing.
(7:00 p.m.)

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

9. Ordinance No. 2020-105 rezoning Tract 60A, Flower Acres Addition, located in the 3100 block of Bender Road. Single Family-2 to Two-Family-2. Patrick Hill, applicant.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

There were no public comments made at this hearing.
(7:01 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay Davis, Ward 6
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Bruggeman, Matlock, Hart, Williams, Harp, Davis
ABSENT:	Alcorn

10. Ordinance No. 2020-106 rezoning Tracts 58C and 59, Flower Acres Addition, located in the 3000 block of Bender Road. Single Family-2 to Two Family-2. Patrick Hill, applicant.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

There were no public comments made at this hearing.
(7:03 p.m.)

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

11. Ordinance No. 2020-107 rezoning Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue. Single Family-2 to Single Family-3. Rosheaka Webster, applicant.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

There were no public comments made at this hearing.
(7:04 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Hart, Ward 2
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Bruggeman, Matlock, Hart, Williams, Harp, Davis
ABSENT:	Alcorn

12. Ordinance No. 2020-108 granting a Specific Use Permit to allow the location of a double-wide HUD code manufactured home on Lots 15-24, Block 4, Greater Texarkana Addition, located in the 700 block of Ward Avenue. Rosheaka Webster, applicant.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

There were no public comments made at this hearing.
(7:06 p.m.)

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

13. Ordinance No. 2020-109 granting a Specific Use Permit to allow permanent cosmetics and microblading in a tenant space on Lots 1, 2 and north 1/2 of Lot 3, Block 16, Bell Heights Addition, located at 4410 Texas Boulevard. Mark Looney, applicant. Linde Huddleston, agent.

Public Hearing: October 12, 2020
Council Vote: October 12, 2020

There were no public comments made at this hearing.
(7:08 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Harp, Ward 5
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Bruggeman, Matlock, Hart, Williams, Harp, Davis
ABSENT:	Alcorn

IX. ITEMS FOR DISCUSSION

Staff Updates

Assistant City Manager Orr reminded council members that the email they received regarding the Hotel Grim provided a timely update about the project. Framing has begun on the 5th and 6th floors. Windows are 90% installed and the clay tile roof is now finished. A Facebook page entitled "The Lofts at the Grim" has been created to regularly provide updated posts. The report also addresses minority or women-owned business enterprises and workers onsite involved in the project.

Beverly Community Center supporters have been active holding fundraisers to help meet the required building codes and standards to reopen the center. Funds raised have surpassed \$25,000. Staff will present a future council request for a \$25,000 match to go towards the needed upgrades. The matching dollars, if approved by council, will come from Neighborhood Revitalization funds that are currently budgeted.

X. ADMINISTRATIVE COMMENTS

1. City Council

Council Member Davis asked staff to share the Hotel Grim Apartments update with Mr. Armani Valentino.

Council Member Matlock said a citizen complimented city staff for responding so promptly to a code issue on her street.

Council Member Harp also said citizens have called him and expressed appreciation for staff's quick response to their requests as well.

Mayor Bruggeman gave a word of caution in regards to the I-30 construction project underway. With the shifting of eastbound traffic from its current position, this will result in some of the existing acceleration/auxiliary lanes becoming **shorter** lanes for vehicles to merge into the mainlane traffic.

Citizens were also urged to keep in mind road equipment, highway workers, lane reconfigurations and speed while traveling during the construction phase. State workers will continue working from 8:00 p.m. to 6:00 a.m. while traffic is less. TxDOT hopes that all travelers on I-30 remember: "Drive Friendly - The Texas Way!"

2. City Staff

Staff had no administrative comments for council.

XI. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:15 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Mary Hart, Ward 2
AYES:	Bruggeman, Matlock, Hart, Williams, Harp, Davis
ABSENT:	Alcorn

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/20/2020 11:42 AM

Lead Department: Finance Department **Action Officer:** Kristin Peeples,
Subject: Resolution No. 2020-122 approving Bowie Central Appraisal District's 2020 tax roll.

Briefing: 10/26/2020 **Public Hearing:** **Council Vote:** 10/26/2020

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bowie Central Appraisal District has completed and presented the City's 2020 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, 2021.

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

- 2020-122 RES Approving 2020 Tax Roll (DOC)
- 2020-122 EXH 'A' Tax Roll (PDF)

City of Texarkana, Texas

- c. 2020-122 Goals & Perspectives (DOCX)
- d. 2020-122 RES Approving 2020 Tax Roll sigend (PDF)

Staff Coordination

Finance Department	Kristin Peeples	Department Head Review	Completed	
	10/13/2020 11:13 AM			
Finance Department	Kristin Peeples	Finance Review	Completed	10/13/2020
	11:13 AM			
Planning and Community Development	David Orr	Review	Completed	
	10/20/2020 11:10 AM			
City Manager	Vicky Coopwood	City Manager Review	Skipped	10/20/2020
	11:41 AM			
City Council	Jennifer Evans	Meeting	Completed	10/26/2020
	6:00 PM			

Meeting History

RESOLUTION NO. 2020-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE BOWIE CENTRAL APPRAISAL DISTRICT 2020 TAX ROLL FOR THE CITY OF TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Bowie Central Appraisal District has completed the 2020 Tax Roll; and

WHEREAS, it is recommended by the Finance Department that the 2020 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: That the 2020 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, 2020 Tax Roll are attached hereto and incorporated herein as **Exhibit "A"**.

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

PASSED AND APPROVED in Regular Council Session on this the **26th day of October, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2020-122 RES Approving 2020 Tax Roll (2385 : 2020-122 RES Approving 2020 Tax Roll)

BCAD

BCAD
122 Plaza West Suite A
Texarkana, TX 75505

PHONE 903-793-8936
FAX 903-792-8889

October 2, 2020

CITY OF TEXARKANA
P O BOX 1967
TEXARKANA, TX 75504-1967

Enclosed is a copy of your 2020 Tax Roll. Please have it signed and return it to our office at your earliest convenience.

Sincerely,

Kim Kinder
Director of Collections

Attachment: 2020-122 EXH 'A' Tax Roll (2385 : 2020-122 RES Approving 2020 Tax Roll)

CITY OF TEXARKKANA

2020 TAX ROLL

TOTAL TAXABLE VALUE	2,326,093,515
GROSS TAX LEVY	\$16,282,662.16
LESS TAX ON FROZEN ITEMS	\$2,296,880.70
PLUS FROZEN TAXES	\$1,706,394.51
PLUS LATE PENALTY GAIN	\$30,983.29
TOTAL TAX LEVY	\$15,723,159.26

COUNCIL MEMBERS :

MAYOR , BOB BRUGGEMAN	
MEMBER JEAN MATLOCK	
MEMBER , MARY HART	
MEMBER , BETTY WILLIAMS	
MEMBER , CHRISTIE ALCORN	
MEMBER , JAY DAVIS	
MEMBER, BILL HARP	

APPROVED THE _____ DAY OF _____ 2020

Attachment: 2020-122 EXH 'A' Tax Roll (2385 : 2020-122 RES Approving 2020 Tax Roll)

CITY OF TEXARKKANA T1

2020 TAX ROLL

TOTAL TAXABLE VALUE	343,682,850
GROSS TAX LEVY	\$2,405,780.22
LESS TAX ON FROZEN ITEMS	\$19,526.22
PLUS FROZEN TAXES	\$13,051.36
PLUS LATE PENALTY GAIN	\$0.00
TOTAL TAX LEVY	\$2,399,305.36

COUNCIL MEMBERS :

MAYOR , BOB BRUGGEMAN

MEMBER JEAN MATLOCK

MEMBER , MARY HART

MEMBER , BETTY WILLIAMS

MEMBER , CHRISTIE ALCORN

MEMBER , JAY DAVIS

MEMBER, BILL HARP

APPROVED THE _____ DAY OF _____

2020

Attachment: 2020-122 EXH 'A' Tax Roll (2385 : 2020-122 RES Approving 2020 Tax Roll)

CITY OF TEXARKKANA T2

2020 TAX ROLL

TOTAL TAXABLE VALUE	54,369,234
GROSS TAX LEVY	\$380,584.88
LESS TAX ON FROZEN ITEMS	\$3,557.54
PLUS FROZEN TAXES	\$2,840.65
PLUS LATE PENALTY GAIN	\$0.00
TOTAL TAX LEVY	\$379,867.99

COUNCIL MEMBERS :

MAYOR , BOB BRUGGEMAN

MEMBER JEAN MATLOCK

MEMBER , MARY HART

MEMBER , BETTY WILLIAMS

MEMBER , CHRISTIE ALCORN

MEMBER , JAY DAVIS

MEMBER, BILL HARP

APPROVED THE _____ DAY OF _____

2020

Attachment: 2020-122 EXH 'A' Tax Roll (2385 : 2020-122 RES Approving 2020 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:

RESOLUTION NO. 2020-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE BOWIE CENTRAL APPRAISAL DISTRICT 2020 TAX ROLL FOR THE CITY OF TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Bowie Central Appraisal District has completed the 2020 Tax Roll; and

WHEREAS, it is recommended by the Finance Department that the 2020 Tax Roll for the City of Texarkana, Texas, be approved as presented.

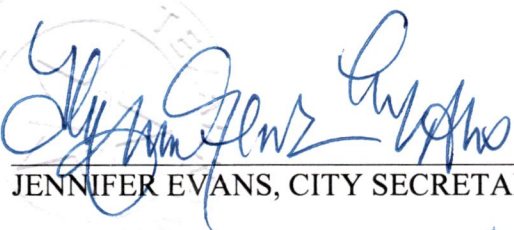
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SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **26th** day of **October, 2020**.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

6:19 p.m.

Attachment: 2020-122 RES Approving 2020 Tax Roll sigend (2385 : 2020-122 RES Approving 2020 Tax Roll)

CITY OF TEXARKKANA

2020 TAX ROLL

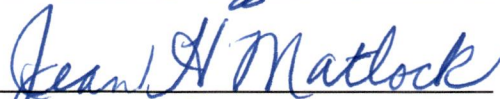
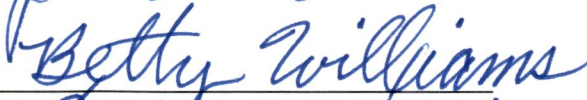
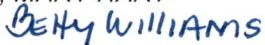
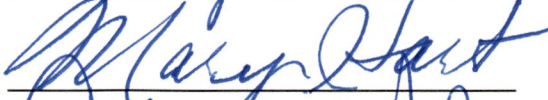
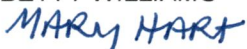
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TOTAL TAX LEVY	\$15,723,159.26

COUNCIL MEMBERS :

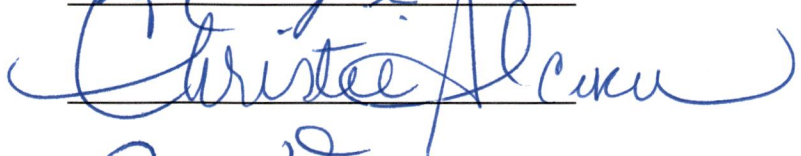
MAYOR , BOB BRUGGEMAN



MEMBER JEAN MATLOCK

MEMBER , ~~MARY HART~~MEMBER , ~~BETTY WILLIAMS~~

MEMBER , CHRISTIE ALCORN



MEMBER , JAY DAVIS



MEMBER , BILL HARP

APPROVED THE 26th DAY OF OCTOBER

2020

CITY OF TEXARKKANA T1

2020 TAX ROLL

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MEMBER, ~~MARY HART~~
Betty WilliamsMEMBER, ~~BETTY WILLIAMS~~
MARY HART

MEMBER, CHRISTIE ALCORN

MEMBER, JAY DAVIS

MEMBER, BILL HARP

APPROVED THE 26th DAY OF OCTOBER 2020

CITY OF TEXARKKANA T2

2020 TAX ROLL

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MEMBER, ~~MARY HART~~
Betty WilliamsMEMBER, ~~BETTY WILLIAMS~~
MARY HART

MEMBER, CHRISTIE ALCORN

MEMBER, JAY DAVIS

MEMBER, BILL HARP

APPROVED THE 26th DAY OF OCTOBER 2020

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/21/2020 9:31 AM

Lead Department: City Manager **Action Officer:** Jennifer Evans, City Secretary
Resolution No. 2020-128 suspending the effective date for 90 days in
connection with the application to increase rates filed by SWEPCO on or about
October 13, 2020; and authorizing participation in Cities Advocating
Subject: Reasonable Deregulation, participation in related rate proceedings, and retention
of special counsel.

Briefing: 10/26/2020 **Public Hearing:** **Council Vote:** 10/26/2020

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

On about October 13, 2020, SWEPCO filed an application to increase its base rate revenues by approximately \$105 million, which equates to an increase of approximately 30%. SWEPCO filed its Statement of Intent to raise rates with the City and with the Public Utility Commission of Texas ("PUCT") on the same date. Currently SWEPCO recovers a portion of its transmission- and distribution-related costs through its "Transmission Cost Recovery Factor" ("TCRF") and its "Distribution Cost Recovery Factor" ("DCRF"). The rules of the PUCT require SWEPCO move recovery of its transmission- and distribution-related costs to its base rates when it files a general rate case. Doing so results in a net increase of approximately \$90.2 million in annual revenue, which represents an increase in base revenue of about 26% not including fuel revenues or other rider revenues. Including fuel revenue, SWEPCO's request equates to about a 16% increase in revenue. SWEPCO based its requested rate increase on a test year ending March 31, 2020.

SWEPCO's application requests an effective date of November 17, 2020, for its proposed increase in rates. Pursuant to state law, SWEPCO has requested that the final rates set in this proceeding relate back to usage occurring 155 days after the filing of the application, or March 17, 2021. This means that under SWEPCO's request, the final rates set in this case will relate back to usage occurring on and after March 17, 2021.

Drivers of Increase According to SWEPCO:

The main drivers of SWEPCO's proposed increase in rates are:

1. A proposed return on equity of 10.35% with a capital structure comprised of 49.37% equity and 50.63% long-term debt. Note that in SWEPCO's 2016 rate case, the Commission awarded SWEPCO a return on equity of 9.6% and a capital structure comprised of 48.46% and 51.54% long-term debt.
2. Acceleration of recovery of depreciation expense for SWEPCO's Dolet Hills Power Station related to a reduction in the plant's operations and retirement due to force majeure events that occurred in 2017 and 2018 and.

City of Texarkana, Texas

3. Request for the establishment and funding of a self-insurance reserve in the amount of about \$3.6 million with annual accruals of about \$1.7 million.
4. Recovery of SWEPCO's system restoration costs related to Hurricane Laura.
5. Recovery of about \$14.6 million vegetation management costs, representing an increase of about \$5.0 million over current spend levels.

Assignment of Increase to Customer Classes:

SWEPCO proposes to allocate its proposed base revenue increase, excluding the cost fuel, among the customer classes as follows:

Rate Class	Present Base Rate Revenue	Proposed Base Rate Revenue	Proposed Increase	Percent Increase
Residential	\$147,077,995	\$188,152,172	\$41,074,177	28%
Total Commercial/Small Industrial	\$146,798,138	\$195,209,984	\$48,411,846	33%
Total Large Industrial	\$41,956,723	\$55,793,625	\$13,836,902	33%
Total Municipal	\$3,929,551	\$4,459,489	\$529,938	13%
Total Lighting	<u>\$6,740,893</u>	<u>\$7,913,240</u>	<u>\$1,172,347</u>	<u>17%</u>
TOTAL TX Retail	\$346,503,301	\$451,528,509	\$105,025,208	30%

Bill Impact from Proposed Increase:

Residential Customer – Impact on Bill:

a. Comparison of Current to Proposed Rates:

RESIDENTIAL	Current	Proposed
Cust. Charge/Mo.	\$8.00	\$10.00
Usage Charge/kWh (May-Oct)	\$0.072266	\$0.092448
kWh Charge (Nov-Apr) (<=600 kWh)	\$0.053589	\$0.068555
kWh Charge (Nov-Apr) (>600 kWh)	\$0.043789	\$0.056855
Riders (TCRF, DCRF, EECRF Rate Case Expenses)/kWh	\$0.004739	\$0.001261
Fuel	\$0.031073	\$0.031073

b. The effect of SWEPCO's proposed increase on the base rate portion of a Residential customer's bill is as shown below:

		1000 kWh	1500 kWh	2000 kWh	3000 kWh
May - Oct	Increase \$	\$22.18	\$32.27	\$42.36	\$62.55
	Increase %	27.64%	27.73%	27.77%	27.82%
Nov. - Apr	Increase \$	\$16.21	\$22.74	\$29.27	\$42.34

City of Texarkana, Texas

	Increase %	28.10%		28.58%		28.85%		29.15%
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General Service Customer (Small Commercial) – Impact on Bill:**a. Comparison of Current to Proposed Rates:**

GENERAL SERVICE	Current	Proposed
Cust. Charge/Mo.	\$11.59	\$15.00
Usage Charge/kWh (May-Oct)	\$0.061302	\$0.089950
Demand Charge/kW (<=10 kW)	\$0.00	\$2.95
Demand Charge/kW (>10 kW)	\$4.87	\$2.95
Riders (TCRF, DCRF, EECRF Rate Case Expenses)/kWh	\$0.004827	\$0.001021
Fuel	\$0.031087	\$0.031087

b. Bill Impact: The table below shows the effect on a Small General Service customer's bill at varying levels of consumption.

Proposed Increase in General Service Customer's Bill Base Rates (Base Revenues Only - Excludes Fuel Costs)				
With No Demand Charge				
Consumption	1000 kWh	1500 kWh	2000 kWh	3000 kWh
Present Base Bill	\$72.89	\$103.54	\$134.19	\$195.50
Proposed Base Bill	<u>\$104.95</u>	<u>\$149.93</u>	<u>\$194.90</u>	<u>\$284.85</u>
Increase \$	\$32.06	\$46.39	\$60.71	\$89.35
Increase %	43.98%	44.80%	45.24%%	45.70%
With Demand Charge				
Consumption	2000 kWh	2500 kWh	5000 kWh	10000 kWh
Present Base Bill	\$134.19	\$177.03	\$391.15	\$819.41
Proposed Base Bill	<u>\$195.34</u>	<u>\$240.43</u>	<u>\$465.85</u>	<u>\$916.69</u>
Increase \$	\$61.15	\$63.40	\$74.70	\$97.28
Increase %	45.57%	35.81%	19.10%	11.87%

Representation and Participation in CARD:

The law firm of Herrera Law and Associates, PLLC (through Mr. Alfred R. Herrera) has previously represented the City and its participation in the coalition of cities named the "Cities Advocating Reasonable Deregulation" ("CARD") in rate matters involving SWEPCO, including SWEPCO's most recent rate and fuel cases. The Resolution authorizes retention of Herrera Law & Associates, PLLC as Special Counsel and continued participation in the CARD coalition.

City of Texarkana, Texas

Potential Options:

SWEPCO's rate-filing package presents a complex set of ratemaking issues. Moreover, given the volume of data presented in SWEPCO's application, CARD's lawyers and consultants cannot reasonably conclude their review and analysis of SWEPCO's filing by November 17, 2020. Therefore, CARD's Special Counsel recommends that City Council suspend SWEPCO's proposed effective date for its rate increase for the period allowed by law. The standard period of suspension is 90 days. Based on the proposed effective date of November 17, 2020, the 90th day is February 15, 2021.

Should SWEPCO extend its proposed effective date of November 17, 2020, the 90-day suspension period would extend accordingly to correspond to the revised effective date. Also, should SWEPCO's published notice or its application be found deficient, then SWEPCO's proposed effective date would change as would the period of suspension.

By suspending SWEPCO's proposed effective date to undertake its review of SWEPCO's proposed increase in rates, the City will need to take additional action in the near future on SWEPCO's proposed increase. The attached Resolution does not address that future event; rather, it does nothing more than to suspend SWEPCO's proposed effective date to allow CARD's attorneys and consultants review SWEPCO's application.

CARD's Special Counsel also recommends that it is crucial to participate in the PUCT proceedings because the PUCT's decisions could impact rates within the City. The Resolution authorizes intervention in these proceedings as well as any appeals taken from the PUCT's decision.

Fiscal Implications:

If no action is taken on or before November 17, 2020 (SWEPCO's proposed effective date), the proposed increase in rates as filed will be deemed **approved** by operation of law.

By law, cities are entitled to recover their reasonable rate-case expenses from the utility. Legal counsel and consultants approved by the City will submit monthly invoices to a CARD-designated city (historically, Longview, as provided in the proposed Resolution) to serve as the "coordinating" city who will then forward invoices to SWEPCO for reimbursement. CARD legal counsel has represented to the City that no individual city's budget is negatively affected. The accompanying Resolution directs SWEPCO to reimburse CARD's rate case expenses on a monthly basis based on presentation of invoices from the cities.

Staff Recommendation:

Staff recommends approval of the CARD recommendations and adoption of the resolution.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2020-128 RES Suspension-CARD (jcl rev) (DOCX)
- b. 2020-128 ATTH 01 SWEPCO (Harland Ltr) (PDF)

City of Texarkana, Texas

- c. 2020-128 ATTH 02 SWEPCO's Petition and Statement of Intent (PDF)
- d. 2020-128 Goals & Perspectives (DOCX)
- e. 2020-128 RES SWEPCO Suspension - CARD signed (PDF)

Staff Coordination

City Manager	Jennifer Evans	Department Head Review	Completed
	10/21/2020 9:31 AM		
Planning and Community Development	David Orr	Review	Completed
	10/22/2020 8:30 AM		
City Manager	Jennifer Evans	City Manager Review	Skipped
6:07 PM			10/26/2020
City Council	Jennifer Evans	Meeting	Completed
6:00 PM			10/26/2020

Meeting History

RESOLUTION NO. 2020-128

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUSPENDING THE EFFECTIVE DATE FOR NINETY DAYS IN CONNECTION WITH THE APPLICATION TO INCREASE RATES FILED BY SOUTHWESTERN ELECTRIC POWER COMPANY ON OR ABOUT OCTOBER 13, 2020; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING PARTICIPATION IN THE COALITION OF SIMILARLY SITUATED CITIES KNOWN AS CITIES ADVOCATING REASONABLE DEREGULATION; AUTHORIZING INTERVENTION AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Southwestern Electric Power Company (“SWEPCO” or “Company”) filed a Statement of Intent with the City on about October 13, 2020, to increase its base revenues; and

WHEREAS, the City is a regulatory authority under the Public Utility Regulatory Act (“PURA”) and under Chapter 33, §33.001 et seq. of PURA has exclusive original jurisdiction over SWEPCO’s rates, operations, and services within the municipality; and

WHEREAS, in order to maximize the efficient use of resources and expertise in reviewing, analyzing, and investigating SWEPCO’s rate request and its changes in tariffs, it is prudent to coordinate the City’s efforts with a coalition of similarly situated municipalities; and

WHEREAS, the City, in matters regarding applications by SWEPCO to change rates, has in the past joined with other local regulatory authorities in the coalition of cities known as Cities Advocating Reasonable Deregulation (“CARD”), and hereby continues its participation in CARD; and

WHEREAS, SWEPCO proposes to implement its proposed increase in rates on or about November 17, 2020; and

WHEREAS, SWEPCO’s proposed increase in rates would result in a net increase to its base revenues of approximately \$90.2 million, which equates to a net increase of approximately 26% in base revenue, not including fuel or other revenue; and

WHEREAS, for a Residential customer using 1,000 kWh per month, if SWEPCO’s proposed increase is approved, the bill impact to that Residential customer would be an increase of over \$22.00 per month in base revenues during the On-Peak Period (May through October) which equates to an increase of approximately 31%, and over \$16.00 per month during the Off-Peak Period (November through April) which equates to an increase of about 28%; and

WHEREAS, the Company seeks a Return on Equity (ROE) of 10.35%; and

WHEREAS, SWEPCO seeks to increase its depreciation expense, establish a self-insurance reserve fund, recover certain costs related to Hurricane Laura, and seeks to increase its vegetation-management costs; and

WHEREAS, SWEPCO's rate request consists of a voluminous amount of information including SWEPCO's rate-filing package, exhibits, schedules, and workpapers; and

WHEREAS, it is not possible for the City to complete its review of SWEPCO's filing by November 17, 2020; and

WHEREAS, the City will need an adequate amount of time to investigate and determine whether SWEPCO has properly invoked the City's rate-setting jurisdiction, and if so, ultimately to review and evaluate SWEPCO's rate application to enable the City to adopt a final decision as a local regulatory authority with regard to SWEPCO's requested rate increase; and

WHEREAS, the City will require the assistance of specialized legal counsel and rate experts to review the merits of SWEPCO's application to increase rates; and

WHEREAS, to the extent SWEPCO seeks review at the Public Utility Commission of Texas of the City's final decision regarding SWEPCO's statement of intent to change rates, or because SWEPCO has submitted a statement of intent to the Public Utility Commission of Texas to increase rates in the environs of the City on the same date it submitted its request to the City, the decision of the Public Utility Commission of Texas could have an impact on the rates paid by the City and its citizens who are customers of SWEPCO, and in order for the City's participation to be meaningful it is important that the City promptly intervene in such proceeding at the Public Utility Commission of Texas.

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

SECTION 1. The findings set out in the preamble are in all things approved and incorporated herein as if fully set forth.

SECTION 2. SWEPCO's proposed effective date of November 17, 2020, for its proposed increase in rates is hereby **SUSPENDED** for ninety days beyond SWEPCO's proposed effective date or as may be amended.

SECTION 3. The statutory suspension period may be further extended to the extent allowed by law, or its Statement of Intent dismissed if SWEPCO does not provide adequate data from which the City may make a reasonable determination of the Company's rate base, expenses, investment, and rate of return in the City, or if SWEPCO does not provide timely, meaningful, and proper public notice of its request to increase rates and revenue, or if its rate-filing package is otherwise materially deficient.

SECTION 4. The City Council authorizes intervention in proceedings related to SWEPCO's Statement of Intent before the Public Utility Commission of Texas and related proceedings in

courts of law and participation in the coalition of cities known as Cities Advocating Reasonable Deregulation.

SECTION 5. The City Council continues the City's participation with other cities in a coalition of cities known as Cities Advocating Reasonable Deregulation with the understanding that the Steering Committee of CARD is to provide direction and guidance to Special Counsel representing said cities.

SECTION 6. As provided in PURA, the City Council hereby orders SWEPCO to reimburse the City's rate case expenses and that SWEPCO shall do so, through CARD's coordinating city, the City of Longview, Texas, on a monthly basis and within 30 days after submission of the City's invoices for the City's reasonable costs associated with the City's activities related to this rate review or to related proceedings involving SWEPCO before the City, the Public Utility Commission of Texas, or any court of law.

SECTION 7. Subject to the right to terminate employment at any time, the City Council retains and authorizes the law firm of Herrera & Boyle, PLLC to act as Special Counsel with regard to rate proceedings involving SWEPCO before the City, the Public Utility Commission of Texas, or any court of law and to retain such experts as may be reasonably necessary for review of SWEPCO's rate application subject to approval by the City.

SECTION 8. The City, in coordination with the Steering Committee, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to SWEPCO for reimbursement.

SECTION 9. A copy of this resolution shall be sent to SWEPCO's local representative and to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, 4400 Medical Parkway, Austin, Texas 78756.

SECTION 10. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 11. To the extent of any conflict with any Resolution previously adopted by the City Council, this Resolution shall control.

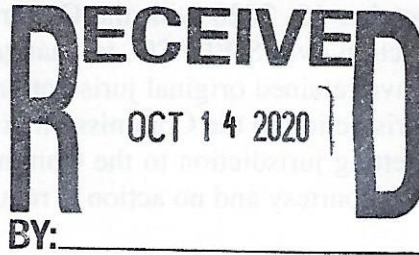
SECTION 12. This resolution shall become effective from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session this the **26th day of October, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



Southwestern Electric
Power Company
P.O. Box 21106
Shreveport, LA 71156-0001
SWEPCO.com

Albert M. Smoak
President and Chief Operating Officer

October 13, 2020

Jennifer Evans
City Secretary, City of Texarkana
220 Texas Blvd.
Texarkana TX 75501-5625

Re: *Application of Southwestern Electric Power Company for Authority to Change Rates*

Dear City Secretary Evans:

Southwestern Electric Power Company (SWEPCO) is proud to be a member of your community and to be able to serve your residents and businesses for more than 100 years. We appreciate the support of our community partners through the years in backing new generation and other important projects that help serve our cities today, and that will help us continue to provide service well into the future. Our approach to providing affordable electricity has relied on a balanced portfolio of generation assets including solid fuel, natural gas, renewables, purchased power and energy efficiency. The economic vitality of your communities benefits from a dependable supply of electric power at reasonable costs.

This letter is to provide you information on the filing that SWEPCO is making on October 13, 2020, to better align SWEPCO's revenues with the cost of providing service and to position SWEPCO to provide safe, reliable, and efficient service to customers now and in the years to come.

Despite SWEPCO's significant cost control efforts, SWEPCO's load growth has not been such that it allows revenues to keep pace with costs, and SWEPCO has been unable to meet its financial expectations or earn the return on equity authorized by the Public Utility Commission of Texas (Commission) in its last base rate case. SWEPCO has also announced that its Dolet Hills Power Station will retire no later than December 31, 2021. As part of its filing, SWEPCO has proposed a rate treatment to mitigate the significant impact of depreciating the plant over its remaining economically useful life. In addition, SWEPCO is requesting an increase in rates to expand its vegetation management program, and recommends those funds be specifically earmarked to maintain and improve reliability for customers in Texas. SWEPCO is also requesting Commission approval of certain policy-oriented proposals including the establishment of a self-insurance reserve, deferred recovery of Hurricane Laura restoration costs and certain charges billed to SWEPCO by the Southwest Power Pool, and a declaratory order related to investment in battery

storage. Finally, SWEPCO is proposing to establish baseline calculations for future filings and to modify or implement certain new tariffs.

To that end, SWEPCO is filing on October 13, 2020 with the Commission, and by this letter to cities that have retained original jurisdiction over SWEPCO, to change its retail electric rates. For your convenience, a list of cities that have retained original jurisdiction over SWEPCO's rates and those which have ceded that original jurisdiction to the Commission are shown below. If your City has previously ceded its original rate-setting jurisdiction to the Commission as shown below, this information is being provided to you as a courtesy and no action is required by you.

Alba	*Gary	Marshall	Red Lick
Atlanta	Gilmer	Maud	Rolling Meadows
Avery	Gladewater	McLeod	Saltillo
*Beckville	Golden	Memphis	Scottsville
Bettie	Grand Saline	Miller's Cove	*Shamrock
Big Sandy	Hallsville	Mineola	Spring Hill
Bloomburg	Hawkins	Mt. Enterprise	*Tatum
Carthage	*Hedley	Mt. Pleasant	Tenaha
Cason	*Henderson	Mt. Vernon	Texarkana
Center	Hooks	Naples	Turnertown
Childress	Hughes Springs	Nash	*Union Grove
*Clarendon	Jefferson	New Boston	Wake Village
Clarksville City	Joinerville	New London	Wamba
Cookville	Kilgore	Omaha	Warren City
Daingerfield	Lakeport	Overton	Waskom
DeKalb	*Lakeview	Pickton	Wellington
*Dodson	Leary	Pittsburg	White Oak
East Mountain	*Liberty City	Price	Winfield
Estelline	Linden	Pritchett	Winnsboro
Fruitvale	Longview	Queen City	Winona

* Ceded original jurisdiction to the Commission

SWEPCO is providing the following three attachments to this letter on the accompanying flash drive for your convenience.

Attachment 1 to this letter discusses the action your city must take **before November 17, 2020**, and provides sample city ordinances for your convenience. If your City has previously ceded its original rate-setting jurisdiction to the Commission as shown above, this information is being provided to you as a courtesy and no action is required by you.

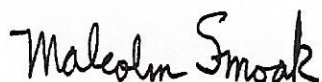
Attachment 2 is SWEPCO's Petition and Statement of Intent, which describes SWEPCO's request to change its rates for those cities that have retained original jurisdiction.

Attachment 3 provides a copy of the proposed tariffs included in Schedule Q-8.8 of SWEPCO's rate filing package.

As has always been the case, SWEPCO is committed to working with local and state officials to ensure the timely construction and maintenance of a strong and robust generation, transmission, and distribution system. We believe such strength enhances overall service reliability and the economic potential for the state and the communities we serve.

If you have any questions about SWEPCO's request to change its retail rates in Texas, or would like to receive a copy of the complete application and rate filing package filed at the Commission, please contact Stacy Bankston-Pankratz, SWEPCO Regulatory Case Manager, at (214) 777-1081. You may also contact your local SWEPCO external affairs manager. Jennifer Harland can be reached at 903-223-5880

Sincerely,



Malcolm Smoak
Southwestern Electric Power Company
President and Chief Operating Officer

Attachments

Attachment: 2020-128 ATTH 01 SWEPCO (Harland Ltr) (2397 : 2020-128 RES SWEPCO Suspension - CARD)

DOCKET NO. _____

APPLICATION OF SOUTHWESTERN	§	BEFORE THE
ELECTRIC POWER COMPANY FOR	§	PUBLIC UTILITY COMMISSION
AUTHORITY TO CHANGE RATES	§	OF TEXAS
	§	

PETITION AND STATEMENT OF INTENT TO CHANGE RATES

Southwestern Electric Power Company (SWEPCO or the Company) files this Petition and Statement of Intent to Change Rates (Petition) in accordance with Subchapter C of Chapter 36 of the Public Utility Regulatory Act (PURA),¹ and 16 Tex. Admin. Code (TAC) § 22.243(b). SWEPCO is filing with this Petition a rate filing package (RFP) that complies in all material respects with the Commission's *Electric Utility Rate Filing Package for Generating Utilities*.²

I. OVERVIEW

The overarching purpose of this case is to better align SWEPCO's revenues with the cost of providing service and to position the Company to provide safe, reliable, and effective service to customers now and in the years to come. The specific case drivers are multifaceted.

SWEPCO's actual return on equity (ROE) since the Commission last adjusted the Company's base rates in Docket No. 46449³ has been below market requirements and the return authorized by the Commission in that case. Further, SWEPCO's load growth has not been such that it allows revenues to keep pace with costs, despite significant cost control efforts. In addition, SWEPCO needs to reflect in its rates incremental investment in generation since the test year in Docket No. 46449 and incremental investment in transmission and distribution since

¹ PURA is codified at Tex. Util. Code Ann. §§ 11.001–66.016.

² Approved September 9, 1992. This Petition serves as the Executive Summary described in the RFP.

³ *Application of Southwestern Electric Power Company for Authority to Change Rates*, Docket No. 46449, Order on Rehearing (Mar. 19, 2018).

the Company last modified its Transmission Cost Recovery Factor (TCRF) and Distribution Cost Recovery Factor (DCRF).

Second, economic circumstances have altered the service life of SWEPCO's Dolet Hills Power Station (Dolet Hills). As a result, SWEPCO has announced that Dolet Hills will retire no later than December 31, 2021. As discussed below, SWEPCO has proposed a rate treatment to mitigate the significant impact of depreciating the plant over its remaining economically useful life.

In addition, SWEPCO is requesting an increase of \$5 million over Test Year⁴ costs to expand its distribution vegetation management program. SWEPCO recommends these funds be specifically earmarked (consistent with current vegetation management costs) to maintain and improve reliability for customers on the targeted circuits in Texas.

In this proceeding, SWEPCO also requests Commission approval of certain policy-oriented proposals, including the establishment of a self-insurance reserve, deferred recovery of Hurricane Laura restoration costs and certain charges billed to SWEPCO by the Southwest Power Pool (SPP), and a declaratory order related to investment in battery storage.

Finally, SWEPCO proposes to: (1) establish baseline calculations of costs to be recovered in a future filing by SWEPCO for a TCRF, DCRF, or Generation Cost Recovery Rider (GCRR); and (2) modify or implement certain new tariffs.

⁴ As authorized by PURA § 36.112(b)(1), SWEPCO bases its request on the Test Year comprised of the 12-month period ending March 31, 2020, adjusted for known and measurable changes.

II. AUTHORIZED REPRESENTATIVES

SWEPCO's business address is 428 Travis Street, Shreveport, Louisiana 71101.

SWEPCO's authorized business representative for this proceeding is:

Stacy Bankston-Pankratz
Regulatory Case Manager
American Electric Power Service Corporation
400 West 15th Street, Suite 1520
Austin, Texas 78701
Telephone: (214) 777-1081
Facsimile: (512) 481-4591
Email: slbankston@aep.com
aepaustintx@aep.com (Service)

SWEPCO's legal representatives are:

Melissa Gage
Associate General Counsel
Leila Melhem
Senior Counsel
American Electric Power Service Corporation
400 West 15th Street, Suite 1520
Austin, Texas 78701
Telephone: (512) 481-3320
Facsimile: (512) 481-4591
Email: magage@aep.com
lmelhem@aep.com
aepaustintx@aep.com (Service)

William Coe
Kerry McGrath
Patrick Pearsall
Duggins Wren Mann & Romero, LLP
P.O. Box 1149
Austin, Texas 78767
Telephone: (512) 744-9300
Facsimile: (512) 744-9399
Email: wcoe@dwmlaw.com
kmcgrath@dwmlaw.com
ppearsall@dwmlaw.com

SWEPCO requests that all information, pleadings, and other documents in this matter be served on each of the persons above and be emailed to aepaustintx@aep.com.

III. APPLICANT AND JURISDICTION

SWEPCO is a wholly owned subsidiary of American Electric Power Company, Inc., and is a fully integrated investor-owned electric utility serving 543,400 retail customers and six wholesale customers in Texas, Arkansas, and Louisiana. Of those retail customers, 187,400 reside in Texas. Two of the six wholesale customer contracts are with electric cooperatives in Texas.

SWEPCO provides electric generation, transmission, and distribution services in Texas. SWEPCO is a public utility and a utility as those terms are defined in PURA § 11.004(1) and an electric utility as that term is defined in PURA § 31.002(6).

The Commission has jurisdiction over this application pursuant to PURA §§ 14.001, 32.001, and 36.001. Specifically, the Commission has jurisdiction to change SWEPCO's rates within unincorporated areas of the Company's service area, within all municipalities served by the Company that have ceded original jurisdiction to the Commission, and upon appeal by the Company of actions taken by cities exercising original jurisdiction. A list of the cities that have ceded original jurisdiction and those that have retained original jurisdiction is provided as Appendix A to this Petition.

IV. REQUESTED RELIEF

A. Increase in Revenue Requirement

SWEPCO asks the Commission to approve a total Texas retail base rate revenue requirement of \$534,165,103 and a base rate increase of \$105,026,238, an increase of 30.31% over adjusted Texas retail Test Year base rate revenues exclusive of fuel and rider revenues. The proposed increase in annual Texas retail revenues will be offset by setting SWEPCO's current TCRF and DCRF to zero, a reduction of \$14,826,502. Thus, the net proposed increase is \$90,199,736, an increase of 26.03% over adjusted Texas retail Test Year base rate revenues exclusive of fuel and rider revenues. The overall impact of the proposed revenue requirement increase, considering both fuel and non-fuel revenues, is a 15.57% increase. The impact of the rate change on various customer classes will vary from the overall impact.

SWEPCO has calculated the proposed revenue requirement based on an overall weighted average cost of capital (WACC) of 7.22%. That WACC is based on:

- a proposed equity ratio of 49.37%;

- a proposed long-term debt ratio of 50.63%;
- a proposed cost of long-term debt of 4.18%; and
- a proposed ROE of 10.35%.

B. Dolet Hills Ratemaking Treatment

Dolet Hills is a 650 net MW generating unit fueled by lignite mined from the adjacent Dolet Hills and Oxbow reserves (collectively referred to as the DH Mines). SWEPCO reduced mining operations at the DH Mines in 2019, due to *force majeure* events in 2017 and 2018 and increases in lignite production costs. Despite diligent efforts to reduce mining costs, SWEPCO determined in early 2020 that the economically recoverable lignite reserves had been depleted. Based on this determination, lignite production operations at the DH Mines ceased in May 2020. SWEPCO evaluated mining operations and costs of operating Dolet Hills beyond 2021. That analysis, which is included in the workpapers to SWEPCO witness Thomas P. Brice's direct testimony, demonstrates that retirement of Dolet Hills will result in up to \$180 million in estimated fuel savings for SWEPCO customers. Accordingly, Dolet Hills will retire no later than December 31, 2021. Dolet Hills will continue to operate for the benefit of customers through the peak energy use season in 2021 with lignite that has been mined and has been or will be delivered to the plant this year and into 2021.

Consistent with GAAP and standard regulatory practice, the remaining undepreciated value of Dolet Hills would be depreciated through 2021—i.e., the plant's economically useful life. SWEPCO realizes the significant impact this would have on SWEPCO's rates that are to be set in this proceeding. To mitigate this impact, SWEPCO proposes to offset Dolet Hills' remaining undepreciated value by the Company's unprotected excess Accumulated Deferred Income Taxes (ADIT) and a tax refund provision. Specifically, when the United States Congress reduced the federal corporate income tax rate to 21% in 2018, excess ADIT was created for SWEPCO. In Docket No. 46449, SWEPCO's most recent base-rate case, the Commission

ordered that excess deferred taxes resulting from the reduction in the federal income tax rate would be addressed in SWEPCO's next base-rate case. SWEPCO proposes that the balance of the unprotected excess ADIT and the refund provision associated with the protected excess ADIT—SWEPCO has been amortizing the protected excess ADIT in accordance with the Tax Cuts and Jobs Act of 2017 and setting up the Texas portion as a provision for refund—be used to reduce the undepreciated value of Dolet Hills. While this will not completely offset the undepreciated value of the Dolet Hills plant, the proposal will significantly mitigate the rate impact on customers. SWEPCO proposes that the remaining net amount of undepreciated value of the Dolet Hills plant be expensed over a four-year period.

C. Request for Declaratory Order Related to Battery Storage

Batteries can perform a variety of beneficial functions on an electric system and can be classified as distribution, transmission, or generation assets under the FERC Uniform System of Accounts, depending on their usage. With the ongoing reduction in the price of battery storage technology, batteries are becoming a cost-effective alternative to traditional distribution, transmission, and generation options. In some instances, a battery installation can avoid or defer the need for a more expensive distribution or transmission system upgrade. As explained in SWEPCO witness Mr. Brice's testimony, SWEPCO plans to evaluate the feasibility of cost-effective battery storage installation on its system.

It is unclear, however, when or even if a certificate of convenience and necessity (CCN) filing is required for a battery installation. For example, batteries installed as distribution assets appear to be exempt from a CCN filing under 16 TAC § 25.101(c)(4). Similarly, a battery used as a transmission asset appears to be exempt if installed in a new high voltage switching station or substation under 16 TAC § 25.101(c)(2).

SWEPCO requests the Commission confirm that no CCN filing or other Commission pre-approval is required for a vertically integrated utility outside of ERCOT when a battery is installed as an alternative to a distribution upgrade, or installed in a new high voltage switching station or substation as an alternative to a transmission upgrade, and not used to sell energy or ancillary services in the wholesale market. Of course, such assets would be subject to Commission review and inclusion in rates in the same manner as other distribution or transmission assets. And, if a battery was installed as a distribution or transmission asset, SWEPCO would not bid such a battery into the SPP capacity, energy, or ancillary services markets or earn any revenues from the battery in those markets.

D. Self-Insurance Reserve

In accordance with PURA § 36.064, SWEPCO requests the Commission approve the establishment and funding of a self-insurance reserve of \$3,560,000, with an annual accrual of \$1,689,700. SWEPCO's request is supported by Company witness Gregory S. Wilson, who concludes that: the requested self-insurance plan is in the best interests of SWEPCO's customers; considering all costs, self-insurance is a lower cost alternative to purchasing commercial insurance; and SWEPCO's customers will receive the benefits of the savings produced by the plan.

E. Deferral of Hurricane Laura Service Restoration Costs

Hurricane Laura struck SWEPCO's service area as a Category 2 storm on Thursday, August 27, 2020. In total, approximately 136,000 customers were without power, approximately 13,000 of whom were in Texas. As soon as it was safe, SWEPCO crews began restoring power to several critical customers in the Ark-La-Tex area. Employees addressed multiple hazards, including hundreds of downed power lines. Storm restoration efforts extended well into September.

SWEPCO requests authorization to recover its Texas jurisdictional transmission and distribution (T&D) related Hurricane Laura restoration costs. Specifically, SWEPCO requests authority to charge its T&D restoration costs against the self-insurance reserve approved in this case as a regulatory asset that will be reduced each month by the amount of reserve collected. This request is consistent with PURA's provisions addressing the recovery of system restoration costs. For example, PURA § 36.405 entitles an electric utility "to recover system restoration costs consistent with the provisions of [Chapter 36, subchapter I (Securitization for Recovery of System Restoration Costs)]" *as well as* "amounts not recovered under [Chapter 36, subchapter I], including system restoration costs not yet incurred at the time an application is filed under Subsection (b), in its next base rate proceeding or through any other proceeding authorized by Subchapter C or D."⁵ Therefore, PURA § 36.405 contemplates that not all system restoration costs will be recovered via securitization.

F. Deferral of Approved Transmission Charges

SWEPCO's service area is entirely within SPP, which maintains functional control of the SWEPCO transmission system and executes an organized wholesale market in which SWEPCO participates. SWEPCO is charged by SPP for the use of other SPP transmission owners' facilities to serve SWEPCO's customers. SWEPCO also receives payment from SPP for SPP members use of SWEPCO's transmission facilities. These payments and receipts occur pursuant to the SPP Open Access Transmission Tariff (OATT), which has been approved by the Federal Energy Regulatory Commission (FERC). Consistent with past Commission decisions, the net amount that SWEPCO incurred during the Test Year is included in SWEPCO's requested cost-of-service in this proceeding.

⁵ PURA § 36.405(a).

SWEPCO's net Test Year SPP transmission charges, however, are not representative of the amount of such charges going forward. Indeed, the Test Year costs incurred by SWEPCO under the SPP OATT will be outdated when the rates established in this proceeding take effect. To address this reality, SWEPCO is proposing in this case that the portion of its ongoing SPP OATT charges that is above or below the net Test Year level be deferred into a regulatory asset or liability until they can be addressed in a future TCRF or base-rate proceeding. This proposal is discussed further in the direct testimony of SWEPCO witnesses Mr. Brice and John O. Aaron.

As explained by Mr. Brice, SWEPCO's proposal is consistent with PURA and Commission precedent. PURA § 36.209 gives the Commission authority to allow a utility to recover "changes in wholesale transmission charges to the electric utility under a tariff approved by a federal regulatory authority" to the extent the charges have not otherwise been recovered. And in Docket No. 42448, a SWEPCO TCRF proceeding, the Commission found that: (1) SWEPCO is obligated to pay SPP the charges SPP bills to SWEPCO pursuant to the SPP OATT for the provision of transmission services to SWEPCO; and (2) proof that the SPP charges were billed to and paid by SWEPCO pursuant to the SPP OATT demonstrates the reasonableness of the charges for retail ratemaking purposes as a matter of law.⁶ SWEPCO's proposal will allow recovery of the changes in transmission charges incurred by SWEPCO under the SPP OATT as permitted by PURA.

SWEPCO's legal obligation to pay for transmission services provided by SPP is no different than that of distribution service providers in ERCOT. The TCRF rule for distribution service providers operating in ERCOT, 16 TAC § 25.193, authorizes the distribution service provider to charge or credit its customers for the amount of Commission-approved wholesale transmission cost changes to the extent that such costs vary from the transmission service cost

⁶ *Application of Southwestern Electric Power Company for Approval of Transmission Cost Recovery Factor*, Docket No. 42448, Final Order at Conclusions of Law No. 16 and 18 (Nov. 24, 2014).

used to fix the base rates of the distribution service provider. While amending this rule for ERCOT utilities in Project No. 37909, the Commission observed that this recovery mechanism is appropriate because the ERCOT distribution service providers have no ability to avoid such costs or address and manage the regulatory lag that exists with respect to these costs. SWEPCO is in a similar position regarding the costs it incurs under the SPP OATT.

G. Vegetation Management Expenses

SWEPCO requests approval of a total annual vegetation management spend of \$14.57 million. This is an increase of \$5.0 million over the \$9.57 million in vegetation management expenses incurred in the Test Year. Vegetation is a major source of outages for SWEPCO, with outages caused by trees both inside and outside of distribution right-of-ways increasing from 2017 through 2019 as a total percentage of outage causes. The requested increase above Test Year expenses will be spent exclusively on the Company's Texas distribution system to maintain and improve reliability for Texas customers. SWEPCO witness Drew Seidel discusses the recommendation in greater detail in his testimony.

H. Rate-Case Expenses

SWEPCO seeks recovery of the reasonable rate-case expenses, including expenses paid to reimburse intervening municipalities, that it incurs in this case and those rate-case expenses incurred in the following prior dockets:

- Docket No. 49042, SWEPCO's most recent TCRF filing;
- Docket No. 46449 (appellate expenses for SWEPCO's most recently completed base rate case incurred after April 13, 2020); and
- Docket No. 40443 (appellate expenses incurred after April 13, 2020).⁷

⁷ The Commission addressed the reasonableness of SWEPCO's appellate expenses for Docket Nos. 40443 and 46449 incurred through April 13, 2020, in Docket No. 47141. *See Review of Rate Case Expenses Incurred by Southwestern Electric Power Company and Municipalities in Docket No. 46449*, Docket No. 47141, Final Order at Findings of Fact 77, 80, 86, and 93, and Ordering Paragraph 4 ("SWEPCO and CARD may seek to recover rate-case

SWEPCO has submitted, as exhibits to Company witness Lynn Ferry-Nelson's testimony, detailed information and documentation supporting the reasonableness of SWEPCO's actual, unrecovered rate-case expenses that were incurred:

- during the preparation of this case and recorded to SWEPCO's books and records as of July 31, 2020;
- to prosecute Docket No. 49042; and
- in the appeals of Docket Nos. 40443 and 46449 incurred after April 13, 2020, through July 31, 2020.

SWEPCO will supplement these exhibits to reflect its actual expenses for these cases as such expenses are incurred.

It is impossible, however, to address all of the expenses associated with this case in this case because at the time of hearing a portion of both SWEPCO's and any intervening municipalities' actual expenses not yet incurred will be unknown. Accordingly, SWEPCO expects the parties to agree on a cut-off date for expenses that will be reviewed in this case. SWEPCO proposes that the Commission: (1) review and determine the reasonableness of its actual rate-case expenses incurred in this proceeding before the cut-off date; and (2) authorize recovery of any expenses found to have been reasonably incurred through SWEPCO's Rate Case Surcharge Rider (RCS Rider). As to the rate-case expenses incurred in this proceeding after the cut-off date, SWEPCO proposes:

- 1) to file a projection of the expenses expected to be incurred through a final order in this docket with its final supplemental rate-case expense report;
- 2) that these projected expenses be included in and recovered through SWEPCO's RCS Rider;
- 3) that the Company's actual expenses incurred after the cut-off date be reviewed for reasonableness in the next proceeding before the Commission in which the Company's rate-case expenses are addressed; and

expenses incurred after April 13, 2020, for the appeals of Docket Nos. 40443 and 46449 in a future proceeding.") (Aug. 27, 2020).

- 4) that in the subsequent proceeding, the Commission adjust SWEPCO's RCS Rider to account for any over- or under-collection of rate-case expenses associated with this proceeding that have been found reasonable.

As to the expenses associated with Docket No. 49042, SWEPCO requests that any expenses found reasonable by the Commission be included in and recovered through SWEPCO's RCS Rider.

Finally, SWEPCO proposes that any expenses for the appeals of Docket Nos. 40443 and 46449 found reasonable by the Commission in this case be included in and recovered through SWEPCO's RCS Rider. SWEPCO proposes that any expenses for these appeals incurred after the cut-off date be addressed in the Company's next rate case.

V. PROPOSED REVISIONS OF TARIFFS AND SCHEDULES

SWEPCO is proposing revisions to most tariffs and schedules. A copy of all of the proposed revised tariffs is included within SWEPCO's RFP (Schedule Q-8.8). A description of these proposed revisions is contained in EXHIBIT JLJ-2 of the testimony of SWEPCO witness Jennifer L. Jackson. In order to facilitate TCRF, DCRF, and GCRR filings pursuant to 16 TAC §§ 25.239, 25.243, and 25.248, respectively, SWEPCO requests that the Commission set the Company's current TCRF and DCRF to zero and establish in this docket the baseline values consisting of the inputs to the calculations that will be used to calculate SWEPCO's TCRF, DCRF, and GCRR in future dockets.

Further, SWEPCO is proposing several new tariffs. In particular, SWEPCO is proposing two new rate schedules to accommodate the swiftly evolving electric vehicle (EV) industry: a rate schedule for home EV charging and a time-of-use rate suitable for commercial electric vehicle fleet service. SWEPCO is also requesting to revise its Experimental Economic Development Rider (ED Rider) in Texas and offer two options for Large Lighting and Power (LLP) and Lighting and Power Customers (LP). Economic development enables the long-term

growth and success of the communities in which we work and live. A strong and growing economy provides numerous benefits. For example, more and better paying jobs provide more financial security, better quality of life, additional reinvestment into the local economy and a greater tax base. Finally, SWEPCO is proposing to implement a time-of-use pilot project, which will provide participating customers with the ability to more precisely manage their energy costs by taking advantage of off-peak pricing. These tariff proposals are discussed by SWEPCO witnesses A. Malcolm Smoak and Ms. Jackson.

VI. EFFECTIVE DATE

The proposed effective date of the requested rate change is 35 days after the filing of this Petition. To the extent that the Commission suspends this requested effective date, SWEPCO requests that the rates approved by the Commission be made effective for consumption on and after the 155th day after the filing of this Petition in accordance with PURA § 36.211(b).

VII. AFFECTED PERSONS

SWEPCO has approximately 187,000 Texas retail customers, all of whom are affected by this application to change rates. Bill comparisons of the current and proposed rates for the residential and small commercial classes at various usage levels are attached as Appendix B to this Petition and also shown on Schedule Q-8.9. A comparison of present revenues by class at an equalized rate of return and the proposed class revenue assignments for both base rate revenues and total revenues is shown in the testimony of SWEPCO witness Jackson.

VIII. REQUESTED PROTECTIVE ORDER

SWEPCO requests that the Presiding Officer assigned to this case issue a protective order in the form provided as Appendix C to this Petition and RFP Schedule W to govern review and use of confidential, proprietary, and market-sensitive information. Schedule W tracks the

protective order adopted by the Commission in Docket No. 46449,⁸ which was SWEPCO's last base rate proceeding.

SWEPCO requests that the Presiding Officer consider this request for issuance of a protective order on an expedited basis. Pending approval of the protective order, SWEPCO will offer access to confidential and highly sensitive information to eligible requesting parties who execute the protective order certification. The confidential and highly sensitive information will also be made available at the Austin offices of AEP to those eligible parties who execute the protective order certification, which is included as Attachment A to the proposed protective order. Attachment C to the proposed protective order is a list of documents accompanying the RFP that SWEPCO considers confidential or highly sensitive information entitled to protection under the proposed protective order.

IX. NOTICE

SWEPCO will publish notice of this Petition in accordance with PURA §§ 36.102 and 36.103, as well as 16 TAC § 22.51(a). SWEPCO will submit proof of satisfying the Commission's notice requirements in the form of affidavits as soon as that information is available. The Company requests that the Presiding Officer, on an expedited basis, find that its proposed notice complies with PURA and the Commission's rules. The form of notice is attached to this Petition as Appendix D.

X. WAIVER OF RFP REQUIREMENTS

SWEPCO requests waiver of RFP requirements as set out in Schedule V of the RFP filed in this proceeding. On June 9, 2020, in Docket No. 50917, SWEPCO filed an application requesting a good cause waiver of the requirement that it file RFP Schedule S and perform the

⁸ Docket No. 46449, SOAH Order No. 1 at 3 (Dec. 21, 2016).

related audit required by Schedule S.⁹ SWEPCO served a copy of its application on all parties to its most recent base rate proceeding, Docket No. 46449.¹⁰ Cities Advocating Reasonable Deregulation (CARD) intervened in support of the requested waiver and, on July 31, 2020, Commission Staff recommended that SWEPCO's application be approved.¹¹ SWEPCO and Commission Staff filed an agreed proposed notice of approval on August 12, 2020.¹² No objection to SWEPCO's waiver application has been raised.

XI. PRAYER FOR RELIEF

For the reasons set out in this Petition and Statement of Intent, RFP, and accompanying testimony, SWEPCO requests that the Commission change its base rates and grant the relief sought in this Petition and such other relief to which SWEPCO may be entitled.

⁹ *Application of Southwestern Electric Power Company for Waiver of Rate Filing Package Schedule S*, Docket No. 50917, Application (Jun. 9, 2020).

¹⁰ Docket No. 50917, Proof of Notice Affidavit (Jul. 6, 2020).

¹¹ *Id.*, Commission Staff's Recommendation on Final Disposition at 1 (Jul. 31, 2020).

¹² *Id.*, Agreed Proposed Notice of Approval (Aug. 12, 2020).

Respectfully submitted,

Melissa Gage
 State Bar No. 24063949
 Email: magage@aep.com
aepaustintx@aep.com (Service)

Leila Melhem
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**AMERICAN ELECTRIC POWER SERVICE
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By: 

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**ATTORNEYS FOR SOUTHWESTERN
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Attachment: 2020-128 ATTH 02 SWEPCO's Petition and Statement of Intent (2397 : 2020-128 RES SWEPCO Suspension - CARD)

**APPLICATION OF SOUTHWESTERN
ELECTRIC POWER COMPANY FOR
AUTHORITY TO CHANGE RATES**

§
§
§

**BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS**

**LIST OF CITIES IN WHICH
SERVICE IS PROVIDED AND THE STATUS OF THEIR JURISDICTION**

Alba	Marshall
Atlanta	Maud
Avery	McLeod
* Beckville	Memphis
Bettie	Miller's Cove
Big Sandy	Mineola
Bloomburg	Mt. Enterprise
Carthage	Mt. Pleasant
Cason	Mt. Vernon
Center	Naples
Childress	Nash
* Clarendon	New Boston
Clarksville City	New London
Cookville	Omaha
Daingerfield	Overton
DeKalb	Pickton
* Dodson	Pittsburg
East Mountain	Price
Estelline	Pritchett
Fruitvale	Queen City
* Gary	Rolling Meadows
Gilmer	Redlick
Gladewater	Saltillo
Golden	Scottsville
Grand Saline	* Shamrock
Hallsville	Springhill
Hawkins	* Tatum
* Hedley	Tenaha
* Henderson	Texarkana
Hooks	Turnertown
Hughes Springs	* Union Grove
Jefferson	Wake Village
Joinerville	Wamba
Kilgore	Warren City
Lakeport	Waskom
* Lakeview	Wellington
Leary	White Oak
* Liberty City	Winfield
Linden	Winsboro
Longview	Winona

*Ceded Jurisdiction

SOUTHWESTERN ELECTRIC POWER COMPANY
Executive Summary
Bill Comparisons for Current and Proposed Rates

Appendix B

Residential Service

kWh	Current Rates	Proposed Rates
	Monthly Average Total Bill	Monthly Average Total Bill
100	\$17.88	\$21.29
200	\$27.75	\$32.57
300	\$37.62	\$43.84
400	\$47.50	\$55.13
500	\$57.37	\$66.42
600	\$67.25	\$77.70
700	\$76.63	\$88.40
800	\$86.01	\$99.09
900	\$95.40	\$109.80
1000	\$104.78	\$120.49
1500	\$151.70	\$173.99
2000	\$198.61	\$227.49
2500	\$245.54	\$280.97
3000	\$292.46	\$334.46

General Service without Demand

kWh	Current Rates	Proposed Rates
	Monthly Average Total Bill	Monthly Average Total Bill
100	\$21.31	\$27.21
200	\$31.03	\$39.41
300	\$40.75	\$51.62
400	\$50.48	\$63.82
500	\$60.20	\$76.03
600	\$69.92	\$88.23
700	\$79.64	\$100.45
800	\$89.36	\$112.65
900	\$99.08	\$124.86
1000	\$108.80	\$137.06
1500	\$157.41	\$198.09
2000	\$206.02	\$259.12
2500	\$254.64	\$320.15
3000	\$303.24	\$381.17

Detail for this calculation included in Schedule Q-8.9

Attachment: 2020-128 ATTH 02 SWEPCO's Petition and Statement of Intent (2397 : 2020-128 RES SWEPCO Suspension - CARD)

APPLICATION OF SOUTHWESTERN ELECTRIC POWER COMPANY FOR AUTHORITY TO CHANGE RATES	§ § §	BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS
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PROTECTIVE ORDER

This Protective Order shall govern the use of all information deemed confidential (Protected Materials) or highly confidential (Highly Sensitive Protected Materials), including information whose confidentiality is currently under dispute, by a party providing information to the Public Utility Commission of Texas (Commission) or to any other party to this proceeding.

It is ORDERED that:

1. **Designation of Protected Materials.** Upon producing or filing a document, including, but not limited to, records on a computer disk or other similar electronic storage medium in this proceeding, the producing party may designate that document, or any portion of it, as confidential pursuant to this Protective Order by typing or stamping on its face "PROTECTED PURSUANT TO PROTECTIVE ORDER ISSUED IN DOCKET NO. _____" (or words to this effect) and consecutively Bates Stamping each page. Protected Materials and Highly Sensitive Protected Materials include the documents so designated, as well as the substance of the information contained in the documents and any description, report, summary, or statement about the substance of the information contained in the documents.
2. **Materials Excluded from Protected Materials Designation.** Protected Materials shall not include any information or document contained in the public files of the Commission or any other federal or state agency, court, or local governmental authority subject to the Public Information Act.¹ Protected Materials also shall not include documents or information which at the time of, or prior to disclosure in, a proceeding is or was public knowledge, or which becomes public knowledge other than through disclosure in violation of this Protective Order.

¹ Tex. Gov't Code Ann. §§ 552.001-552.353 (West 2012 & Supp. 2016).

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3. **Reviewing Party.** For the purposes of this Protective Order, a “Reviewing Party” is any party to this docket.
4. **Procedures for Designation of Protected Materials.** On or before the date the Protected Materials or Highly Sensitive Protected Materials are provided to the Commission, the producing party shall file with the Commission and deliver to each party to the proceeding a written statement, which may be in the form of an objection, indicating: (a) any exemptions to the Public Information Act claimed to apply to the alleged Protected Materials; (b) the reasons supporting the producing party’s claim that the responsive information is exempt from public disclosure under the Public Information Act and subject to treatment as protected materials; and (c) that counsel for the producing party has reviewed the information sufficiently to state in good faith that the information is exempt from public disclosure under the Public Information Act and merits the Protected Materials designation.
5. **Persons Permitted Access to Protected Materials.** Except as otherwise provided in this Protective Order, a Reviewing Party may access Protected Materials only through its “Reviewing Representatives” who have signed the Protective Order Certification Form (see Attachment A). Reviewing Representatives of a Reviewing Party include its counsel of record in this proceeding and associated attorneys, paralegals, economists, statisticians, accountants, consultants, or other persons employed or retained by the Reviewing Party and directly engaged in this proceeding. At the request of the PUC Commissioners, copies of Protected Materials may be produced by Commission Staff. The Commissioners and their staff shall be informed of the existence and coverage of this Protective Order and shall observe the restrictions of the Protective Order.
6. **Highly Sensitive Protected Material Described.** The term “Highly Sensitive Protected Materials” is a subset of Protected Materials and refers to documents or information that a producing party claims is of such a highly sensitive nature that making copies of such documents or information or providing access to such documents to employees of the Reviewing Party (except as specified herein) would expose a producing party to unreasonable risk of harm. Highly Sensitive Protected Materials include but are not limited

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to: (a) customer-specific information protected by § 32.101(c) of the Public Utility Regulatory Act;² (b) contractual information pertaining to contracts that specify that their terms are confidential or that are confidential pursuant to an order entered in litigation to which the producing party is a party; (c) market-sensitive fuel price forecasts, wholesale transactions information and/or market-sensitive marketing plans; and (d) business operations or financial information that is commercially sensitive. Documents or information so classified by a producing party shall bear the designation “HIGHLY SENSITIVE PROTECTED MATERIALS PROVIDED PURSUANT TO PROTECTIVE ORDER ISSUED IN DOCKET NO. _____” (or words to this effect) and shall be consecutively Bates Stamped. The provisions of this Protective Order pertaining to Protected Materials also apply to Highly Sensitive Protected Materials, except where this Protective Order provides for additional protections for Highly Sensitive Protected Materials. In particular, the procedures herein for challenging the producing party’s designation of information as Protected Materials also apply to information that a producing party designates as Highly Sensitive Protected Materials.

7. Restrictions on Copying and Inspection of Highly Sensitive Protected Material.

Except as expressly provided in this Protective Order, one copy of Highly Sensitive Protected Materials may be made and kept in the possession of outside counsel for a Reviewing Party and one copy in the possession of the outside consultants having a need to access the materials, except that additional copies may be made to have sufficient copies for introduction of the material into the evidentiary record if the material is to be offered for admission into the record. The Reviewing Party shall maintain a record of all copies made of Highly Sensitive Protected Material and shall send a duplicate of the record to the producing party when the copy or copies are made. The record shall specify the location and the person possessing the copy. Limited notes may be made of Highly Sensitive Protected Materials, and such notes shall themselves be treated as Highly Sensitive Protected Materials unless such notes are limited to a description of the document and a

² Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 11.001-66.016 (West 2007 & Supp. 2016) (PURA).

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general characterization of its subject matter in a manner that does not state any substantive information contained in the document.

8. **Restricting Persons Who May Have Access to Highly Sensitive Protected Material.**

With the exception of Commission Staff, the Office of the Attorney General (OAG), and the Office of Public Utility Counsel (OPC), and except as provided herein, the Reviewing Representatives for the purpose of access to Highly Sensitive Protected Materials may be persons who are (a) outside counsel for the Reviewing Party, (b) outside consultants for the Reviewing Party working under the direction of Reviewing Party's counsel or, (c) employees of the Reviewing Party working with and under the direction of Reviewing Party's counsel who have been authorized by the presiding officer to review Highly Sensitive Protected Materials. The Reviewing Party shall limit the number of Reviewing Representatives that review Highly Sensitive Protected Materials to the minimum number of persons necessary. The Reviewing Party is under a good faith obligation to limit access to each portion of any Highly Sensitive Protected Materials to two Reviewing Representatives whenever possible. Reviewing Representatives for Commission Staff, OAG, and OPC, for the purpose of access to Highly Sensitive Protected Materials, shall consist of their respective counsel of record in this proceeding and associated attorneys, paralegals, economists, statisticians, accountants, consultants, or other persons employed or retained by them and directly engaged in these proceedings.

9. **Copies Provided of Highly Sensitive Protected Material.** A producing party shall provide one copy of Highly Sensitive Protected Materials specifically requested by the Reviewing Party to the person designated by the Reviewing Party who must be a person authorized to review Highly Sensitive Protected Material under Paragraph 8. Representatives of the Reviewing Party who are authorized to view Highly Sensitive Protected Material may review the copy of Highly Sensitive Protected Materials at the office of the Reviewing Party's representative designated to receive the information. Any Highly Sensitive Protected Materials provided to a Reviewing Party may not be copied except as provided in Paragraph 7. The restrictions contained herein do not apply to

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Commission Staff, OPC, and the OAG when the OAG is a representing a party to the proceeding.

10. **Procedures in Paragraphs 10-14 Apply to Commission Staff, OPC, and the OAG and Control in the Event of Conflict.** The procedures in Paragraphs 10 through 14 apply to responses to requests for documents or information that the producing party designates as Highly Sensitive Protected Materials and provides to Commission Staff, OPC, and the OAG in recognition of their purely public functions. To the extent the requirements of Paragraphs 10 through 14 conflict with any requirements contained in other paragraphs of this Protective Order, the requirements of these Paragraphs shall control.
11. **Copy of Highly Sensitive Protected Material to be Provided to Commission Staff, OPC and the OAG.** When, in response to a request for information by a Reviewing Party, the producing party makes available for review documents or information claimed to be Highly Sensitive Protected Materials, the producing party shall also deliver one copy of the Highly Sensitive Protected Materials to the Commission Staff, OPC, and the OAG (if the OAG is representing a party) in Austin, Texas. Provided however, that in the event such Highly Sensitive Protected Materials are voluminous, the materials will be made available for review by Commission Staff, OPC, and the OAG (if the OAG is representing a party) at the designated office in Austin, Texas. The Commission Staff, OPC and the OAG (if the OAG is representing a party) may request such copies as are necessary of such voluminous material under the copying procedures specified herein.
12. **Delivery of the Copy of Highly Sensitive Protected Material to Commission Staff and Outside Consultants.** The Commission Staff, OPC, and the OAG (if the OAG is representing a party) may deliver the copy of Highly Sensitive Protected Materials received by them to the appropriate members of their staff for review, provided such staff members first sign the certification specified by Paragraph 15. After obtaining the agreement of the producing party, Commission Staff, OPC, and the OAG (if the OAG is representing a party) may deliver the copy of Highly Sensitive Protected Materials received by it to the agreed, appropriate members of their outside consultants for review, provided such outside consultants first sign the certification in Attachment A.

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13. **Restriction on Copying by Commission Staff, OPC and the OAG.** Except as allowed by Paragraph 7, Commission Staff, OPC and the OAG may not make additional copies of the Highly Sensitive Protected Materials furnished to them unless the producing party agrees in writing otherwise, or, upon a showing of good cause, the presiding officer directs otherwise. Commission Staff, OPC, and the OAG may make limited notes of Highly Sensitive Protected Materials furnished to them, and all such handwritten notes will be treated as Highly Sensitive Protected Materials as are the materials from which the notes are taken.
14. **Public Information Requests.** In the event of a request for any of the Highly Sensitive Protected Materials under the Public Information Act, an authorized representative of the Commission, OPC, or the OAG may furnish a copy of the requested Highly Sensitive Protected Materials to the Open Records Division at the OAG together with a copy of this Protective Order after notifying the producing party that such documents are being furnished to the OAG. Such notification may be provided simultaneously with the delivery of the Highly Sensitive Protected Materials to the OAG.
15. **Required Certification.** Each person who inspects the Protected Materials shall, before such inspection, agree in writing to the following certification found in Attachment A to this Protective Order:

I certify my understanding that the Protected Materials are provided to me pursuant to the terms and restrictions of the Protective Order in this docket, and that I have been given a copy of it and have read the Protective Order and agree to be bound by it. I understand that the contents of the Protected Materials, any notes, memoranda, or any other form of information regarding or derived from the Protected Materials shall not be disclosed to anyone other than in accordance with the Protective Order and unless I am an employee of the Commission or OPC shall be used only for the purpose of the proceeding in Docket No. _____. I acknowledge that the obligations imposed by this certification are pursuant to such Protective Order. Provided, however, if the information contained in the Protected Materials is obtained from independent public sources, the understanding stated herein shall not apply.

In addition, Reviewing Representatives who are permitted access to Highly Sensitive Protected Material under the terms of this Protective Order shall, before inspection of such

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material, agree in writing to the following certification found in Attachment A to this Protective Order:

I certify that I am eligible to have access to Highly Sensitive Protected Material under the terms of the Protective Order in this docket.

The Reviewing Party shall provide a copy of each signed certification to Counsel for the producing party and serve a copy upon all parties of record.

16. **Disclosures between Reviewing Representatives and Continuation of Disclosure Restrictions after a Person is no Longer Engaged in the Proceeding.** Any Reviewing Representative may disclose Protected Materials, other than Highly Sensitive Protected Materials, to any other person who is a Reviewing Representative provided that, if the person to whom disclosure is to be made has not executed and provided for delivery of a signed certification to the party asserting confidentiality, that certification shall be executed prior to any disclosure. A Reviewing Representative may disclose Highly Sensitive Protected Material to other Reviewing Representatives who are permitted access to such material and have executed the additional certification required for persons who receive access to Highly Sensitive Protected Material. In the event that any Reviewing Representative to whom Protected Materials are disclosed ceases to be engaged in these proceedings, access to Protected Materials by that person shall be terminated and all notes, memoranda, or other information derived from the protected material shall either be destroyed or given to another Reviewing Representative of that party who is authorized pursuant to this Protective Order to receive the protected materials. Any person who has agreed to the foregoing certification shall continue to be bound by the provisions of this Protective Order so long as it is in effect, even if no longer engaged in these proceedings.
17. **Producing Party to Provide One Copy of Certain Protected Material and Procedures for Making Additional Copies of Such Materials.** Except for Highly Sensitive Protected Materials, which shall be provided to the Reviewing Parties pursuant to Paragraphs 9, and voluminous Protected Materials, the producing party shall provide a Reviewing Party one copy of the Protected Materials upon receipt of the signed certification described in Paragraph 15. Except for Highly Sensitive Protected Materials, a Reviewing Party may

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make further copies of Protected Materials for use in this proceeding pursuant to this Protective Order, but a record shall be maintained as to the documents reproduced and the number of copies made, and upon request the Reviewing Party shall provide the party asserting confidentiality with a copy of that record.

18. **Procedures Regarding Voluminous Protected Materials.** 16 Tex. Admin. Code (TAC) § 22.144(h) will govern production of voluminous Protected Materials. Voluminous Protected Materials will be made available in the producing party's voluminous room, in Austin, Texas, or at a mutually agreed upon location, Monday through Friday, 9:00 a.m. to 5:00 p.m. (except on state or Federal holidays), and at other mutually convenient times upon reasonable request.
19. **Reviewing Period Defined.** The Protected Materials may be reviewed only during the Reviewing Period, which shall commence upon entry of this Protective Order and continue until the expiration of the Commission's plenary jurisdiction. The Reviewing Period shall reopen if the Commission regains jurisdiction due to a remand as provided by law. Protected materials that are admitted into the evidentiary record or accompanying the evidentiary record as offers of proof may be reviewed throughout the pendency of this proceeding and any appeals.
20. **Procedures for Making Copies of Voluminous Protected Materials.** Other than Highly Sensitive Protected Materials, Reviewing Parties may take notes regarding the information contained in voluminous Protected Materials made available for inspection or they may make photographic, mechanical or electronic copies of the Protected Materials, subject to the conditions in this Protective Order; provided, however, that before photographic, mechanical or electronic copies may be made, the Reviewing Party seeking photographic, mechanical or electronic copies must provide written confirmation of the receipt of copies listed on Attachment B of this Protective Order identifying each piece of Protected Materials or portions thereof the Reviewing Party will need.
21. **Protected Materials to be Used Solely for the Purposes of These Proceedings.** All Protected Materials shall be made available to the Reviewing Parties and their Reviewing Representatives solely for the purposes of these proceedings. Access to the Protected

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Materials may not be used in the furtherance of any other purpose, including, without limitation: (a) any other pending or potential proceeding involving any claim, complaint, or other grievance of whatever nature, except appellate review proceedings that may arise from or be subject to these proceedings; or (b) any business or competitive endeavor of whatever nature. Because of their statutory regulatory obligations, these restrictions do not apply to Commission Staff or OPC.

22. **Procedures for Confidential Treatment of Protected Materials and Information Derived from Those Materials.** Protected Materials, as well as a Reviewing Party's notes, memoranda, or other information regarding or derived from the Protected Materials are to be treated confidentially by the Reviewing Party and shall not be disclosed or used by the Reviewing Party except as permitted and provided in this Protective Order. Information derived from or describing the Protected Materials shall be maintained in a secure place and shall not be placed in the public or general files of the Reviewing Party except in accordance with the provisions of this Protective Order. A Reviewing Party must take all reasonable precautions to insure that the Protected Materials including notes and analyses made from Protected Materials that disclose Protected Materials are not viewed or taken by any person other than a Reviewing Representative of a Reviewing Party.
23. **Procedures for Submission of Protected Materials.** If a Reviewing Party tenders for filing any Protected Materials, including Highly Sensitive Protected Materials, or any written testimony, exhibit, brief, motion or other type of pleading or other submission at the Commission or before any other judicial body that quotes from Protected Materials or discloses the content of Protected Materials, the confidential portion of such submission shall be filed and served in sealed envelopes or other appropriate containers endorsed to the effect that they contain Protected Material or Highly Sensitive Protected Material and are sealed pursuant to this Protective Order. If filed at the Commission, such documents shall be marked "PROTECTED MATERIAL" and shall be filed under seal with the presiding officer and served under seal to the counsel of record for the Reviewing Parties. The presiding officer may subsequently, on his/her own motion or on motion of a party, issue a ruling respecting whether or not the inclusion, incorporation or reference to

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Protected Materials is such that such submission should remain under seal. If filing before a judicial body, the filing party: (a) shall notify the party which provided the information within sufficient time so that the producing party may seek a temporary sealing order; and (b) shall otherwise follow the procedures in Rule 76a, Texas Rules of Civil Procedure.

24. **Maintenance of Protected Status of Materials during Pendency of Appeal of Order Holding Materials are not Protected Materials.** In the event that the presiding officer at any time in the course of this proceeding finds that all or part of the Protected Materials are not confidential or proprietary, by finding, for example, that such materials have entered the public domain or materials claimed to be Highly Sensitive Protected Materials are only Protected Materials, those materials shall nevertheless be subject to the protection afforded by this Protective Order for three (3) full working days, unless otherwise ordered, from the date the party asserting confidentiality receives notice of the presiding officer's order. Such notification will be by written communication. This provision establishes a deadline for appeal of a presiding officer's order to the Commission. In the event an appeal to the Commissioners is filed within those three (3) working days from notice, the Protected Materials shall be afforded the confidential treatment and status provided in this Protective Order during the pendency of such appeal. Neither the party asserting confidentiality nor any Reviewing Party waives its right to seek additional administrative or judicial remedies after the Commission's denial of any appeal.
25. **Notice of Intent to Use Protected Materials or Change Materials Designation.** Parties intending to use Protected Materials shall notify the other parties prior to offering them into evidence or otherwise disclosing such information into the record of the proceeding. During the pendency of Docket No. _____ at the Commission, in the event that a Reviewing Party wishes to disclose Protected Materials to any person to whom disclosure is not authorized by this Protective Order, or wishes to have changed the designation of certain information or material as Protected Materials by alleging, for example, that such information or material has entered the public domain, such Reviewing Party shall first file and serve on all parties written notice of such proposed disclosure or request for change in designation, identifying with particularity each of such Protected Materials. A Reviewing

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Party shall at any time be able to file a written motion to challenge the designation of information as Protected Materials.

26. **Procedures to Contest Disclosure or Change in Designation.** In the event that the party asserting confidentiality wishes to contest a proposed disclosure or request for change in designation, the party asserting confidentiality shall file with the appropriate presiding officer its objection to a proposal, with supporting affidavits, if any, within five (5) working days after receiving such notice of proposed disclosure or change in designation. Failure of the party asserting confidentiality to file such an objection within this period shall be deemed a waiver of objection to the proposed disclosure or request for change in designation. Within five (5) working days after the party asserting confidentiality files its objection and supporting materials, the party challenging confidentiality may respond. Any such response shall include a statement by counsel for the party challenging such confidentiality that he or she has reviewed all portions of the materials in dispute and, without disclosing the Protected Materials, a statement as to why the Protected Materials should not be held to be confidential under current legal standards, or that the party asserting confidentiality for some reason did not allow such counsel to review such materials. If either party wishes to submit the material in question for in camera inspection, it shall do so no later than five (5) working days after the party challenging confidentiality has made its written filing.
27. **Procedures for Presiding Officer Determination Regarding Proposed Disclosure or Change in Designation.** If the party asserting confidentiality files an objection, the appropriate presiding officer will determine whether the proposed disclosure or change in designation is appropriate. Upon the request of either the producing or Reviewing Party or upon the presiding officer's own initiative, the presiding officer may conduct a prehearing conference. The burden is on the party asserting confidentiality to show that such proposed disclosure or change in designation should not be made. If the presiding officer determines that such proposed disclosure or change in designation should be made, disclosure shall not take place earlier than three (3) full working days after such

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determination unless otherwise ordered. No party waives any right to seek additional administrative or judicial remedies concerning such presiding officer's ruling.

28. **Maintenance of Protected Status during Periods Specified for Challenging Various Orders.** Any party electing to challenge, in the courts of this state, a Commission or presiding officer determination allowing disclosure or a change in designation shall have a period of ten (10) days from: (a) the date of an unfavorable Commission order; or (b) if the Commission does not rule on an appeal of an interim order, the date an appeal of an interim order to the Commission is overruled by operation of law, to obtain a favorable ruling in state district court. Any party challenging a state district court determination allowing disclosure or a change in designation shall have an additional period of ten (10) days from the date of the order to obtain a favorable ruling from a state appeals court. Finally, any party challenging a determination of a state appeals court allowing disclosure or a change in designation shall have an additional period of ten (10) days from the date of the order to obtain a favorable ruling from the state supreme court, or other appellate court. All Protected Materials shall be afforded the confidential treatment and status provided for in this Protective Order during the periods for challenging the various orders referenced in this paragraph. For purposes of this paragraph, a favorable ruling of a state district court, state appeals court, Supreme Court or other appellate court includes any order extending the deadlines in this paragraph.
29. **Other Grounds for Objection to Use of Protected Materials Remain Applicable.** Nothing in this Protective Order shall be construed as precluding any party from objecting to the use of Protected Materials on grounds other than confidentiality, including the lack of required relevance. Nothing in this Protective Order constitutes a waiver of the right to argue for more disclosure, provided, however, that unless the Commission or a court orders such additional disclosure, all parties will abide by the restrictions imposed by the Protective Order.
30. **Protection of Materials from Unauthorized Disclosure.** All notices, applications, responses or other correspondence shall be made in a manner which protects Protected Materials from unauthorized disclosure.

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31. **Return of Copies of Protected Materials and Destruction of Information Derived from Protected Materials.** Following the conclusion of these proceedings, each Reviewing Party must, no later than thirty (30) days following receipt of the notice described below, return to the party asserting confidentiality all copies of the Protected Materials provided by that party pursuant to this Protective Order and all copies reproduced by a Reviewing Party, and counsel for each Reviewing Party must provide to the party asserting confidentiality a letter by counsel that, to the best of his or her knowledge, information, and belief, all copies of notes, memoranda, and other documents regarding or derived from the Protected Materials (including copies of Protected Materials) that have not been so returned, if any, have been destroyed, other than notes, memoranda, or other documents which contain information in a form which, if made public, would not cause disclosure of the substance of Protected Materials. As used in this Protective Order, “conclusion of these proceedings” refers to the exhaustion of available appeals, or the running of the time for the making of such appeals, as provided by applicable law. If, following any appeal, the Commission conducts a remand proceeding, then the “conclusion of these proceedings” is extended by the remand to the exhaustion of available appeals of the remand, or the running of the time for making such appeals of the remand, as provided by applicable law. Promptly following the conclusion of these proceedings, counsel for the party asserting confidentiality will send a written notice to all other parties, reminding them of their obligations under this Paragraph. Nothing in this Paragraph shall prohibit counsel for each Reviewing Party from retaining two (2) copies of any filed testimony, brief, application for rehearing, hearing exhibit or other pleading which refers to Protected Materials provided that any such Protected Materials retained by counsel shall remain subject to the provisions of this Protective Order.
32. **Applicability of Other Law.** This Protective Order is subject to the requirements of the Public Information Act, the Open Meetings Act,³ the Texas Securities Act⁴ and any other applicable law, provided that parties subject to those acts will notify the party asserting

³ Tex. Gov’t Code Ann. § 551.001-551.146 (West 2012 & Supp. 2016).

⁴ Tex. Rev. Civ. Stat. Ann. arts. 581-1 to 581-43 (West 2010 & Supp. 2016).

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confidentiality, if possible under those acts, prior to disclosure pursuant to those acts. Such notice shall not be required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.

33. **Procedures for Release of Information under Order.** If required by order of a governmental or judicial body, the Reviewing Party may release to such body the confidential information required by such order; provided, however, that: (a) the Reviewing Party shall notify the producing party of the order requiring the release of such information within five (5) calendar days of the date the Reviewing Party has notice of the order; (b) the Reviewing Party shall notify the producing party at least five (5) calendar days in advance of the release of the information to allow the producing party to contest any release of the confidential information; and (c) the Reviewing Party shall use its best efforts to prevent such materials from being disclosed to the public. The terms of this Protective Order do not preclude the Reviewing Party from complying with any valid and enforceable order of a state or federal court with competent jurisdiction specifically requiring disclosure of Protected Materials earlier than contemplated herein. The notice specified in this section shall not be required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.
34. **Best Efforts Defined.** The term “best efforts” as used in the preceding paragraph requires that the Reviewing Party attempt to ensure that disclosure is not made unless such disclosure is pursuant to a final order of a Texas governmental or Texas judicial body, the written opinion of the Texas Attorney General sought in compliance with the Public Information Act, or the request of governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials. The Reviewing

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Party is not required to delay compliance with a lawful order to disclose such information but is simply required to timely notify the party asserting confidentiality, or its counsel, that it has received a challenge to the confidentiality of the information and that the Reviewing Party will either proceed under the provisions of §552.301 of the Public Information Act, or intends to comply with the final governmental or court order. Provided, however, that no notice is required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.

35. **Notify Defined.** “Notify” for purposes of Paragraphs 32, 33 and 34 means written notice to the party asserting confidentiality at least five (5) calendar days prior to release; including when a Reviewing Party receives a request under the Public Information Act. However, the Commission, OAG, or OPC may provide a copy of Protected Materials to the Open Records Division of the OAG as provided herein.
36. **Requests for Non-Disclosure.** If the producing party asserts that the requested information should not be disclosed at all, or should not be disclosed to certain parties under the protection afforded by this Protective Order, the producing party shall tender the information for in camera review to the presiding officer within ten (10) calendar days of the request. At the same time, the producing party shall file and serve on all parties its argument, including any supporting affidavits, in support of its position of non-disclosure. The burden is on the producing party to establish that the material should not be disclosed. The producing party shall serve a copy of the information under the classification of Highly Sensitive Protected Material to all parties requesting the information that the producing party has not alleged should be prohibited from reviewing the information.

Parties wishing to respond to the producing party’s argument for non-disclosure shall do so within five working days. Responding parties should explain why the information should be disclosed to them, including why disclosure is necessary for a fair adjudication of the case if the material is determined to constitute a trade secret. If the presiding officer

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finds that the information should be disclosed as Protected Material under the terms of this Protective Order, the presiding officer shall stay the order of disclosure for such period of time as the presiding officer deems necessary to allow the producing party to appeal the ruling to the Commission.

37. **Sanctions Available for Abuse of Designation**. If the presiding officer finds that a producing party unreasonably designated material as Protected Material or as Highly Sensitive Protected Material, or unreasonably attempted to prevent disclosure pursuant to Paragraph 36, the presiding officer may sanction the producing party pursuant to 16 TAC § 22.161.
38. **Modification of Protective Order**. Each party shall have the right to seek changes in this Protective Order as appropriate from the presiding officer.
39. **Breach of Protective Order**. In the event of a breach of the provisions of this Protective Order, the producing party, if it sustains its burden of proof required to establish the right to injunctive relief, shall be entitled to an injunction against such breach without any requirements to post bond as a condition of such relief. The producing party shall not be relieved of proof of any element required to establish the right to injunctive relief. In addition to injunctive relief, the producing party shall be entitled to pursue any other form of relief to which it is entitled.

ATTACHMENT A**Protective Order Certification**

I certify my understanding that the Protected Materials are provided to me pursuant to the terms and restrictions of the Protective Order in this docket and that I have received a copy of it and have read the Protective Order and agree to be bound by it. I understand that the contents of the Protected Materials, any notes, memoranda, or any other form of information regarding or derived from the Protected Materials shall not be disclosed to anyone other than in accordance with the Protective Order and unless I am an employee of the Commission or OPC shall be used only for the purpose of the proceeding in Docket No. _____. I acknowledge that the obligations imposed by this certification are pursuant to such Protective Order. Provided, however, if the information contained in the Protected Materials is obtained from independent public sources, the understanding stated here shall not apply.

Signature_____
Party Represented_____
Printed Name_____
Date

I certify that I am eligible to have access to Highly Sensitive Protected Material under the terms of the Protective Order in this docket.

Signature_____
Party Represented_____
Printed Name_____
Date

ATTACHMENT B

I request to view/copy the following documents:

Document Requested	# of Copies	Non-Confidential	Protected Materials and/or Highly Sensitive Protected Materials

 Signature

 Party Represented

 Printed Name

 Date

ATTACHMENT C

APPLICATION OF SOUTHWESTERN § BEFORE THE
ELECTRIC POWER COMPANY FOR § PUBLIC UTILITY COMMISSION
AUTHORITY TO CHANGE RATES § OF TEXAS

STATEMENT UNDER SECTION 4 OF THE PROTECTIVE ORDER AND
LIST OF CONFIDENTIAL/HIGHLY SENSITIVE INFORMATION

Southwestern Electric Power Company's (SWEPCO) filing package includes customer specific information, confidential employee related information, proprietary information, commercially or competitively sensitive information, and/or trade secret information, or information whose public disclosure would be contrary to contractual obligations to which SWEPCO is bound. The public disclosure of this information would harm SWEPCO or third parties with whom SWEPCO must maintain an ongoing business relationship. Therefore, this information is protected under the Public Information Act, Tex. Gov't. Code §§552.101, 552.104, and 552.110, or Tex. Util. Code §32.101(c). The following is a list of schedules, exhibits, and workpapers that include such information, along with the sponsoring witness, the designation of the information, and applicable legal exemption.

Confidential and Highly Sensitive Material

Witness	Exempt Material	Designation	Exempt Under Tex. Gov't Code
Andrew R. Carlin	Testimony Exhibits ARC-10 and ARC-11	Confidential	§§552.101, 552.104, 552.110
David A. Hodgson	Testimony Exhibit DAH-8	Highly Sensitive	§552.101, 552.104, 552.110
Amy E. Jeffries	Schedule E-2.2; WP/Schedule E-2.2; Schedule E-2.3; Schedule E-2.4	Highly Sensitive	§§552.104, 552.110

Michael A. Baird; Andrew R. Carlin	Schedule G-2.3, Attachments 1-5	Confidential	§§552.104, 552.110
David A. Hodgson	Schedule G-7.13e; Schedule G-7.13f; WP/Schedule G-7.13	Highly Sensitive	§552.101, 552.104, 552.110
Monte A. McMahon	Schedule H-6.2a; Schedule H-6.2b; Schedule H-6.2c	Highly Sensitive	§§552.104, 552.110
Monte A. McMahon	Schedule H-12.3a; Schedule H-12.3c	Highly Sensitive	§§552.104, 552.110
Amy E. Jeffries	Schedule I-4; WP/Schedule I-4	Highly Sensitive	§§552.104, 552.110
Amy E. Jeffries	Schedule I-17.1; Schedule I-17.2	Highly Sensitive	§§552.104, 552.110
Renee V. Hawkins	Schedule K-5; Schedule K-6; Schedule K-7	Highly Sensitive	§§552.104, 552.110
Chad M. Burnett	Schedule O-2.1; Schedule O-2.2; Schedule O-9.1; Schedule O-9.2	Highly Sensitive	§§552.101, 552.104, 552.110

I certify that I have reviewed the information sufficiently to state in good faith that the information is exempt from public disclosure under the Public Information Act or Tex. Util. Code § 32.101(c) and merits the application designation of Confidential (Protected) Materials or Highly Sensitive (Highly Sensitive Protected) Materials detailed in the Protective Order accompanying this Application.


Patrick Pearsall

Date: October 13, 2020

NOTICE OF RATE CHANGE REQUEST

On October 13, 2020, Southwestern Electric Power Company (SWEPCO or Company) filed a Petition and Statement of Intent to Change Rates (the Petition) with the Public Utility Commission of Texas (PUC or the Commission) in Docket No. _____, and with those municipal authorities in its Texas service territory that have original jurisdiction over SWEPCO's electric rates. This notice is being published in accordance with Section 36.103 of the Public Utility Regulatory Act and Commission Procedural Rule 16 Tex. Admin. Code § 22.51(a)(1).

SWEPCO has approximately 187,000 Texas retail customers. All such customers and all classes of customers will be affected by the relief requested in SWEPCO's Petition.

SWEPCO's request to change its rates is based on the financial results for a 12-month test year ending on March 31, 2020. SWEPCO's Petition seeks an overall increase of \$105,026,238, an increase of 30.3% over adjusted Texas retail test year base rate revenues exclusive of fuel and rider revenues. SWEPCO's proposed revenue increase will be offset by a \$14,826,502 decrease in annualized Transmission Cost Recovery Factor (TCRF) and Distribution Cost Recovery Factor (DCRF) revenue. Thus, the net proposed Texas retail revenue increase is \$90,199,736, an increase of 26.0% over adjusted Texas retail test year base rate revenues exclusive of fuel and rider revenues. The overall impact of the rate change, considering both fuel and non-fuel revenues, is a 15.6% increase. The impact of the rate change on various customer classes will vary from the overall impact described in this notice, as shown in the table below. In addition, SWEPCO is seeking recovery of the reasonable rate-case expenses, including expenses paid to reimburse intervening municipalities, that it incurs in this case and those rate-case expenses incurred in three prior dockets that have yet to be recovered.

A Residential Service customer using 1,000 kilowatt-hours of energy per month will see an increase in their total bill (including fuel costs and rate riders) of \$15.71 per month, an increase of approximately 15.0%.

The following table presents the percentage annual revenue increases, by type of service, under the proposed rates in this proceeding:

SWEPCO Texas Proposed Base Rate Increase			
MAJOR RATE CLASS	Change in Non-Fuel Revenue (\$) *	Change in Non-Fuel Revenue (%) **	Change in Total Bill (%) ***
RESIDENTIAL	\$ 34,924,204	23.75%	15.64%
GENERAL SERVICE	6,629,030	28.19%	20.61%
LIGHTING & POWER	35,573,447	27.55%	16.26%
COTTON GIN	69,427	26.14%	15.74%
TOTAL COMMERCIAL	42,271,904	28.80%	16.82%
INDUSTRIAL	11,738,370	27.98%	13.28%
TOTAL COMM & INDUSTRIAL	54,010,274	28.61%	15.90%
MUNICIPAL	367,417	9.35%	5.35%
MUNICIPAL LIGHTING	222,068	9.67%	6.88%
TOTAL MUNICIPAL	589,485	9.47%	5.84%
LIGHTING	674,745	15.18%	10.57%
* Base rate revenue net of transmission and distribution cost recovery revenues.			
** Transmission and distribution cost recovery factor revenue recovered in existing base rates will be reset to zero with this filing.			
*** Bill impact includes base rate revenue plus fuel factor, energy efficiency cost recovery factor, rate-case expense surcharge, transmission cost recovery revenue, and distribution cost recovery revenue.			

SWEPCO has proposed that its requested rate change become effective 35 days after the filing of the Petition and Statement of Intent. The proposed effective date is subject to suspension and extension by actions that may be taken by the Commission and other regulatory authorities.

SWEPCO is proposing revisions to most tariffs and schedules. In addition, in order to facilitate future TCRF, DCRF, and Generation Cost Recovery Rider (GCRR) filings pursuant to 16 TAC §§ 25.239, 25.243, and 25.248, respectively, SWEPCO requests that the Commission: (1) set the Company's current TCRF and DCRF to zero; and (2) establish in this docket the baseline values consisting of the inputs to the calculations that will be used to calculate SWEPCO's TCRF, DCRF, and GCRR in future dockets.

Persons with questions or who want more information on this Petition may contact SWEPCO at 428 Travis Street, Shreveport, Louisiana 71101, or call toll-free at (888) 216-3523 during normal business hours. A complete copy of the Petition and related filings is available for inspection at the address listed in the previous sentence.

Persons who wish to intervene in or comment upon these proceedings should notify the Commission as soon as possible, as an intervention deadline will be imposed. A request to intervene or for further information should be mailed to the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326. Further information may also be obtained by calling the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. A request for intervention or for further information should refer to Docket No. ____.

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

RESOLUTION NO. 2020-128

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SUSPENDING THE EFFECTIVE DATE FOR NINETY DAYS IN CONNECTION WITH THE APPLICATION TO INCREASE RATES FILED BY SOUTHWESTERN ELECTRIC POWER COMPANY ON OR ABOUT OCTOBER 13, 2020; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING PARTICIPATION IN THE COALITION OF SIMILARLY SITUATED CITIES KNOWN AS CITIES ADVOCATING REASONABLE DEREGULATION; AUTHORIZING INTERVENTION AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Southwestern Electric Power Company (“SWEPCO” or “Company”) filed a Statement of Intent with the City on about October 13, 2020, to increase its base revenues; and

WHEREAS, the City is a regulatory authority under the Public Utility Regulatory Act (“PURA”) and under Chapter 33, §33.001 et seq. of PURA has exclusive original jurisdiction over SWEPCO’s rates, operations, and services within the municipality; and

WHEREAS, in order to maximize the efficient use of resources and expertise in reviewing, analyzing, and investigating SWEPCO’s rate request and its changes in tariffs, it is prudent to coordinate the City’s efforts with a coalition of similarly situated municipalities; and

WHEREAS, the City, in matters regarding applications by SWEPCO to change rates, has in the past joined with other local regulatory authorities in the coalition of cities known as Cities Advocating Reasonable Deregulation (“CARD”), and hereby continues its participation in CARD; and

WHEREAS, SWEPCO proposes to implement its proposed increase in rates on or about November 17, 2020; and

WHEREAS, SWEPCO’s proposed increase in rates would result in a net increase to its base revenues of approximately \$90.2 million, which equates to a net increase of approximately 26% in base revenue, not including fuel or other revenue; and

WHEREAS, for a Residential customer using 1,000 kWh per month, if SWEPCO’s proposed increase is approved, the bill impact to that Residential customer would be an increase of over \$22.00 per month in base revenues during the On-Peak Period (May through October) which equates to an increase of approximately 31%, and over \$16.00 per month during the Off-Peak Period (November through April) which equates to an increase of about 28%; and

WHEREAS, the Company seeks a Return on Equity (ROE) of 10.35%; and

WHEREAS, SWEPCO seeks to increase its depreciation expense, establish a self-insurance reserve fund, recover certain costs related to Hurricane Laura, and seeks to increase its vegetation-management costs; and

WHEREAS, SWEPCO's rate request consists of a voluminous amount of information including SWEPCO's rate-filing package, exhibits, schedules, and workpapers; and

WHEREAS, it is not possible for the City to complete its review of SWEPCO's filing by November 17, 2020; and

WHEREAS, the City will need an adequate amount of time to investigate and determine whether SWEPCO has properly invoked the City's rate-setting jurisdiction, and if so, ultimately to review and evaluate SWEPCO's rate application to enable the City to adopt a final decision as a local regulatory authority with regard to SWEPCO's requested rate increase; and

WHEREAS, the City will require the assistance of specialized legal counsel and rate experts to review the merits of SWEPCO's application to increase rates; and

WHEREAS, to the extent SWEPCO seeks review at the Public Utility Commission of Texas of the City's final decision regarding SWEPCO's statement of intent to change rates, or because SWEPCO has submitted a statement of intent to the Public Utility Commission of Texas to increase rates in the environs of the City on the same date it submitted its request to the City, the decision of the Public Utility Commission of Texas could have an impact on the rates paid by the City and its citizens who are customers of SWEPCO, and in order for the City's participation to be meaningful it is important that the City promptly intervene in such proceeding at the Public Utility Commission of Texas.

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

SECTION 1. The findings set out in the preamble are in all things approved and incorporated herein as if fully set forth.

SECTION 2. SWEPCO's proposed effective date of November 17, 2020, for its proposed increase in rates is hereby **SUSPENDED** for ninety days beyond SWEPCO's proposed effective date or as may be amended.

SECTION 3. The statutory suspension period may be further extended to the extent allowed by law, or its Statement of Intent dismissed if SWEPCO does not provide adequate data from which the City may make a reasonable determination of the Company's rate base, expenses, investment, and rate of return in the City, or if SWEPCO does not provide timely, meaningful, and proper public notice of its request to increase rates and revenue, or if its rate-filing package is otherwise materially deficient.

SECTION 4. The City Council authorizes intervention in proceedings related to SWEPCO's Statement of Intent before the Public Utility Commission of Texas and related proceedings in

courts of law and participation in the coalition of cities known as Cities Advocating Reasonable Deregulation.

SECTION 5. The City Council continues the City's participation with other cities in a coalition of cities known as Cities Advocating Reasonable Deregulation with the understanding that the Steering Committee of CARD is to provide direction and guidance to Special Counsel representing said cities.

SECTION 6. As provided in PURA, the City Council hereby orders SWEPCO to reimburse the City's rate case expenses and that SWEPCO shall do so, through CARD's coordinating city, the City of Longview, Texas, on a monthly basis and within 30 days after submission of the City's invoices for the City's reasonable costs associated with the City's activities related to this rate review or to related proceedings involving SWEPCO before the City, the Public Utility Commission of Texas, or any court of law.

SECTION 7. Subject to the right to terminate employment at any time, the City Council retains and authorizes the law firm of Herrera & Boyle, PLLC to act as Special Counsel with regard to rate proceedings involving SWEPCO before the City, the Public Utility Commission of Texas, or any court of law and to retain such experts as may be reasonably necessary for review of SWEPCO's rate application subject to approval by the City.

SECTION 8. The City, in coordination with the Steering Committee, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to SWEPCO for reimbursement.

SECTION 9. A copy of this resolution shall be sent to SWEPCO's local representative and to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, 4400 Medical Parkway, Austin, Texas 78756.

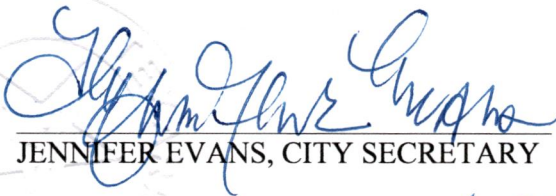
SECTION 10. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 11. To the extent of any conflict with any Resolution previously adopted by the City Council, this Resolution shall control.

SECTION 12. This resolution shall become effective from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session this the **26th** day of **October, 2020**.

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

6:26 p.m.

Attachment: 2020-128 RES SWEPCO Suspension - CARD signed (2397 : 2020-128 RES SWEPCO Suspension - CARD)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/16/2020 3:06 PM

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-114 rezoning a 2.206-acre tract of land in the John A. Talbot HRS, A-564, located in the 5600 block of Richmond Road. Office to Planned Development-General Retail. Kirk Patton, representing PHRMG Developers, owner and Don Robertson, agent.
Briefing: 11/9/2020 **Public Hearing:** 11/9/2020 **Council Vote:** 11/9/2020

Item Schedule

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

Updates/History of Briefing:

Not applicable.

Executive Summary and Background Information:

This is a request by Kirk Patton, representing PHRMG Developers, owner and Don Robertson, agent to rezone a 2.206-acre tract of land in the John A. Talbot HRS, A-564, located in the 5600 Block of Richmond Road from Office to Planned Development-General Retail. The proposed use is a tunnel carwash. This property is currently vacant land.

The adjacent zoning is Single Family-1 to the north, PD-General Retail to the south, General Retail to the east and Office to the west. The adjacent land use is vacant land to the north and west, office to the south and retail and office to the east.

The Future Land use map designated this property as "Neighborhood Retail".

Staff recommended that a planned development designation be added to this request. Staff contacted the applicant and the applicant agreed to amend the application to include the PD designation.

This zoning to General Retail is consistent with other zoning and uses in this area. In addition, the proposed rezoning aligns with the Comprehensive Plan's Future Land Use Map. Therefore, staff recommends for approval from Office to Planned Development-General Retail.

Staff recommends for approval.

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.

City of Texarkana, Texas

Potential Options:

None.

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 recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

October 5, 2020

Attachments

- a. 2020-114 ORD rezoning 5600 blk. Richmond Rd. (DOCX)
- b. 2020-114 EXH 'A' (legal description and survey) (PDF)
- c. 2020-114 ATTH 01 (maps) (PDF)
- d. 2020-114 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	10/16/2020 3:23 PM	
City Manager	Vicky Coopwood	City Manager Review Skipped
11:40 AM		10/20/2020
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		10/26/2020

Meeting History

ORDINANCE NO. 2020-114

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 2.206-ACRE TRACT OF LAND IN THE JOHN A. TALBOT HRS, A-564, LOCATED IN THE 5600 BLOCK OF RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM OFFICE TO PLANNED DEVELOPMENT-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 a 2.206-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘A’), located in the 5600 block of Richmond Road** in the City of Texarkana, Bowie County, Texas, from **Office to 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 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 six (6) to zero (0) to recommend the application for rezoning from Office to Planned Development-General Retail on a 2.206-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘A’), located in the 5600 block of Richmond Road** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Office to Planned Development-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 a 2.206-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘A’), located in the 5600 block of Richmond Road** in the City of Texarkana, Bowie County, Texas, from **Office to Planned Development-General Retail**.

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 **9th day of November, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Property Description
2.206 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Talbot Headright Survey, Abstract 564, Bowie County, Texas, being part of that certain tract of land described as 3.563 acres in the deed from Patton, Haltom, Roberts, McWilliams & Greer, LLP to PHRMG Developers, dated February 21, 2000, recorded in Volume 3221, Page 189 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod (control monument), capped LONNIE PACE - PLS 1573 TX, found for a corner, the Northeast corner of the said 3.563 acre tract, lying in the South line of that certain tract of land described as 58.95 acres in the deed from Regions Bank, f/k/a The State First National Bank of Texarkana, to Martha Louise Arnold Stilwell (1/10th interest), dated July 27, 2011, recorded in Volume 6120, Page 299 of the Real Property Records of Bowie County, Texas, that certain tract of land described as 58.95 acres in the deed from Thomas H. Arnold, as Independent Executor of the estate of Lewis H. Arnold, to Martha Louise Arnold Stilwell (1/10th interest), dated July 21, 2011, recorded in Volume 6120, Page 302 of the Real Property Records of Bowie County, Texas, that certain tract of land described as Tract No. 5, with 58.95 acres in the deed from Josh R. Morriss, Jr. and Martha W. Morriss, to the Josh R. Morriss, Jr. Family Limited Partnership (4/5th interest), dated December 29, 1997, recorded in Volume 2772, Page 166 of the Real Property Records of Bowie County, Texas, same being that certain tract of land described as 58.95 acres in the deed from L. E. Kennay, et ux, to R. M. Morriss, Sr., et al, dated May 20, 1964, recorded in Volume 440, Page 220 of the Deed Records of Bowie County, Texas, and lying in the West right-of-way line of Farm-to-Market Road 559 (Richmond Road);

THENCE South 30 degrees 15 minutes 43 seconds East (basis of bearings) a distance of 188.16 feet along the East line of the said 3.563 acre tract, and the West right-of-way line of the said Richmond Road to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

THENCE South 87 degrees 00 minutes 01 seconds West a distance of 257.20 feet across the said 3.563 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

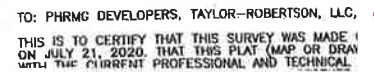
THENCE South 02 degrees 59 minutes 59 seconds East a distance of 213.98 feet across and through the said 3.563 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying in the South line of the said 3.563 acre tract, and the North right-of-way line of Moores Lane;

THENCE South 87 degrees 00 minutes 01 seconds West a distance of 127.08 feet along the South line of the said 3.563 acre tract and the North right-of-way line of the said Moores Lane to a 1 inch steel pipe (control monument) found for a corner, the Southwest corner of the said 3.563 acre tract, lying in the East line of the said 58.95 acre tract and the North right-of-way line of the said Moores Lane;

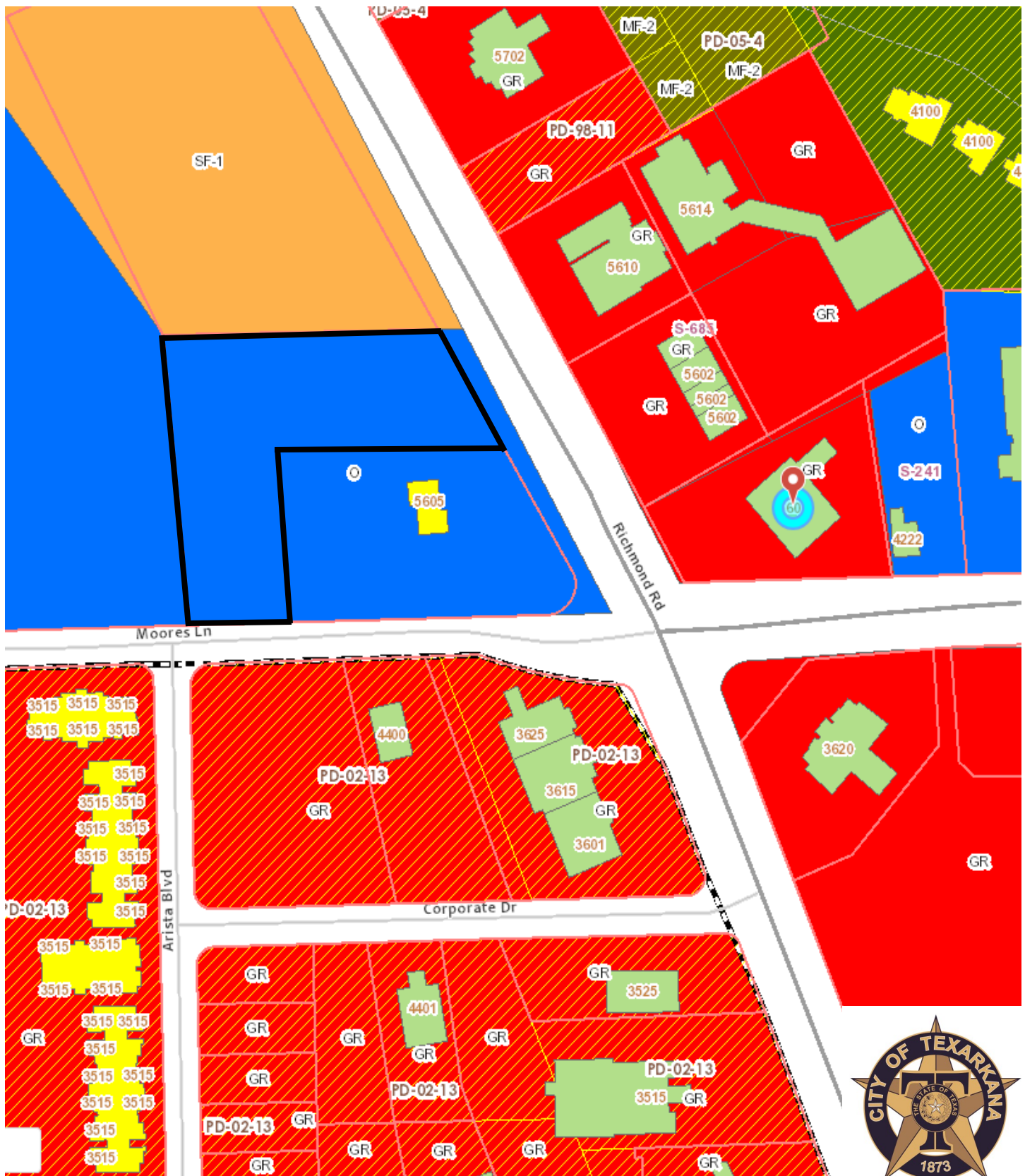
THENCE North 09 degrees 12 minutes 45 seconds West a distance of 406.72 feet along the West line of the said 3.563 acre tract, and the East line of the said 58.95 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, the Northwest corner of the said 3.563 acre tract, and an angle point of the said 58.95 acre tract;

THENCE South 89 degrees 08 minutes 16 seconds East a distance of 342.89 feet along the North line of the said 3.563 acre tract, the South line of the said 58.95 acre tract, and generally along a fence to the point of beginning, and containing 2.206 acres of land at the time of this survey.

Z-20-20



5600 Block of Richmond Rd.



Attachment: 2020-114 ATTH 01 (maps) (2387 : 2020-114 ORD rezoning from O to PD-GR in 5600 Block of Richmond Rd)



[illegible]

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

Attachment: 2020-114 Goals & Perspectives (2387 : 2020-114 ORD rezoning from O to PD-GR in 5600 Block of Richmond Rd)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/16/2020 3:08 PM

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-123 amending PD-20-5(GR) for site plan approval on a 2.206-acre tract of land in the John A. Talbot HRS, A-564, located in the 5600 block of Richmond Road. Kirk Patton, representing PHRMG Developers, owner and Don Robertson, agent.
Briefing: 11/9/2020 **Public Hearing:** 11/9/2020 **Council Vote:** 11/9/2020

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request for site plan approval by Kirk Patton, representing PHRMG Developers, owner and Don Robertson, agent on a 2.206-acre tract of land in the John A. Talbot HRS, A-564, located in the 5600 Block of Richmond Road. The proposed use is a tunnel carwash. This property is currently vacant land.

The adjacent zoning is Single Family-1 to the north, PD-General Retail to the south, General Retail to the east and Office to the west. The adjacent land use is vacant land to the north and west, office to the south and retail and office to the east.

The site plan consists of the following:

1. Construction of a new 3,320 sq. ft. building.
2. Façade will be painted CMU block.
3. Access will be from Richmond Road and will require TXDOT approval.
4. A cross access agreement is recommended.
5. 22 vacuuming parking spaces including one (1) handicapped space and 3 employee parking spaces.
6. A monument style sign not to exceed 96 sq. ft. in overall size to be located at the entrance off Richmond Road. No CEVMS.
7. A 73.42 sq. ft. wall sign on the building.

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.

City of Texarkana, Texas

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

Potential Options:

None

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 5, 2020

Attachments

- a. 2020-123 ORD site plan app. 5600 blk. Richmond Rd. (DOCX)
- b. 2020-123 EXH 'A' (site plan) (PDF)
- c. 2020-123 EXH 'B' (legal description and survey) (PDF)
- d. 2020-123 ATTH 01 (maps) (PDF)
- e. 2020-123 ATTH 02 (wall signage) (PDF)
- f. 2020-123 ATTH 03 (photos of carwash) (PDF)
- g. 2020-123 ATTH 04 (floor plan) (PDF)
- h. 2020-123 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	10/16/2020 3:27 PM	
City Manager	Vicky Coopwood	City Manager Review Skipped
11:36 AM		10/20/2020
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		10/26/2020

Meeting History

Amendment to
PD-20-5(GR)

ORDINANCE NO. 2020-123

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-20-5(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A TUNNEL CARWASH ON A 2.206-ACRE TRACT OF LAND IN THE JOHN A. TALBOT HRS, A-564, LOCATED IN THE 5600 BLOCK OF RICHMOND ROAD 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’)** to allow the location of tunnel carwash on a 2.206-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘B’) located in the 5600 block of Richmond Road in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-Office [PD-20-5(GR)], and approval of the site plan (**Exhibit ‘A’**) would constitute an amendment to PD-20-5(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 **unanimously by a vote of six (6) 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: That the site plan (**Exhibit ‘A’**) to allow the location of a tunnel carwash on a 2.206- acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘B’), located in the 5600 block of Richmond Road in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-20-5(GR).

Attachment: 2020-123 ORD site plan app. 5600 blk. Richmond Rd. (2392 : 2020-123 ORD Amendment to PD-20-5(GR) in the 5600 block of

SECTION 2: PD-20-5(GR) is hereby amended by approval of the site plan (**Exhibit ‘A’**), incorporated herein by reference for all purposes, and includes the following:

1. Construction of a new 3,320 sq. ft. building.
2. Façade will be painted CMU block.
3. Access will be from Richmond Road and will require TxDOT approval.
4. A cross access agreement is recommended.
5. Twenty-two vacuuming parking spaces including one (1) handicapped space and three (3) employee parking spaces.
6. A monument style sign not to exceed 96 sq. ft. in overall size to be located at the entrance off Richmond Road. No CEVMS.
7. A 73.42 sq. ft. wall sign on the building.

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.

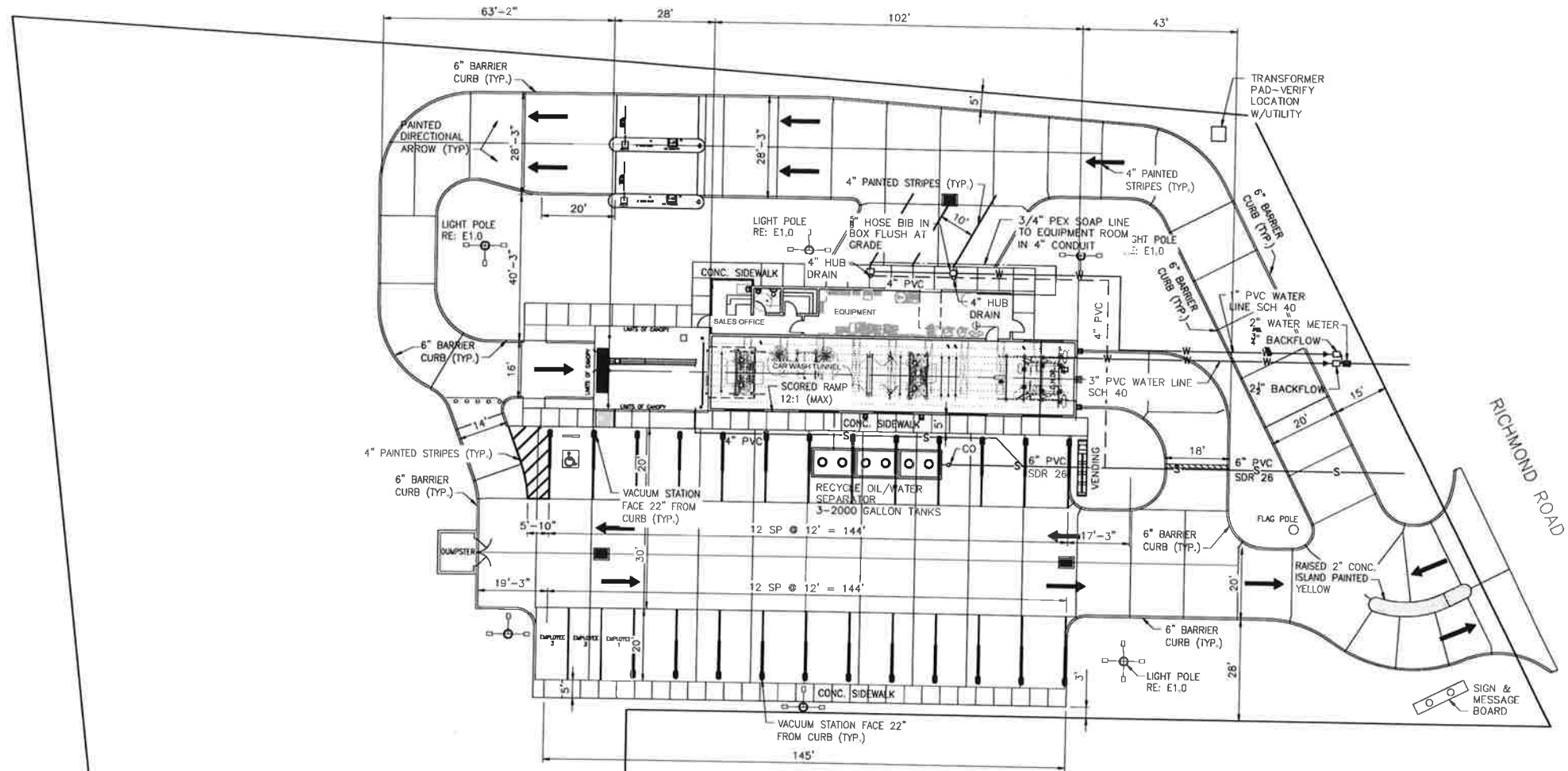
SECTION 5: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of November, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



GENERAL SITE GRADING NOTES:

- 1. THE FINISHED FLOOR SHALL BE A MINIMUM 2'-0" ABOVE THE EXISTING SITE GRADE AT THE BUILDING.
- 2. ALL SELECT FILL MATERIAL TO BE FREE OF ORIGINAL MATERIALS AND SHALL BE COMPACTED. SELECT MATERIAL SHALL HAVE A $P_i < 15$ AND SHALL BE COMPACTED TO 95% MODIFIED PROCTOR DENSITY.
- 3. SITE TO BE GRADED BY CONTRACTOR TO DRAIN AWAY FROM BUILDING.
- 4. TOP SOIL TO BE STOCKPILED ONSITE AND SPREAD OVER SLOPES UPON COMPLETION OF GRADING.
- 5. ALL EXCESS EXCAVATED MATERIAL TO BE SPREAD ONSITE IN A MANNER NOT TO BLOCK DRAINAGE PATTERNS AS DIRECT BY THE OWNER'S AUTHORIZED REPRESENTATIVE.
- 6. ALL DISTURBED AREAS OF THE SITE SHALL BE SEEDED AND FERTILIZED.

FLAG POLE:

THE FLAGPOLE IS TO BE OWNER SUPPLIED AND INSTALLED BY THE GENERAL CONTRACTOR. FIELD LOCATE PER OWNER'S REPRESENTATIVE DIRECTION.

SIGNAGE NOTES:

THE CONTRACTOR SHALL COORDINATE THE ELECTRICAL INSTALLATION FOR ALL SIGNS INCLUDING PROVIDING CONDUITS AND CONDUCTORS TO EACH SIGN LOCATION. DIRECTIONAL AND ADVERTISEMENT SIGNAGE. THE CONTRACTOR SHALL INSTALL ALL DIRECTIONAL SIGNS, ADVERTISEMENT SIGNS SHALL BE INSTALLED BY SIGN COMPANY BY OWNER. THE CONTRACTOR COORDINATE HIS WORK WITH THE SIGN COMPANY AND THE OWNER'S REPRESENTATIVE.

IRRIGATION NOTES:

THE CONTRACTOR SHALL COORDINATE THE IRRIGATION SYSTEM INSTALLATION AND PROVIDE SIX (6) - 3" PVC CONDUITS EXTENDING 2' PAST THE DRIVEWAY WIDTH. WATER SUPPLY TO BE ROUTED TO THE BUILDING AS DIRECTED BY THE OWNER'S REPRESENTATIVE AND IRRIGATION CONTRACTOR.

WATER SUPPLY:

CARWASH WATER SUPPLY SHALL BE 165 GPM @ 40 PSI (MINIMUM).

UTILITY NOTES:

- 1. CONTRACTOR TO NOTIFY ENGINEER, OWNER'S REPRESENTATIVE, AND THE CITY OF TEXARKANA DEPARTMENT OF PUBLIC WORKS PRIOR TO COMMENCING WORK ON UTILITY INSTALLATION 48 HOURS IN ADVANCE.
- 2. CONTRACTOR TO LOCATE AND EXPOSE EXISTING UTILITIES FOR INSPECTION. ELEVATIONS ARE TO BE DETERMINED TO INSURE PROPER CONNECTION OF THE NEW FACILITIES.
- 3. REFER TO ARCHITECTURAL AND EQUIPMENT DRAWINGS FOR UTILITY TIES INSIDE BUILDING, AND COORDINATE ROUTING AS REQUIRED TO INSURE PROPER TIE IN.
- 4. THE CONTRACTOR SHALL SUPPLY AND INSTALL BACKFLOW PREVENTORS FOR EACH WATER SUPPLY TO THE PROPOSED FACILITY - ONE 1" ASSEMBLY AND ONE 2 1/2" ASSEMBLY. LOCATE PER THE CITY OF TEXARKANA DEPARTMENT OF PUBLIC WORKS AND THE OWNER'S REPRESENTATIVE. EACH SHALL BE A COMPLETE INSTALLATION PER THE TEXAS PLUMBING CODE AND SHALL BE PROVIDED WITH INSULATED FIBERGLASS COVERS TO PREVENT FREEZING.

FOUNDATION NOTES:

- 1. FOUNDATIONS ARE DESIGNED FOR AN ALLOWABLE GROSS BEARING PRESSURE OF 2000 PSF, FOR FOOTING FOUNDED APPROXIMATELY 2 FEET BELOW FINAL GRADE. CONTRACTOR TO VERIFY BEARING CAPACITY OF SOIL.
- 2. PROTECT PIPES & CONDUITS RUNNING THROUGH WALLS & SLABS WITH 1/2 INCH EXPANSION MATERIAL. LOWER CONTINUOUS FOOTINGS & GRADE BEAMS PERPENDICULAR TO PIPE RUNS TO ALLOW PIPES TO PASS ABOVE THE FOOTINGS OR THROUGH THE GRADE BEAMS. ALTERNATIVELY, PROVIDE A CONCRETE JACKET IF PIPES ARE LOW ENOUGH TO BE PLACED BELOW THE FOOTINGS & GRADE BEAMS. LOWER FOOTINGS & GRADE BEAMS PARALLEL TO PIPE RUNS TO AVOID SURCHARGE ONTO ADJACENT TRENCH EXCAVATIONS.
- 3. MAINTAIN SUBGRADE & FILL MOISTURE CONTENT UNTIL FOUNDATIONS ARE PLACED PER GEO.
- 4. ARRANGE FOR OWNER'S INDEPENDENT TESTING AGENCY TO MONITOR CUT & FILL OPERATIONS & PERFORM FIELD DENSITY & MOISTURE CONTENT TESTS TO VERIFY COMPACTION & APPROVE FOOTING SUBGRADES PRIOR TO PLACING CONCRETE.
- 5. DO NOT PLACE FOOTINGS OR SLABS AGAINST SUBGRADE CONTAINING FREE WATER, FROST, OR ICE.
- 6. MAINTAIN PROPER SITE DRAINAGE DURING CONSTRUCTION TO ENSURE SURFACE RUNOFF AWAY FROM STRUCTURES & TO PREVENT PONDING OF SURFACE RUNOFF NEAR THE STRUCTURES.
- 7. KEEP OPEN EXCAVATIONS AROUND BUILDING PERIMETER DRY. BACK FILL AGAINST FOUNDATIONS & GRADE BEAMS AS SOON AS PRACTICAL. PUMP WATER OUT & DRY OPEN EXCAVATIONS, IF FLOODED PRIOR TO BACKFILLING.

BUILDING PAD PREPARATION NOTES:

- 1. THE AREAS TO RECEIVE SELECT FILL SHALL BE STRIPPED OF ALL VEGETATION, EXISTING FILL, & SOFT OR DISTURBED SOILS. THE EXCAVATED AREA SHALL BE OBSERVED BY THE SOILS ENGINEER PRIOR TO PLACING DENSITY-CONTROLLED SELECT CLAYEY FILL.
- 2. ENTIRE SITE SHALL BE PROOF ROLLED WITH FULLY LOADED TANDEM AXLE DUMP TRUCK. ALL AREAS THAT ARE OBSERVED TO RUT OR DEFLECT SHALL BE REMOVED, BACKFILLED WITH SELECT MATERIAL WITH A $P_i < 15$, AND COMPACTED TO 95% DENSITY STD PROCTOR.
- 3. THE EXPOSED GRADE SHALL BE SCARIFIED TO A DEPTH OF 12 INCHES, MOISTENED TO A CONTENT OF -2 TO +4 PERCENT OF OPTIMUM & RECOMPACTED TO A MINIMUM OF 95% OF THE ASTM D-698.
- 4. SELECT FILL, CONSISTING OF SOIL APPROVED BY A SOILS ENGINEER, SHALL BE PLACED IN COMPACTED LAYERS WITH SUITABLE COMPACTION EQUIPMENT.
- 5. ANY TRASH & DEBRIS IN THE EXISTING FILL SHALL BE REMOVED DURING GRADING. ANY IMPORTED FILL SHALL BE OBSERVED BY THE SOILS ENGINEER PRIOR TO USE IN FILL AREAS.
- 6. PLACE SUBSEQUENT LIFTS OF SELECT FILL IN THIN HORIZONTAL LAYERS NOT EXCEEDING EIGHT INCHES ON LOOSE THICKNESS & COMPACT EACH LIFT TO AT LEAST 95% OF ASTM D-698. MAINTAIN MOISTURE WITHIN TWO PERCENT BELOW TO FOUR PERCENT ABOVE THE THEORETICAL OPTIMUM.
- 7. FIELD OBSERVATION & TESTING SHALL BE PERFORMED BY THE SOILS ENGINEER DURING GRADING TO ASSIST THE CONTRACTOR IN OBTAINING THE REQUIRED DEGREE OF COMPACTION & THE PROPER MOISTURE CONTENT. WHERE COMPACTION IS LESS THAN REQUIRED, ADDITIONAL COMPACTION EFFORT SHALL BE MADE WITH ADJUSTMENT OF THE MOISTURE CONTENT, AS NECESSARY, UNTIL 95% COMPACTION IS OBTAINED.
- 8. FINE GRAINED, LOW COHESION SOILS OF THE TYPE SPECIFIED FOR SELECT FILL MAY BE COMPACTED USING RUBBER-TIRED, AND/OR PNEUMATIC ROLLERS, & STRICT MOISTURE CONTROL.
- 9. VEGETATION OR ASSOCIATED ROOT SYSTEM LOCATED WITHIN THE AREA TO BE GRADED SHALL BE REMOVED DURING GRADING. ANY EXISTING OR ABANDONED UTILITIES LOCATED WITHIN THE AREA SHALL BE REMOVED OR RELOCATED. ALL FILL MATERIALS & DISTURBED SOILS RESULTING FROM GRADING OPERATIONS SHOULD BE REMOVED & PROPERLY RECOMPACTED PRIOR TO FOUNDATION EXCAVATION.
- 10. SELECT FILL SHALL CONSIST OF HOMOGENOUS SOILS FREE OF ORGANIC MATTER & DEBRIS, OR ROCK LARGER THAN SIX INCHES IN DIAMETER, & POSSESSING A PLASTICITY INDEX BETWEEN FOUR & FIFTEEN WITH A MAXIMUM LIQUID LIMIT OF 36. THE MATERIAL SHALL BE PLACED IN ACCORDANCE WITH THE REQUIREMENTS OF THE GEOTECHNICAL REPORT SUBGRADE PREPARATION & VERIFIED IN THE FOLLOWING MANNER:
CONDUCT IN-PLACE DENSITY TESTS AT THE RATE OF ONE TEST PER 2,500 SQUARE FEET FOR EACH LIFT.
CONFIRM SUITABILITY BY ATTERBURG LIMIT TESTS AT THE RATE OF ONE TEST PER 500 CUBIC YDS.
THE SOURCE OF SELECT FILL IS UNKNOWN. ALLOW AT LEAST THREE DAYS FOR PROPER TESTING OF POTENTIAL BORROW AREAS. VERIFY SUITABILITY PRIOR TO PLACEMENT ON SITE.

UTILITY WARNING:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR/ENGINEER MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR/ENGINEER FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR/ENGINEER HAS NOT PHYSICALLY LOCATED ALL OF THE UNDERGROUND UTILITIES.

UTILITY PROVIDERS

ELECTRICITY	-	ENTERGY
NATURAL GAS	-	NOT REQUIRED
WATER	-	CITY OF TEXARKANA, TEXAS
SANITARY SEWER	-	CITY OF TEXARKANA, TEXAS
TELECOMMUNICATIONS	-	AT&T

Property Description
2.206 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Talbot Headright Survey, Abstract 564, Bowie County, Texas, being part of that certain tract of land described as 3.563 acres in the deed from Patton, Haltom, Roberts, McWilliams & Greer, LLP to PHRMG Developers, dated February 21, 2000, recorded in Volume 3221, Page 189 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod (control monument), capped LONNIE PAGE - PLS 1573 TX, found for a corner, the Northeast corner of the said 3.563 acre tract, lying in the South line of that certain tract of land described as 58.95 acres in the deed from Regions Bank, f/k/a The State First National Bank of Texarkana, to Martha Louise Arnold Stilwell (1/10th interest), dated July 27, 2011, recorded in Volume 6120, Page 299 of the Real Property Records of Bowie County, Texas, that certain tract of land described as 58.95 acres in the deed from Thomas H. Arnold, as Independent Executor of the estate of Lewis H. Arnold, to Martha Louise Arnold Stilwell (1/10th interest), dated July 21, 2011, recorded in Volume 6120, Page 302 of the Real Property Records of Bowie County, Texas, that certain tract of land described as Tract No. 5, with 58.95 acres in the deed from Josh R. Morriss, Jr. and Martha W. Morriss, to the Josh R. Morriss, Jr. Family Limited Partnership (4/5th interest), dated December 29, 1997, recorded in Volume 2772, Page 166 of the Real Property Records of Bowie County, Texas, same being that certain tract of land described as 58.95 acres in the deed from L. E. Kennay, et ux, to R. M. Morriss, Sr., et al, dated May 20, 1964, recorded in Volume 440, Page 220 of the Deed Records of Bowie County, Texas, and lying in the West right-of-way line of Farm-to-Market Road 559 (Richmond Road);

THENCE South 30 degrees 15 minutes 43 seconds East (basis of bearings) a distance of 188.16 feet along the East line of the said 3.563 acre tract, and the West right-of-way line of the said Richmond Road to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

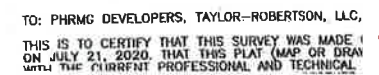
THENCE South 87 degrees 00 minutes 01 seconds West a distance of 257.20 feet across the said 3.563 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

THENCE South 02 degrees 59 minutes 59 seconds East a distance of 213.98 feet across and through the said 3.563 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying in the South line of the said 3.563 acre tract, and the North right-of-way line of Moores Lane;

THENCE South 87 degrees 00 minutes 01 seconds West a distance of 127.08 feet along the South line of the said 3.563 acre tract and the North right-of-way line of the said Moores Lane to a 1 inch steel pipe (control monument) found for a corner, the Southwest corner of the said 3.563 acre tract, lying in the East line of the said 58.95 acre tract and the North right-of-way line of the said Moores Lane;

THENCE North 09 degrees 12 minutes 45 seconds West a distance of 406.72 feet along the West line of the said 3.563 acre tract, and the East line of the said 58.95 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, the Northwest corner of the said 3.563 acre tract, and an angle point of the said 58.95 acre tract;

THENCE South 89 degrees 08 minutes 16 seconds East a distance of 342.89 feet along the North line of the said 3.563 acre tract, the South line of the said 58.95 acre tract, and generally along a fence to the point of beginning, and containing 2.206 acres of land at the time of this survey.

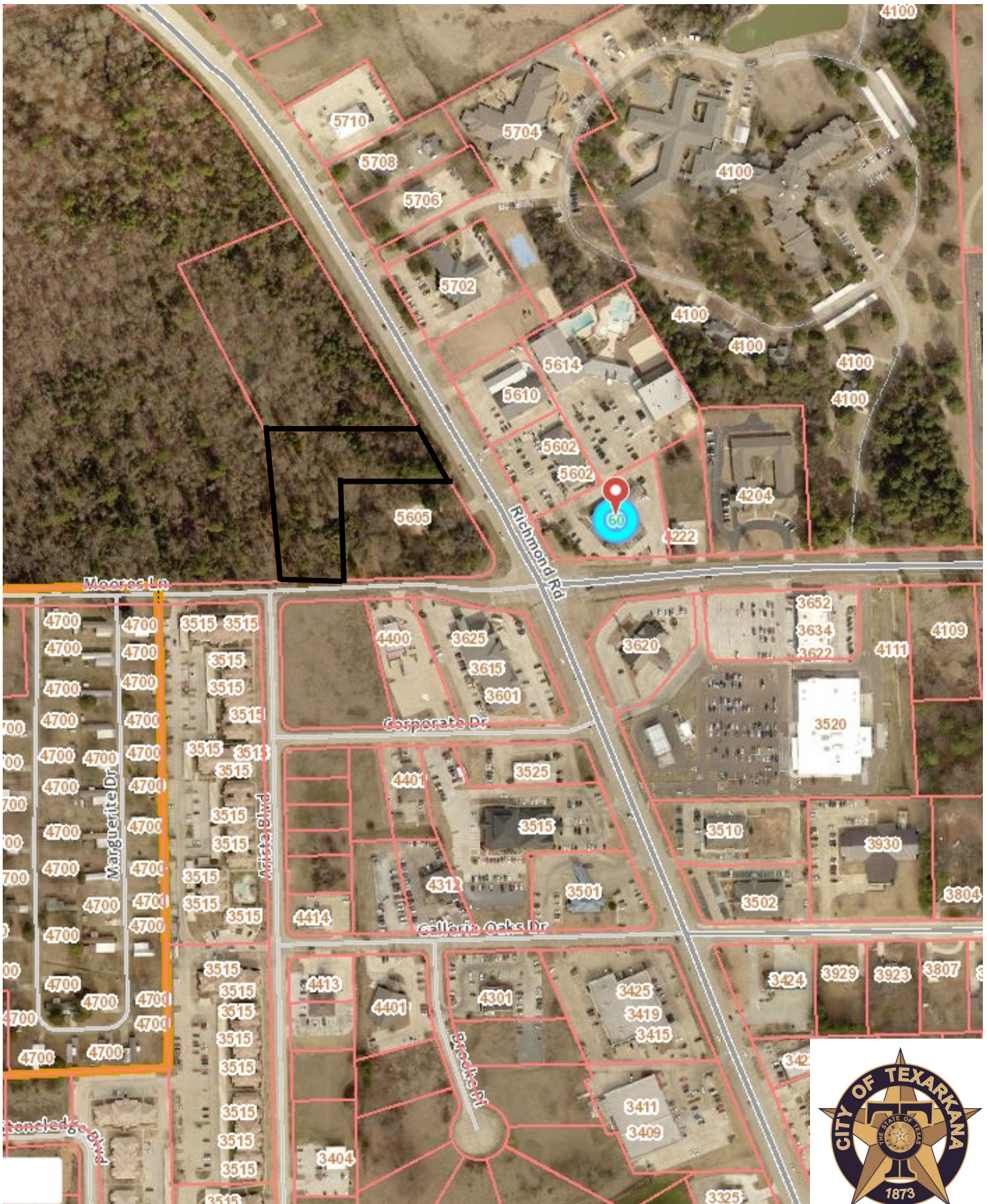


Attachment: 2020-123 EXH 'B' (legal description and survey) (2392 : 2020-123 ORD Amendment to PD-20-

5600 Block of Richmond Rd.

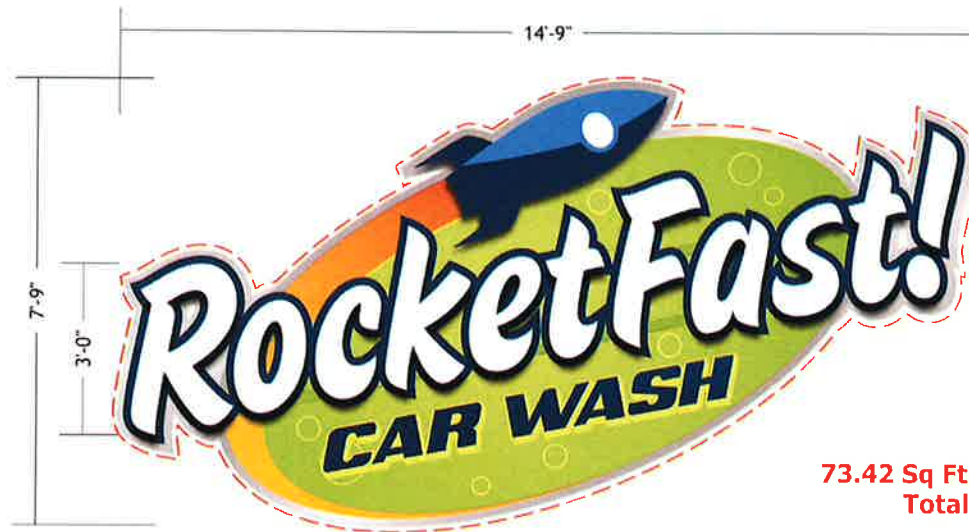


5600 Block of Richmond



Attachment: 2020-123 ATTH 01 (maps) (2392 : 2020-123 ORD Amendment to PD-20-5(GR) in the 5600 block of Richmond Rd)



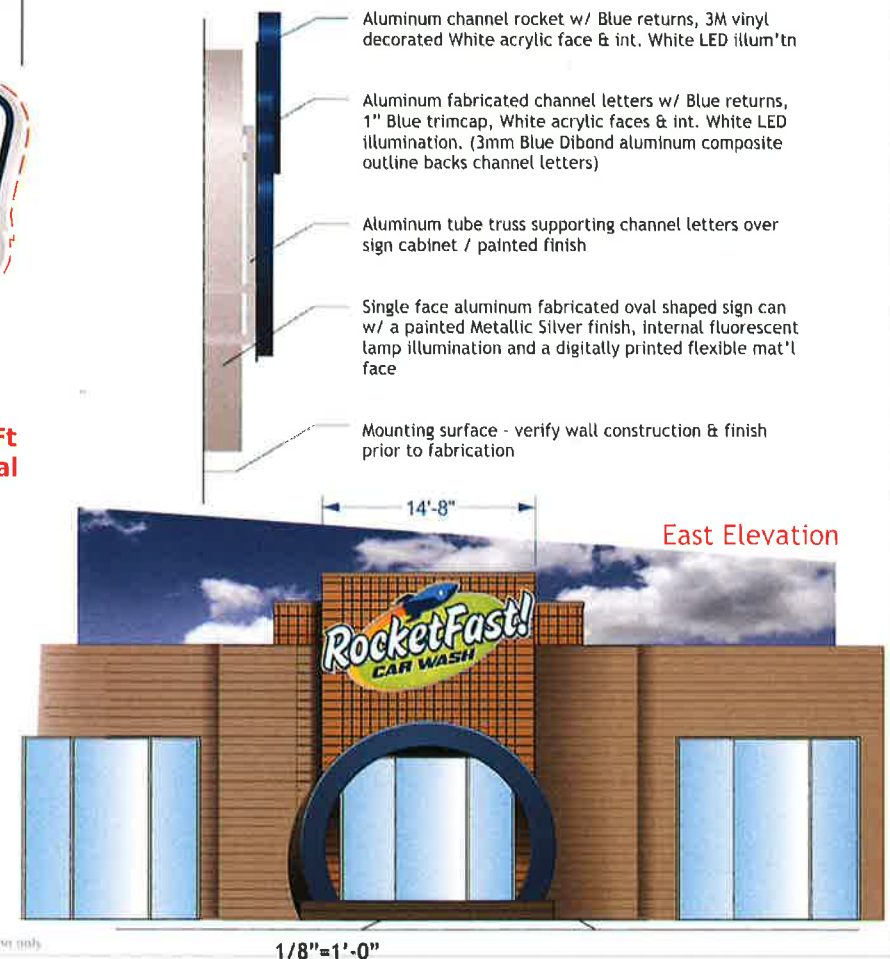


Mfg & install (1) s/f wall sign as shown above, onto building in customer designated area, as shown in elevation detail right....

Rocket Fast letters & rocket graphic are aluminum fabricated channels w/ Blue returns, White acrylic faces (vinyl decoration on rocket) and internal White LED illumination. Letters are mounted to a Dibond aluminum composite outline and stand-off mounted over sign cabinet w/ an aluminum tube frame.

Oval shaped portion is an aluminum fabricated cabinet w/ a painted Metallic Silver finish, internal lamp illumination and a digitally printed flexible face. This cabinet is flush mounted to wall surface.

Note: Wall construction and finish details will be needed along w/ dimension verification prior to any sign fabrication.



COLORS REPRESENTED ON THIS PRINT MAY NOT MATCH THE PMS CHIP, VINYL OR PAINT COLORS EXACTLY. It is to be viewed as a color representation only.

SIGN LITE
Lighting the way to success!

1490 I-10 Service Rd. • Slidell, LA 70461
(800)869-3804 • (985)649-3804 • f:(985)643-3758

Client
Rocket Fast Carwash
Corner of Pierremont Rd.
& Southern Ave.
Shreveport, LA
Project
S/F Wall Sign

Sales Rep.
B Rountree
Date
05/25/2018
Bid No.

Designer
K Snyder
Drawing No. / Pg No.
05747A
Scale
1/2"=1'-0"

120 v electrical unless noted otherwise
Approved by:
Approval date:

NOTES:
1. STRUCTURAL STEEL WILL BE ASTM-A36.
2. STEEL LESS THAN 1/4" THICK WILL BE GALVANIZED.
3. ALL STRUCTURAL STEEL TO BE PAINTED BY TWO COATS OF RUST INHIBITING PRIMER UNLESS GALVANIZED.
4. ALL CONNECTIONS WILL BE 3/8" THICKER BOLTS USE CSS NOTED.
5. PLASTIC SIGN FACES TO BE FORMED OF BLOW MOLDING MATERIALS.
6. COMPLETED SIGN WILL BEAR U.L. LABELS.
7. SIGN WILL BE LOCATED A MINIMUM OF 8" FROM BACK OF CURB.
8. BOTTOM OF SIGN WILL BE LOCATED A MINIMUM OF 4" ABOVE GRADE.
9. SIGN WILL BE FABRICATED & INSTALLED TO WITH STAND A MIN. WIND LOAD OF 120 M.P.H. @ 1 SEC. GUSTS IN ACCORDANCE W/ 2009 IBC.

THESE PLANS AND SPECIFICATIONS HAVE BEEN PREPARED BY ME, OR UNDER MY SUPERVISION, TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY CONFORM TO ALL CITY REQUIREMENTS. I AM NOT GENERALLY ASSUMING THE WORK.

Property of Sign Lite - Do Not Duplicate. This concept and artwork is the exclusive property of Sign Lite, and is for the sole purpose of viewing by recipient. It is not to be released to outside parties. If no contact is initiated with Sign Lite, this concept and artwork is to be returned in full. Any duplication and/or copying of these drawings in part or whole is prohibited. Any violation of these terms will result in penalties and prosecution under current copyright laws and/or be subject to full reimbursement of any and all associated design and production fees.

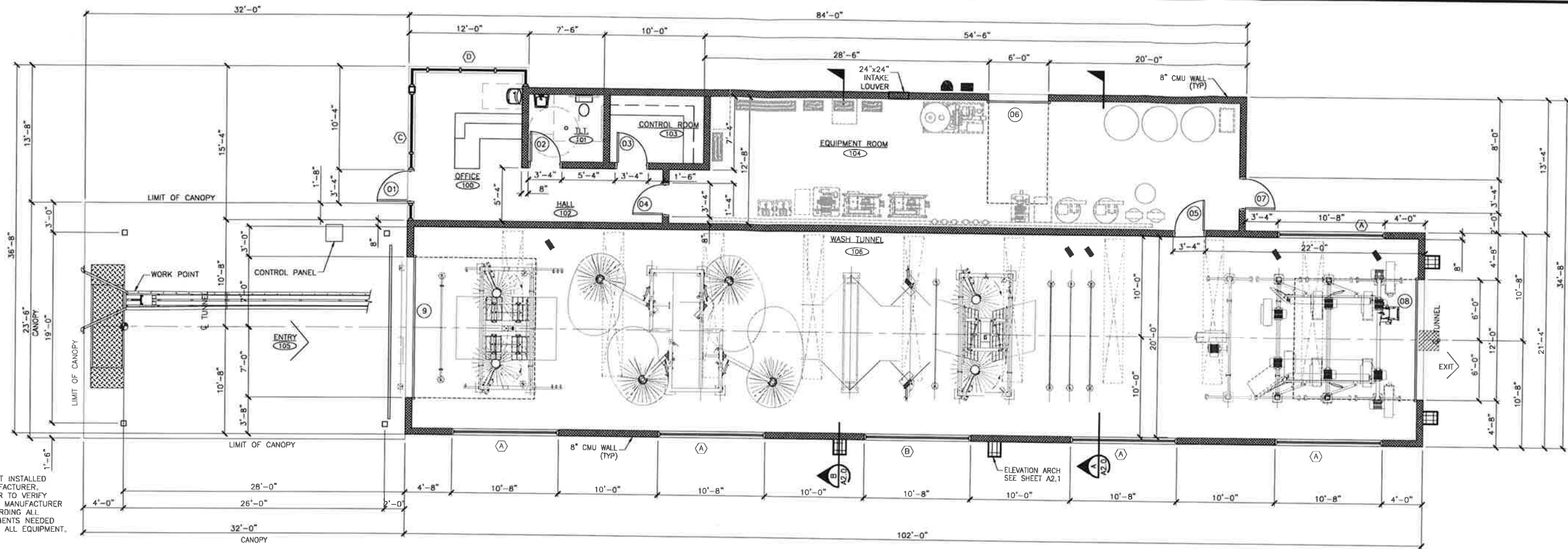
www.signlite.com • info@signlite.com



Attachment: 2020-123 ATTH 03 (photos of carwash) (2392 : 2020-123 ORD Amendment to PD-20-5(GR) in



Attachment: 2020-123 ATTH 03 (photos of carwash) (2392 : 2020-123 ORD Amendment to PD-20-5(GR) in



NOTE:
CAR WASH EQUIPMENT INSTALLED
BY EQUIPMENT MANUFACTURER.
GENERAL CONTRACTOR TO VERIFY
WITH THE EQUIPMENT MANUFACTURER
AND INSTALLER REGARDING ALL
NECESSARY REQUIREMENTS NEEDED
FOR INSTALLATION OF ALL EQUIPMENT.

FLOOR PLAN
SCALE: 3/16"=1'-0"

SQUARE FOOTAGES
TOTAL SQ. FT. = 3,264
CANOPY SQ. FT. = 773

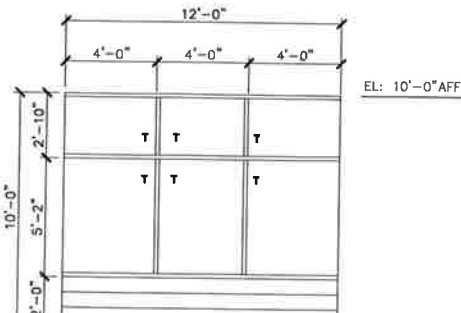
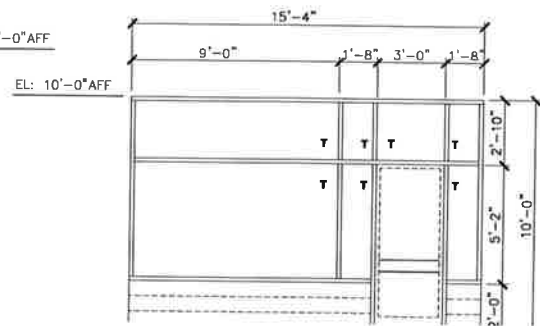
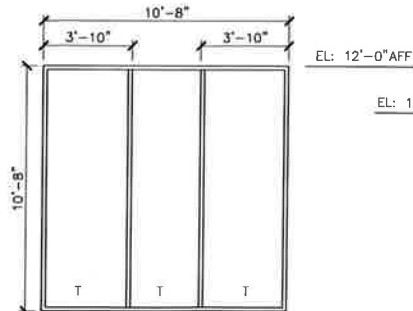
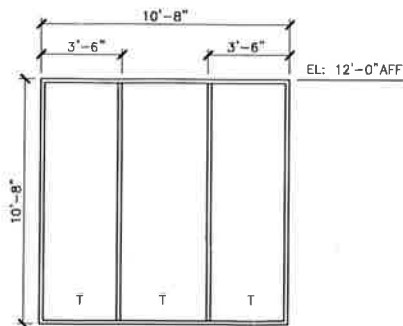
FINISH SCHEDULE

	FLOOR	BASE	WALL	CEILING	CEILING HEIGHT
100 OFFICE	CONCRETE SEALED PAINTED	CMU	CMU PAINT	EXPOSED STRUCTURE	SLOPED
101 TLT.	CAULK WALL TO FLOOR	1X4 PAINTED		PVC VINYL	10'-0"
102 HALL				SKYLIGHT PANELS 2X2 AC TILE	9'-4"
103 CONTROL					
104 EQUIPMENT					
105 ENTRY					
106 WASH					

CEILING TILE-ARMSTRONG FINE FISSURED ITEM #1729
HUMI GUARD, BACK LOADING ALLOWED

DOOR AND WINDOW SCHEDULE
1/4"=1'-0"

01	02	03	04	05	06	09	10



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version: B

Update Date: 11/4/2020 2:15 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-115 rezoning a 1.500-acre tract of land in the John A. Talbot HRS. A-564, located at 5605 Richmond Road. Office to Planned Development-General Retail. Kirk Patton, representing PHRMG Developers, owner and Richard Reynolds, agent.

Briefing: 11/9/2020 **Public Hearing:** 11/9/2020 **Council Vote:** 11/9/2020

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

Not applicable.

Executive Summary and Background Information:

This is a request by Kirk Patton, representing PHRMG Developers, owner and Richard Reynolds, agent, to rezone a 1.500-acre tract of land in the John A. Talbot HRS, A-564, located at 5605 Richmond Road from Office to Planned Development-General Retail. The proposed use is a nation brand convenience store. This property is currently vacant land.

The adjacent zoning is Single Family-1 and Office to the north, PD- General Retail to the south, General Retail to the east and Office to the west. The adjacent land use is vacant land to the north and west office to the south and retail use and offices to the east.

The Future Land use map designated this property as "Neighborhood Retail".

Staff recommended that a planned development designation be added to this request. Staff contacted the applicant and the applicant agreed to amend the application to include the PD designation.

This proposed zoning is consistent with other zoning and uses in this area. In addition, the proposed zoning aligns with the Comprehensive Plan's Future Land Use Map. However, most of the properties in this area of Richmond Road have a Planned Development designation. Therefore, staff recommends for approval to Planned Development General Retail.

The applicant should be aware that a site plan for the proposed development will have to be submitted and approved prior to any construction.

Staff recommends for approval.

Potential Options:

City of Texarkana, Texas

None.

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 recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

October 5, 2020

Attachments

- a. 2020-115 ORD rezoning 5605 Richmond Rd. (DOCX)
- b. 2020-115 EXH 'A' (legal description and survey) (PDF)
- c. 2020-115 ATTH 01 (maps) (PDF)
- d. 2020-115 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	10/16/2020 3:24 PM	
City Manager	Vicky Coopwood	City Manager Review Skipped
11:39 AM		10/20/2020
City Council	Jennifer Evans	Meeting
6:00 PM		Completed
		10/26/2020

Meeting History

ORDINANCE NO. 2020-115

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 1.500-ACRE TRACT OF LAND IN THE JOHN A. TALBOT HRS, A-564, LOCATED AT 5605 RICHMOND ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM OFFICE TO PLANNED DEVELOPMENT-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 a 1.500-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘A’), located at 5605 Richmond Road** in the City of Texarkana, Bowie County, Texas, from **Office to 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 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 six (6) to zero (0) to recommend the application for rezoning from Office to Planned Development-General Retail on a 1.500-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘A’), located at 5605 Richmond Road** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Office to Planned Development-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 a 1.500-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘A’), located at 5605 Richmond Road** in the City of Texarkana, Bowie County, Texas, from **Office to Planned Development-General Retail**.

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 **9th day of November, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Property Description
1.500 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Talbot Headright Survey, Abstract 584, Bowie County, Texas, being part of that certain tract of land described as 3.563 acres in the deed from Patton, Halkorn, Roberts, McWilliams & Greer, LLP to PHRMG Developers, dated February 21, 2000, recorded in Volume 3221, Page 189 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod, capped MTG 10111-00, set for a corner, lying in the East line of the said 3.563 acre tract, and the West right-of-way line of Farm-to-Market Road 559 (Richmond Road), said corner bears North 30 degrees 15 minutes 43 seconds West (basis of bearings) a distance of 188.16 feet to a 5/8 inch steel rod (control monument), capped LONNIE PACE - PLS 1573 TX, found for a corner, the Northeast corner of the said 3.563 acre tract, and lying in the West right-of-way line of the said F.M. 559 (Richmond Road);

THENCE South 30 degrees 15 minutes 43 seconds East a distance of 46.62 feet along the East line of the said 3.563 acre tract and the West right-of-way line of the said Richmond Road to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at the beginning of a circular curve to the right;

THENCE in a Southeasterly direction along the arc of the said circular curve a distance of 181.69 feet, with a delta angle of 03 degrees 18 minutes 32 seconds, a radius of 2799.79 feet, a chord bearing of South 28 degrees 36 minutes 27 seconds East and a chord distance of 161.67 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, the Southeast corner of the said 3.563 acre tract, at the intersection of the West right-of-way line of the said Richmond Road and the North right-of-way line of Moores Lane;

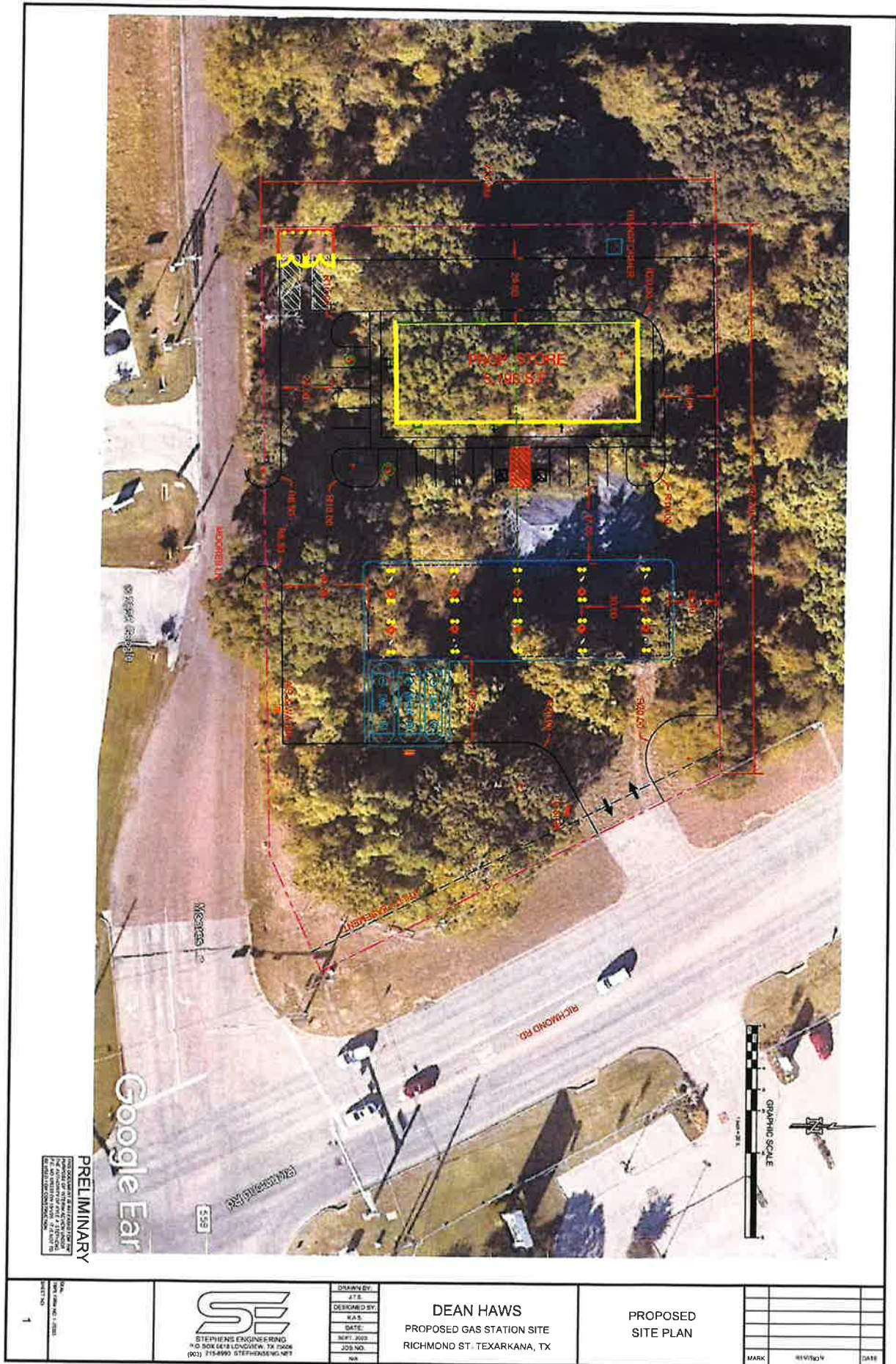
THENCE South 63 degrees 02 minutes 49 seconds West a distance of 60.00 feet along the South line of the said 3.563 acre tract and the North right-of-way line of the said Moores Lane to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point

THENCE South 85 degrees 22 minutes 08 seconds West a distance of 83.93 feet along the South line of the said 3.563 acre tract and the North right-of-way line of the said Moores Lane to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 87 degrees 00 minutes 01 seconds West a distance of 209.70 feet along the South line of the said 3.563 acre tract, and the North right-of-way line of the said Moores Lane to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, said corner bears South 87 degrees 00 minutes 01 seconds West a distance of 127.08 feet to a 1 inch steel pipe (control monument) found for a corner, the Southwest corner of the said 3.563 acre tract;

THENCE North 02 degrees 59 minutes 59 seconds West a distance of 213.98 feet across the said 3.563 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

THENCE North 87 degrees 00 minutes 01 seconds East a distance of 257.20 feet across and through the said 3.563 acre tract to the point of beginning, and containing 1.500 acres of land at the time of this survey.



5605 Richmond Rd.



Attachment: 2020-115 ATTH 01 (maps) (2388 : 2020-115 ORD rezoning from O to PD-GR at 5605 Richmond Rd.)



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version: E

Update Date: 11/4/2020 2:25 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-124 amending PD-20-6(GR) for site plan approval to allow the location of a convenience store on a 1.500-acre tract of land in the John A. Talbot HRS, A-564 located at 5605 Richmond Road. Kirk Patton, owner and Richard Reynolds, agent.

Briefing: 11/9/2020 **Public Hearing:** 11/9/2020 **Council Vote:** 11/9/2020

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

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Kirk Patton, representing PHRMG Developers, owner and Richard Reynolds, agent, for site plan approval on a 1.500-acre tract of land in the John A. Talbot HRS, A-564, located at 5605 Richmond Road. The proposed use is a national brand convenience store. This property is currently vacant land.

The adjacent zoning is Single Family-1 and Office to the north, PD- General Retail to the south, General Retail to the east and Office to the west. The adjacent land use is vacant land to the north and west office to the south and retail use and offices to the east.

The site plan consists of the following:

1. Construction of a new 5,198 sq. ft. building.
2. Masonry type façade.
3. Ten gas pumps with a canopy.
4. Access off Richmond Road and Moores Lane. Richmond Road access will require TXDOT approval.
5. A cross access agreement is required.
6. 18 parking spaces including 2 handicapped spaces.
7. A screened dumpster at the rear.
8. A monument style sign not to exceed 96 sq. ft. in size with price point fuel prices allowed on the sign. No CEVMS.

Staff recommends for approval of the site plan.

Per the Public Works and Engineering Department, the applicant should be aware that a Traffic Impact Study will be required as part of the construction plans.

City of Texarkana, Texas

Per the Fire Department, fire lanes with a 20' width and a 13' 6" overhead clearance will be required. Also, must meet the AASHTO WB40 turn radii.

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:

None

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 recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

October 5, 2020

Attachments

- a. 2020-124 ORD site plan app. 5605 Richmond Rd. (DOCX)
- b. 2020-124 EXH 'A' (site plan) (PDF)
- c. 2020-124 EXH 'B' (legal description)(PDF)
- d. 2020-124 ATTH 01 (maps) (PDF)
- e. 2020-124 ATTH 02 (elevations) (PDF)
- f. 2020-124 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review
Completed	10/16/2020 3:27 PM	
City Manager	Vicky Coopwood	City Manager Review Skipped
11:35 AM		10/20/2020

City of Texarkana, Texas

City Council
6:00 PM

Jennifer Evans

Meeting

Completed

10/26/2020

Meeting History

Amendment to
PD-20-6(GR)

ORDINANCE NO. 2020-124

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-20-6(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF A CONVENIENCE STORE ON A 1.500-ACRE TRACT OF LAND IN THE JOHN A. TALBOT HRS, A-564, LOCATED AT 5605 RICHMOND ROAD 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’)** to allow the location of convenience store on a **1.500-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘B’)** located at **5605 Richmond Road** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-Office [PD-20-6(GR)], and approval of the site plan (**Exhibit ‘A’**) would constitute an amendment to PD-20-6(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 **unanimously by a vote of six (6) 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: That the site plan (**Exhibit ‘A’**) to allow the location of a convenience store on a **1.500-acre tract of land in the John A. Talbot HRS, A-564 (Exhibit ‘B’)**, located at **5605 Richmond Road** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-20-6(GR).

SECTION 2: PD-20-6(GR) is hereby amended by approval of the site plan (**Exhibit ‘A’**), incorporated herein by reference for all purposes, and includes the following:

1. Construction of a new 5,198 sq. ft. building.
2. Masonry type façade.
3. Ten gas pumps with a canopy.
4. Access off Richmond Road and Moores Lane. Richmond Road access will require TxDOT approval.
5. A cross access agreement is required.
6. Eighteen (18) parking spaces including two (2) handicapped spaces.
7. A screened dumpster at the rear.
8. A monument style sign not to exceed 96 sq. ft. in size with price point fuel prices allowed on the sign. No CEVMS.

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.

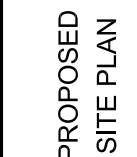
SECTION 5: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of November, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



DEAN HAWES

DRAWN BY:	J.T.S.
DESIGNED BY:	K.A.S.
DATE:	SEPT. 2020



STEVENS ENGINEERING

SEAL:
TBPE FIRM NO. F-20395
SHEET NO.

Packet Pg. 125

PRELIMINARY

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF KYLE A. STEPHENS, P.E. NO 106333 ON 10/1/20. IT IS NOT TO BE USED FOR CONSTRUCTION.

SEPT. 2020

STEPHENS ENGINEERING

RICHMOND ST TEXARKANA TX

Attachment: 2020-124 EXH 'A' (site plan) (2393 : 2020-124 ORD Amendment to PD-20-6(GR) site plan apprvl at 5605 Richmond Rd)

Property Description
1.500 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the John A. Talbot Headright Survey, Abstract 584, Bowie County, Texas, being part of that certain tract of land described as 3.563 acres in the deed from Patton, Haltom, Roberts, McWilliams & Grear, LLP to PHRMG Developers, dated February 21, 2000, recorded in Volume 3221, Page 189 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod, capped MTG 10111-00, set for a corner, lying in the East line of the said 3.563 acre tract, and the West right-of-way line of Farm-to-Market Road 559 (Richmond Road), said corner bears North 30 degrees 15 minutes 43 seconds West (basis of bearings) a distance of 188.18 feet to a 5/8 inch steel rod (control monument), capped LONNIE PACE - PLS 1573 TX, found for a corner, the Northeast corner of the said 3.563 acre tract, and lying in the West right-of-way line of the said F.M. 559 (Richmond Road);

THENCE South 30 degrees 15 minutes 43 seconds East a distance of 46.82 feet along the East line of the said 3.563 acre tract and the West right-of-way line of the said Richmond Road to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at the beginning of a circular curve to the right;

THENCE in a Southeasterly direction along the arc of the said circular curve a distance of 161.89 feet, with a delta angle of 03 degrees 18 minutes 32 seconds, a radius of 2799.79 feet, a chord bearing of South 28 degrees 36 minutes 27 seconds East and a chord distance of 161.67 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, the Southeast corner of the said 3.563 acre tract, at the intersection of the West right-of-way line of the said Richmond Road and the North right-of-way line of Moores Lane;

THENCE South 63 degrees 02 minutes 49 seconds West a distance of 60.00 feet along the South line of the said 3.563 acre tract and the North right-of-way line of the said Moores Lane to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point

THENCE South 85 degrees 22 minutes 08 seconds West a distance of 83.93 feet along the South line of the said 3.563 acre tract and the North right-of-way line of the said Moores Lane to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 87 degrees 00 minutes 01 seconds West a distance of 209.70 feet along the South line of the said 3.563 acre tract, and the North right-of-way line of the said Moores Lane to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, said corner bears South 87 degrees 00 minutes 01 seconds West a distance of 127.08 feet to a 1 inch steel pipe (control monument) found for a corner, the Southwest corner of the said 3.563 acre tract;

THENCE North 02 degrees 59 minutes 59 seconds West a distance of 213.98 feet across the said 3.563 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

THENCE North 87 degrees 00 minutes 01 seconds East a distance of 257.20 feet across and through the said 3.563 acre tract to the point of beginning, and containing 1.500 acres of land at the time of this survey.

5605 Richmond Rd.



Amendment to PD-20-6 (GR)

5605 Richmond Rd.





FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version:

Update Date: 10/16/2020 3:07 PM

Briefing Sheet

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-116 amending PD-96-4(GR) for site plan approval on a 3.94-acre tract of land being part of Lots 10-13, Block 4, Urban Heights Addition, located on Chelf Road (between Pansy and Collom Streets). James Naples, owner and David Williams, MTG Engineers and Surveyors, agent.
Briefing: 11/9/2020 **Public Hearing:** 11/9/2020 **Council Vote:** 11/9/2020

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

NOT APPLICABLE

Executive Summary and Background Information:

Amendment to PD-96-4(GR): This is a request for site plan approval by James Naples, owner and David Williams, MTG Engineers and Surveyors, agent on a 3.94-acre tract of land being part of Lots 10-13, Block 4, Urban Heights Addition, located on Chelf Road between Pansy and Collom Streets. The proposed use is for an unattended retail/fleet fueling station. This is currently vacant land.

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

This request is for site plan approval to allow the location of an unattended retail/fleet fueling station. The fueling station will be available to the general public by credit card/debit card. Fleet payment will be made through a Red River Oil Card issued to fleet user along with a credit card/debit card.

The site plan for phase one consists of the following:

1. A 200 sq ft. rest room and storage building with two parking spaces including one handicapped space with paved access.
2. Fuel pump island with a canopy.
3. Exterior façade of building will be split face block.
4. Proposed entrance off Pansy Street and proposed exit off Collom Street.
5. Proposed pavement widening of Pansy Street and proposed Collom Street extension to allow access to this site.
6. Two above ground fuel tanks that will be screened with a 10' metal fence.

City of Texarkana, Texas

7. A pylon (360 sq. ft.) sign with logo and directional (20 sq. ft.) sign with logo.
8. Additional signage on restroom and storage building.
9. Screening device along the east property line.

The site plan for the future (phase 2) includes the following:

1. A 6,000 sq. ft. office/warehouse building in the northeast corner of the site with appropriate concrete parking in front and a gravel lot in the rear.
2. Two above ground fuel tanks screened with 10' metal fence.
3. Extension of fuel pump island with canopy (to the east).

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:

None.

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 recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

October 5, 2020

Attachments

- a. 2020-116 ORD site plan app. on Chelf Rd (DOCX)
- b. 2020-116 EXH 'A' (site plan) (PDF)
- c. 2020-116 ATTH 01 (maps) (PDF)
- d. 2020-116 ATTH 02 (elevations) (PDF)
- e. 2020-116 ATTH 03 (sample fencing around storage tanks) (PDF)

City of Texarkana, Texas

- f. 2020-116 ATTH 04 (samples photos) (PDF)
- g. 2020-116 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	
Completed	10/16/2020 3:25 PM		
City Manager	Vicky Coopwood	City Manager Review Skipped	10/20/2020
11:39 AM			
City Council	Jennifer Evans	Meeting	Completed 10/26/2020
6:00 PM			

Meeting History

ORDINANCE NO. 2020-116

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-96-4(GR) FOR SITE PLAN APPROVAL TO ALLOW THE LOCATION OF AN UNATTENDED RETAIL/FLEET FUELING STATION ON A 3.94-ACRE TRACT OF LAND BEING PART OF LOTS 10-13, BLOCK 4, URBAN HEIGHTS ADDITION, LOCATED ON CHELF ROAD BETWEEN PANSY STREET AND COLLOM 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 requesting the approval of a **site plan (Exhibit ‘A’)** to **allow the location of an unattended retail/fleet fueling station on a 3.94-acre tract of land being part of Lots 10-13, Block 4, Urban Heights Addition, located on Chelf Road between Pansy Street and Collom Street** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-96-4(GR)] and approval of the site plan (**Exhibit ‘A’**) would constitute an amendment to PD-96-4(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 **unanimously by a vote of six (6) 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: That the site plan (**Exhibit ‘A’**) to allow **the location of an unattended retail/fleet fueling station on a 3.94-acre tract of land being part of Lots 10-13, Block 4, Urban Heights**

Addition, located on Chelf Road between Pansy Street and Collom Street in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-96-4(GR).

SECTION 2: PD-96-4(GR) is hereby amended by approval of the site plan (**Exhibit ‘A’**), incorporated herein by reference for all purposes and includes the following:

PHASE ONE

1. A 200 sq ft. restroom and storage building with two parking spaces including one handicapped space with paved access.
2. Fuel pump island with a canopy.
3. Exterior façade of building will be split face block.
4. Entrance off Pansy Street and exit off Collom Street.
5. Pavement widening of Pansy Street and Collom Street extension to allow access to this site.
6. Two above ground fuel tanks that will be screened with a 10’ metal fence.
7. A pylon sign (360 sq. ft. in size) with logo to be located 50’ above grade level off Loop 151.
8. Directional signage (20 sq. ft. in size) with logo.
9. Additional signage on restroom and storage building.
10. Screening device along the east property line.

PHASE TWO

1. A 6,000 sq. ft. office/warehouse building in the northeast corner of the site with appropriate concrete parking in front and a gravel lot in the rear.
2. Two above ground fuel tanks screened with 10’ metal fence.
3. Extension of fuel pump island with canopy (to the east).

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of November, 2020.**

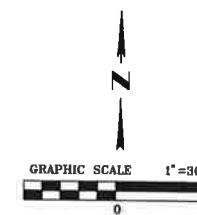
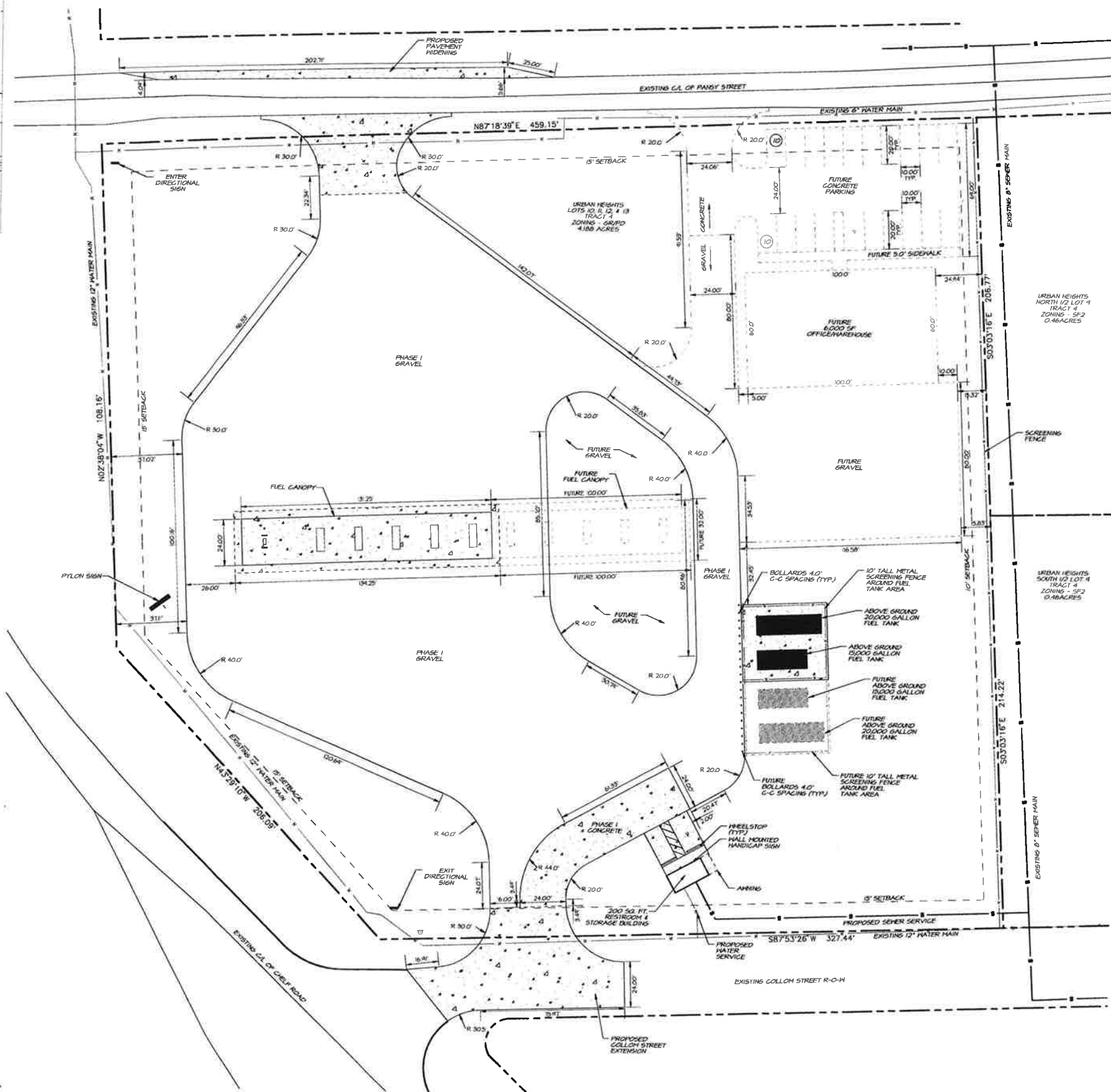
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



VICINITY MAP



LEGEND

	PROPERTY LINE
	CURB AND GUTTER
	BUILDING EDGE
	EDGE OF PAVEMENT
	EASEMENT
	BUILDING LINE OFFSET
	TOE OF DITCH/SLOPE
	TOP OF BANK
	OVERHEAD POWER LINE
	WATER MAIN
	SANITARY SEWER MAIN
	TELEPHONE LINE
	PROPOSED CONTOUR INT.
	EXISTING CONTOUR INT.
	SILT FENCE
	STORM DRAIN
	FIRE LAINE
	SPOT ELEVATION
	POWER POLE
	WATER METER
	WATER VALVE
	CLEAN OUT
	SANITARY SEWER MANHOLE
	STORM DRAIN MANHOLE
	SIGN (TYPICAL)
	HANDICAP PARKING SYMBOL (PAINTED)
	FIRE HYDRANT
	LIGHT POLE
	GAS REGULATOR
	IRRIGATION CONTROL VALVE
	SPRINKLER HEAD
	ROOF DRAIN
	TELEPHONE JUNCTION BOX
	ELECTRIC JUNCTION BOX
	GUY WIRE

PAVEMENT SURFACE NOTE:
ALL SURFACES NOT SHOWN TO BE CONCRETE WILL BE AN
ALL HEATHER GRAVEL SURFACE.

SITE DATA:

LEGAL DESCRIPTION - LOTS NUMBERED TEN (10), ELEVEN (11), TWELVE (12),
AND THIRTEEN (13 IN BLOCK 4 OF THE URBAN HEIGHTS, AN ADDITION TO THE
CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT
THEREOF RECORDED IN VOLUME 40, PAGE 312 OF THE PLAT RECORDS OF BOWIE
COUNTY TEXAS - SAVE AND EXCEPT 0.302 ACRES CONVEYED TO THE STATE OF
TEXAS BY DEED OF RECORD IN VOLUME 2335, PAGE 232, REAL PROPERTY RECORDS
OF BOWIE COUNTY TEXAS.

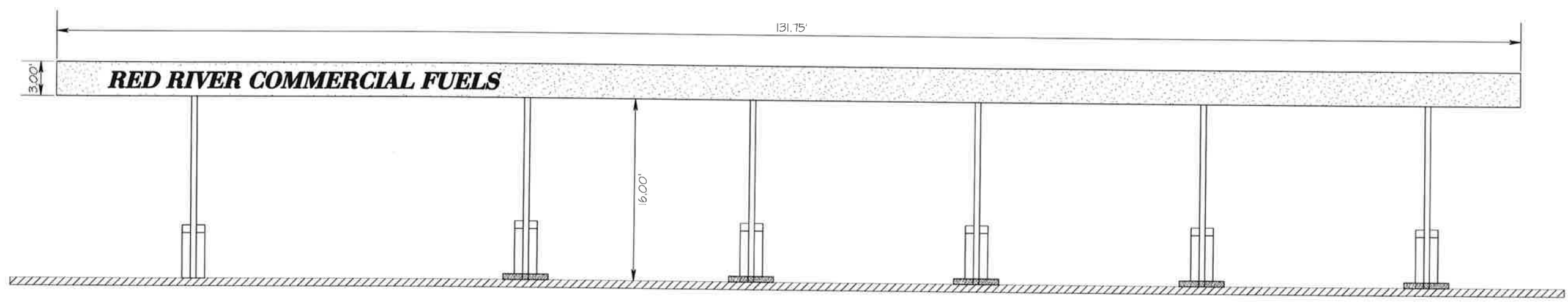
CURRENT AND PROPOSED ZONING: PLANNED DEVELOPMENT GENERAL RETAIL

PROPOSED USE: UNATTENDED RETAIL/FLEET FUELING STATION
ADDITIONAL FUTURE USE: OFFICE/WAREHOUSE

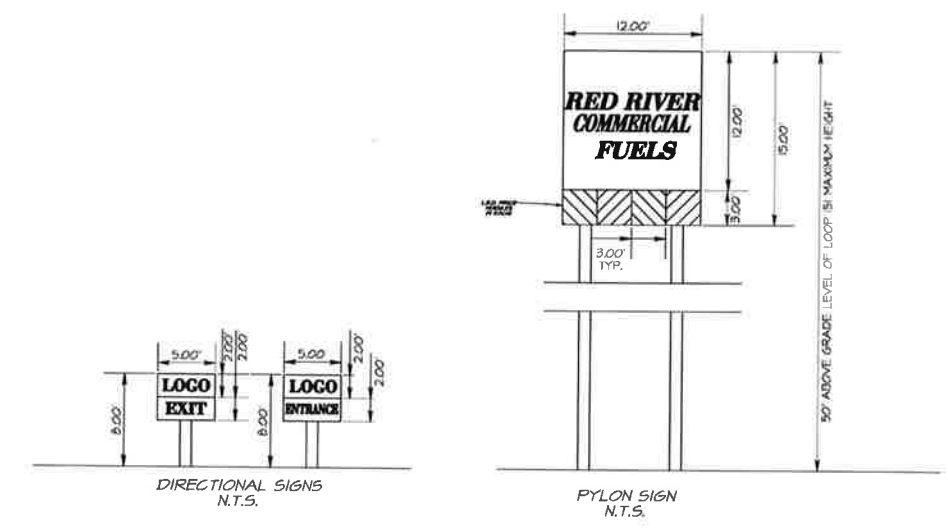
PARKING PROVIDED:
PHASE 1 - 2 SPACES (1 HANDICAPPED)
FUTURE OFFICE/WAREHOUSE - PARKING PROVIDED = 20 SPACES
PARKING REQUIRED: 20 SPACES (1 SPACE/300 SQ FT)

SCREENING: SCREENING IN ACCORDANCE WITH THE CITY OF TEXARKANA ORDINANCES WILL BE PROVIDED FOR ADJACENT RESIDENTIAL PROPERTY ABOVE GROUND FUEL TANKS WILL BE SCREENED WITH A 10' OPAQUE FENCE

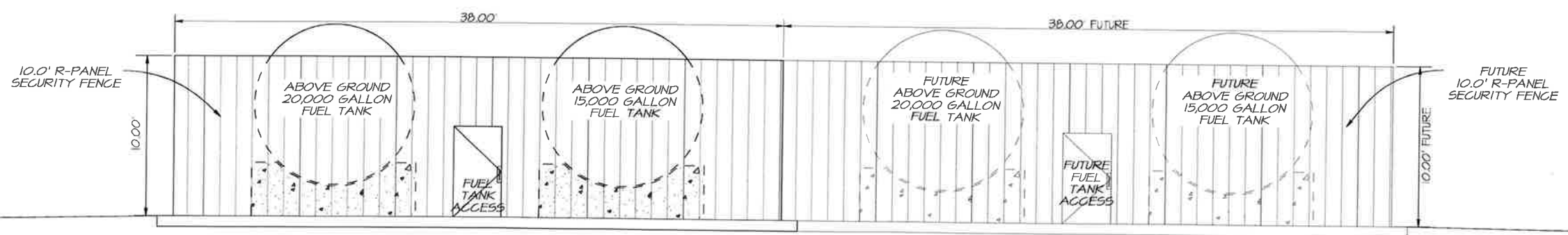
Amend PD-96-4



CANOPY ELEVATION
N.T.S.



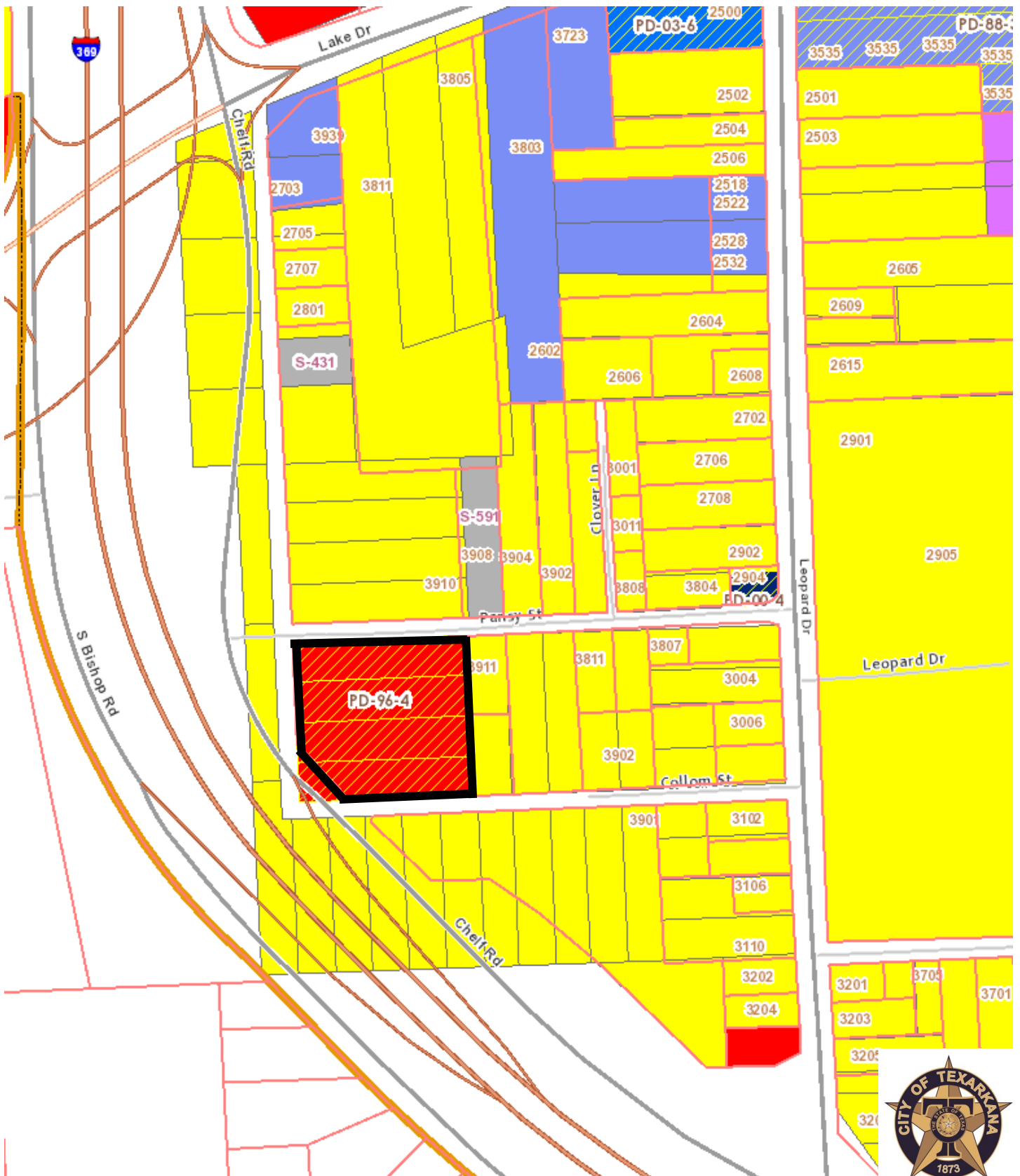
SIGN ELEVATIONS
N.T.S.



Attachment: 2020-116 EXH 'A' (site plan) (2389 : 2020-116 ORD Amendment PD-96-4(GR): on Chelf Road between Pansy & Collom)

2020-116 ATTH 01
Amend PD-96-4

Lots 10-13, Block 4 Chelf Rd.



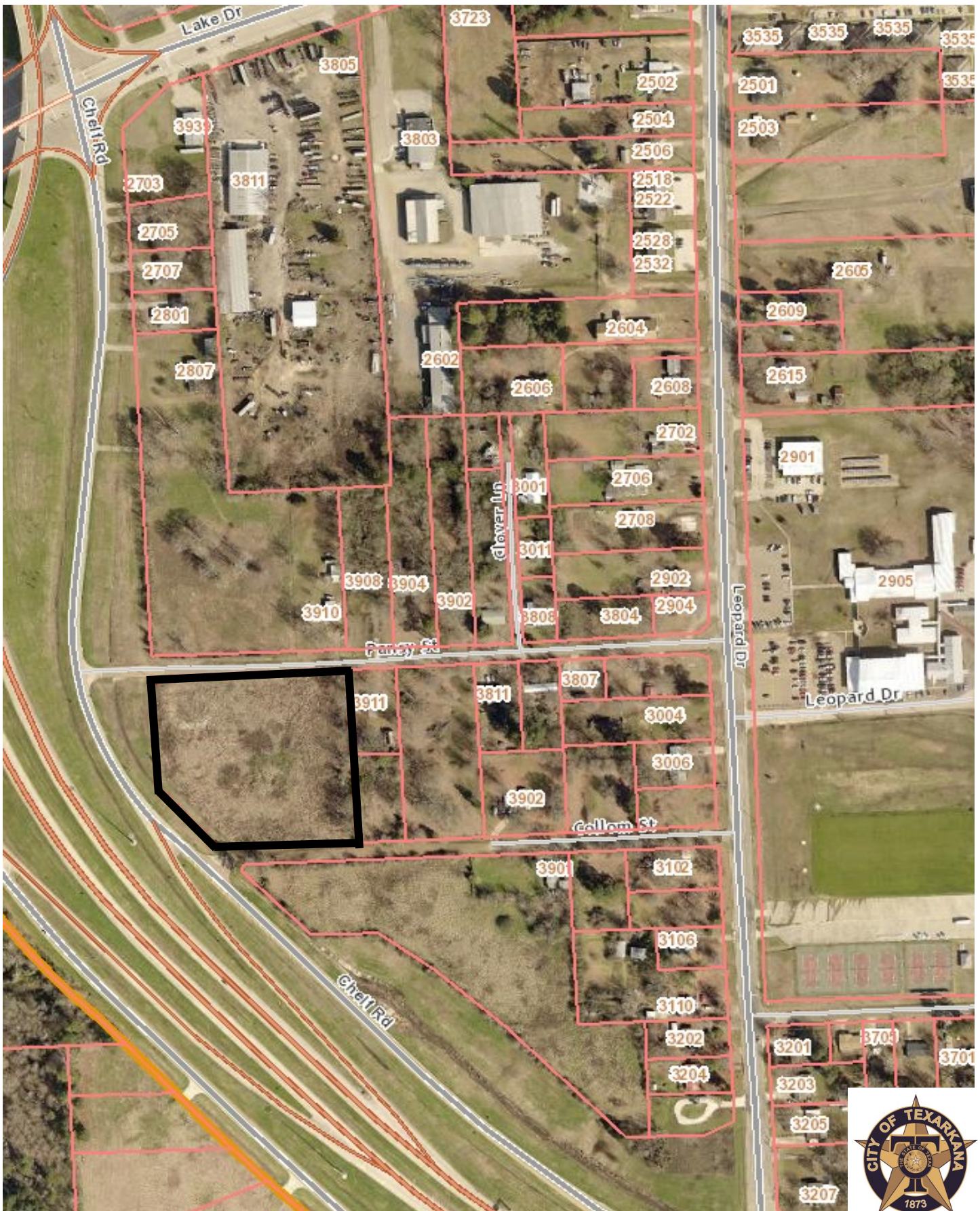
Attachment: 2020-116 ATTH 01 (maps) (2389 : 2020-116 ORD Amendment PD-96-4(GR): on Chelf Road between Pansy & Collom)



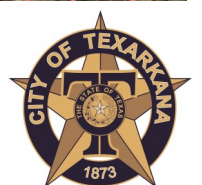
Lots 10-13, Block 4 Chelf

2020-116 ATTH 01

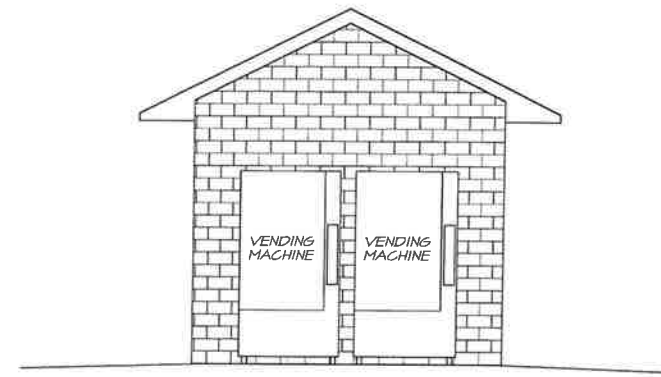
Amend PD-96-4



Attachment: 2020-116 ATTH 01 (maps) (2389 : 2020-116 ORD Amendment PD-96-4(GR): on Chelf Road between Pansy & Collom)

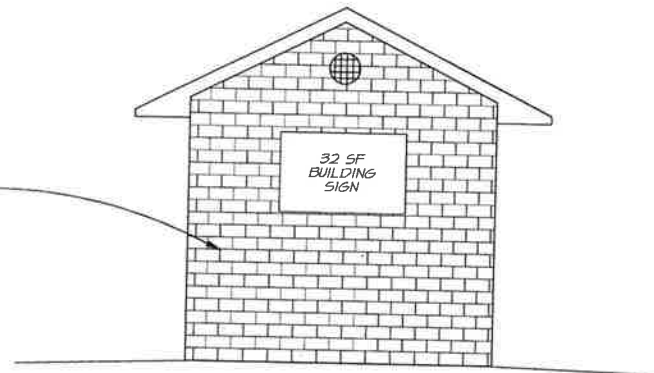


Amend PD-96-4

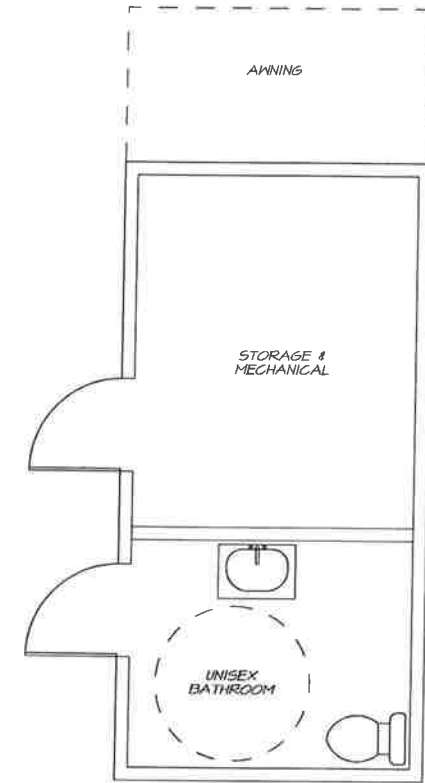


NORTH ELEVATION
N.T.S.

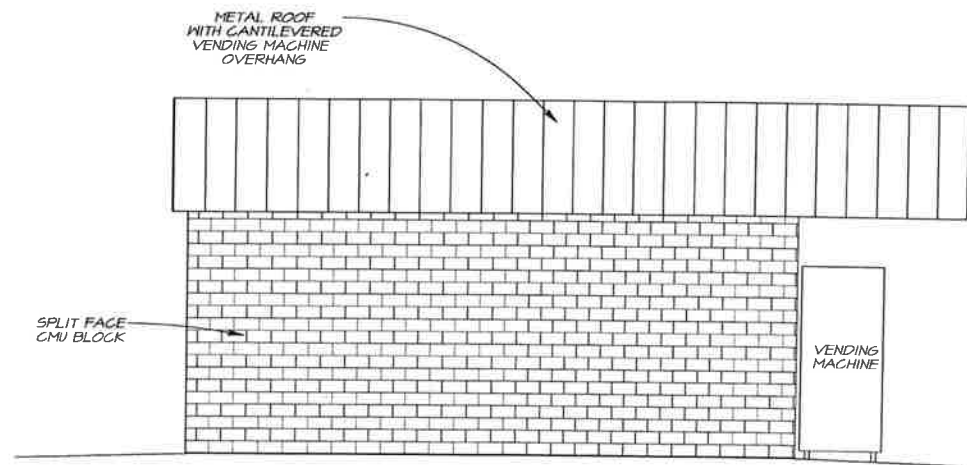
SPLIT FACE
CMU BLOCK



SOUTH ELEVATION
N.T.S.

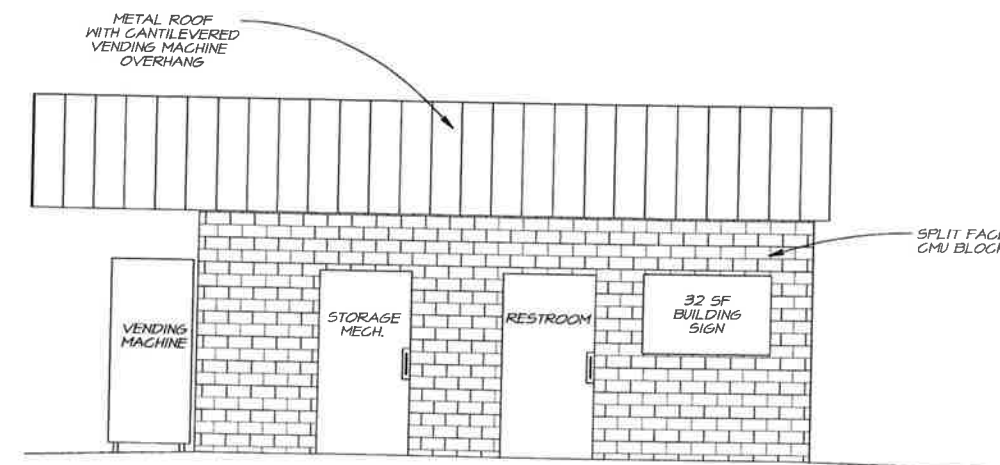


FLOOR PLAN
N.T.S.



EAST ELEVATION
N.T.S.

SPLIT FACE
CMU BLOCK



WEST ELEVATION
N.T.S.

SPLIT FACE
CMU BLOCK

Attachment: 2020-116 ATTH 02 (elevations) (2389 : 2020-116 ORD Amendment PD-96-4(GR): on Chelf Road between Pansy & Collom)





Attachment: 2020-116 ATTH 04 (samples photos) (2389 : 2020-116 ORD Amendment PD-96-4(GR): on Chelf Road between Pansy & Collom)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Briefing Sheet

Version:

Update Date: 10/16/2020 3:07 PM

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator
Subject: Ordinance No. 2020-117 amending PD-16-1(NS) for site plan approval on a 1.295-acre tract of land in the George Brinlee HRS, A-18, located at 4824 McKnight Road. Aaron Gaylor, dba Gaylor Equities, LLC, owner.

Briefing: 11/9/2020 **Public Hearing:** 11/9/2020 **Council Vote:** 11/9/2020

Item Schedule

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

Updates/History of Briefing:

Not applicable.

Executive Summary and Background Information:

Amendment to PD-16-1(NS): This is a request for site plan approval by Aaron Gaylor, dba Gaylor Equities, LLC, owner, on a 1.295-acre tract of land in the George Brinlee HRS, A-18, located at 4824 McKnight Road. This is currently vacant land. The proposed use is building addition.

The adjacent zoning is Single Family-3 to the north, Agriculture to the south, PD-Office to the east, and Single Family-2 to the west. The adjacent land use is residential to the north, south, and west and vacant land to the east.

The Future Land use map designated this property as "Office Institutional".

This request is to amend the existing site plan to allow the construction of an addition behind the existing building.

The site plan consists of the following:

1. Construction of a new 3,667 sq. ft. addition to be located directly behind the existing building and connected by a corridor.
2. Façade will be painted metal wall architectural panels. The colors will match existing building.
3. Access will be from the existing driveway off Gin Road.
4. There are currently 50 parking spaces with 10 handicapped spaces. The proposed parking is 63 parking spaces and 11 handicapped spaces.
5. No additional signage is shown.

City of Texarkana, Texas

Per the fire department – “as long a the new building is no more than 150’ off Gin Road, no fire lane is needed, and if the hose lay from the fire hydrant at Gin Road and McKnight Road is not more than 400’ an additional fire hydrant is not needed.”

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:

None.

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 recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

October 5, 2020

Attachments

- a. 2020-117 ORD site plan app. at 4824 McKnight Rd (DOCX)
- b. 2020-117 EXH 'A' (legal description) (PDF)
- c. 2020-117 EXH 'B' (site plan) (PDF)
- d. 2020-117 ATTH 01 (maps) (PDF)
- e. 2020-117 ATTH 02 (elevations) (PDF)
- f. 2020-117 ATTH 03 (proposed colors to match existing bldg) (PDF)
- g. 2020-117 ATTH 04 (photos of existing building) (PDF)
- h. 2020-117 Goals & Perspectives (DOCX)

City of Texarkana, Texas**Staff Coordination**

Planning and Community Development	David Orr	Department Head Review	
Completed	10/16/2020 3:26 PM		
City Manager	Vicky Coopwood	City Manager Review	Skipped 10/20/2020
11:38 AM			
City Council	Jennifer Evans	Meeting	Completed 10/26/2020
6:00 PM			

Meeting History

ORDINANCE NO. 2020-117

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-16-1(NS) FOR SITE PLAN APPROVAL TO ALLOW CONSTRUCTION OF A NEW BUILDING ON A 1.295-ACRE TRACT OF LAND IN THE GEORGE BRINLEE HRS, A-18, LOCATED AT 4824 MCKNIGHT ROAD 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’)** to **allow construction of a new building on a 1.295-acre tract of land in the George Brinlee HRS, A-18 (Exhibit ‘B’), located at 4824 McKnight Road** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-Neighborhood Service [PD-16-1(NS)] and approval of the site plan (**Exhibit ‘A’**) would constitute an amendment to PD-16-1(NS); and

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

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously by a vote of six (6) 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: That the site plan (**Exhibit ‘A’**) to allow the construction of a **new building on a 1.295-acre tract of land in the George Brinlee HRS, A-18, located at 4824 McKnight Road** in

the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-16-1(NS).

SECTION 2: PD-16-1(NS) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes and includes the following:

1. Construction of a new 3,667 sq. ft. building to be located directly behind the existing building and connected by a corridor.
2. Façade will be painted metal wall architectural panels. The colors will match existing building.
3. Access will be from the existing driveway off Gin Road.
4. There are currently 50 parking spaces with 10 handicapped spaces. The proposed parking is 63 parking spaces and 11 handicapped spaces.
5. No additional signage is shown.

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of November, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

DESCRIPTION of all that certain tract or parcel of land being a part of the GEORGE BRINLEE HEADRIGHT SURVEY, Abstract No. 18, Bowie County, Texas, being a part of a 7 acre tract of land conveyed by Helen Lukas to Valentine A. Lukas, and being the same tract of land conveyed to Valentine A. Lukas Revocable Living Trust by Warranty Deed recorded in Volume 3687, Page 8 of the Real Property Records of Bowie County, Texas, and the subject tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a nail found for corner in Gin Road at a point located S 02°28'05" E, 25.00 feet from the Northwest corner of said Lukas 7.00 acre tract of land and also the Northwest corner of a certain 4.603 acre tract of land conveyed to Ralph McDowell and wife, Tammy McDowell, by Warranty Deed recorded in Volume 4121, Page 311 of the Real Property Records of Bowie County, Texas;

THENCE: N 87°40'28" E, 143.11 feet to a 5/8" iron pin found for corner;

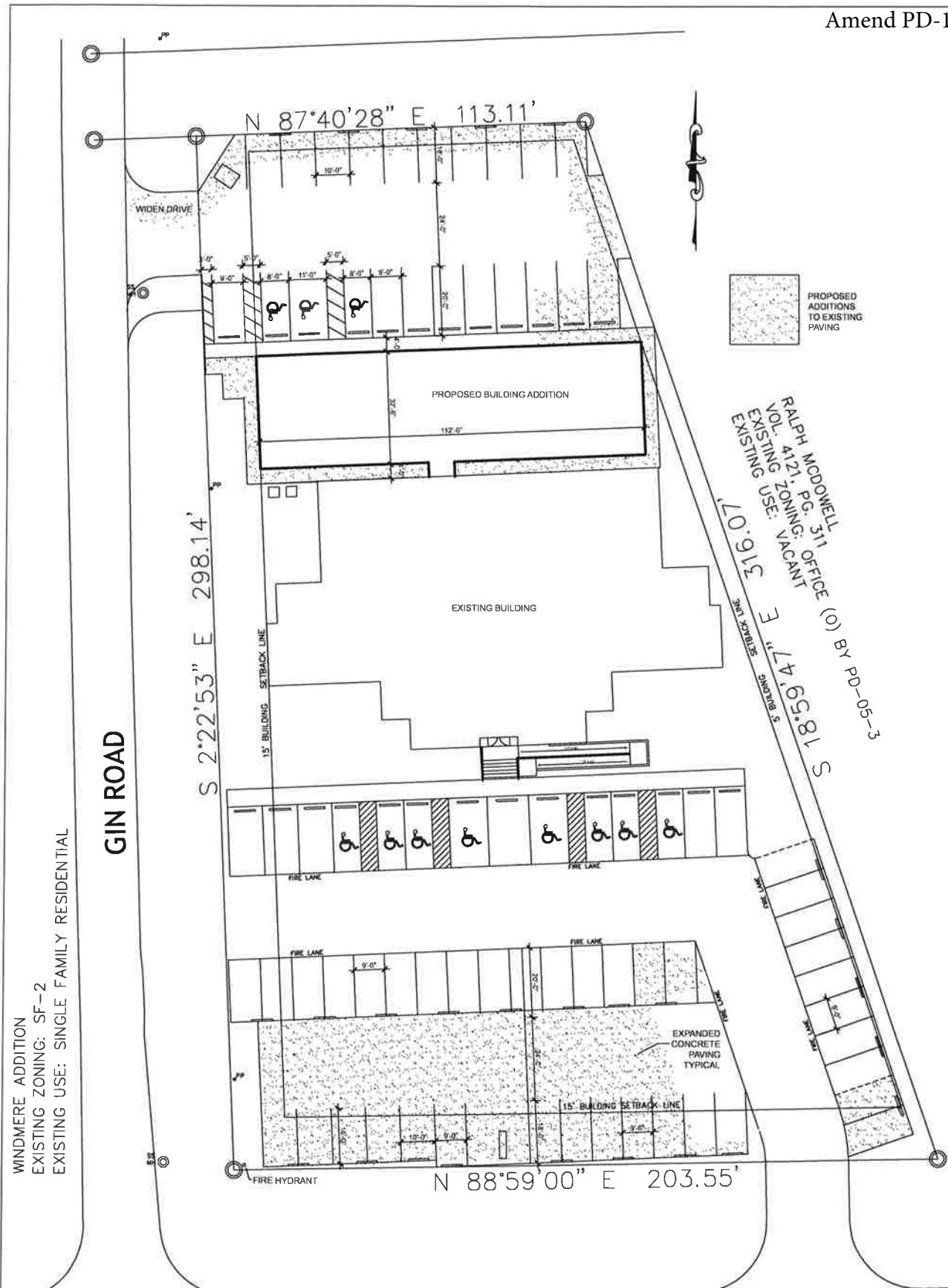
THENCE: S 18°59'47" E, 316.07 feet to a 1/2" iron pin found for corner on the North right-of-way line of F. M. Highway No. 1297 (McKnight Road);

THENCE: S 88°59'00" W, 233.56 feet with the North right-of-way line of F. M. Highway No. 1297 to a point for corner in Gin Road;

THENCE: N 02°22'53" W, 0.49 feet to a nail found for reference and continuing for a total distance of 297.45 feet with the West line of said Lukas tract to the POINT OF BEGINNING;

CONTAINING 1.295 acres of land, more or less.

LESS DEDICATED RIGHT-OF-WAY = 1.09 ACRES



Attachment: 2020-117 EXH 'B' (site plan) (2390 : 2020-117 ORD Amendment PD-16-1(NS): at 4824 McKnight Rd)

F. M. HIGHWAY NO. 1297 (McKNIGHT ROAD)

PROPOSED TEXARKANA THERAPY EXPANSION
4824 MCKNIGHT ROAD, TEXARKANA TEXAS
3640 SF ADDITION TO EXISTING 7850 SF

2020-117 ATTH 01

Amend PD-16-1

4824 McKnight



Attachment: 2020-117 ATTH 01 (maps) (2390 : 2020-117 ORD Amendment PD-16-1(NS): at 4824 McKnight Rd)

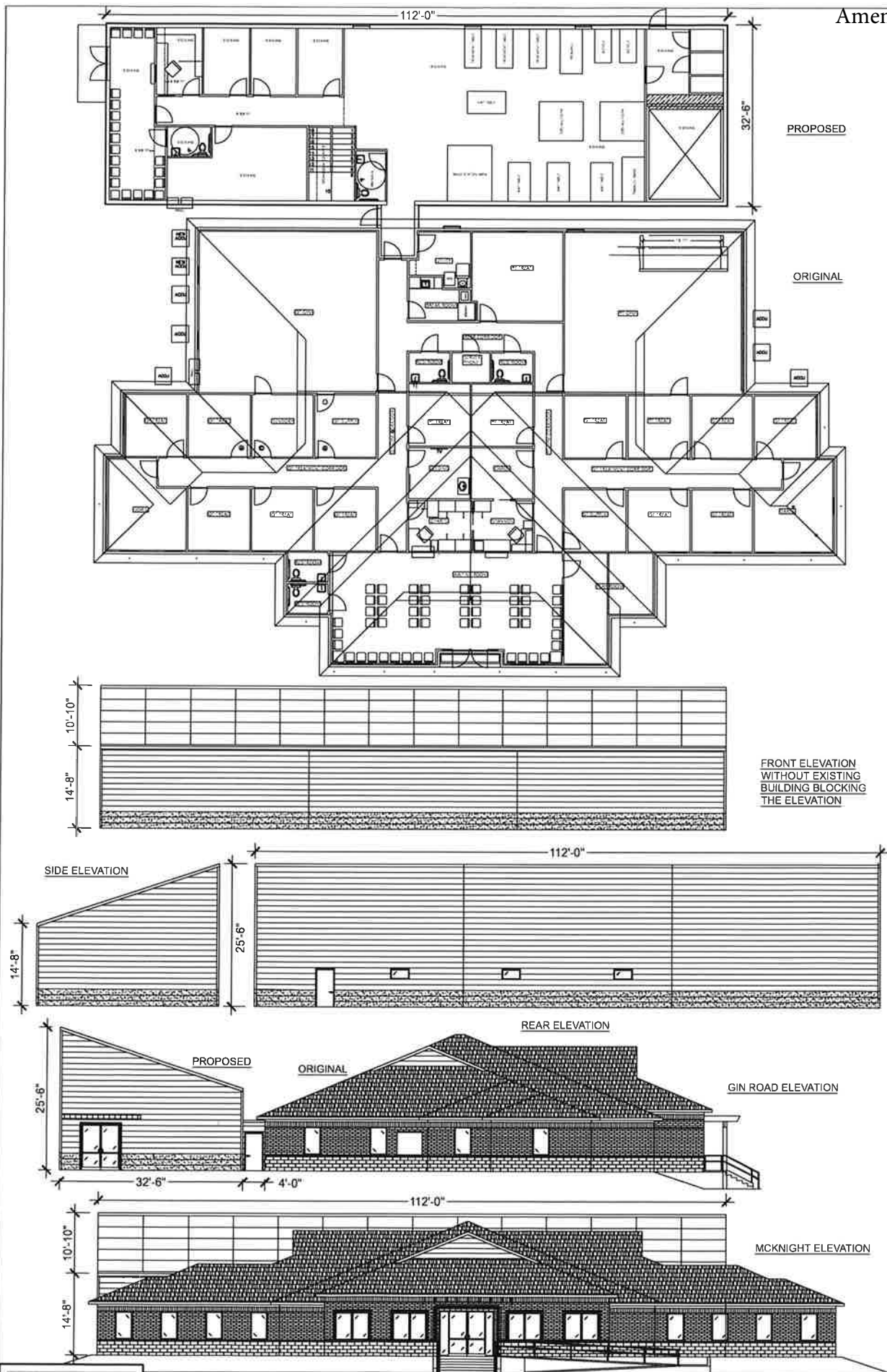


4824 McKnight



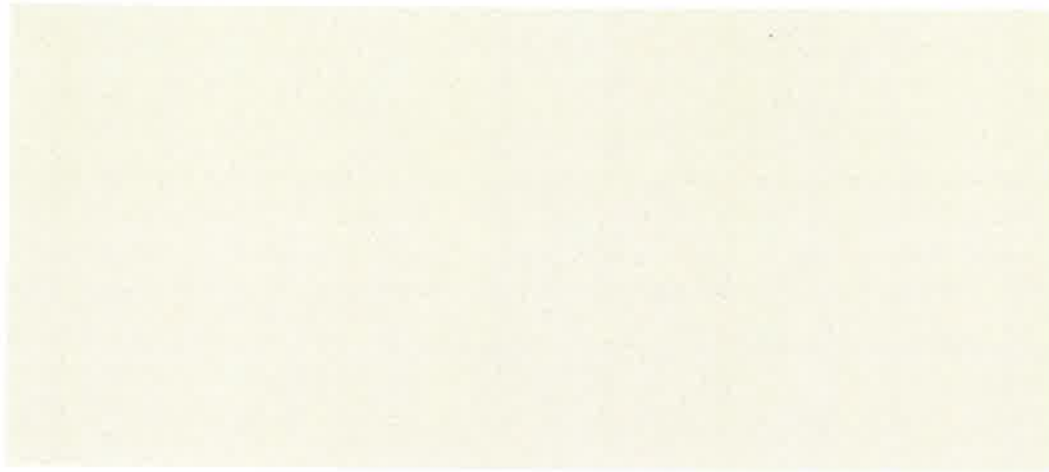
Attachment: 2020-117 ATTH 01 (maps) (2390 : 2020-117 ORD Amendment PD-16-1(NS): at 4824 McKnight Rd)





3020-070-0001
Design Build
Consultants
Texas Permit # 00001-Schaeffer/0000000001

PROPOSED TEXARKANA THERAPY EXPANSION
4824 MCKNIGHT ROAD, TEXARKANA TEXAS
3640 SF ADDITION TO EXISTING 7850 SF



POLAR WHITE★

Proposed colors



SLATE GRAY★



Proposed facade

Aaron Gaylor, P.E.
President
Design Build Consultants

Attachment: 2020-117 ATTH 03 (proposed colors to match existing bldg) (2390 : 2020-117 ORD Amendment PD-16-1(NS): at 4824 McKnight Rd)



Attachment: 2020-117 ATTH 04 (photos of existing building) (2390 : 2020-117 ORD Amendment PD-16-







Attachment: 2020-117 ATTH 04 (photos of existing building) (2390 : 2020-117 ORD Amendment PD-16-



Attachment: 2020-117 ATTH 04 (photos of existing building) (2390 : 2020-117 ORD Amendment PD-16-



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version:

Briefing Sheet**Update Date:** 10/16/2020 3:08 PM

Lead Department: Planning and Community Development **Action Officer:** Laura Puckett, Administrative Coordinator

Subject: Ordinance No. 2020-118 amending PD-01-9(GR) for site plan approval on a 1.156-acre tract of land being Lot B Replat, Block 1, Walsh Carter Master Tract, located at 5001 Cowhorn Creek Road. The Saxton Group (McAlister's Deli), owner and Angela Marie Odom, Odom Architects, agent.

Briefing: 11/9/2020 **Public Hearing:** 11/9/2020 **Council Vote:** 11/9/2020

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

Not applicable.

Executive Summary and Background Information:

Amendment to PD-01-9(GR): This is a request for site plan approval by The Saxton Group (McAlister's Deli), owner and Angela Marie Odom, Odom Architects, agent on a 1.156-acre tract of land being Lot B Replat, Block 1, Walsh Carter Master Tract, located at 5001 Cowhorn Creek Road. The proposed use is a pick up/drive thru window.

The adjacent zoning is Agriculture to the north and west, and PD-Commercial to the south and east. The adjacent land use is vacant land to the north and west, office to the east, and hotel to the south.

The Future Land use map designated this property as "Regional Commercial".

This request is to amend the existing site plan to allow construction of a new pick-up/drive-thru window on the rear side of the existing building.

The site plan consists of the following:

1. Removing an existing storage/refrigeration building located at the rear of the building.
2. Constructing a new 684 sq. ft. addition at the rear of the existing building.
3. Façade of addition will be EIFS (stucco).
4. Adding a pick-up/drive-thru lane along north side of the building. Pick-up/drive-thru lane will remove 7 existing parking spaces.
5. The proposed new parking is 73 parking spaces and 4 handicapped spaces. This meets code parking requirements.

City of Texarkana, Texas

6. Access will be the existing driveway off Cowhorn Creek Road and North Cowhorn Creek Loop.
7. Wall signage will be provided on pick-up/drive-thru building.

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:

None.

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 recommended for approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

October 5, 2020

Attachments

- a. 2020-118 ORD site plan app. at 5001 Cowhorn Creek (DOCX)
- b. 2020-118 EXH 'A' (site plan) (PDF)
- c. 2020-118 ATTH 01 (maps) (PDF)
- d. 2020-118 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development
Completed

David Orr
10/16/2020 3:26 PM

Department Head Review

City of Texarkana, Texas

City Manager 11:37 AM	Vicky Coopwood	City Manager Review Skipped	10/20/2020
City Council 6:00 PM	Jennifer Evans	Meeting Completed	10/26/2020

Meeting History

ORDINANCE NO. 2020-118

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-01-9(GR) FOR SITE PLAN APPROVAL TO THE ALLOW THE CONSTRUCTION OF PICK-UP/DRIVE-THRU WINDOW ON A 1.156-ACRE TRACT OF LAND BEING LOT B REPLAT, BLOCK 1, WALSH CARTER MASTER TRACT, LOCATED AT 5001 COWHORN CREEK ROAD 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’)** to **allow the construction of a pick-up/drive-thru window on a 1.156-acre tract of land being Lot B Replat, Block 1, Walsh Carter Master Tract, located at 5001 Cowhorn Creek Road** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-01-9(GR)] and approval of the site plan **(Exhibit ‘A’)** would constitute an amendment to PD-01-9(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 **unanimously by a vote of six (6) 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: That the site plan **(Exhibit ‘A’)** to allow the construction of a **pick-up/drive-thru window on a 1.156-acre tract of land being Lot B Replat, Block 1, Walsh Carter Master**

Tract, located at 5001 Cowhorn Creek Road in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-01-9(GR).

SECTION 2: PD-01-9(GR) is hereby amended by approval of the site plan (**Exhibit ‘A’**), incorporated herein by reference for all purposes and includes the following:

1. Removing an existing storage/refrigeration building located at the rear of the building.
2. Constructing a new 684 sq. ft. addition at the rear of the existing building.
3. Façade of addition will be EIFS (stucco).
4. Adding a pick-up/drive-thru lane along north side of the building. Pick-up/drive-thru lane will remove 7 existing parking spaces.
5. The proposed new parking is 73 parking spaces and 4 handicapped spaces.
6. Access will be the existing driveways off Cowhorn Creek Road and North Cowhorn Creek Loop.
7. Wall signage will be provided on pick-up/drive-thru building.

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.

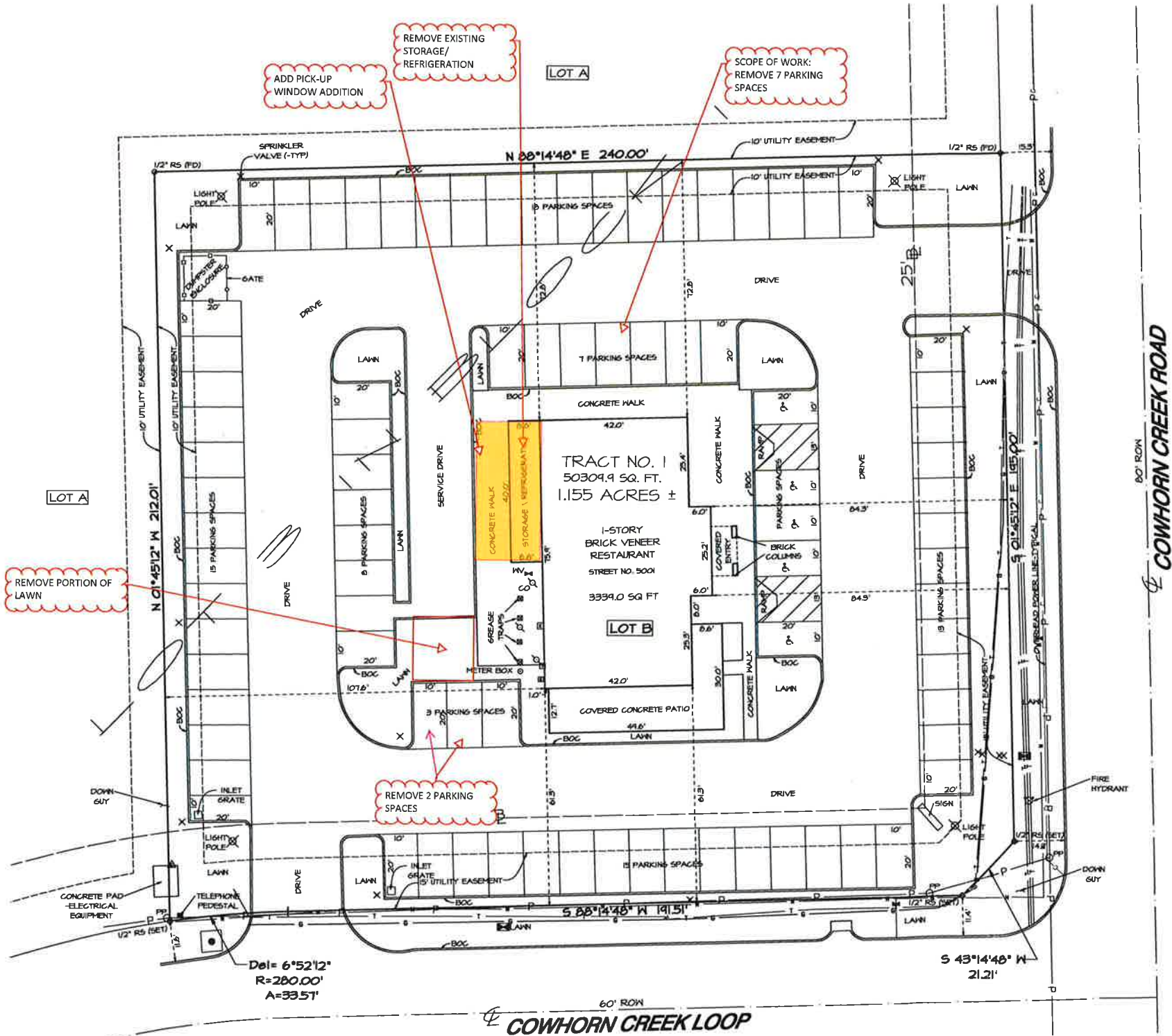
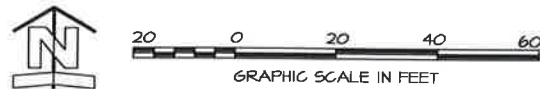
SECTION 5: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of November, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



LEGEND

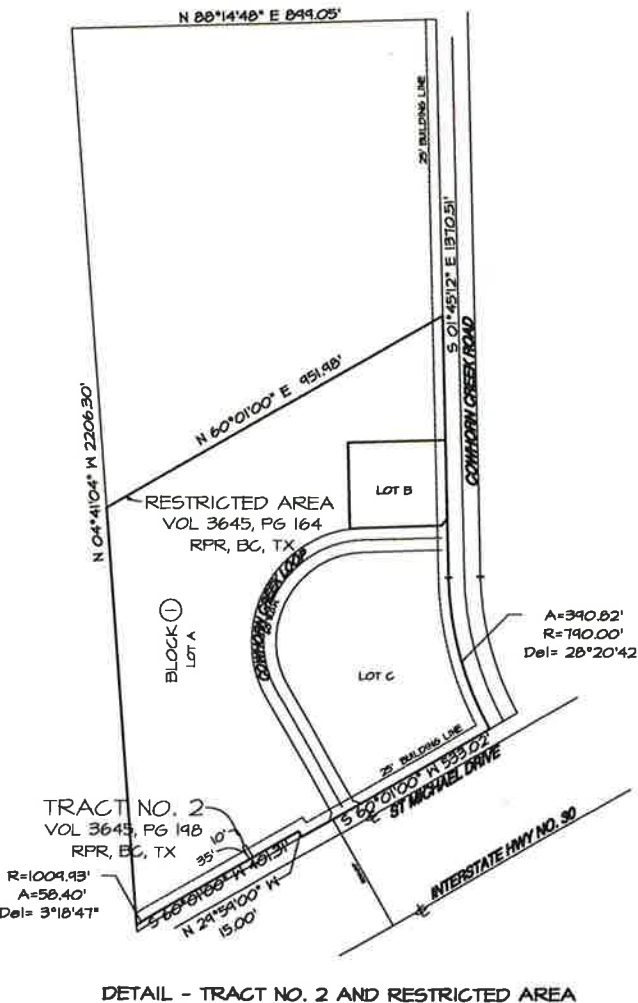
—X—	EXISTING WATERLINE
—P—	EXISTING OVERHEAD ELECTRIC POWER
—T—	EXISTING TELEPHONE LINES
—C—	EXISTING OVERHEAD CABLE TELEVISION
—G—	EXISTING GAS
—	CENTER LINE
⊠	EXISTING GAS METER
⊠	EXISTING FIRE HYDRANT
⊠	EXISTING WATER VALVE
⊠	SET MONUMENT (1/2" REIN. STEEL-24" LONG)
⊠	FOUND IN PLACE
⊠	LIGHT POLE
⊠	TELEPHONE PEDESTAL
⊠	ELECTRIC PEDESTAL
⊠	EXISTING DOWNGUY WIRES
⊠	MANHOLE/SANITARY SEWER
⊠	POWER POLE
⊠	MANHOLE/STORM SEWER
⊠	TELEPHONE SERVICE BOX
⊠	WATER METER



DESCRIPTION OF PROPERTY:

TRACT NO. 1:
Lot "B" of the REPLAT OF LOT 3, BLOCK 1, WALSH-CARTER MASTER TRACT as shown on plat recorded in Volume 3630 Property Records of Bowie County, Texas.

TRACT NO. 2:
Non-exclusive Easement as created in Easement Ag by Rayfield Wash, Jr. and Pauline Marie Carter Group, LLC, dated February 15, 2007, recorded, Page 190, Real Property Records, Bowie County, Texas, across a portion of Lot A of the REPLAT OF LOT 3, BLOCK 1, WALSH-CARTER MASTER TRACT as shown on plat recorded, Page 29, Real Property Records of Bowie County, Texas, as described in said instrument.



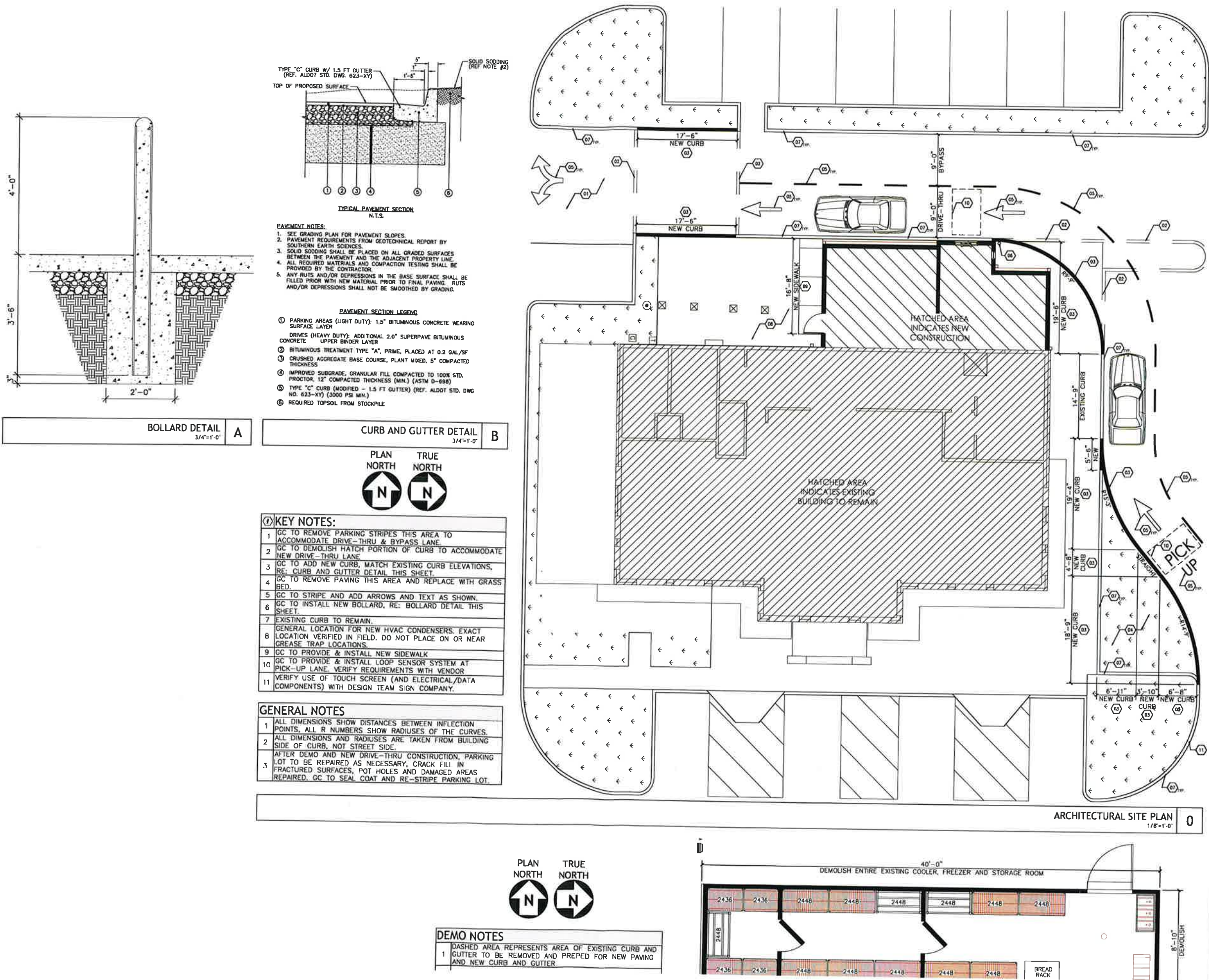
THIS DRAWING IS AN UNOFFICIAL COPY OF A PRIOR SURVEY FOR REFERENCE PURPOSES ONLY. IT IS NOT TO BE RELIED UPON AS A LEGAL SURVEY AS CONFIDENTIAL INFORMATION IS AN INSTRUMENT OF SERVICE AND THE PROPERTY OF THE SURVEYOR. IT WILL NOT BE USED ON OTHER PROJECTS, FOR THE EXTENSION OF THIS PROJECT, OR FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN APPROVAL OF THE SURVEYOR.

Richard V. Hall, Jr.
Texas Registered Land Surveyor #2003
April 19, 2007

NOTES:
1. BY GRAPHIC PLOTTING ONLY, TRACT NO. 1 APPEARS TO BE WITHIN ZONE X OF FIRM COMMUNITY PANEL NUMBER 480060 00050 WITH A REVISION DATE OF SEPTEMBER 3, 1992.
2. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
3. AS PER THE CITY OF TEXARKANA, TEXAS PUBLIC WORKS DEPARTMENT ON 04/19/07, THEY ARE NOT AWARE OF ANY PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES FOR COWHORN CREEK ROAD OR COWHORN CREEK LOOP.
4. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

THIS DRAWING IS AN UNOFFICIAL COPY OF A PRIOR SURVEY FOR REFERENCE PURPOSES ONLY. IT IS NOT TO BE RELIED UPON AS A LEGAL SURVEY AS CONFIDENTIAL INFORMATION IS AN INSTRUMENT OF SERVICE AND THE PROPERTY OF THE SURVEYOR. IT WILL NOT BE USED ON OTHER PROJECTS, FOR THE EXTENSION OF THIS PROJECT, OR FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN APPROVAL OF THE SURVEYOR.

ALTA/ASCM SURVEY
LOT B OF THE REPLAT OF LOT 3, BLOCK 1, WALSH-CARTER MASTER TRACT



MCALISTER'S DELI | TEXARKANA

5001 Cowhorn Creek Road

Attachment: 2020-118 EXH 'A' (site plan) (2391 : 2020-118 ORD Amendment PD-01-9(GR) at 5001 Cowhorn Creek Rd)

PROJECT 08/3.06.20

CONSTRUCTION DOCUMENTS

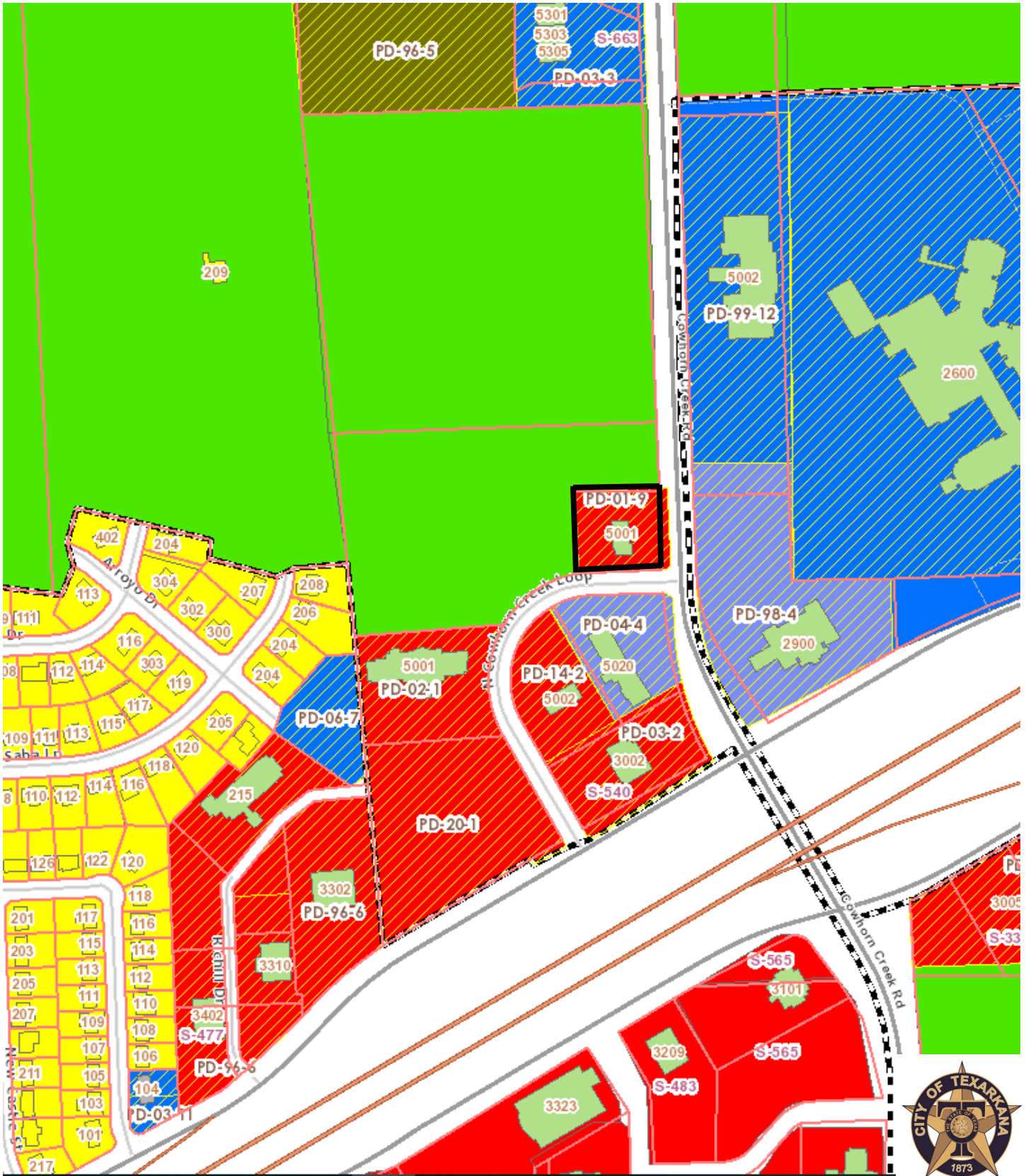
REGISTERED ARCHITECT
ANGELA M. ODOM
STATE OF TEXAS
25130
09.04.2020

Angela M. Odom
Architect
4877 Pecan Ridge E, Mobile, AL 36688

Packet Pg. 168

ARCHITECTURAL SITE

5001 Cowhorn Creek Rd.



Attachment: 2020-118 ATTH 01 (maps) (2391 : 2020-118 ORD Amendment PD-01-9(GR) at 5001 Cowhorn Creek Rd)



5001 Cowhorn Creek Rd.



Attachment: 2020-118 ATTH 01 (maps) (2391 : 2020-118 ORD Amendment PD-01-9(GR) at 5001 Cowhorn Creek Rd)



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA

No Additional

Other Potential Impacts:

NA

Public Information Plan:

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

Other:

City of Texarkana, Texas

Version: A

Update Date: 11/2/2020 8:53 AM

Briefing Sheet

Lead Department: Public Works Department **Action Officer:** Dusty Henslee,
Ordinance No. 2020-121 amending the City's Traffic Register to establish a
twenty-five miles per hour (25 mph) school zone speed limit for sections of
Galleria Oaks Drive, Christus Drive, and Sam Warren Drive in the vicinity of
Subject: the Pleasant Grove Margaret Fischer Davis Elementary School on school days.

Briefing: 11/9/2020 **Public Hearing:** 11/9/2020 **Council Vote:** 11/9/2020

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Pleasant Grove ISD is currently constructing the new elementary school on Galleria Oaks Drive. As part of the approved construction plans, the City required the design engineer to establish the proposed school zones. The proposed school zones will be 25 mph typically between 7:15 a.m. to 8:15 a.m. and 2:30 p.m. to 3:30 p.m. when school is in session. The proposed locations are shown in Exhibit 'A' and listed below:

- a. The section of Galleria Oaks Drive from approximately 140' east of the intersection of Cowhorn Creek Road to approximately 150' east of the intersection with Christus Drive on school days when children are present, or when the school zone flashing beacons are operational, typically between 7:15 a.m. - 8:15 a.m. and 2:30 p.m. - 3:30 p.m.
- b. The section of Christus Drive between from Galleria Oaks Drive to a point approximately 150' north of the intersection with Sam Warren Drive on school days when children are present, or when the school zone flashing beacons are operational, typically between 7:15 a.m. - 8:15 a.m. and 2:30 p.m. - 3:30 p.m.
- c. The section of Sam Warren Drive from Christus Drive to a point approximately 100' east of the intersection with Cowhorn Creek Road on school days when children are present, or when the school zone flashing beacons are operational, typically between 7:15 a.m. - 8:15 a.m. and 2:30 p.m. - 3:30 p.m.

If approved these changes will be added and kept in the City's Traffic Register.

Potential Options:

- Approve school zones
- Not approve school zones

Fiscal Implications:

City of Texarkana, Texas

None

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2020-121 Goals & Perspectives (DOCX)
- b. 2020-121 EXH 'A' PG Elem School Zone Map (PDF)
- c. 2020-121 ORD School Zone for PG Elementary School (DOC)

Staff Coordination

Public Works Department	Jonathan Wade	Review	Completed
10/13/2020 10:36 AM			
Public Works Department	Dusty Henslee	Department Head Review	
Completed	10/13/2020 10:54 AM		
Police	Kevin Schutte	Review	Completed 10/20/2020
9:10 AM			
Planning and Community Development	David Orr	Review	Completed
10/20/2020 10:40 AM			
City Manager	Vicky Coopwood	City Manager Review Skipped	10/20/2020
11:42 AM			
City Council	Jennifer Evans	Meeting	Completed 10/26/2020
6:00 PM			

Meeting History

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

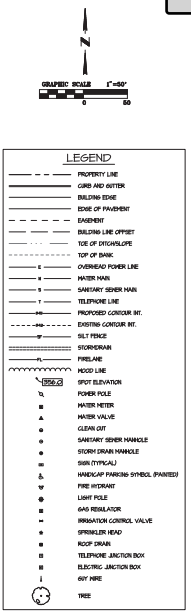
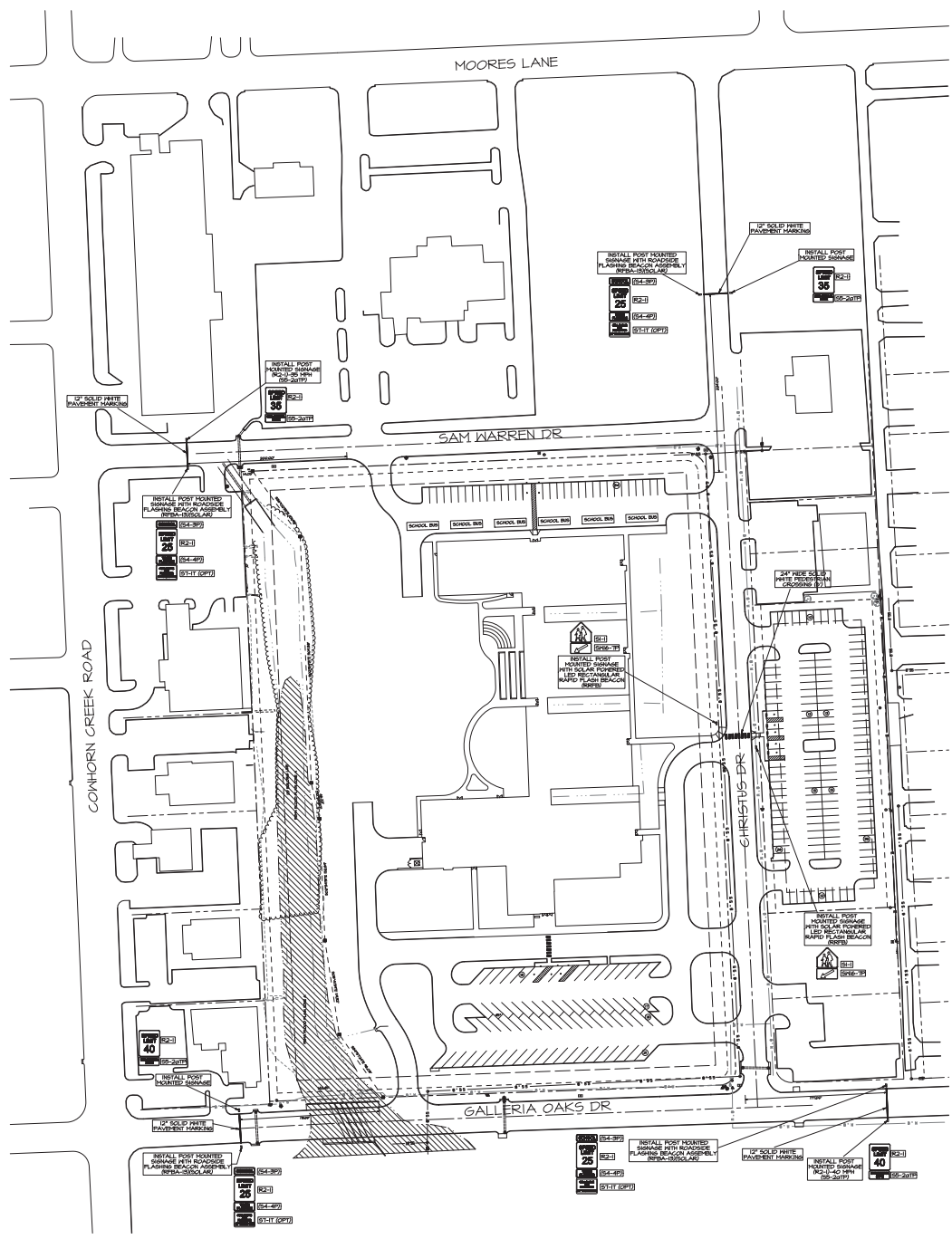
Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:



2 SHEET ADDED PER CITY COMMENTS DATED 9-26-18



ORDINANCE NO. 2020-121

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE CITY'S TRAFFIC REGISTER TO ESTABLISH A TWENTY-FIVE MILES PER HOUR (25 MPH) SCHOOL ZONE SPEED LIMIT FOR SECTIONS OF GALLERIA OAKS DRIVE, CHRISTUS DRIVE, AND SAM WARREN DRIVE IN THE VICINITY OF THE PLEASANT GROVE MARGARET FISCHER DAVIS ELEMENTARY SCHOOL ON SCHOOL DAYS WHEN CHILDREN ARE PRESENT, OR WHEN THE SCHOOL ZONE FLASHING BEACONS ARE OPERATIONAL, TYPICALLY BETWEEN 7:15 A.M. - 8:15 A.M. AND 2:30 P.M. - 3:30 P.M. — ON GALLERIA OAKS DRIVE FROM APPROXIMATELY 140 FEET EAST OF THE INTERSECTION OF COWHORN CREEK ROAD TO APPROXIMATELY 150 FEET EAST OF THE INTERSECTION WITH CHRISTUS DRIVE, ON CHRISTUS DRIVE FROM GALLERIA OAKS TO A POINT APPROXIMATELY 150 FEET NORTH OF THE INTERSECTION WITH SAM WARREN DRIVE, AND ON SAM WARREN DRIVE FROM CHRISTUS DRIVE TO A POINT APPROXIMATELY 100 FEET EAST OF THE INTERSECTION WITH COWHORN CREEK ROAD; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Pleasant Grove Independent School District has constructed a new elementary school on property in the vicinity of Galleria Oaks Drive, Christus Drive, and Sam Warren Drive; and

WHEREAS, the present and posted speed limits (a) for Galleria Oaks Drive between Summerhill Road and Cowhorn Creek Road is established at maximum speed of forty miles per hour (40 mph), (b) for Christus Drive between Galleria Oaks Drive and Moore's Lane is established at maximum speed of thirty-five miles per hour (35 mph), and (c) for Sam Warren Drive between Cowhorn Creek Road and Christus Drive is established at maximum speed of thirty-five miles per hour (35 mph); and

WHEREAS, City staff recommends establishing the following school zone speed limit for the roadways in the vicinity of the school district's new elementary school — on school days, when children are present, or when the school zone flashing beacons are operational, typically between 7:15 a.m. - 8:15 a.m. and 2:30 p.m. - 3:30 p.m., set the speed limit at **twenty-five miles per hour (25 mph)** for Galleria Oaks Drive from approximately 140' east of the intersection of Cowhorn Creek Road to approximately 150' east of the intersection with Christus Drive, for Christus Drive from Galleria Oaks Drive to a point approximately 150' north of the intersection with Sam Warren Drive, and for Sam Warren Drive from Christus Drive to a point approximately 100' east of the intersection with Cowhorn Creek Road — and City staff submits that establishing this school zone speed limit would be in the best interest and safety of the citizens of the City of Texarkana, Texas.

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

SECTION 1: The City's Traffic Register is hereby amended to create and define a school zone speed limit for sections of Galleria Oaks Drive, Christus Drive, and Sam Warren Drive in the vicinity of the Pleasant Grove Margaret Fischer Davis Elementary School as follows and as shown on "**EXHIBIT A**" incorporated herein by reference for all purposes:

Pleasant Grove Margaret Fischer Davis Elementary School zone speed limit – sections of streets; penalty.

- (a) The section of Galleria Oaks Drive from approximately 140' east of the intersection of Cowhorn Creek Road to approximately 150' east of the intersection with Christus Drive on school days when children are present, or when the school zone flashing beacons are operational, typically between 7:15 a.m. - 8:15 a.m. and 2:30 p.m. - 3:30 p.m., is regulated as to the speed of motor vehicles traveling thereon, and it shall be unlawful for the driver of any motor vehicle to drive said vehicle within said section, in each direction, at a speed in excess of twenty-five miles per hour (25 mph).
- (b) The section of Christus Drive between from Galleria Oaks Drive to a point approximately 150' north of the intersection with Sam Warren Drive on school days when children are present, or when the school zone flashing beacons are operational, typically between 7:15 a.m. - 8:15 a.m. and 2:30 p.m. - 3:30 p.m., is regulated as to the speed of motor vehicles traveling thereon, and it shall be unlawful for the driver of any motor vehicle to drive said vehicle within said section, in each direction, at a speed in excess of twenty-five miles per hour (25 mph).
- (c) The section of Sam Warren Drive from Christus Drive to a point approximately 100' east of the intersection with Cowhorn Creek Road on school days when children are present, or when the school zone flashing beacons are operational, typically between 7:15 a.m. - 8:15 a.m. and 2:30 p.m. - 3:30 p.m., is regulated as to the speed of motor vehicles traveling thereon, and it shall be unlawful for the driver of any motor vehicle to drive said vehicle within said section, in each direction, at a speed in excess of twenty-five miles per hour (25 mph).
- (c) The hereinabove speed for vehicular traffic traveling upon the designated street in each direction is hereby found to be a reasonable and safe prima facie speed limit therefor.
- (d) The Director of Public Works is hereby authorized and directed to require the erection of appropriate signs indicating the prima facie speed limit herein established.
- (e) Any person violating any provision of this section shall upon conviction be deemed guilty of a misdemeanor and shall be fined in a sum not to

PUBLISH

exceed Two Hundred Dollars (\$200.00).

SECTION 2: The City Council finds and determines that the speed limit changes for each and every section of the roadways as described in Section 1, above, are reasonable and safe, and are in the best interest and safety of the citizens of the City of Texarkana, Texas; and that any speed in excess of the twenty-five miles per hour (25 MPH) limit for the sections of the roadways described in Section 1, above, shall be prima facie evidence that the speed is not reasonable, not prudent, and unlawful.

SECTION 3: The City Secretary shall give notice of the passage of this ordinance as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 4: In case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 5: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of November, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Version: B

Update Date: 10/20/2020 1:43 PM

Briefing Sheet

Lead Department: Economic Development **Action Officer:** Lisa Thompson, Economic Development/PIO
Subject: Resolution No. 2020-125 recognizing the Texarkana Arts & Historic District Committee and formalizing the entities represented to make strategic marketing decisions for the downtown cultural district and granting authority to function as a creative clearinghouse.

Briefing: 11/9/2020 **Public Hearing:** 11/9/2020 **Council Vote:** 11/9/2020

Item ScheduleSchedule 3: No briefing required (one week)**Updates/History of Briefing:**

NOT APPLICABLE

Executive Summary and Background Information:

The Texarkana Arts & Historic District Committee is comprised of hotel occupancy tax funded organizations including Main Street Texarkana, the Texarkana Symphony Orchestra, the Texarkana Museums System, the Texarkana Regional Arts and Humanities Council, the Texarkana USA Regional Chamber of Commerce and representatives from both cities. This group has been meeting consistently since 2013, and has completed numerous projects for forward progress in downtown Texarkana, including publishing an economic impact study, installing wayfinding signage and downtown banners, selected and provided stipends of the artists painting the Kress gap murals, organizing downtown bicycle tours, installing Toblowsky sculptures, participating in the two-way street project and bicycle lane striping, curating the Scott Joplin mural, creating and printing downtown brochures, advertising downtown collectively online and in print, and much more.

The Texarkana Arts & Historic District Committee is a group of not-for-profit organizations working together to make downtown Texarkana a tourism destination for the Ark-la-tex region, and works collectively with private partners, such as the Texarkana Auto Museum, the Silvermoon on Broad, restaurant and venue owners and well as retail establishments to highlight events and attractions to the area.

In 2016 the Texarkana Arts & Historic District Committee received designation from the Texas Commission for the Arts for the establishment of a Texarkana Cultural District, with the boundaries of said district mirroring the existing Downtown Main Street District for Texarkana, Texas and Texarkana, Arkansas. The economic impact study that was conducted in 2015 estimated that over the course of a year, event attendees as well as the organizations of the Arts & Historic District Committee, have an economic impact of more than \$7.5 million within the local economy.

Potential Options:

- Approve
- Deny

City of Texarkana, Texas

Fiscal Implications:

N/A

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

N/A

Advisory Board/Committee Meeting Date and Minutes:

(Insert Minutes Here) or Select, Delete this and all text in this area and say "NOT APPLICABLE"

Attachments

- a. 2020-125 RES Recognizing the Texarkana Arts Historic District (REV) (DOCX)
- b. 2020-125 RES Goals & Perspectives (DOCX)

Staff Coordination

Economic Development		Lisa Thompson	Department Head Review	
	Completed	10/20/2020 1:52 PM		
Planning and Community Development		David Orr	Review	Completed
	10/20/2020 1:45 PM			
City Manager	Jennifer Evans	City Manager Review	Completed	10/21/2020
9:31 AM				
City Council	Jennifer Evans	Meeting	Completed	10/26/2020
6:00 PM				

Meeting History

RESOLUTION NO. 2020-125**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, RECOGNIZING THE TEXARKANA ARTS & HISTORIC DISTRICT COMMITTEE AND FORMALIZING THE ENTITIES REPRESENTED TO MAKE STRATEGIC MARKETING DECISIONS FOR THE DOWNTOWN CULTURAL DISTRICT AND GRANTING AUTHORITY TO FUNCTION AS A CREATIVE CLEARINGHOUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Texarkana Arts & Historic District Committee is comprised of hotel occupancy tax funded organizations including Main Street Texarkana, the Texarkana Symphony Orchestra, the Texarkana Museums System, the Texarkana Regional Arts and Humanities Council, the Texarkana USA Regional Chamber of Commerce and representatives from both cities; and

WHEREAS, the Texarkana Arts & Historic District Committee is a group of not-for-profit organizations working together to make downtown Texarkana a tourism destination for the Ark-la-tex region; and

WHEREAS, the members of the Texarkana Arts & Historic District Committee work collectively with private partners, such as the Texarkana Auto Museum, the Silvermoon on Broad, restaurant and venue owners and well as retail establishments to highlight events and attractions to the area, and

WHEREAS, in 2016 the Texarkana Arts & Historic District Committee received designation from the Texas Commission for the Arts for the establishment of a Texarkana Cultural District; and

WHEREAS, the cultural district boundaries mirror the existing Downtown Main Street District for Texarkana, Texas and Texarkana, Arkansas; and

WHEREAS, the designation has provided numerous benefits by furthering the redevelopment of downtown and increasing the potential for future funding from the Texas Commission for the Arts; and

WHEREAS, the Texarkana Arts & Historic District Committee has worked for over seven years to create wayfinding signage and banners, publish an economic impact study, host tourism seminars, advertise the district to potential tourists, secure art installments, and establish a website to collaboratively market arts and historic events in downtown Texarkana; and

WHEREAS, an economic impact study was conducted in 2015 and it was estimated that over the course of a year, event attendees as well as the organizations of the Arts & Historic District Committee, have an economic impact of more than \$7.5 million within the local economy; and

WHEREAS, the City of Texarkana, Texas, has a vested interest in seeing downtown Texarkana revitalized and redeveloped; and

WHEREAS, the City partners with the Texarkana USA Regional Chamber of Commerce, Main Street Texarkana, the Texarkana Museum Systems, Texarkana Regional Arts and Humanities Council, the Texarkana Symphony Orchestra, and the City of Texarkana, Arkansas in this joint endeavor; and

WHEREAS, the City trusts these organizations to represent the interests of the City and downtown; and

WHEREAS, the Arts & Historic District Committee pools marketing funding from the Hotel Occupancy Tax Fund to collectively market downtown Texarkana; and

WHEREAS, the Arts & Historic District Committee uses a process of strategic doing which encourages quick collaborations, measurable outcomes, and adjusting along the way.

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

SECTION 1. The City Council hereby recognizes the Texarkana Arts & Historic District Committee as the official advisory body for the downtown Texarkana Cultural District and authorizes the committee to function as the creative clearinghouse for Public Art in the downtown district.

SECTION 2. The City Council hereby declares the Committee shall consist of one representative from each of the following organizations: City of Texarkana, Texas, City of Texarkana, Arkansas, Texarkana USA Regional Chamber of Commerce, Main Street Texarkana, Texarkana Symphony Orchestra, Texarkana Museum Systems and Texarkana Regional Arts and Humanities Council, for as long as each organization is contributing an equal percentage to the collective marketing fund.

SECTION 3. The City Manager shall have additional authority to appoint a staff representative for the City of Texarkana, Texas, to this committee.

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of November, 2020.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/21/2020 10:12 AM

Lead Department: City Manager **Action Officer:** Jennifer Evans, City Secretary
Ordinance No. 2020-127 extending and amending the City Manager
Subject: Employment Contract. (NOTE: Materials will be provided at the council
meeting.)

Briefing: 10/26/2020 **Public Hearing:** **Council Vote:** 10/26/2020

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Potential Options:

-
-

Fiscal Implications:

None

Staff Recommendation:

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

- a. 2020-127 ORD amd CM's contract signed (PDF)

Staff Coordination

City of Texarkana, Texas

City Manager	Jennifer Evans	Department Head Review	Completed
	10/20/2020 1:50 PM		
Planning and Community Development	David Orr	Review	Completed
	10/20/2020 1:51 PM		
City Manager	Jennifer Evans	City Manager Review	Skipped
6:07 PM			10/26/2020
City Council	Jennifer Evans	Meeting	Completed
6:00 PM			10/26/2020

Meeting History

ORDINANCE NO. 2020-127

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, EXTENDING AND AMENDING THE CITY MANAGER EMPLOYMENT CONTRACT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. 2017-111, the City Council of the City of Texarkana, Texas, appointed Shirley Jaster as City Manager and approved a City Manager Employment Contract; and

WHEREAS, pursuant to Ordinance No. 2019-101, the City Council approved the “Extension and Amendment No. 1 to City Manager Employment Contract”, to which the City Manager agreed; and

WHEREAS, the City Council desires to amend the City Manager Employment Contract with the “Extension and Amendment No. 2 to City Manager Employment Contract”, attached hereto as **Exhibit “A”** and incorporated herein by reference for all purposes.

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

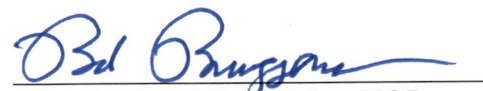
SECTION 1: The “Extension and Amendment No. 2 to City Manager Employment Contract”, attached hereto as **Exhibit “A”**, is hereby approved. The Mayor of the City of Texarkana, Texas, is authorized to execute said Extension and Amendment on behalf of the City of Texarkana, Texas.

SECTION 2: 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 26th day of October, 2020.**

ATTEST:


JENNIFER EVANS, CITY SECRETARY


BOB BRUGGEMAN, MAYOR

8:21 p.m.

Attachment: 2020-127 ORD and CM's contract signed (2396 : 2020-127 ORD amending CM's contract)

Exhibit “A”

to

Ordinance No. 2020-127

[1 page]

Attachment: 2020-127 ORD amd CM's contract signed (2396 : 2020-127 ORD amending CM's contract)

Extension and Amendment No. 2 to City Manager Employment Contract

The City of Texarkana, Texas ("City"), a municipal body politic and corporate in perpetuity, acting by and through its City Council ("Council"), and Shirley Jaster ("Manager"), having previously entered into a City Manager Employment Contract ("Contract"), hereby agree to this Extension and Amendment No. 2 to said City Manager Employment Contract ("Extension and Amendment"), as follows:

Paragraph 4.1.1 of the Contract, "EXTENSION", shall be amended to read as follows:

4.1.1 **EXTENSION.** Notwithstanding the first sentence of paragraph 4.1 of this Contract, the term of this Contract shall be extended to November 1, 2021.

Paragraph 4.2 of the Contract, "SALARY", shall be amended to add new subparagraph "d" to read as follows:

d. In addition to the sum stated in subparagraph 4.2.c, an additional amount equivalent to an increase of two (2) percent of the amount stated in subparagraph 4.2.c.

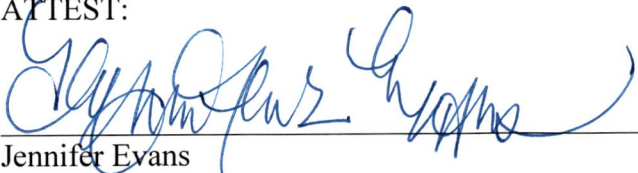
This Extension and Amendment shall be effective beginning November 1, 2020.

IN WITNESS WHEREOF, the City of Texarkana, Texas, has caused this document to be signed and executed on its behalf by its Mayor, and duly attested by its City Secretary, and Manager has signed and executed this document, on the dates set forth below.

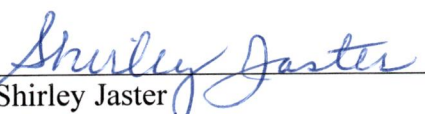
City of Texarkana, Texas

By:  Dated: October 26th, 2020
Bob Bruggeman
Mayor

ATTEST:

 Dated: October 27, 2020
Jennifer Evans
City Secretary

Manager

 Dated: October 27, 2020
Shirley Jaster

Attachment: 2020-127 ORD and CM's contract signed (2396 : 2020-127 ORD amending CM's contract)