CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● NOVEMBER 14, 2022

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 Page	Ward 4	Present	
Bill Harp	Ward 5	Present	
Jay Davis	Ward 6	Present	

Staff Present: City Manager David Orr, Vicky Coopwood, Kristin Peeples, Karey Parker, Chris Black, Alan Sikes, Lisa Thompson, J. W. Bramlett, Sherry Jackson Hawkins, Gary Smith, Mashell Daniel, Vashil Fernandez, Brooke Stone, Daphnea Ryan, and Ross Cowling.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER JEAN MATLOCK

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings

Monday, December 12, 2022 at 6:00 p.m. **(Second Monday only)**
Monday, January 9, 2023 at 6:00 p.m.
Monday, January 23, 2023 at 6:00 p.m.

Other Upcoming Events

The Employee Appreciation Luncheon will be held on Thursday, November 17th at the Texarkana Convention Center from 11:00 am - 1:00 pm.

The annual Bramlett Beans and Cornbread Luncheon will be held on Thursday, December 1st at the Texarkana Convention Center from 11:00 am - 1:00 pm.

The Mayor reminded everyone of the annual downtown Main Street Christmas Parade. This year it will be held on Monday, December 5th, and will start at 7:00 p.m.

IV. MEETING PRESENTATIONS

Texarkana Regional Airport Naming Rights - by Paul Mehrlich, Executive Director

Mr. Mehrlich gave an update on the construction progress of the airport and spoke about the possibility of selling the naming rights to the new terminal.

Small Business Saturday Proclamation - November 26, 2022

Mayor Bruggeman read the proclamation. Vashil Fernandez and Brooke Stone spoke to promote Small Business Saturday, which will take place the Saturday after Thanksgiving. They encouraged everyone to "Shop Small" not only that Saturday but throughout the year. Small businesses are vital to the community and everyone was reminded to shop local. Details were given for winning prizes from participating businesses.

RESULT:	**CLOSE ACTION**

V. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

There were no public comments made at Open Forum.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Council Member Williams recommended Emily Curry, as a new appointment, to Keep Texarkana Beautiful.

Motion to make a new appointment to Keep Texarkana Beautiful.
(6:19 pm)

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

VII. ITEMS FOR CONSIDERATION

Consent Items

(6:22 p.m.)

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

1. Consider approval of the minutes of the Regular Meeting of the City Council held on October 24, 2022 at 6:00 PM.

2. Resolution No. 2022-113 setting the 2023 City Council meeting dates and official city holiday closings.

   Public Hearing:
   Council Vote: November 14, 2022

3. Ordinance No. 2022-139 closing and abandoning a portion of right-of-way north of Gibson Lane, east of University Avenue, and south of Lot 1 Block/Tract 1 of the University Park Two Subdivision.

   Public Hearing:
   Council Vote: November 14, 2022

4. Resolution No. 2022-142 approving the application for the Texas Parks and Wildlife Community Outdoor Outreach Program grant, providing for a total grant in the amount of $43,600.

   Public Hearing:
   Council Vote: November 14, 2022

5. Resolution No. 2022-143 authorizing the City Manager to execute a contract with Musco Sport Lighting of Oskaloosa, Iowa, in an amount not to exceed $66,600, to be paid with a $10,000 grant and funds budgeted in the general fund (Fund 101) for parks capital improvement projects.

   Public Hearing:
   Council Vote: November 14, 2022

Action Items

6. Resolution No. 2022-135 approving a governmental affairs consulting services contract.

Public Hearing:
Council Vote: November 14, 2022

David Orr briefed this agenda item.
(6:23 p.m.)

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

7. Resolution No. 2022-136 authorizing the expenditure of community relations funds in support of the 2022 Live United Bowl Team's banquet in an amount not to exceed $20,000.

Public Hearing:
Council Vote: November 14, 2022

Jerry Huckabee briefed this agenda item.
(6:26 p.m.)

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

8. Ordinance No. 2022-141 confirming Chris Black as Interim Fire Chief pursuant to Section 143.013 of the Texas Local Government Code.

Public Hearing:
Council Vote: November 14, 2022

David Orr briefed this agenda item.
(6:27 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jay Davis, Ward 6
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

9. Resolution No. 2022-144 approving Ross, Gannaway, Clifton, PLLC as legal counsel for civil service related matters.

Public Hearing:
Council Vote: November 14, 2022

J. W. Bramlett briefed this agenda item.
(6:29 p.m.)

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

VIII. FIRST BRIEFINGS

1. Ordinance No. 2022-131 amending Chapter 8, "Animal Care and Control", of the Code of Ordinances, by adding Section 8-21 "Impoundment or adoption; sterilization requirement."

   Public Hearing: December 12, 2022
   Council Vote: December 12, 2022

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 12/12/2022 6:00 PM**

2. Ordinance No. 2022-137 providing for the limited-purpose annexation of approximately 8.755 acres in H. S. Janes HRS, A-306, Bowie County, Texas, by owner consent and pursuant to the City's Strategic Partnership Agreement with Macedonia-Eylau Municipal Utility District No. 1 of Bowie County.

   Public Hearing: December 12, 2022
   Council Vote: December 12, 2022

   Jeff Lewis briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 12/12/2022 6:00 PM**

3. Ordinance No. 2022-138 ordering "The Legal Sale of Malt Beverages and Wine for Off-Premise Consumption Only" within commercial property annexed for limited purposes pursuant to Ordinance No. 2022-137 and extending the provisions of Chapter 21 of the City's Code of Ordinances to the designated area of limited-purpose annexed commercial property.

   Public Hearing: December 12, 2022
   Council Vote: December 12, 2022

Jeff Lewis briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 12/12/2022 6:00 PM**

4. Resolution No. 2022-140 approving the Community Development Block Grant (CDBG) Comprehensive Assessment Performance Evaluation Report.

   Public Hearing: December 12, 2022
   Council Vote: December 12, 2022

   Vashil Fernandez briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 12/12/2022 6:00 PM**

IX. PUBLIC HEARINGS

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

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

   There were no public comments made at this hearing.
   (6:41 p.m.)

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

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

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

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

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

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

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

   There were no public comments made at this hearing.
   (6:45 p.m.)

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

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

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

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

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christie Page, Ward 4
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Page, Harp, Davis
EXCUSED:	Bruggeman

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

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

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

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

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

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

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

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

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

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

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

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

X. CITY MANAGER'S REPORT

Planning Excellence Award - APA Texas Chapter
Staff was recently notified the city received the Planning Excellence Award from the Texas Chapter of the American Planning Association. This is the 6th consecutive year the city has received this award and Texarkana is one of 44 cities statewide to receive the recognition this year. Congratulations to Vashil and his team for this award.

New Website Address - Texarkanatexas.gov

The city officially has a new and much easier way to remember the new website address: texarkanatexas.gov. Both the old address http://ci.texarkana.tx.us/ and the new one will access the website. A rollout of the new address will come soon as staff starts switching documents over to the new address. A big thanks to Lisa Thompson, Brandon Uselton and the IT team for working on this project to secure the new name.

Reminder: Employee Appreciation Tailgate, Thursday, November 17th from 11am to 1pm at the Texarkana Convention Center.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Mayor Bruggeman said the Fire Department held a Fall Awards Ceremony on Saturday, November 12th, at the Police Command Center. He attended as well as Councilmember Matlock and Councilmember Williams. Many awards were presented, including several life saving awards. The Mayor thanked Chris Black for hosting and thanked the firefighters that came to recognize and support their fellow firefighters.

2. City Staff

   Staff had no administrative comments for council.

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.074 (Personnel Matters).

XIII. RECONVENED INTO OPEN SESSION

XIV. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:23 p.m.)

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

Vicky Coopwood
Asst. City Secretary

Bob Bruggeman
Mayor

Briefing Sheet

Version:
Update Date: 11/1/2022 2:40 PM

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

Subject: Small Business Saturday Proclamation - November 26, 2022

Attachments

a. Small Business Saturday Proc. 11.26.22 (DOCX)

PROCLAMATION

WHEREAS, the government of Texarkana, Texas, celebrates our local small businesses and the contributions they make to our local economy and community; and

WHEREAS, three-quarters of U.S. consumers are currently looking for ways to Shop Small® and support their community; and

WHEREAS, 96% of consumers who shopped on Small Business Saturday® agree that shopping at small, independently-owned businesses supports their commitment to making purchases that have a positive social, economic, and environmental impact and 97% of consumers who shopped on Small Business Saturday agree that small businesses are essential to their community; and

WHEREAS, 95% of consumers who shopped on Small Business Saturday reported the day makes them want to shop or eat at small, independently, owned businesses all year long, not just during the holiday season; and

WHEREAS, Texarkana, Texas, supports its local businesses that create jobs, boost the local economy, and preserve our communities; and

WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday; and

WHEREAS, participating partners including, the City of Texarkana, Texas, City of Texarkana, Arkansas, Mainstreet Texarkana, Texarkana Chamber of Commerce, Greater Texarkana Young Professionals, Small Business Development Center, and partners from local owned or small businesses in the Greater Texarkana Area have partnered to promote small businesses; and

WHEREAS, the participating partners will launch a scavenger hunt, encouraging consumers to visit locally owned or small businesses within Texarkana between November 18, 2022, to December 3, 2022. Consumers will search for hidden elves in participating businesses and scan a QR code attached to the elf, prompting them to fill out a form and enter to win a variety of prizes. Consumers are also encouraged to show their support by using the hashtag #ShopSmallTXK22 when they visit local businesses this holiday season.

NOW, THEREFORE, I, Bob Bruggeman, Mayor of Texarkana, Texas, do hereby proclaim, November 26, 2022, as:

SMALL BUSINESS SATURDAY

and urge the residents of our community and communities across the country to support small businesses and merchants on Small Business Saturday and throughout the year.

_____

Bob Bruggeman, Mayor

_____

Jennifer Evans, TRMC, City Secretary

Attachment: Small Business Saturday Proc. 11.26.22 (3848 : Small Business Saturday Proclamation)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • OCTOBER 24, 2022

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 Page	Ward 4	Absent	
Bill Harp	Ward 5	Present	
Jay Davis	Ward 6	Present	

Staff Present: City Manager David Orr, Jennifer Evans, Karey Parker, Daphnea Ryan, Kristin Peeples, Mashell Daniel, Dusty Henslee, Eric Schlotter, Gary Smith, Sherry Jackson Hawkins, Vashil Fernandez, Brooke Stone, and Robby Robertson.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER BETTY WILLIAMS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

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

Other Upcoming Events:

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

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

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

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

Minutes Acceptance: Minutes of Oct 24, 2022 6:00 PM (Consent Items)

Parks & Recreation Activities:

October Events

October 26th	Walk Through History Tour	Spring Lake Park
October 27th	Movies in the Park **"The Town That Dreaded Sundown"****	Spring Lake Park
October 29th	TISD Dash for Cash 5K	Spring Lake Park
October 29th	Trunk or Treat	Spring Lake Park

November Events

November 2nd	Walk Through History Tour	Spring Lake Park
November 5th	Bark at the Park (Kylee Sullivan Dog Park) 9am - 2pm	Spring Lake Park

Movies in the Park will have concessions and start at dusk

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

IV. PROCLAMATION PRESENTATION

Mayor Bruggeman read the proclamation and presented it to King Wong, representing Lone Star Legal Aid.

Pro Bono Week - October 23 - 29, 2022

RESULT:	**CLOSE ACTION**

V. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

Jerry Huckabee, coordinator of the annual Live United Bowl game, said this year's college football game will be held on December 3rd at the Texarkana Arkansas Razorback Stadium at noon.

Mr. Huckabee asked for the city's partnership and financial support for the customary Friday night banquet to be held at the Texarkana Texas Convention Center.

Robert Worthen said he wanted city officials to know a company, known as Conterra, damaged a sewer line at his place of business on New Boston Road and that he would like for Conterra to pay for the full cost of the damages.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Minutes Acceptance: Minutes of Oct 24, 2022 6:00 PM (Consent Items)

Council Member Betty Williams recommended as a new appointment, Dawn Martin, to a regular position on the Historic Landmark Preservation Committee.

Motion to make a new appointment to the Historic Landmark Preservation Committee.

(6:18 p.m.)

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

VII. ITEMS FOR CONSIDERATION

Consent Items

(6:20 p.m.)

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

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

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

   Public Hearing:
   Council Vote: October 24, 2022

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

Minutes Acceptance: Minutes of Oct 24, 2022 6:00 PM (Consent Items)

Public Hearing:
Council Vote: October 24, 2022

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

   Public Hearing:
   Council Vote: October 24, 2022

Action Items

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

   Public Hearing:
   Council Vote: October 24, 2022

   (6:21 p.m.)

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

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

   Public Hearing:
   Council Vote: October 24, 2022

   Kristin Peeples briefed this agenda item.
   (6:22 p.m.)

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

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

Public Hearing:
Council Vote: October 24, 2022

Jeff Lewis briefed this agenda item.
(6:24 p.m.)

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

VIII. FIRST BRIEFINGS

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

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

   Daphnea Ryan briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 11/14/2022 6:00 PM**

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

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

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 11/14/2022 6:00 PM**

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

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

   Mashell Daniel briefed this agenda item.

Minutes Acceptance: Minutes of Oct 24, 2022 6:00 PM (Consent Items)

RESULT:	MOVED FORWARD	Next: 11/14/2022 6:00 PM

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

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

   Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/14/2022 6:00 PM

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

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

   Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/14/2022 6:00 PM

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

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

   Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/14/2022 6:00 PM

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

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

   Mashell Daniel briefed this agenda item.

Minutes Acceptance: Minutes of Oct 24, 2022 6:00 PM (Consent Items)

RESULT:	**MOVED FORWARD**	**Next: 11/14/2022 6:00 PM**

IX. PUBLIC HEARINGS

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

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

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

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

X. CITY MANAGER'S REPORT

New Communications Manager - Brooke Stone
Brooke is from De Kalb, Texas, and has lived in Texarkana since she was 18 years old. She attended Texarkana College and is a graduate of TAMUT with a bachelor's degree in Sociology and Psychology. Brooke's duties include marketing, advertising, and social media management.

Parks & Planning Department Reorganization
Beginning November 1st, the Texarkana-Bowie County Health Center will transition to the Planning Department and the Farmers' Market staff will transition to the Parks Department. This transition is taking place to better align the city's health grants and services with Planning and Community Development's existing grants. Also, to better align the farmers' market program with the Parks team and facilities. All staff and contact information will remain the same.

Legislative Update & Texarkana/NE Texas Day at the Capitol
The upcoming session for the 88th Texas Legislature is just around the corner with the regular session set to begin January 10th, 2023. The first day bills can be filed is Monday, November 14th. The City has already had several calls with members of the legislature including local representatives and plans to actively track issues that may have an impact on the community. Texarkana/NE Texas Day at the Capitol is being planned by the Ark-Tex COG and will take place Wednesday, March 1st.

Minutes Acceptance: Minutes of Oct 24, 2022 6:00 PM (Consent Items)

Save the Date: The 46th Annual Public Safety Officer Appreciation Luncheon will be held Thursday, November 3rd from 11:30 a.m. - 1:00 p.m. at First United Methodist Church, 6th and Laurel in Texarkana, Arkansas.

Save the Date: The Employee Appreciation Tailgate is scheduled for Thursday, November 17th from 11:00 a.m. to 1:00 p.m. at the Texarkana Convention Center.

Save the Date: The 10th Annual Leadership Texarkana Breakfast will be held on December 6th at 8:00 a.m. at the Cabe Center/1st Methodist, Texarkana, Arkansas.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Council had no administrative comments for staff.

2. City Staff

   Staff had no administrative comments for council.

XII. CLOSED SESSION

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

XIII. RECONVENED INTO OPEN SESSION

XIV. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:17 p.m.)

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

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 9/14/2022 10:22 AM

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

Subject: Resolution No. 2022-113 setting the 2023 City Council meeting dates and official city holiday closings.

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

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Each year the City Council sets the annual schedule for regular city council meetings (2nd and 4th Mondays of each month, with the exception of December which has only one regular meeting on the 2nd Monday) and affirms the holiday closing schedule (13 paid holidays).

This schedule also reflects the following adjustments to the regular council meeting schedule:

- Adoption of Resolution No. 2018-037 by the Council on April 9, 2018, that adjusted the regular council meetings in the months of June and July to one regular meeting in each of these respective months to occur on the second Monday of the month, which accommodated summertime activities enjoyed by citizens, council members, and city staff.

- Adoption of Resolution No. 2021-047 by the Council on June 14, 2021, that adjusted the regular council meeting in the month November to one regular meeting to occur on the second Monday of the month which accommodated the Thanksgiving Holiday and associated activities.

- Adoption of Resolution No. 2021-090 by the Council on November 8, 2021, that adjusted the regular council meeting in the month of May to one regular meeting in that month to avoid the customary conflict with the Memorial Day Holiday and the adding of Juneteenth (June 19) as a city holiday.

The proposed calendar schedule for 2023 does not present any new changes for council consideration.

Potential Options:

- Adopt the attached calendar as presented.
- Revise the attached calendar and adopt as revised.

Fiscal Implications:

None

Staff Recommendation:

Staff recommends adopting the calendar as presented.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-113 RES Setting 2023 Meeting & Holiday Sched (DOC)
b. 2022-113 ATTH 01 meeting & holiday sched (DOCX)
c. 2022-113 Goals & Perspectives (DOCX)
d. 2022-113 RES Setting 2023 Holiday and Meetings signed (PDF)

Staff Coordination

City Manager	Jennifer Evans	Department Head Review	Completed	09/14/2022 10:22 AM
City Manager	David Orr	City Manager Review	Completed	09/14/2022 4:11 PM
City Council	Jennifer Evans	Meeting	Completed	11/14/2022 6:00 PM

Meeting History

RESOLUTION NO. 2022 –113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SETTING THE 2023 CITY COUNCIL REGULAR MEETING SCHEDULE AND CITY HOLIDAYS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with Article II, Section 8 of the City Charter, the City Council is required to meet at least monthly in regular session at City Hall on a date as determined by the City Council; and

WHEREAS, to continue to provide for transparency in local government, the City Council generally meets twice monthly in regular session to conduct the city's business and consider policy items as presented and recommended by city staff; and

WHEREAS, to provide for public access to local government, the City Council includes an opportunity for citizens to address the City Council in a public forum setting during each regular meeting of the City Council; and

WHEREAS, City staff recommends adoption of the attached 2023 Schedule of City Council Meetings and City Holidays (**ATTH 01**), with the scheduling of City holidays occurring on Mondays and Fridays closely aligning with federal and local city governments observance days.

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

SECTION 1: The City Council adopts the attached 2023 Schedule of City Council Meetings and City Holidays (**ATTH 01**).

SECTION 2: The Mayor shall have authority to adjust this schedule, including but not limited to the rescheduling or canceling of meetings.

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-113 RES Setting 2023 Meeting & Holiday Sched (3800 : 2022-113 RES Setting '23 meetings & holidays)

2023 COUNCIL MEETING & HOLIDAY SCHEDULE

CITY MEETINGS in COUNCIL CHAMBERS 6:00 PM

CITY HOLIDAYS and CITY HALL CLOSED

January

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May

S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June

S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Attachment: 2022-113 ATTH 01 meeting & holiday sched (3800 : 2022-113 RES Setting '23 meetings &

City of Texarkana, Texas

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

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

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

Attachment: 2022-113 Goals & Perspectives (3800 : 2022-113 RES Setting '23 meetings & holidays)

RESOLUTION NO. 2022 –113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, SETTING THE 2023 CITY COUNCIL REGULAR MEETING SCHEDULE AND CITY HOLIDAYS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with Article II, Section 8 of the City Charter, the City Council is required to meet at least monthly in regular session at City Hall on a date as determined by the City Council; and

WHEREAS, to continue to provide for transparency in local government, the City Council generally meets twice monthly in regular session to conduct the city's business and consider policy items as presented and recommended by city staff; and

WHEREAS, to provide for public access to local government, the City Council includes an opportunity for citizens to address the City Council in a public forum setting during each regular meeting of the City Council; and

WHEREAS, City staff recommends adoption of the attached 2023 Schedule of City Council Meetings and City Holidays (**ATTH 01**), with the scheduling of City holidays occurring on Mondays and Fridays closely aligning with federal and local city governments observance days.

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

SECTION 1: The City Council adopts the attached 2023 Schedule of City Council Meetings and City Holidays (**ATTH 01**).

SECTION 2: The Mayor shall have authority to adjust this schedule, including but not limited to the rescheduling or canceling of meetings.

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY
6:22 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-113 RES Setting 2023 Holiday and Meetings signed (3800 : 2022-113 RES Setting '23 meetings & holidays)

2023 COUNCIL MEETING & HOLIDAY SCHEDULE

CITY MEETINGS in COUNCIL CHAMBERS 6:00 PM

CITY HOLIDAYS and CITY HALL CLOSED

January

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May

S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June

S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Attachment: 2022-113 RES Setting 2023 Holiday and Meetings signed (3800 : 2022-113 RES Setting '23 meetings & holidays)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 11/7/2022 12:29 PM

Lead Department: Public Works Department **Action Officer:** Jonathan Wade,
Subject: Ordinance No. 2022-139 closing and abandoning a portion of right-of-way north of Gibson Lane, east of University Avenue, and south of Lot 1 Block/Tract 1 of the University Park Two Subdivision.

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

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The City, upon substantial completion of the Gibson Lane Extension Project, is requesting to abandon a portion of Right-of-Way dedicated to the City as it did not become necessary to use all of the property during construction. This Right-of-Way is north of Gibson Lane, East of University Avenue, and south of Lot 1 Block/Tract 1 of the University Park Two Subdivision in the City of Texarkana, Texas, and is denoted as “Tract 2” in “Exhibit A”.

If this portion is abandoned, then by policy the Right-of-Way will be delivered to Red River Federal Credit Union.

Potential Options:

- Approve abandonment
- Not approve abandonment

Fiscal Implications:

No fiscal implications

Staff Recommendation:

Staff recommends approval of abandonment

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

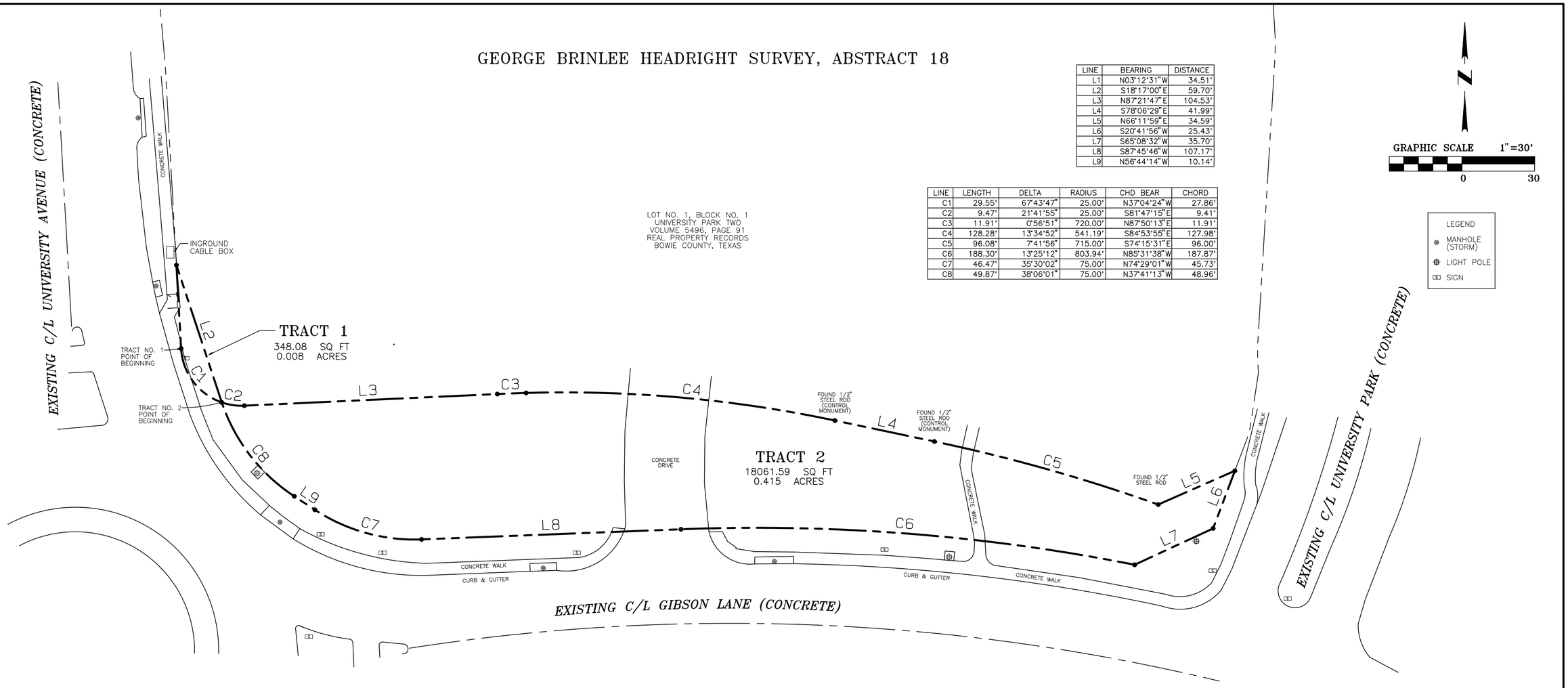
a. 2022-139 EXH 'A' - Property Description (PDF)
b. 2022-139 ORD ROW Abandonment for Gibson Lane (DOCX)
c. 2022-139 Goals & Perspectives (DOCX)
d. 2022-139 ORD ROW abandonment Gibson Lane signed (PDF)

Staff Coordination

Public Works Department		Jonathan Wade	Review	Completed 11/02/2022 4:38 PM
Public Works Department		Dusty Henslee	Department Head Review	Completed 11/03/2022 8:01 AM
Fire Department	Jennifer Evans	Review	Skipped	11/08/2022 1:22 PM
Police	Kevin Schutte	Review	Completed	11/09/2022 2:00 PM
City Manager	David Orr	City Manager Review	Completed	11/09/2022 3:49 PM
City Council	Jennifer Evans	Meeting	Completed	11/14/2022 6:00 PM

Meeting History

GEORGE BRINLEE HEADRIGHT SURVEY, ABSTRACT 18



LINE	BEARING	DISTANCE
L1	N03°12'31"W	34.51'
L2	S18°17'00"E	59.70'
L3	N87°21'47"E	104.53'
L4	S78°06'29"E	41.99'
L5	N66°11'59"E	34.59'
L6	S20°41'56"W	25.43'
L7	S65°08'32"W	35.70'
L8	S87°45'46"W	107.17'
L9	N56°44'14"W	10.14'

LINE	LENGTH	DELTA	RADIUS	CHD BEAR	CHORD
C1	29.55'	67°43'47"	25.00'	N37°04'24"W	27.86'
C2	9.47'	21°41'55"	25.00'	S81°47'15"E	9.41'
C3	11.91'	0°56'51"	720.00'	N87°50'13"E	11.91'
C4	128.28'	13°34'52"	541.19'	S84°53'55"E	127.98'
C5	96.08'	7°41'56"	715.00'	S74°15'31"E	96.00'
C6	188.30'	13°25'12"	803.94'	N85°31'38"W	187.87'
C7	46.47'	35°30'02"	75.00'	N74°29'01"W	45.73'
C8	49.87'	38°06'01"	75.00'	N37°41'13"W	48.96'

Property Description
0.008 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the George Brinlee Headright Survey, Abstract 18, Bowie County, Texas, being a part of Lot No. 1, Block No. 1 of University Park Two, according to the map or plat recorded in Volume 5496, Page 91 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 101011–00, set for a corner, lying in the East right–of–way line of a concrete street designated as University Avenue, the North end of a curve at the Southwest corner of the said Lot No. 1;

THENCE North 03 degrees 12 minutes 31 seconds West a distance of 34.51 feet along the East right–of–way of the said concrete street and the West line of the said Lot No. 1 to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner;

THENCE South 18 degrees 17 minutes 00 seconds East a distance of 59.70 feet across and through the said Lot No. 1 to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner, lying in the South line of the said Lot No. 1 and the North right–of–way line of a concrete street designated as Gibson Lane, at the beginning of a circular curve, to the right;

THENCE in Northwesterly direction along the arc of the said circular curve a distance of 29.55 feet, with a delta angle of 67 degrees 43 minutes 47 seconds, a radius of 25.00 feet, a chord bearing of North 37 degrees 04 minutes 24 seconds West, and a chord distance of 27.86 feet to the Point of Beginning and containing 0.008 acres of land, at the time of this survey.

NOTE:
In providing this boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on the site, whether private, municipal or public owned. Subsurface and environmental conditions were not surveyed or examined or statement is made concerning the existence of underground or overhead conditions, containers or facilities that may affect the use or development of this property.

Property Description
0.415 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the George Brinlee Headright Survey, Abstract 18, Bowie County, Texas, being a part of Gibson Lane Right–of–way along the South line of Lot No. 1, Block No. 1 of University Park Two, according to the map or plat recorded in Volume 5496, Page 91 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch steel rod, capped MTG 101011–00, set for a corner, lying in the East right–of–way line of a concrete street designated as University Avenue, the North end of a curve at the Southwest corner of the said Lot No. 1, at the beginning of a circular curve, to the left;

THENCE in a Southeasterly direction along the arc of said circular curve and the South line of the said Lot 1 a distance of 29.55 feet, with a delta angle of 67 degrees 43 minutes 47 seconds, a radius of 25.00 feet, a chord bearing of South 37 degrees 04 minutes 24 seconds East, and a chord distance of 27.86 feet to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner, at the beginning of a circular curve, to the left, the Southwest corner and Point of Beginning for herein described tract of land;

THENCE in a Southeasterly direction along the arc of the said circular curve a distance of 9.47 feet, with a delta angle of 21 degrees 41 minutes 55 seconds, a radius of 25.00 feet, a chord bearing of South 81 degrees 47 minutes 15 seconds East, and a chord distance of 9.41 feet to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner, at the end of said circular curve;

THENCE North 87 degrees 21 minutes 47 seconds East a distance of 104.53 feet along the South line of the said Lot No. 1 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 an Easterly direction along the arc of said circular curve, the South line of the said Lot No. 1 a distance of 11.91 feet, with a delta angle of 00 degrees 56 minutes 51 seconds, a radius of 720.00 feet, a chord bearing of North 87 degrees 50 minutes 13 seconds East, and a chord distance of 11.91 feet to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner, at the point of compound curve;

THENCE in a Southeasterly direction along the arc of said circular curve, the South line of the said Lot No. 1 a distance of 128.28 feet, with a delta angle of 13 degrees 34 minutes 52 seconds, a radius of 541.19 feet, a chord bearing of South 84 degrees 53 minutes 53 seconds East, and a chord distance of 127.98 feet to a 1/2 inch steel rod found for a corner, at the end of said compound curve;

THENCE South 78 degrees 06 minutes 29 seconds East a distance of 41.99 feet along the South line of the said Lot No. 1 to a 1/2 inch steel rod found for a corner, at the beginning of a circular curve, to the right;

THENCE in A Southeasterly direction along the arc of said circular curve, the South line of the said Lot No. 1 a distance of 96.08 feet, with a delta angle of 07 degrees 41 minutes 56 seconds, a radius of 715.00 feet, a chord bearing of South 74 degrees 15 minutes 31 seconds East, and a chord distance of 96.00 feet to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner;

THENCE North 66 degrees 11 minutes 59 seconds East a distance of 34.59 feet along the South line of the said Lot No. 1 to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner, lying in the West right–of–way line of a concrete street designated as University Park, and being the Southeast corner of the said Lot No. 1;

THENCE across and through the existing right–of–way of said Gibson Lane the following courses;

South 20 degrees 41 minutes 56 seconds West a distance of 25.43 feet to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner;

South 65 degrees 08 minutes 32 seconds West a distance of 35.70 feet to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner, at the beginning of a circular curve, to the left;

In a Westerly direction along the arc of said circular curve a distance of 188.30 feet, with a delta angle of 13 degrees 25 minutes 12 seconds, a radius of 803.94 feet, a chord bearing of North 85 degrees 31 minutes 38 seconds West, and a chord distance of 187.87 feet to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner;

South 87 degrees 45 minutes 46 seconds West tangent to said curve, a distance of 107.17
feet to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner, at the beginning of a circular curve, to the left;

In a Northwesterly direction along the arc of the said circular curve a distance of 46.47 feet, with a delta angle of 35 degrees 30 minutes 02 seconds, a radius of 75.00 feet, a chord bearing of North 74 degrees 29 minutes 01 seconds West, and a chord distance of 45.73 feet to a 1/2 inch steel rod, capped MTG 101011–00, set for a corner, at the end of said circular curve;

North 56 degrees 44 minutes 14 seconds West a distance of 10.14 feet 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 Northwesterly direction along the arc of the said circular curve a distance of 49.87 feet, with a delta angle of 38 degrees 06 minutes 01 seconds, a radius of 75.00 feet, a chord bearing of North 37 degrees 41 minutes 13 seconds West, and a chord distance of 48.96 feet to the Point of Beginning and containing 0.415 acres of land, at the time of this survey.

SURVEYOR CERTIFICATE:

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON OCTOBER 14, 2022. THAT THIS PLAT (MAP OR DRAWING) SUBSTANTIALLY COMPLIES WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY, THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAT.

THIS PLAT IS FOR THE INTENDED USE OF RRFCU AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, MAY NOT BE REISSUED WITHOUT RE–SURVEY AND MAY BE VOID/INVALID SUBJECT TO CHANGES IN GOVERNANCE OR INTERPRETATIONS ISSUED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND MAY NOT BE COPIED OR PROVIDED TO OTHER PARTIES WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE UNDERSIGNED.

JEFFREY A. WOOD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6220, STATE OF TEXAS
FIRM CERTIFICATE NO. 101011–00
DATE: OCTOBER 18, 2022

STATE OF TEXAS
REGISTERED
JEFFREY A. WOOD
#6220
PROFESSIONAL LAND SURVEYOR

NOTE:

1.) SURVEY PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. SURVEYOR DID NOT RESEARCH FOR EASEMENTS OF RECORD OR NOT OF RECORD.

2.) ALL CORNERS ARE 1/2 INCH STEEL ROD, CAPPED MTG 101011–00, UNLESS OTHERWISE NOTED.

BOUNDARY SURVEY

TWO TRACT IN THE GEORGE BRINLEE HEADRIGHT SURVEY ABSTRACT 18 BOWIE COUNTY, TEXAS

Date	Revision/Description

Drawn By	Checked By	Project No.	Dwg. Date
BLB	JH	186100	10/18/2022

MTG engineers & surveyors
5930 SUMMERHILL RD.
TEXARKANA TEXAS 75503
P 903.838.8533 | F 903.832.4100
www.mtgengineers.com

© MTG 2022 TBPE NO. 354

File No. | Sheet No.

X:\2018 Projects\186100 Gibson Middle\02 Surveying\row\186100final.pro
Tue Oct 18, 2022 4:10PM

Attachment: 2022-139 EXH 'A' - Property Description (3865 : 2022-139 ORD Closing and Abandoning a Portion of Gibson Lane Right-Of-Way)

ORDINANCE NO. 2022-139

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CLOSING AND ABANDONING A PORTION OF RIGHT-OF-WAY NORTH OF GIBSON LANE, EAST OF UNIVERSITY AVENUE, AND SOUTH OF LOT 1 BLOCK/TRACT 1 OF THE UNIVERSITY PARK TWO SUBDIVISION IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has completed the construction of the Gibson Lane Extension Project, and upon completion of the construction it did not become necessary to use all of the property dedicated to the City in the Right-of-Way, and is requesting to close and abandon a portion of Right-Of-Way North of Gibson Lane, East of University Avenue, and South of Lot 1 Block/Tract 1 of the University Park Two Subdivision in the City of Texarkana, Bowie County, Texas, as shown on the attached location map as "Tract 2" hereto and incorporated herein as **Exhibit "A";** and

WHEREAS, the City finds it to be in the best interests of the City to close and abandon the portion of Right-Of-Way North of Gibson Lane, East of University Avenue, and South of Lot 1 Block/Tract 1 of the University Park Two Subdivision as shown on the attached property description as "Tract 2" and incorporated herein as **Exhibit "A"**; and

WHEREAS, the ownership of the Right-Of-Way, as shown on **Exhibit "A",** will be transferred to Red River Federal Credit Union.

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

SECTION 1: A portion of Right-Of-Way North of Gibson Lane, East of University Avenue, and South of Lot 1 Block/Tract 1 of the University Park Two Subdivision in the City of Texarkana, Bowie County, Texas, as shown on the map and described in the ROW Abandonment Request attached as "Tract 2" hereto and incorporated herein as **Exhibit "A",** be and is hereby abandoned as a street or public thoroughfare of any kind or character.

SECTION 2: The above described property is hereby declared surplus and abandoned and the responsibility of the City to maintain said property is hereby terminated.

SECTION 3: 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 hereby repealed to the extent of such conflict.

Attachment: 2022-139 ORD ROW Abandonment for Gibson Lane (3865 : 2022-139 ORD Closing and Abandoning a Portion of Gibson Lane

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-139 ORD ROW Abandonment for Gibson Lane (3865 : 2022-139 ORD Closing and Abandoning a Portion of Gibson Lane

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2022-139 Goals & Perspectives (3865 : 2022-139 ORD Closing and Abandoning a Portion of Gibson Lane Right-Of-Way)

ORDINANCE NO. 2022-139

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CLOSING AND ABANDONING A PORTION OF RIGHT-OF-WAY NORTH OF GIBSON LANE, EAST OF UNIVERSITY AVENUE, AND SOUTH OF LOT 1 BLOCK/TRACT 1 OF THE UNIVERSITY PARK TWO SUBDIVISION IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has completed the construction of the Gibson Lane Extension Project, and upon completion of the construction it did not become necessary to use all of the property dedicated to the City in the Right-of-Way, and is requesting to close and abandon a portion of Right-Of-Way North of Gibson Lane, East of University Avenue, and South of Lot 1 Block/Tract 1 of the University Park Two Subdivision in the City of Texarkana, Bowie County, Texas, as shown on the attached location map as "Tract 2" hereto and incorporated herein as **Exhibit "A";** and

WHEREAS, the City finds it to be in the best interests of the City to close and abandon the portion of Right-Of-Way North of Gibson Lane, East of University Avenue, and South of Lot 1 Block/Tract 1 of the University Park Two Subdivision as shown on the attached property description as "Tract 2" and incorporated herein as **Exhibit "A"**; and

WHEREAS, the ownership of the Right-Of-Way, as shown on **Exhibit "A",** will be transferred to Red River Federal Credit Union.

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

SECTION 1: A portion of Right-Of-Way North of Gibson Lane, East of University Avenue, and South of Lot 1 Block/Tract 1 of the University Park Two Subdivision in the City of Texarkana, Bowie County, Texas, as shown on the map and described in the ROW Abandonment Request attached as "Tract 2" hereto and incorporated herein as **Exhibit "A",** be and is hereby abandoned as a street or public thoroughfare of any kind or character.

SECTION 2: The above described property is hereby declared surplus and abandoned and the responsibility of the City to maintain said property is hereby terminated.

SECTION 3: 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 hereby repealed to the extent of such conflict.

Attachment: 2022-139 ORD ROW abandonment Gibson Lane signed (3865 : 2022-139 ORD Closing and Abandoning a Portion of Gibson Lane

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

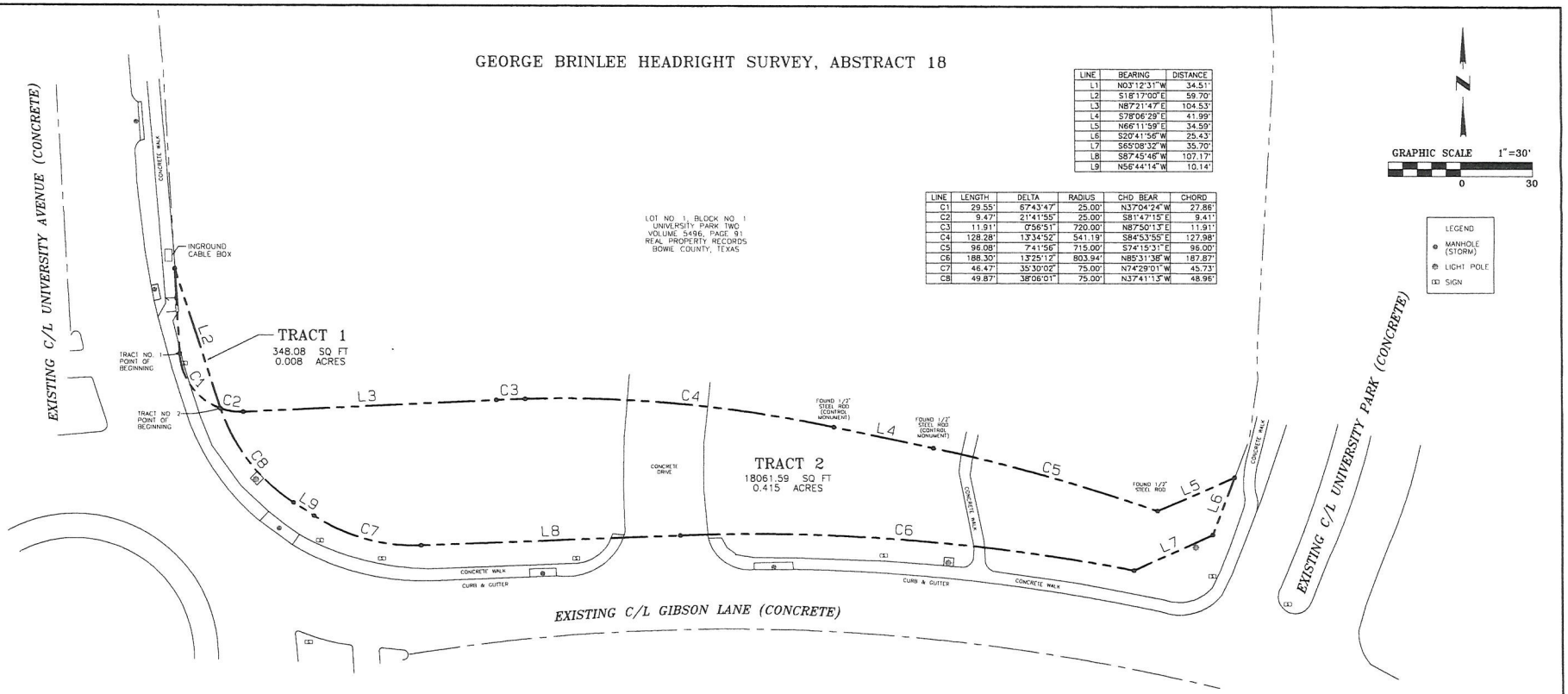
ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY
6:22 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-139 ORD ROW abandonment Gibson Lane signed (3865 : 2022-139 ORD Closing and Abandoning a Portion of Gibson Lane

GEORGE BRINLEE HEADRIGHT SURVEY, ABSTRACT 18



LOT NO. 1, BLOCK NO. 1
UNIVERSITY PARK TWO
VOLUME 5496, PAGE 91
REAL PROPERTY RECORDS
BOWIE COUNTY, TEXAS

LINE	BEARING	DISTANCE
L1	N03°12'31"W	34.51'
L2	S18°17'00"E	59.70'
L3	N87°21'47"E	104.53'
L4	S78°06'29"E	41.99'
L5	N66°11'59"E	34.59'
L6	S20°41'56"W	25.43'
L7	S65°08'32"W	35.70'
L8	S87°45'46"W	107.17'
L9	N56°44'14"W	10.14'

LINE	LENGTH	DELTA	RADIUS	CHD BEAR	CHORD
C1	29.55'	67°43'47"	25.00'	N33°04'24"W	27.86'
C2	9.47'	21°41'55"	25.00'	S81°47'15"E	9.41'
C3	11.91'	0°56'51"	720.00'	N87°50'13"E	11.91'
C4	128.28'	13°34'52"	541.19'	S84°53'55"E	127.98'
C5	96.08'	7°41'56"	715.00'	S74°15'31"E	96.00'
C6	188.30'	13°25'12"	803.94'	N85°31'38"W	187.87'
C7	46.47'	35°30'02"	75.00'	N74°29'01"W	45.73'
C8	49.87'	38°06'01"	75.00'	N37°41'13"W	48.96'

N

GRAPHIC SCALE 1"=30'
0 30

LEGEND
- MANHOLE (STORM)
- LIGHT POLE
- SIGN

Property Description
0.008 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the George Brinlee Headright Survey, Abstract 18, Bowie County, Texas, being a part of Lot No. 1, Block No. 1 of University Park Two, according to the map or plat recorded in Volume 5496, Page 91 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 101011-00, set for a corner, lying in the East right-of-way line of a concrete street designated as University Avenue, the North end of a curve at the Southwest corner of the said Lot No. 1;

THENCE North 03 degrees 12 minutes 31 seconds West a distance of 34.51 feet along the East right-of-way of the said concrete street and the West line of the said Lot No. 1 to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

THENCE South 18 degrees 17 minutes 00 seconds East a distance of 59.70 feet across and through the said Lot No. 1 to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying in the South line of the said Lot No. 1 and the North right-of-way line of a concrete street designated as Gibson Lane, at the beginning of a circular curve, to the right;

THENCE in Northwesterly direction along the arc of the said circular curve a distance of 29.55 feet, with a delta angle of 67 degrees 43 minutes 47 seconds, a radius of 25.00 feet, a chord bearing of North 37 degrees 04 minutes 24 seconds West, and a chord distance of 27.86 feet to the Point of Beginning and containing 0.008 acres of land, at the time of this survey.

NOTE:
In providing this boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on the site, whether private, municipal or public owned. Subsurface and environmental conditions were not surveyed or examined or statement is made concerning the existence of underground or overhead conditions, containers or facilities that may affect the use or development of this property.

Property Description
0.415 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the George Brinlee Headright Survey, Abstract 18, Bowie County, Texas, being a part of Gibson Lane Right-of-way along the South line of Lot No. 1, Block No. 1 of University Park Two, according to the map or plat recorded in Volume 5496, Page 91 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying in the East right-of-way line of a concrete street designated as University Avenue, the North end of a curve at the Southwest corner of the said Lot No. 1, at the beginning of a circular curve, to the left;

THENCE in a Southeasterly direction along the arc of said circular curve and the South line of the said Lot 1 a distance of 29.55 feet, with a delta angle of 67 degrees 43 minutes 47 seconds, a radius of 25.00 feet, a chord bearing of South 37 degrees 04 minutes 24 seconds East, and a chord distance of 27.86 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at the beginning of a circular curve, to the left, the Southwest corner and Point of Beginning for herein described tract of land;

THENCE in a Southeasterly direction along the arc of the said circular curve a distance of 9.47 feet, with a delta angle of 21 degrees 41 minutes 55 seconds, a radius of 25.00 feet, a chord bearing of South 81 degrees 47 minutes 15 seconds East, and a chord distance of 9.41 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at the end of said circular curve;

THENCE North 87 degrees 21 minutes 47 seconds East a distance of 104.53 feet along the South line of the said Lot No. 1 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 an Easterly direction along the arc of said circular curve, the South line of the said Lot No. 1 a distance of 11.91 feet, with a delta angle of 00 degrees 56 minutes 51 seconds, a radius of 720.00 feet, a chord bearing of North 87 degrees 50 minutes 13 seconds East, and a chord distance of 11.91 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at the point of compound curve;

THENCE in a Southeasterly direction along the arc of said circular curve, the South line of the said Lot No. 1 a distance of 128.28 feet, with a delta angle of 13 degrees 34 minutes 52 seconds, a radius of 541.19 feet, a chord bearing of South 84 degrees 53 minutes 53 seconds East, and a chord distance of 127.98 feet to a 1/2 inch steel rod found for a corner, at the end of said compound curve;

THENCE South 78 degrees 06 minutes 29 seconds East a distance of 41.99 feet along the South line of the said Lot No. 1 to a 1/2 inch steel rod found for a corner, at the beginning of a circular curve, to the right;

THENCE in A Southeasterly direction along the arc of said circular curve, the South line of the said Lot No. 1 a distance of 96.08 feet, with a delta angle of 07 degrees 41 minutes 56 seconds, a radius of 715.00 feet, a chord bearing of South 74 degrees 15 minutes 31 seconds East, and a chord distance of 96.00 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

THENCE North 66 degrees 11 minutes 59 seconds East a distance of 34.59 feet along the South line of the said Lot No. 1 to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying in the West right-of-way line of a concrete street designated as University Park, and being the Southeast corner of the said Lot No. 1;

THENCE across and through the existing right-of-way of said Gibson Lane the following courses;

South 20 degrees 41 minutes 56 seconds West a distance of 25.43 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

South 65 degrees 08 minutes 32 seconds West a distance of 35.70 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at the beginning of a circular curve, to the left;

In a Westerly direction along the arc of said circular curve a distance of 188.30 feet, with a delta angle of 13 degrees 25 minutes 12 seconds, a radius of 803.94 feet, a chord bearing of North 85 degrees 31 minutes 38 seconds West, and a chord distance of 187.87 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

South 87 degrees 45 minutes 46 seconds West tangent to said curve, a distance of 107.17
feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at the beginning of a circular curve, to the left;

In a Northwesterly direction along the arc of the said circular curve a distance of 46.47 feet, with a delta angle of 35 degrees 30 minutes 02 seconds, a radius of 75.00 feet, a chord bearing of North 74 degrees 29 minutes 01 seconds West, and a chord distance of 45.73 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at the end of said circular curve;

North 56 degrees 44 minutes 14 seconds West a distance of 10.14 feet 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 Northwesterly direction along the arc of the said circular curve a distance of 49.87 feet, with a delta angle of 38 degrees 06 minutes 01 seconds, a radius of 75.00 feet, a chord bearing of North 37 degrees 41 minutes 13 seconds West, and a chord distance of 48.96 feet to the Point of Beginning and containing 0.415 acres of land, at the time of this survey.

SURVEYOR CERTIFICATE

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON OCTOBER 14, 2022 THAT THIS PLAT (MAP OR DRAWING) SUBSTANTIALLY COMPLIES WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAT

THIS PLAT IS FOR THE INTENDED USE OF RRFCU AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, MAY NOT BE REISSUED WITHOUT RE-SURVEY AND MAY BE VOID/INVALID SUBJECT TO CHANGES IN GOVERNANCE OR INTERPRETATIONS ISSUED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND MAY NOT BE COPIED OR PROVIDED TO OTHER PARTIES WITHOUT THE EXPRESSLE WRITTEN PERMISSION OF THE UNDERSIGNED

JEFFREY A. WOOD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6220, STATE OF TEXAS
FIRM CERTIFICATE NO. 101011-00
DATE OCTOBER 18, 2022

STATE OF TEXAS
JEFFREY A. WOOD
#6220
PROFESSIONAL LAND SURVEYOR

NOTE
1.) SURVEY PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. SURVEYOR DID NOT RESEARCH FOR EASEMENTS OF RECORD OR NOT OF RECORD.
2.) ALL CORNERS ARE 1/2 INCH STEEL ROD, CAPPED MTG 101011-00, UNLESS OTHERWISE NOTED

BOUNDARY SURVEY

TWO TRACT IN THE GEORGE BRINLEE HEADRIGHT SURVEY
ABSTRACT 18
BOWIE COUNTY, TEXAS

Date	Revision/Description

Drawn By: DLD | Checked By: JW | Project No: 186100 | Dwg. Date: 10/18/2022 | File No: | Sheet No:

MTG engineers & surveyors
3930 SUMMERHILL RD.
TEXARKANA TEXAS 75503
P 903.550.9520 | F 903.552.4700
www.mtgengineers.com

© MTG 2022 TBPE NO. 384

K:\2018 Projects\186100 Gibson Middle\02 Surveying\raw\186100final.pro
Tue 01

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 11/8/2022 11:30 AM

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

Subject: Resolution No. 2022-142 approving the application for the Texas Parks and Wildlife Community Outdoor Outreach Program grant, providing for a total grant in the amount of $43,600.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

November 14, 2022:
NOT APPLICABLE

Executive Summary and Background Information:

The Parks and Recreation Staff requests approval to apply for the 2023 Community Outdoor Outreach Program with Texas Parks and Wildlife Department to enhance outdoor experiences for children participating in the Parks and Recreation Summer Camp. The application includes supplies for activities including archery, fishing, hiking, and kayaking, as well as training that will teach staff proper facilitation and safety measures. The grant application is for $43,600.00 with no matching funding required.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Application for $43,600.00 for outdoor activities for Parks and Recreation Summer Camp, with no required matching funds.

Staff Recommendation:

Approval of grant application.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-142 Goals & Perspectives (DOCX)
b. 2022-142 RES Approving TPWD COOP Grant Application (DOCX)
c. 2022-142 RES Approving TPWD COOP Grant App signed (PDF)

Staff Coordination

Parks, Recreation & Health	Robby Robertson	Department Head Review	Completed	11/08/2022 11:14 AM
Finance Department	Kristin Peeples	Finance Review	Completed	11/08/2022 11:57 AM
City Manager	David Orr	City Manager Review	Completed	11/08/2022 12:35 PM
City Council	Jennifer Evans	Meeting	Completed	11/14/2022 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:

Attachment: 2022-142 Goals & Perspectives (3868 : 2022-142 RES Approving TPWD COOP Grant Application)

RESOLUTION NO. 2022–142

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE APPLICATION FOR THE TEXAS PARKS AND WILDLIFE DEPARTMENT COMMUNITY OUTDOOR OUTREACH PROGRAM GRANT, PROVIDING A TOTAL GRANT IN THE AMOUNT OF $43,600; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Texas Parks and Wildlife Department has notified the City, as applicant and fiscal agent for available grant funds, that the City's application for funding under the FY2023 Community Outdoor Outreach Program Grant in the amount of **$43,600** will be considered for the period ending September 30, 2023; and

WHEREAS, the City's Parks and Recreation Summer Camp will benefit from supplies providing opportunities to learn about archery, hiking, fishing, and kayaking; and

WHEREAS, the City will not be required to furnish additional matching funding to receive funds under the grant program; and

WHEREAS, the City Council, being informed of the nature and proposed use of said grant, does consider and find that the above-recommended uses and grant expenditures therefore are in the best interest of and will promote the health, safety and general welfare of the community.

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

SECTION 1: The above-described Texas Parks and Wildlife Community Outdoor Outreach Program grant in the amount of **$43,600** is hereby approved for application.

SECTION 2: The City Manager is hereby authorized to undertake the necessary steps and execute the necessary documents including the grant acceptance document required for formal acceptance of the Community Outdoor Outreach Program Grant from the Texas Parks and Wildlife, providing a total grant in the amount of **$43,600**.

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022**.

ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-142 RES Approving TPWD COOP Grant Application (3868 : 2022-142 RES Approving TPWD COOP Grant Application)

RESOLUTION NO. 2022–142

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE APPLICATION FOR THE TEXAS PARKS AND WILDLIFE DEPARTMENT COMMUNITY OUTDOOR OUTREACH PROGRAM GRANT, PROVIDING A TOTAL GRANT IN THE AMOUNT OF $43,600; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Texas Parks and Wildlife Department has notified the City, as applicant and fiscal agent for available grant funds, that the City's application for funding under the FY2023 Community Outdoor Outreach Program Grant in the amount of **$43,600** will be considered for the period ending September 30, 2023; and

WHEREAS, the City's Parks and Recreation Summer Camp will benefit from supplies providing opportunities to learn about archery, hiking, fishing and kayaking; and

WHEREAS, the City will not be required to furnish additional matching funding to receive funds under the grant program; and

WHEREAS, the City Council, being informed of the nature and proposed use of said grant, does consider and find that the above-recommended uses and grant expenditures therefore are in the best interest of and will promote the health, safety and general welfare of the community.

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

SECTION 1: The above-described Texas Parks and Wildlife Community Outdoor Outreach Program grant in the amount of **$43,600** is hereby approved for application.

SECTION 2: The City Manager is hereby authorized to undertake the necessary steps and execute the necessary documents including the grant acceptance document required for formal acceptance of the Community Outdoor Outreach Program Grant from the Texas Parks and Wildlife, providing a total grant in the amount of **$43,600**.

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

6:22 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-142 RES Approving TPWD COOP Grant App signed (3868 : 2022-142 RES Approving TPWD COOP Grant Application)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 11/8/2022 4:35 PM

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

Subject: Resolution No. 2022-143 authorizing the City Manager to execute a contract with Musco Sport Lighting of Oskaloosa, Iowa, in an amount not to exceed $66,600, to be paid with a $10,000 grant and funds budgeted in the general fund (Fund 101) for parks capital improvement projects.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

November 14, 2022:
NOT APPLICABLE

Executive Summary and Background Information:

The Parks and Recreation Staff requests the purchase of upgrading lighting at the soccer fields at Grady T. Wallace Park, including the replacement of 15 footcandles and upsizing poles for future lighting from Musco Sport Lighting of Oskaloosa, Iowa, which were identified from the Buy Board. The attached quote includes a $10,000.00 grant award.

Potential Options:

- Approve
- Deny

Fiscal Implications:

$56,600.00 from Parks Capital Improvements Budget

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-143 Goals & Perspectives (DOCX)

b. 2022-143 EXH 'A' Grady T Wallace Soccer Updated quote (PDF)
c. 2022-143 RES approving Soccer Association Light Improvements at Grady T. Wallace Park (DOCX)
d. 2022-143 RES Approving Soccer Assoc. Light Improvement Grady T Wallace signed (PDF)

Staff Coordination

Parks, Recreation & Health	Completed	Robby Robertson	Department Head Review	11/08/2022 11:15 AM
Finance Department	Kristin Peeples	Finance Review	Completed	11/08/2022 11:58 AM
City Manager	David Orr	City Manager Review	Completed	11/08/2022 12:37 PM
City Council	Jennifer Evans	Meeting	Completed	11/14/2022 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:

Attachment: 2022-143 Goals & Perspectives (3869 : 2022-143 RES approving Soccer Association Light Improvements at Grady T. Wallace Park)

Quote

Date: November 4th, 2022
Expiration date: December 4th, 2022
To: Texarkana Parks & Recreation

Project: Grady T Wallace Soccer Complex Phase 2
Texarkana, TX
Musco Project Number: 203248

Quotation Price – Materials Delivered to Job Site and Installation Soccer 210' x 150'

Pole-in-Air Install (Poles upsized for future lighting) - $66,600.00
Soccer Fund Grant Award - .....-$10,000
Total - $56,600.00

Sales tax and bonding are not included.
Quote is confidential. Pricing and lead times are effective for 30 days only. Prices are subject to change if the order is not released within 60 days from the date of the purchase.

Light-Structure System™ with Total Light Control – TLC for LED™ technology

Guaranteed Lighting Performance

- Guaranteed light levels of 15 footcandles and uniformity of 2.5:1 on Area #2 (220' x 125').

System Description

- (8) Factory aimed and assembled luminaries.
- (2) 70' Galvanized steel poles.
- (2) Pre-cast concrete bases with integrated lightning grounding.
- Pole length factory assembled wire harnesses.
- Factory wired and tested remote electrical component enclosures.
- UL listed assemblies.

Control Systems and Services

- Use existing Control-Link® control and monitoring system to provide remote on/off control and performance monitoring with 24/7 customer support.
- No dimming functions available. Existing controls warranty ends 12/09/2030 and yearly control fees will be available for purchase thereafter.

Operation and Warranty Services

- Product assurance and warranty program that covers materials and onsite labor, eliminating 100% of your maintenance costs for 25 years.
- Support from Musco's Lighting Services Team – over 170 Team members dedicated to operating and maintaining your lighting system – plus a network of 1800+ contractors.

Musco Scope

- Provide design and layout for lighting system.
- Test and final aim equipment.

Installation Services Provided

- See attached scope of work.

Responsibilities of Buyer

- Confirm pole or luminaire locations, supply voltage and phase required for lighting system prior to production.
- Provide electrical design and materials for electrical distribution system; if applicable.
- Provide labor and equipment for installation of poles, bases and luminaires. No Electrical.
- Buyer is responsible for getting electrical power to the site, coordination with the utility, and any power company fees.

2016, 2022 Musco Sports Lighting, LLC

Attachment: 2022-143 EXH 'A' Grady T Wallace Soccer Updated quote (3869 : 2022-143 RES approving Soccer Association Light Improvements

Payment Terms

Final payment terms are subject to approval by Musco credit department. Final payment shall not be withheld by Buyer on account of delays beyond the control of Musco.

Delivery Timing

8 - 12 weeks for delivery of materials to the job site from the time of order, submittal approval, and confirmation of order details including voltage, phase, and pole/luminaire locations.

Notes

Quote is based on following conditions:

- Shipment of entire project together to one location.
- 480 Volt, 3 phase electrical system requirement.
- Structural code and wind speed = 2015 IBC, 115 mi/h, Exposure C.
- Due to the built-in custom light control per luminaire, pole or luminaire locations need to be confirmed prior to production.
- Standard soil conditions – rock, bottomless, wet, or unsuitable soil may require additional engineering, special installation methods and additional cost.
- Poles are sized up for future fixtures for lighting area 1.

Thank you for considering Musco for your lighting needs. Please contact me with any questions or if you need additional details.

Brock Carstens
Territory Sales Associate
Musco Sports Lighting, LLC
Phone: 214-437-4279
E-mail: brock.carstens@musco.com

Attachment: 2022-143 EXH 'A' Grady T Wallace Soccer Updated quote (3869 : 2022-143 RES approving Soccer Association Light Improvements

Attachment: 2022-143 RES approving Soccer Association Light Improvements at Grady T. Wallace Park (3869 : 2022-143 RES approving Soccer

RESOLUTION NO. 2022-143

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MUSCO SPORT LIGHTING OF OSKALOOSA, IOWA, IN AN AMOUNT NOT TO EXCEED $66,600, TO BE PAID WITH A $10,000 GRANT AND FUNDS BUDGETED FOR PARKS CAPITAL IMPROVEMENT PROJECTS IN THE GENERAL FUND (FUND 101); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, field lighting located at the Grady T. Wallace Park soccer fields are in need of an upgrade and this is a budgeted project in the park's capital improvement budget in the general fund (Fund 101); and

WHEREAS, the project will consist of installation of 15 pole-in-air light installation and upsizing for future lighting; and

WHEREAS, Musco Sports Lighting of Oskaloosa, Iowa, submitted a proposal with a total cost of **$66,600** through the Texas Buy Board Purchasing Cooperative; and

WHEREAS, the Texarkana Soccer Association has been awarded a grant of **$10,000;** and

WHEREAS, the proposal from Musco Sport Lighting of Oskaloosa, Iowa is attached as **Exhibit "A"**.

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

SECTION 1: The City Manager be and is hereby authorized to execute a contract with Musco Sport Lighting of Oskaloosa, Iowa, through the Texas Buy Board Purchasing Cooperative in an amount not to exceed **$66,600.**

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

RESOLUTION NO. 2022-143

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MUSCO SPORT LIGHTING OF OSKALOOSA, IOWA, IN AN AMOUNT NOT TO EXCEED $66,600, TO BE PAID WITH A $10,000 GRANT AND FUNDS BUDGETED FOR PARKS CAPITAL IMPROVEMENT PROJECTS IN THE GENERAL FUND (FUND 101); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, field lighting located at the Grady T. Wallace Park soccer fields are in need of an upgrade and this is a budgeted project in the park's capital improvement budget in the general fund (Fund 101); and

WHEREAS, the project will consist of installation of 15 pole-in-air light installation and upsizing for future lighting; and

WHEREAS, Musco Sports Lighting of Oskaloosa, Iowa, submitted a proposal with a total cost of **$66,600** through the Texas Buy Board Purchasing Cooperative; and

WHEREAS, the Texarkana Soccer Association has been awarded a grant of **$10,000;** and

WHEREAS, the proposal from Musco Sport Lighting of Oskaloosa, Iowa is attached as **Exhibit "A"**.

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

SECTION 1: The City Manager be and is hereby authorized to execute a contract with Musco Sport Lighting of Oskaloosa, Iowa, through the Texas Buy Board Purchasing Cooperative in an amount not to exceed **$66,600.**

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY
6:22 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-143 RES Approving Soccer Assoc. Light Improvement Grady T Wallace signed (3869 : 2022-143 RES approving Soccer

Quote

Date: November 4th, 2022
Expiration date: December 4th, 2022
To: Texarkana Parks & Recreation

Project: Grady T Wallace Soccer Complex Phase 2
Texarkana, TX
Musco Project Number: 203248

Quotation Price – Materials Delivered to Job Site and Installation *Soccer 210' x 150'*

Pole-in-Air Install (Poles upsized for future lighting) - $66,600.00
Soccer Fund Grant Award - ..... -$10,000
Total - $56,600.00

Sales tax and bonding are not included.
Quote is confidential. Pricing and lead times are effective for 30 days only. Prices are subject to change if the order is not released within 60 days from the date of the purchase.

Light-Structure System™ with Total Light Control – TLC for LED™ technology

Guaranteed Lighting Performance

- Guaranteed light levels of 15 footcandles and uniformity of 2.5:1 on Area #2 (220' x 125').

System Description

- (8) Factory aimed and assembled luminaries.
- (2) 70' Galvanized steel poles.
- (2) Pre-cast concrete bases with integrated lightning grounding.
- Pole length factory assembled wire harnesses.
- Factory wired and tested remote electrical component enclosures.
- UL listed assemblies.

Control Systems and Services

- Use existing Control-Link® control and monitoring system to provide remote on/off control and performance monitoring with 24/7 customer support.
- No dimming functions available. Existing controls warranty ends 12/09/2030 and yearly control fees will be available for purchase thereafter.

Operation and Warranty Services

- Product assurance and warranty program that covers materials and onsite labor, eliminating 100% of your maintenance costs for 25 years.
- Support from Musco's Lighting Services Team – over 170 Team members dedicated to operating and maintaining your lighting system – plus a network of 1800+ contractors.

Musco Scope

- Provide design and layout for lighting system.
- Test and final aim equipment.

Installation Services Provided

- See attached scope of work.

Responsibilities of Buyer

- Confirm pole or luminaire locations, supply voltage and phase required for lighting system prior to production.
- Provide electrical design and materials for electrical distribution system; if applicable.
- Provide labor and equipment for installation of poles, bases and luminaires. No Electrical.
- Buyer is responsible for getting electrical power to the site, coordination with the utility, and any power company fees.

2016, 2022 Musco Sports Lighting, LLC

Attachment: 2022-143 RES Approving Soccer Assoc. Light Improvement Grady T Wallace signed (3869 : 2022-143 RES approving Soccer

Payment Terms

Final payment terms are subject to approval by Musco credit department. Final payment shall not be withheld by Buyer on account of delays beyond the control of Musco.

Delivery Timing

8 - 12 weeks for delivery of materials to the job site from the time of order, submittal approval, and confirmation of order details including voltage, phase, and pole/luminaire locations.

Notes

Quote is based on following conditions:

- Shipment of entire project together to one location.
- 480 Volt, 3 phase electrical system requirement.
- Structural code and wind speed = 2015 IBC, 115 mi/h, Exposure C.
- Due to the built-in custom light control per luminaire, pole or luminaire locations need to be confirmed prior to production.
- Standard soil conditions – rock, bottomless, wet, or unsuitable soil may require additional engineering, special installation methods and additional cost.
- Poles are sized up for future fixtures for lighting area 1.

Thank you for considering Musco for your lighting needs. Please contact me with any questions or if you need additional details.

Brock Carstens
Territory Sales Associate
Musco Sports Lighting, LLC
Phone: 214-437-4279
E-mail: brock.carstens@musco.com

Attachment: 2022-143 RES Approving Soccer Assoc. Light Improvement Grady T Wallace signed (3869 : 2022-143 RES approving Soccer

2016, 2022 Musco Sports Lighting, LLC

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 11/5/2022 2:12 PM

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

Subject: Resolution No. 2022-135 approving a governmental affairs consulting services contract.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The City of Texarkana, Texas has a need for a consultant to monitor, track, and analyze legislation, administrative rules, and committee activity along with the ability to serve as a general strategic resource to assist with developing government relations.

The City of Texarkana, Texas, sent out a Request for Proposals for consulting services for the FY 23 budget year. On October 14, 2022, two proposals (2) were received from both McWilliams Strategies and McWilliams Governmental Affairs. Both firms are well qualified and submitted the same monthly fee.

Potential Options:

- Approve
- Deny

Fiscal Implications:

$3,333 monthly

Staff Recommendation:

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-135 RES Approving Consulting Services Contract for Governmental Affairs (DOC)
b. 2022-135 ATTH 01 MGA Texarkana Proposal Final (PDF)
c. 2022-135 ATTH 02 McWilliams Strategies Proposal 2023 (DOCX)
d. 2022-135 Goals & Perspectives (DOCX)
e. 2022-135 RES Approving Consulting Service signed (PDF)

Staff Coordination

City Manager	David Orr	Department Head Review	Completed	10/25/2022 10:22 AM
City Manager	David Orr	City Manager Review	Completed	10/25/2022 10:22 AM
City Council	Jennifer Evans	Meeting	Completed	11/14/2022 6:00 PM

Meeting History

RESOLUTION NO. 2022-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH _____ FOR GOVERNMENTAL AFFAIRS CONSULTING SERVICES FOR THE CITY OF TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, has a need for a consultant to monitor, track, and analyze legislation, administrative rules, and committee activity along with the ability to serve as a general strategic resource to assist with developing government relations; and

WHEREAS, the City of Texarkana, Texas, sent out a Request for Proposals for consulting services for the FY 23 budget year; and

WHEREAS, on October 14, 2022, two proposals (2) were received from both McWilliams Strategies and McWilliams Governmental Affairs.

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

SECTION 1: The City Manager is hereby authorized to enter into a contract with _____ for governmental affairs consulting services for the City of Texarkana, Texas, for the FY 2023 budget year.

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022**.

ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-135 RES Approving Consulting Services Contract for Governmental Affairs (3846 : 2022-135 RES Approving Consulting

McWILLIAMS

GOVERNMENTAL AFFAIRS CONSULTANTS

Consulting Services Proposal For

CITY OF TEXARKANA

THE STATE OF TEXAS

1873

Attachment: 2022-135 ATTH 01 MGA Texarkana Proposal Final (3846 : 2022-135 RES Approving Consulting Services Contract)

IN BRIEF

The multitude of critical legislative and regulatory issues being considered in Texas that directly impa the City of Texarkana's interests warrants representation by one of the most experienced extern consulting firms in the State -- McWilliams Governmental Affairs (MGA). As such, MGA is the ide candidate to continue fulfilling this role for the City of Texarkana given our breadth of experience a knowledge in the field. The following proposal outlines both short and long term governmental affa strategies designed to achieve the City's legislative and regulatory objectives in Texas.

MGA brings to the table a long and successful history of effectively advocating for the City of Texarkan and today, those efforts are being amplified to greater benefit the City. In fact, MGA is curren engaged with the City of Texarkana to assist on multiple key initiatives. Our continued engageme with the City Manager's Office to protect the City's interests in relation to a proposed rulemaking the Texas Comptroller of Public Accounts is just one example of our efforts. The Comptrolle proposed changes to its Administrative Rule 3.334 would change decades of sales tax sourcing rules Texas by requiring the sales tax to be calculated and remitted to the delivery location. Ultimately, th could result in a significant decrease in local sales tax revenue for the City of Texarkana. MGA preparing to cover and provide intel to the City of Texarkana about the Comptroller's upcoming pub hearing on this key issue and plans to facilitate discussions for the City with key Texas elected offici as needed in order to ensure the City's interests are safeguarded.

Most recently, MGA facilitated a key meeting for the City of Texarkana's leadership with the Direct of Business and Community Development for the Office of Governor Greg Abbott. This meeting w crucial in order to explore options for several issues pertaining to small and mid-sized city projects th could help expand the City of Texarkana's economic development in the region, and additional follo up will be needed in the coming months to see these opportunities through.

Attachment: 2022-135 ATTH 01 MGA Texarkana Proposal Final (3846 : 2022-135 RES Approving Consulting Services Contract)

These are but a few issues of utmost importance for the City that MGA will continue to provi assistance with. The City's Legislative Agenda is poised to move forward rapidly as the bill filing peri for the upcoming 88th Texas Legislative Session will begin in November of this year. Multiple k issues will include legislative debate on the mandated property tax rate rollback if property t revenues go above 3.5% over the previous year as well as debate over water issues, which have t potential to impact the City with respect to Wright Patman Lake and other locations. MGA w continue to keep the City informed and provide tailored strategic solutions for all such issues th arise during and after the legislative session.

Texas politics has proven time and time again to be subject to rapid, seemingly unpredictable chan regarding major substantive policy matters. Typically, entities that enlist the help of an accomplish Texas governmental affairs firm gain a tremendous advantage in such an unstable environment as th navigate legislative and regulatory proposals that could impact the citizens of Texarkana. MGA wou employ proven strategies to tackle these issues head on while working closely with the City Texarkana and its legislative delegation to ensure success. We have developed an effective, holis approach to leverage the legislative and regulatory processes to advance the City of Texarkana interests, including but not limited to: preparing testimony for public hearings held by legislati committees and state agencies; helping draft or amend state agency procurement response supporting or opposing legislation and budget riders/requests; and securing high level meetings wi key policymakers.

MGA will work closely with the City of Texarkana City Council and City staff to enact the City's legislati objectives at the state level and acquire requested appropriations and funding. In order to he advance the City's Legislative Agenda, our firm's efforts will include the identification and developme of strategies for monitoring and advocating on legislative measures such as the state budget, taxati issues, funding opportunities for airport or infrastructure, and other measures that could impact t City's interests.

Attachment: 2022-135 ATTH 01 MGA Texarkana Proposal Final (3846 : 2022-135 RES Approving Consulting Services Contract)

SCOPE OF SERVICES

MGA will continue to provide a broad range of governmental affairs consulting services for the City as detailed below. Our firm will continue to arrange meetings with key decision makers (see below suggested targets) after collaborating with the City of Texarkana's leadership to determine the City's top priorities. Proven and effective strategies that have successfully been employed by MGA will be utilized, which include, but are not limited to, the following:

- MGA will monitor, track, and analyze legislation, administrative rules, and committee activity as directed by the City of Texarkana. MGA will provide intelligence-gathering services as directed by the City of Texarkana. MGA will promptly report legislative and administrative activity that could affect the City of Texarkana either positively or adversely.
- MGA will serve as a general strategic resource to assist the City of Texarkana in developing government relations, including providing real time hearing updates in addition to full summaries of relevant hearings, developing talking points and hearing testimony, letters of support and other necessary tasks to further the City's goals
- MGA will assist in support of or opposition to legislation, rules, policies, or programs that may affect the City of Texarkana, including drafting proposed legislation, appearing as an advocate before members of the executive and legislative branch, drafting testimony, providing real time committee updates and summaries and presenting information to the legislature or state government.
- MGA will identify opportunities to form alliances with other like-minded local governments, organizations and trade associations interested in advocating for key issues of interest to the City of Texarkana so as to provide the Legislature and state agencies with a unified message.
- Secure high-level meetings (always involving a City representative) utilizing pre-existing relationships with key state agency and other state government entity executive directors, department heads, board members, and other key leaders to educate them about the City of Texarkana
- Secure high-level meetings (always involving the City) utilizing pre-existing relationships with key state and local government entity leaders to educate them about Texarkana's proposed legislative solutions.

Attachment: 2022-135 ATTH 01 MGA Texarkana Proposal Final (3846 : 2022-135 RES Approving Consulting Services Contract)

SUGGESTED TARGETS

The below information is simply designed to provide an idea of an initial roadmap that would be perfected and expanded based on input from the City of Texarkana and is by no means a complete and final list of suggested targets.

Leadership Offices

- Governor Greg Abbott (R)
- Lieutenant Governor Dan Patrick (R)
- Speaker of the House Dade Phelan (R - Beaumont)

Texas Senate

- Senator Bryan Hughes (R - Mineola)
  - District includes the City of Texarkana
  - Serves as Chair of Senate State Affairs Committee
- Senator Paul Bettencourt (R - Houston)
  - Serves as Chair of Senate Local Government Committee
  - Likely to filed property tax related legislation
  - Committee oversees all matters relating to taxation, local government jurisdiction and election policies
- Senator Charles Perry (R - Lubbock)
  - Serves as Chair of Senate Water, Agriculture and Rural Affairs Committee
  - Committee oversees all matters relating to the state's water supply, storage, availability, valuation, movement, and development of new sources
- Senator Brian Birdwell (R - Granbury)
  - Serves as Chair of Senate Natural Resources & Economic Development Committee
  - Committee oversees all matters relating to tax abatements, capital investment incentives, and similar programs (Ch. 313 agreements), eminent domain and State disaster response

Attachment: 2022-135 ATTH 01 MGA Texarkana Proposal Final (3846 : 2022-135 RES Approving Consulting Services Contract)

Texas House

- Representative Gary VanDeaver (R - New Boston)
  - District includes the City of Texarkana
  - Serves on House Appropriations Committee and House Education Committee
- Representative Will Metcalf (R - Conroe)
  - Serves as Chair of House State Affairs Committee
  - Committee oversees all matters relating to state policy, operation of State Agencies, utility and telecommunications regulation
- Representative Morgan Meyer(R - Dallas)
  - Serves as Chair of House Ways & Means Committee
  - Committee oversees all matters relating to taxation, including local government ability to levy or impose property taxes, sales and use taxes, or other taxes and fees
- Representative Phillip Cortez (D - San Antonio)
  - Serves as Chair of House Urban Affairs Committee
  - Committee oversees all matters relating to municipalities, including their creation, organization, powers, government, and finance, and the compensation and duties of their officers and employees;
- Representative Angie Chen-Button (R - Richardson)
  - Serves as Chair of House International Relations & Economic Development Committee
  - Committee oversees all matters relating to commerce, trade, and manufacturing
- Representative Tracy King (D - Batesville)Serves as Chair of House Natural Resources Committee
  - Committee oversees all matters relating to the control and development of land and water and land and water resources, including the taking, storing, control, and use of all water in the state, and its appropriation and allocation.

Attachment: 2022-135 ATTH 01 MGA Texarkana Proposal Final (3846 : 2022-135 RES Approving Consulting Services Contract)

State Agency Targets

- Texas Comptroller of Public Accounts
- Texas Water Development Board
- Texas Department of Transportation
- Texas General Land Office
- Texas Commission on Environmental Quality
- Governor's Office of Economic Development

Other Targets

- Texas Municipal League
- Texas Association of Counties
- Texas Public Policy Foundation
- Texas Conservative Coalition
- Center for Public Policy Priorities
- Texas Taxpayers & Research Association

★★★

Contract Term: 12 Months (October 1, 2022 – September 30, 2023)

Government Affairs Consulting Services Compensation: $3333.33 per month

Attachment: 2022-135 ATTH 01 MGA Texarkana Proposal Final (3846 : 2022-135 RES Approving Consulting Services Contract)

McWilliams Strategies, LLC

City of Texarkana, Texas
Consulting Services Proposal
October 2022

In Brief:

The City of Texarkana, Texas' (the "City") significant and ever-expanding interests, and the opportunities and risks currently arising in the Texas legislative and regulatory arenas, warrant continued representation by an experienced external governmental affairs consulting firm, McWilliams Strategies. McWilliams Strategies is led by Texarkana, Texas native, Dean McWilliams, who serves as President and CEO, and is most uniquely positioned to continue to fulfill this role. Capitol veterans, Ben Williams-Senior Vice President and Jake Robinson-Legislative Director serve in key roles with the firm (see attached press release). The following proposal would form the basis for establishing both short- and long-term governmental affairs strategies designed to achieve the City's legislative and regulatory objectives.

At the time of this writing, a multitude of critical legislative and regulatory issues in Texas that directly impact the City are being considered leading up to the Regular Legislative Session that begins in January of 2023. McWilliams Strategies President and CEO, Dean McWilliams, has had a longstanding and trusted working relationship with the City for over a decade and much success has been achieved. Mr. McWilliams was born and raised in Texarkana and graduated from Texas High School in 1986. His first job upon completion of his college degree at Texas A&M University was in the Texas Capitol with then Representative Barry Telford who represented Texarkana, Texas. He was later promoted to work in the Texas Senate for former Lieutenant Governor and State Senator Bill Ratliff who also represented Texarkana.

Over several decades, Mr. McWilliams has supported his hometown and has been the principal governmental affairs consultant for the City of Texarkana on a multitude of important issues. These issues and initiatives include, but are not limited to, Texarkana Community College, downward expansion and funding of Texas A&M-Texarkana, water, transportation, airport and economic development. Most recently, he has been working on securing additional funding for the airport expansion and combatting an unfavorable sales tax interpretation by the Comptroller's office. Mr. McWilliams also represents key allies in the Texarkana area which include, but are not limited to, AR-TX REDI and TexAmericas Center.

In the past few weeks, House and Senate Interim Committees have completed their public hearings and interim reports will be issued soon that include many key topics with the potential to impact the City beneficially or detrimentally. These Committees will use the feedback and testimony received regarding these interim charges to formulate recommendations for priority legislation for the next Session and prefiling of bills begins on November 14th. Therefore, it is a critical time for any necessary legislative and regulatory changes the City may be considering to be communicated directly to

Attachment: 2022-135 ATTH 02 McWilliams Strategies Proposal 2023 (3846 : 2022-135 RES Approving Consulting Services Contract)

McWilliams Strategies, LLC

executive and legislative leadership. In addition, strategic partnerships should be formulated for unified messaging with like-minded associations that have influence and frequently testify at the Capitol.

In order to best position to capitalize on these and other opportunities arising in Texas, the City continues to need a knowledgeable and diligent Texas governmental affairs firm like McWilliams Strategies at its disposal. Texas politics has proven in recent years to be volatile and subject to rapid, seemingly unpredictable change regarding major substantive policy matters. In such an environment, those entities who enlist an experienced Texas governmental affairs firm gain a tremendous competitive advantage. McWilliams Strategies has developed, and will employ for, an effective, holistic approach to leverage the legislative and regulatory processes, including preparing testimony for public hearings held by legislative committees and state agencies; helping draft or amend legislation, state agency rules, and budget riders/requests; and securing high level meetings with key decision makers.

In conclusion, the City should re-engage the proven Dean McWilliams and McWilliams Strategies to most effectively implement a proactive and defensive governmental affairs strategy that will protect and expand its interests in Texas. Arranging meetings with key decision makers would be an initial step in the process of ensuring that establishes a "seat at the table" during each step of the legislative and regulatory processes that are ramping up at this moment. This proposal establishes short-term strategies aimed at immediate goals and provides a framework for developing a permanent, long-term governmental affairs strategy. McWilliams Strateiges is uniquely qualified, like no other firm, to successfully achieve these objectives.

Scope of Services: McWilliams will arrange meetings with key decision makers (see below suggested targets) after collaborating with City representatives to determine top opportunities and risks. Proven and effective strategies that have successfully been employed by McWilliams Strategies will be utilized, which include, but are not limited to, the following:

- McWilliams Strategies will monitor, track, and analyze legislation, administrative rules, and committee activity as directed by the City. McWilliams Strategies will provide intelligence-gathering services as directed by the City. McWilliams Strategies will promptly report legislative and administrative activity that could affect the City either positively or adversely.

- McWilliams Strategies will serve as a general strategic resource to assist the City in developing government relations.

- McWilliams Strategies will assist in support of or opposition to legislation, rules, policies, or programs that may affect the City, including drafting proposed legislation, appearing as an advocate before members of the executive and legislative branch and presenting information to the legislature or state government.

Attachment: 2022-135 ATTH 02 McWilliams Strategies Proposal 2023 (3846 : 2022-135 RES Approving Consulting Services Contract)

McWilliams Strategies, LLC

- McWilliams Strategies will work with trade associations, interest groups and other entities sharing issues of common interest with the City.

- As appropriate and as mutually agreed by both parties, this Agreement can be amended to allow McWilliams Strategies to perform such other services as may be in the best interests of the City.

Suggested Targets: The below information is simply designed to provide an idea of an initial roadmap that would be perfected and expanded based on input from the City and is by no means a complete and final list of suggested targets.

- Top State Agency Targets:

  Texas Comptroller of Public Accounts- Comptroller Glenn Hegar

  Texas Department of Transportation -Executive Commissioner Marc Williams

  Health & Human Services Commission- Executive Commissioner Cecile Young

  Texas Commission on Environmental Quality- Executive Director Toby Baker

  Texas Water Development Board- Executive Administrator Jeff Walker

- Legislative Targets:

  Leadership Offices

  Governor Greg Abbott (R)

  Lieutenant Governor Dan Patrick (R – Houston)

  House Speaker Dade Phelan (R-Beaumont)

  Governor's Office of Economic Development Director -Adriana Cruz

  Texas Senate

  Senator Bryan Hughes (R – Mineola), District includes City of Texarkana, Texas
  Chair of the Senate State Affairs Committee

Attachment: 2022-135 ATTH 02 McWilliams Strategies Proposal 2023 (3846 : 2022-135 RES Approving Consulting Services Contract)

McWilliams Strategies, LLC

Senator Business and Commerce

Senator Joan Huffman (R-Houston) Chair of Senate Finance

Senator Paul Bettencourt (R-Houston) Chair of Senate Local Government

Senator Brian Birdwell (R-Waco) Chair of Senate Natural Resources and Economic Development Committee

Senator Robert Nichols (R-Jacksonville) Chair of Senate Transportation Committee

Senator Charles Perry (R-Lubbock) Chair Senate Water, Agriculture and Rural Affairs Committee

Texas House of Representatives

Representative Gary VanDeaver (R-New Boston) District includes Texarkana, Member of the Appropriations Committee

Representative Greg Bonnen (R-Friendswood) Chair House Appropriations Committee

Representative Lynn Stuckey (R-Denton) Vice Chair House County Affairs Committee

Representative Angie Chen Button (R-Garland) Chair House Economic Development Committee

Representative Will Metcalf (R-Conroe) Chair House State Affairs

Representative Terry Canales (D-Edinburg) Chair House Transportation Committee

Representative Philip Cortez (D-San Antonio) Chair House Urban Affairs Committee

- Allied Organization Targets:

Texas Municipal League

Attachment: 2022-135 ATTH 02 McWilliams Strategies Proposal 2023 (3846 : 2022-135 RES Approving Consulting Services Contract)

McWilliams Strategies, LLC

Texas Association of Counties

Texas Association of Business

Texas Conservative Coalition

Center for Public Policy Priorities

Contract Term: One year which includes the entirely of the 2023 Regular Legislative Session, the Governor's veto period and the effective date of most legislation on September 1st, 2023.

Compensation: $3,333.33/per month (includes expenses)

Attachment: 2022-135 ATTH 02 McWilliams Strategies Proposal 2023 (3846 : 2022-135 RES Approving Consulting Services Contract)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2022-135 Goals & Perspectives (3846 : 2022-135 RES Approving Consulting Services Contract)

RESOLUTION NO. 2022-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH _____ FOR GOVERNMENTAL AFFAIRS CONSULTING SERVICES FOR THE CITY OF TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, has a need for a consultant to monitor, track, and analyze legislation, administrative rules, and committee activity along with the ability to serve as a general strategic resource to assist with developing government relations; and

WHEREAS, the City of Texarkana, Texas, sent out a Request for Proposals for consulting services for the FY 23 budget year; and

WHEREAS, on October 14, 2022, two proposals (2) were received from both McWilliams Strategies and McWilliams Governmental Affairs.

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

SECTION 1: The City Manager is hereby authorized to enter into a contract with McWilliams Strategies LLC for governmental affairs consulting services for the City of Texarkana, Texas, for the FY 2023 budget year.

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY
6:23 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-135 RES Approving Consulting Service signed (3846 : 2022-135 RES Approving Consulting Services Contract)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 11/7/2022 2:32 PM

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

Subject: Resolution No. 2022-136 authorizing the expenditure of community relations funds in support of the 2022 Live United Bowl Team's banquet in an amount not to exceed $20,000.

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

Item Schedule

Updates/History of Briefing:

For the past several years, the City Council has used Community Relations funding to support a banquet dinner at a Texas-side venue for the teams playing in this annual college football game event.

Executive Summary and Background Information:

The Famers Bank & Trust (formerly Agent Barry) Live United Bowl committee has requested that the City of Texarkana, Texas, financially support the 2022 Famers Bank & Trust Live United Bowl. The committee desires to have both Texarkana, Texas, and Texarkana, Arkansas, involved in this growing annual event. Businesses and charitable organizations on both sides of the state line will benefit from the bowl event.

A Texas-side venue has been reserved for the team's banquet. The funds will be used to provide a banquet meal and a guest speaker. The banquet is an integral part of the bowl experience for the teams and schools participating in the game. Both teams as well as other support staff will be attending the banquet and a pep rally will be held after the event.

Potential Options:

- Adopt the resolution as presented.
- Deny the resolution as presented.

Fiscal Implications:

Expenditure of Community Relations funds in an amount not to exceed $20,000.

Staff Recommendation:

Staff recommends for approval of this resolution.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-136 RES Live United Bowl Banquet Expenditure (DOC)
b. 2022-136 Goals & Perspectives (DOCX)
c. 2022-136 RES Live United Bowl Banquet Expenditure signed (PDF)

Staff Coordination

City Manager	Jennifer Evans	Department Head Review	Completed	11/08/2022 11:51 AM
Finance Department	Kristin Peeples	Review	Completed	11/08/2022 11:56 AM
City Manager	David Orr	City Manager Review	Completed	11/08/2022 12:36 PM
City Council	Jennifer Evans	Meeting	Completed	11/14/2022 6:00 PM

Meeting History

RESOLUTION NO. 2022 - 136

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXPEND UP TO AN AMOUNT NOT TO EXCEED $20,000 OF COMMUNITY RELATIONS FUNDS IN SUPPORT OF A BANQUET, TO BE HELD AT A TEXAS-SIDE VENUE, FOR THE 2022 FARMERS BANK & TRUST LIVE UNITED BOWL EVENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Farmers Bank & Trust Live United Bowl game will occur on Saturday, December 3, 2022; and

WHEREAS, the bowl committee requested that the City of Texarkana, Texas, financially support the 2022 Farmers Bank & Trust United Bowl event; and

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

WHEREAS, the event committee estimates that the banquet will cost approximately $15,000.

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

SECTION 1: The City Manager is hereby authorized to expend up to an amount not to exceed **$20,000** of Community Relations funds in support of a banquet, to be held at a Texas-side venue on December 2, 2022, for the 2022 Farmers Bank & Trust Live United Bowl event.

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

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-136 RES Live United Bowl Banquet Expenditure (3847 : 2022-136 RES Live United Bowl Expenditure)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2022-136 Goals & Perspectives (3847 : 2022-136 RES Live United Bowl Expenditure)

RESOLUTION NO. 2022 - 136

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXPEND UP TO AN AMOUNT NOT TO EXCEED $20,000 OF COMMUNITY RELATIONS FUNDS IN SUPPORT OF A BANQUET, TO BE HELD AT A TEXAS-SIDE VENUE, FOR THE 2022 FARMERS BANK & TRUST LIVE UNITED BOWL EVENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Farmers Bank & Trust Live United Bowl game will occur on Saturday, December 3, 2022; and

WHEREAS, the bowl committee requested that the City of Texarkana, Texas, financially support the 2022 Farmers Bank & Trust United Bowl event; and

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

WHEREAS, the event committee estimates that the banquet will cost approximately $15,000.

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

SECTION 1: The City Manager is hereby authorized to expend up to an amount not to exceed **$20,000** of Community Relations funds in support of a banquet, to be held at a Texas-side venue on December 2, 2022, for the 2022 Farmers Bank & Trust Live United Bowl event.

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

ATTEST:

Vicky Coopwood
VICKY COOPWOOD, ASST. CITY SECRETARY
6:24 p.m.

Bob Bruggeman
BOB BRUGGEMAN, MAYOR

Attachment: 2022-136 RES Live United Bowl Banquet Expenditure signed (3847 : 2022-136 RES Live United Bowl Expenditure)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 11/5/2022 1:47 PM

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

Subject: Ordinance No. 2022-141 confirming Chris Black as Interim Fire Chief pursuant to Section 143.013 of the Texas Local Government Code.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Pursuant to Section 143.013 of the Texas Local Government Code, the department head (Interim Fire Chief Chris Black) is required to be appointed by the municipality's chief executive and must be confirmed by the municipality's governing body.

Potential Options:

- Approve
- Not Approve

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval of Chief Black as the Interim Fire Chief.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-141 ORD Confirming Interim Fire Chief Chris Black (DOCX)
b. 2022-141 Goals & Perspectives (DOCX)
c. 2022-141 ORD Confirming Interim Fire Chief Chris Black signed (PDF)

Staff Coordination

Human Resources	J.W. Bramlett 11/04/2022 1:24 PM	Department Head Review	Completed	
City Manager	David Orr	City Manager Review	Completed	11/04/2022 6:23 PM
City Council	Jennifer Evans	Meeting	Completed	11/14/2022 6:00 PM

Meeting History

ORDINANCE NO. 2022-141

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CONFIRMING THE APPOINTMENT OF CHRIS BLACK AS INTERIM FIRE CHIEF FOR THE TEXARKANA, TEXAS FIRE DEPARTMENT; CONTAINING A REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Article IV of the City Charter places all administrative departments of the City under the control and direction of the City Manager, whose Charter authority includes appointment of department heads and chiefs; and

WHEREAS, the position of Fire Chief for the Texarkana, Texas Fire Department has been vacant since the retirement of Chief Eric Schlotter effective November 4, 2022; and

WHEREAS, the City Manager has assigned Assistant Fire Chief Chris Black to serve as the Interim Fire Chief; and

WHEREAS, Section 143.013 of the Texas Local Government Code, as applied to the City, provides for the City Manager to appoint a Fire Chief and the City Council to confirm that appointment.

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

SECTION 1: The appointment by the City Manager of Chris Black as Interim Fire Chief of the Texarkana, Texas Fire Department be and is hereby confirmed.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-141 ORD Confirming Interim Fire Chief Chris Black (3867 : 2022-141 ORD Confirming Interim Fire Chief Chris Black)

City of Texarkana, Texas

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

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

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

Attachment: 2022-141 Goals & Perspectives (3867 : 2022-141 ORD Confirming Interim Fire Chief Chris Black)

ORDINANCE NO. 2022-141

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CONFIRMING THE APPOINTMENT OF CHRIS BLACK AS INTERIM FIRE CHIEF FOR THE TEXARKANA, TEXAS FIRE DEPARTMENT; CONTAINING A REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Article IV of the City Charter places all administrative departments of the City under the control and direction of the City Manager, whose Charter authority includes appointment of department heads and chiefs; and

WHEREAS, the position of Fire Chief for the Texarkana, Texas Fire Department has been vacant since the retirement of Chief Eric Schlotter effective November 4, 2022; and

WHEREAS, the City Manager has assigned Assistant Fire Chief Chris Black to serve as the Interim Fire Chief; and

WHEREAS, Section 143.013 of the Texas Local Government Code, as applied to the City, provides for the City Manager to appoint a Fire Chief and the City Council to confirm that appointment.

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

SECTION 1: The appointment by the City Manager of Chris Black as Interim Fire Chief of the Texarkana, Texas Fire Department be and is hereby confirmed.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

6:27 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-141 ORD Confirming Interim Fire Chief Chris Black signed (3867 : 2022-141 ORD Confirming Interim Fire Chief Chris Black)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 11/9/2022 9:02 AM

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

Subject: Resolution No. 2022-144 approving Ross, Gannaway, Clifton, PLLC as legal counsel for civil service related matters.

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

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The City utilizes legal services for civil service related matters that is separate from our working relationship with Atchley, Russell, Waldroup, Hlavinka due to the specialization and complexity that can be involved with handling civil service matters within the Texas Local Government Code. The City has previously engaged the services of Bettye Lynn with Lynn Law, and in continued efforts to ensure that the City is positioning itself to receive the most efficient and cost-effective services available we recently requested information from three firms to reassess which firm would be in the City's best interest moving forward. The City received responses from Lynn Law based out of Fort Worth Texas; Messer, Fort, McDonald based out of Frisco, Texas; and from Ross, Gannaway, Clifton based out of Southlake, Texas.

Potential Options:

- Approve staff recommendation of legal counsel
- Not approve staff recommendation of legal counsel

Fiscal Implications:

The firm staff recommends will bill at a rate of $275/hour with legal assistants billing at $75/hour.

Staff Recommendation:

Staff recommends the selection of Julia Gannaway with Ross, Gannaway, Clifton.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-144 Goals & Perspectives (DOCX)
b. 2022-144 RES Approving Ross, Gannaway, Clifton as Legal Counsel for Civil Service (DOC)
c. 2022-144 ATTH 01 Ross, Gannaway, Clifton (PDF)
d. 2022-144 ATTH 02 Messer, Fort, McDonald (PDF)
e. 2022-144 ATTH 03 Lynn Law (PDF)
f. 2022-144 RES Approving Ross, Gannaway, Clifton for legal council signed (PDF)

Staff Coordination

Human Resources	J.W. Bramlett 11/08/2022 6:04 PM	Department Head Review	Completed	
City Manager 7:56 AM	David Orr	City Manager Review	Completed	11/09/2022
City Council 6:00 PM	Jennifer Evans	Meeting	Completed	11/14/2022

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:		

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

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

Attachment: 2022-144 Goals & Perspectives (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil Service)

RESOLUTION NO. 2022-144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ROSS, GANNAWAY, CLIFTON, PLLC FOR LEGAL COUNSEL RELATED TO CIVIL SERVICE MATTERS FOR THE CITY OF TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, has a need for legal counsel that will provide for guidance and recommendations related to civil service matters within the Texas Local Government Code; and

WHEREAS, the City of Texarkana, Texas, requested services for legal counsel from three (3) law firms; and

WHEREAS, three (3) submissions were received, one of which being from Ross, Gannaway, Clifton, PLLC.

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

SECTION 1: The City Manager is hereby authorized to execute a contract with Ross, Gannaway, Clifton, PLLC for legal counsel related to civil service related matters for the City of Texarkana, Texas.

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-144 RES Approving Ross, Gannaway, Clifton as Legal Counsel for Civil Service (3870 : 2022-144 RES Approv. Ross,

ROSS | GANNAWAY | CLIFTON, PLLC
Attorneys at Law

PROPOSAL FOR LEGAL SERVICES

October 25, 2022

Via E-mail: james.bramlett@txkusa.org
Mr. J.W. Bramlett
Administrative Services Director/Civil Service Director
220 Texas Blvd
Texarkana, Texas 75501

Re: Proposal for Legal Services

Dear Mr. Bramlett:

You have asked me to present a proposal to the City of Texarkana with regard to providing legal services relating to collective bargaining and civil service.

You informed me the City is in the early stages of negotiating a new collective bargaining agreement with the Fire Department, as the current agreement expires in 2023.

Since 2000, I have worked with civil service issues as an Assistant City Attorney in Bryan, Texas. I have also worked with the City of Texarkana, Texas on civil service issues and litigation involving the police department. At least 85% of my law practice is focused exclusively on civil service and issues arising under it, including hiring, promotions, demotions, discipline, and disciplinary appeals. I do have experience in collective bargaining, and I am able to assist the City in evaluating options that may be presented by the Fire (or Police) Departments.

My clients are located throughout the State. My billable rate is $275.00 per hour and travel time is considered work time.

Please let me know if you have any questions regarding my background and qualifications or the points in this letter.

Sincerely,

Julia Gannaway

Julia Gannaway
Ross Gannaway Clifton, PLLC
Direct: 817.332.8512
JG@RossGannaway.Law

Attachment: 2022-144 ATTH 01 Ross, Gannaway, Clifton (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil

STATEMENT OF QUALIFICATIONS

MESSER★FORT★McDONALD
THE MUNICIPAL LAW FIRM
FRISCO | DALLAS | AUSTIN | ABILENE

certified WBENC WOMEN'S BUSINESS ENTERPRISE

Messer, Fort & McDonald, PLLC

6371 Preston Road
Suite 200
Frisco, Texas 75034
(972) 668-6400

Attachment: 2022-144 ATTH 02 Messer, Fort, McDonald (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil

STATEMENT OF QUALIFICATIONS

Messer, Fort & McDonald PLLC (the "Firm" or "MFM") practices only municipal law. Collectively, we have over 350+ years of municipal law experience. Most attorneys at the Firm represent municipalities as the City Attorney. Unlike other firms, MFM has practice groups to provide our clients expertise in particular fields that municipalities commonly experience. The practice groups include: annexation; land use and development including zoning and platting; labor and employment law; economic development; litigation; open government; and special districts. MFM is a premier and full-service municipal law firm in the state with a reputation for excellence in all areas of municipal practice.

MFM's mission statement **"to build long term relationships by delivering first class service"** and our stated desire to value **"people, integrity, results"** drive the Firm's view of its role as city attorney. We believe that our role is not one of policy maker or administrator, but rather one of counselor – to provide sound, accurate information so that each elected city council member is fully equipped to govern, and the staff is fully equipped to manage the daily operations of the city and implement the policies set by the council. Keeping both our mission statement and our statement of values in mind facilitates enduring relationships with our client cities despite regular elections that may cause a change in city council membership. By understanding that the city, as an entity, is our client, we help provide stability and continuity.

- Municipal Law is exclusively what our firm does.
- We represent approximately 65+ cities in Texas in multiple counties across Texas. From large cities like Murphy, Ennis, Marble Falls, Lockhart. To Small cities with populations of maybe 500 people and newly created one such as Double Horn, Texas.
- The 26 attorneys in our Abilene, Frisco and Austin offices have collectively over 350+ years of municipal experience.
- The firm is one of a handful of firms approved by the Texas Municipal League to represent Texas cities involving litigation. We also represent the City of Dallas, Denton and Lewisville as direct-hire litigation counsel.
- Our lawyers regularly speak on municipal law and litigation topics across the State and teach other lawyers about municipal law.
- We strive in representing cities with excellent work product. If our name goes on it, we want to make sure its excellent. We think outside the box to find solutions, not do the same things again and again, the same way, but some situations require creative thinking to find a solution. That said, we are efficient/we have our own library of forms file so that we don't have to recreate the wheel every time.
- We handle all types of litigation and rarely require the need for outside counsel for any type of project.
- One of the firm's principals was the Course Director of the State Bar CLE Suing and Defending Governmental Entities and was on the faculty of that seminar for approximately 10 years. We have successfully represented Texas municipalities before the Texas Supreme Court, the Federal Fifth Circuit Court of Appeals in New Orleans and most courts of appeal across the State of Texas.
- We also have sufficient experienced in EDC representation. One of the firm's principals – Julie Fort –recently assisted with a $1 billion Google Facility.

Attachment: 2022-144 ATTH 02 Messer, Fort, McDonald (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil

- We also have significant land use experience including planning, zoning and platting. One of the firm's principals – Brenda McDonald – has co-authored one of the leading treaties in the State and regularly speak on the topic – Julie and Brenda spoke last week at the UT Land Use Conference.
- We believe MFM has the breadth and depth to represent the City well.

Specialized Practice Areas

In addition to general city attorney services, the Firm has specialized practice areas with designated attorneys for employment law, litigation, economic development and land use, annexation, open records, eminent domain, and municipal court prosecution. Any attorney in the Firm is available to assist on projects.

For example, Julie Fort and Brenda McDonald are available to assist on economic development projects. Julie specializes in land development, including PIDs and TIRZ's. Julie Fort is a co-author of the *Texas Municipal League Economic Development Handbook (2015).* Brenda McDonald specializes in land development, zoning and platting. She holds two planning degrees and co-authored the leading practice manual for land use professionals in Texas, *Texas Municipal Zoning Law 3rd* ed. published by Lexis Publishing Company. Collectively, they have 42 years of economic development experience. Melissa Cranford and Robin Cross are available to assist with employment and civil service matters. Robin is Board Certified in Employment Law. Collectively, they have 35 years of employment law experience. In total the firm has:

- Two attorneys specializing in **employment law**.
- Two attorneys and a paralegal devoted to **open record responses** and communicating with the Attorney General.
- Two attorneys and a paralegal who specialize in **eminent domain**.
- Three attorneys who deal with **litigation and appeals**. Three attorneys in the Firm, Andy Messer, Kevin Curley, and Timothy "Tad" Dunn are on the Texas Municipal League Intergovernmental Risk Pool's approved-panel list.
- Nine attorneys who deal with **economic development**. The Texas Attorney General recently disbanded its local government section who produced an Economic Development Handbook. The Texas Municipal League took up the project, asking Julie Fort of the Firm to be one of four authors to write and edit the Handbook.
- Nine attorneys who deal with **zoning, platting, and land use.** Brenda McDonald of the Firm co-authored a preeminent handbook on zoning, *Texas Municipal Zoning Law 3rd ed.* This book has been cited by Texas courts for authority on zoning matters. *See Weatherford v. City of San Marcos*, 157 S.W.3d 473, 484 (Tex. App.—Austin 2004). The Firm represents many municipalities incurring significant growth, and regularly provides counsel on land use matters.
- Three attorneys and two paralegals who specialize in **annexation**.
- Five attorneys who actively represent the State of Texas and cities in **municipal prosecution.**
- One attorney specializing in **CCNs** and **water law** starting October 1, 2022.

Attachment: 2022-144 ATTH 02 Messer, Fort, McDonald (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil

Firm Experience

The Firm was formed by merger in 2012 seeking to provide Texas municipalities with first class service. The Firm collectively has over 350 years of municipal law experience. The Firm was formed with North Dallas and Abilene offices. The Firm merged with the Akers & Akers firm in Austin in 2019. The Firm has 24 attorneys and has experience in all areas of municipal law.

When the Firm is selected to serve as the City Attorney for a municipality, one experienced attorney is responsible for and directs the provision of legal services in all areas for the City and attends City Council meetings as requested. The lead attorney is heavily involved in all strategic matters and is responsible for delivering the highest level of service to that municipality. If requested, the Firm offers weekly status conference calls to facilitate access by city staff and increased communication at all levels on the status projects and briefing on new projects. The lead attorney is supported by all other members of the Firm, each contributing their area of expertise and knowledge as a resource for the benefit of the City. The city is also assigned a primary paralegal.

This team approach allows the Firm to meet project deadlines and serve the specialized needs of its clients. Finally, we understand that issues affecting cities don't just happen Monday through Friday from 8 to 5. Unless we are outside of internet or phone access, we are available at any time to discuss and handle urgent, unforeseen matters. We do attempt to maintain some balance of professional and personal time, but we understand that a city attorney must be available to assist in issues that arise outside of normal business hours. We also make sure that our tasks are completed in a timely manner even if that involves work after hours or on weekends.

Messer, Fort & McDonald (Offices and Locations)		
Austin Location	**North Texas Location**	**Abilene Location**
4201 W. Parmer Lane Bldg. C Ste. 150 Austin, Texas 78727 Phone: 512-600-2308	6371 Preston Road Suite 200 Frisco, Texas 75034 Phone: 972-668-6400	2500 S. Willis Suite 400 Abilene, Texas 79605 Phone: 325-701-7960

Attachment: 2022-144 ATTH 02 Messer, Fort, McDonald (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil

Attorney Experience

Melissa Cranford, Partner, and Roberta ("Robin") Cross, Senior Attorney Frisco Texas office will primarily provide services for this engagement. Ms. Cranford has significant experience in advising clients through the process of both collective bargaining and meet and confer, as well as drafting the resulting agreements. Additionally, Ms. Cranford regularly advises clients regarding the application of civil service law and she has first-chaired numerous arbitrations under the Texas Local Government Code.

a. **Melissa Cranford** – Partner, North Texas Office (*Resume included)*
   - Abilene Christian University, BA Mass Communication, 1994
   - Texas Tech University School of Law – J.D. 1999
   - Specializes in providing responsive and efficient representation of public sector clients in all phases of employment law.
   - Previous Senior Assistant City Attorney for the City of Irving.

b. **Robin Cross** – Senior Attorney, Contract Specialist (*Resume included)*
   - University of Alabama School of Law, Post-Graduate Work, Tax Law
   - Creighton University School of Law, Senior Editor, Law Review
   - University of Nebraska at Lincoln, B.A., Interdisciplinary Studies, Dean's List Graduate

Proposed hourly rates for each team member, consistent with rates offered to government clients would be $275 per hour for partners and senior attorneys and $90 per hour for paralegals. There would be no administrative markup. Time for legal work and travel is billed in tenth of an hour increments, as follows:

.1 = 6 minutes	.5 = 30 minutes	.9 = 54 minutes
.2 = 12 minutes	.6 = 36 minutes	1.0 = 60 minutes
.3 = 18 minutes	.7 = 42 minutes	
.4 = 24 minutes	.8 = 48 minutes	

Client references available upon request.

Attachment: 2022-144 ATTH 02 Messer, Fort, McDonald (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil

Attorney Resumes - Frisco Office

Melissa H. Cranford

Melissa Cranford is a veteran labor and employment lawyer for public sector employers. She provides counsel on a wide range of employment matters including personnel disputes, discipline, and policy guidance. She has successfully represented numerous clients before regulatory agencies such as the EEOC and is an experienced negotiator of labor and employment contracts.

Representative Experience

- Messer, Fort & McDonald (formerly Messer Rockefeller & Fort) - Partner
  - Provides responsive and efficient representation of public sector clients in all phases of litigation in employment and municipal matters. Ms. Cranford counsels employers on best practice policies, employee terminations and other employment issues.
- Lynn, Ross, Gannaway & Cranford, L.L.P. - Partner
  - First chair representation of public and private sector employers in all areas of employment law litigation and disciplinary arbitration for public safety employees. Successful defense of labor and employment claims including discrimination, retaliation, wage and hour disputes, including class action defense, and collective bargaining agreements.
- City of Irving, Texas - Senior Assistant City Attorney
  - Successfully represented municipal corporation in employment disputes and civil litigation, including disciplinary arbitration. Advised elected officials and department heads on a wide variety of employment matters, negotiating and drafting executive agreements and supervised outside counsel. Significantly reduced cost of defense and claims paid on behalf of client.

Often working with crisis or high-profile situations, Melissa guides employers in strategic decision making, through:

- **Internal Investigations:** Melissa conducts high-level, sensitive, and complex workplace investigations, working with employers to resolve complaints and offering practical guidance on workplace best practices.
- **Executive Hiring and Transitions:** She negotiates, drafts, and advises on complex executive transitions, disputes of employment agreements and separation agreements.
- **Litigation and Arbitration:** Melissa represents employers in employment litigation and arbitration matters involving a variety of claims, including claims concerning age, sex, gender, race, national origin, disability, religion, the Family and Medical Leave Act, the Fair Labor Standards Act, whistleblower/retaliation, and other employment laws and related matters.
- **Regulatory Disputes:** She regularly represents employers in negotiations and/or proceedings with the Department of Labor, the Equal Employment Opportunity Commission, and the Texas Workforce Commission. She is experienced representing employers in numerous arbitrations and administrative hearings.

Attachment: 2022-144 ATTH 02 Messer, Fort, McDonald (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil

- **Training, Policies and Counseling:** Melissa frequently prepares employment policies, provides management training, and counsels employers on various employment issues concerning hiring, disciplining, and terminating employees, investigating employee complaints and speech-related issues.

Selected Representations:

- Resolved wage and hour class action for less than $5000.00 when Plaintiffs sought millions in damages and attorney fees.
- Successfully resolved discrimination complaint with EEOC for non-monetary settlement when executive complainant sought lost wages and attorney fees.
- Negotiated advantageous resolution of retaliation and whistleblower complaints and separation of organizational head.
- Advised employer and managed termination of employee following high-profile law enforcement event with national media attention.
- Counseled employer and drafted WARN notices and separation agreements for reduction in force for multi-state employer.
- Melissa is a frequent speaker on Labor and Employment Law topics, including harassment and social media use for public employers. She is a graduate of Abilene Christian University ('94) and Texas Tech University School of Law ('99).

Selected Presentations

- Employment law basics for elected officials and supervisors
- #Metoo: Now What? Harassment and Discrimination case law update
- Obergefell and Beyond: U.S. Supreme Court term update (2016)
- Ethics for Commissioners and Board Members

Licensure and Bar Admissions

- State Bar of Texas (1999): Member - Labor and Employment Section
- U.S. District Court Northern District of Texas
- U.S. District Court Eastern District of Texas
- U.S. District Court Western District of Texas
- United States Court of Appeals for the Fifth Circuit

Education

Texas Tech University School of Law, JD, May 1999
Abilene Christian University, BA Mass Communication, May 1994

Attachment: 2022-144 ATTH 02 Messer, Fort, McDonald (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil

Roberta "Robin" Cross

Robin Cross has over twenty years' experience advising and representing local governments and has been recognized as an IMLA Fellow since 2013. She has worked as in-house counsel for a statewide police labor union and as a trial attorney for the EEOC. She is licensed to practice in Texas and is admitted to all of its federal courts, the Fifth Circuit Court of Appeals and the U.S. Supreme Court. She is Board Certified in Labor and Employment Law by the Texas Board of Legal Specialization. She has served as President of IMLA's Personnel Section since 2018, which led to her being awarded the William I. Thornton, Jr. IMLA Faculty Award in 2021.

BOARD CERTIFIED
Texas Board of Legal Specialization
LABOR AND EMPLOYMENT LAW

Selected Accomplishments

- Recipient of Amicus Service Award, IMLA Legal Advocacy Program, 2022
- Recipient of William I. Thornton, Jr. IMLA Faculty Award, 2021
- Served on the faculty of the IMLA's Introduction to Local Government Law
- Serve on the faculty of IMLA's Annual and Mid-Year conferences, 2014-present
- Served on the faculty of the University of Texas Land Use Law conference
- Recipient of award from CLEAT for service to police officers

Representative Experience

Legal:

- Messer Fort & McDonald – Senior Attorney
  - Assist cities with their legal issues, from Annexations to Zoning, with an emphasis in labor and employment law over twenty years' experience advising and representing local governments. She was recognized as an IMLA Fellow in 2013 and in 2018. She has also worked as in-house counsel for a statewide police labor union, as a trial attorney for the EEOC.
- The Woodlands Township, Tx – Township Attorney
  - Provided timely legal advice and counsel; oral and written legal opinions to elected Board and Executive Management staff on economic development, Local Gov't. Code, open meeting and public information laws, contracts, land use regulation, employment and discrimination law.
- City of College Station, Tx – Deputy City Attorney
  - Provided professional legal services to the City Council, City Manager, Planning and zoning Commission, Council appointees and city staff.
- City of Galveston, Tx - Senior Assistant City Attorney
  - Advised and represented municipal government, on all areas of municipal, state and federal law affecting home rule city.
- City of El Paso, Tx – Assistant City Attorney, Associate Municipal Judge, Hearing Officer
  - Advised and represented municipal home rule government, on all areas of municipal state and federal law affecting home rule city; served as Associate Judge and later, as prosecutor in high-volume record court.
- Housing Authority of the City of El Paso, Texas – Director of Contract Compliance/Legal Services
  - Provided advice and counsel directly to the Executive Director and subordinate management of 4th largest U.S. public housing authority on state, federal and local law, to include personnel law, immigration, HUD CDBG and ACC grant-funding and regulations, finance, lease enforcement, contract and procurement matters, and grant compliance.
  -

Attachment: 2022-144 ATTH 02 Messer, Fort, McDonald (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil

- Combined Law Enforcement Association of Texas ("C.L.E.A.T.") – Assistant General Counsel
  - Provided legal services to state and federal police union members in the Rio Grande Valley & in Central, West Texas, responsible for statewide litigation.

Military:

- Judge Advocate, Department of the Army, Judge Advocate General's Corps, Ft. McClellan, Alabama. 1981 - 1985.
- Managed labor and claims branches of a general practice law office.
- Twenty-two years of combined active, Reserve and Guard service. Last assignment was as a Legal Advisor to a combat arms unit (Field Artillery), 1997 - 2002. Honorably discharged upon leaving active duty.

Teaching:

- Webster University, Spring, 2002 semester
- International Business College, El Paso, Texas, 2001-2002
- Taught all Legal Office and Office Administration classes
- West Point United States Military Academy - Department of Law, (Major, USAR) 1989 - 1992

Certifications

- Board Certified, Texas (TBLS) Labor & Employment Law, 1992
- Texas City Attorneys' Assn. Certification in Municipal Law 2012, 2018
- International Municipal Lawyers' Assn. Local Government Fellow, 2013- present

Licensure

- U.S. District Court, Texas (Western, Eastern, Southern and Northern Districts)
- U.S. Court of Appeals, Fifth Circuit
- U.S. Supreme Court
- U.S. Court of Military Review
- U.S. Court of Appeals for the Armed Forces

Education

University of Alabama School of Law, Post-Graduate Work, Tax Law Creighton University School of Law, Senior Editor, Law Review.
University of Nebraska at Lincoln, B.A., Interdisciplinary Studies, Dean's List Graduate

Attachment: 2022-144 ATTH 02 Messer, Fort, McDonald (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil

BETTYE LYNN

Ms. Lynn of LYNN LAW, PLLC is certified as a specialist in labor and employment law by the Texas Board of Legal Specialization. Ms. Lynn focuses her practice on employers, including counties and cities across the State of Texas.

Ms. Lynn's practice includes:

- Representing governmental bodies in all aspects of Civil Service and Meet & Confer practices, including Chapter 158 of the Texas Local Government Code.
- Training Civil Service and Human Resource Directors on effective employment practices.
- Counseling counties and cities on preventing employee claims and litigation.
- Litigating complex legal issues, including before Hearing Examiners, Civil Service Commissions, SOAH hearings and judicial courts of law

She is also the author and publisher of The Texas Civil Service Reporter which keeps cities and local governments informed and up to date on Civil Service legislation and Meet & Confer agreements which includes summaries of cases related to effective employment practices.

Tel. (817) 988-7108
lynn@lynntx.law

AREAS OF EXPERTISE:
Management Labor and Employment Law with an emphasis on Civil Service, Meet & Confer matters

EDUCATION:
J.D. DePaul College of Law

M.P.A. in Public Administration, University of Kansas

B.A. in Government,
American University, Washington, D.C.

MEMBERSHIPS:

Texas Municipal Human Resources Association

Texas City Attorneys Association

National Public Employer Labor Relations Association

PUBLICATION:
Texas Civil Service Reporter 2012-Present

Lynn Law pll

Attachment: 2022-144 ATTH 03 Lynn Law (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil Service)

Lynn Law pllc

Bettye Lynn, Attorney at Law
Board Certified by
Texas Board of Legal Specialization
Labor and Employment Law
www.lynnlawtx.com

October 28, 2022

Mr. J.W. Bramlett
Administrative Services Director
City of Texarkana
220 Texas Blvd.
Texarkana, TX. 75501
Via e-mail: james.bramlett@txkusa.org

RE: Proposal for Continued Legal Representation--
Firefighter's Collective Bargaining/Arbitration
& Civil Service Matters for Fire Department

Dear J.W.:

Thank you for permitting Lynn Law, L.L.P. the opportunity to provide a proposal to the City of Texarkana to provide legal services for the City in two different areas related to Fire Department Civil Service and labor relation matters, including upcoming collective bargaining. We are pleased to provide the following proposal to assist the City and Fire Department in both of the areas mentioned in the City's Request for Proposal.

First, let me update my experience with the City of Texarkana in both of the areas about which you have made inquiries. First, as I believe you are aware, I have served as the City's Civil Service attorney for many years, dating back to at least 2004. In that role, I have provided both the Fire and Police Chiefs with advice regarding legal (and oftentimes practical) advice regarding Civil Service issues related to numerous employees in both Departments, in particular relating to matters governed by Chapter 143. This has included disciplinary matters, hiring of new employees, promotional issues, fitness for duty and any other subject matter that is governed by Chapter 143.

Attachment: 2022-144 ATTH 03 Lynn Law (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil Service)

Collective Bargaining with the Firefighters' Association

During those prior years of bargaining with the Texarkana Firefighters' Association, the City had what it considered successful negotiations. Each time at the bargaining table, the City's "team" worked diligently together prior to the start of negotiations meetings to determine the outcome sought by the City Manager and the City Council. Each time the City's team was at the bargaining table, we were able to remain within the guidelines set by the Manager and Council. Further, there have been few, if any, grievances filed during the years the Collective Bargaining Agreements have been in effect.

It is also noteworthy that during the time the City has been negotiating with the Association, it has not priced itself out of the salary ranges found in comparable communities in the area. Finally, the City has been able to stay within in its budget in the Fire Department, due to the City's bargaining team's ability to keep the Association "in check," *i.e.*, not giving in to outlandish, non-competitive demands for both wages and other benefits.

As to my personal qualifications to serve Texarkana's legal needs in upcoming collective bargaining, I have served on numerous occasions as other cities' Chief Spokesperson in collective bargaining with their firefighters and/or police officers. For example, in years past, and this year, I assisted the City of Port Neches, which has engaged in collective bargaining with its Firefighters for several years. This past summer, Port Neches was able to come to an agreement on a new Collective Bargaining Agreement with its Firefighters. The City and the Association reached Agreement without requiring mediation or arbitration.

Another facet of our firm's Chapter 143 work with the City of Texarkana since 2004, has involved representing the City's Fire and Police Chiefs before both the City's Civil Service Commission and Chapter 143 Hearing Examiners, and also a few times in District Court on Civil Service-related matters.

More recently, in 2019, we assisted Texarkana in preparing for the citizens' election held to determine whether the voters would enact binding arbitration to be used in the event the City and the Firefighters could not reach agreement on a new Collective Bargaining Agreement. Unfortunately, the City's voters chose to enact the binding arbitration option available to the Firefighters. The upcoming negotiations for a new contract in 2023 will be the Association's first opportunity to elect to use binding arbitration, should the parties not reach a mutual agreement following collective bargaining and a declaration of "impasse" by the Association.

2244 Mistletoe Blvd. Fort Worth, Texas 76110
Telephone: 817.988.7108 ∞ lynn@lynntx.law

Attachment: 2022-144 ATTH 03 Lynn Law (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil Service)

Because 2023 will be the first year that Texarkana may face the prospect of binding arbitration (let's hope it will not be necessary), it is important for the City to have its legal adviser be familiar with the binding arbitration process.

This process involves advocates for both sides mutually selecting a neutral arbitrator to present their clients' cases. The advocates then, through witness testimony and introduction of evidence, present evidence, including statistics regarding comparable cities' wage rates and raises during recent year(s). A panel of three persons—the outside neutral--plus a City and an Association representative--comprise the decision-making panel, with the outside neutral breaking the "tie," if there is not a unanimous "vote." I have had several occasions to be involved with binding arbitration for the creation of new and replacement labor agreements. Most recently, I was co-lead negotiator in difficult Firefighter negotiations, leading to a complex binding arbitration process in a large central Texas city.

Previously, I served as a County's advocate in an arbitration process that occurred in Southeast Texas, where the Sheriff's Deputies would not reach an agreement with the County on the terms of a new Collective Bargaining Agreement between the Sheriff and the Deputies. Fortunately, binding arbitrations does not occur often in Texas. Thus, it is often regarded as a specialty in employment law, because few advocates have had experience representing public sector entities in such proceedings.

Should you select our firm to continue to perform the function of Chief Negotiator for the City during its negotiations with the Firefighters for a new Collective Bargaining Agreement, we can assure you that we will be well-prepared not only to negotiate a fair and even-sided Agreement, but also to advocate on the City's behalf should the parties decide on a tri-partite Board (Arbitrator and 2 advocates) to make the final determination of the terms of the new Collective Bargaining Agreement.

2244 Mistletoe Blvd. Fort Worth, Texas 76110
Telephone: 817.988.7108 ∞ lynn@lynntx.law

Attachment: 2022-144 ATTH 03 Lynn Law (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil Service)

I. SCOPE OF PROPOSED ENGAGEMENT

From our discussions with you, we understand that the scope of our engagement is to serve as the Chief's spokesperson for the 2022-2023 Collective Bargaining with the City's Fire Fighter's Association, including providing the City with advice on Collective Bargaining, and other counsel as the City may request. You also wanted us to continue to provide advice on Chapter 143 Civil Service matters and handle all litigation regarding the same. In general, our services may include analysis of legal and factual issues, analysis of applicable law, drafting and preparation of documents, and written and oral communications with City officials. We would also represent the Fire Department in all litigation matters, including Civil Service Appeals.

The terms and conditions of the Firm's representation of the City, as set forth in this letter, will apply to any other future services which you instruct the Firm to perform, unless some other written agreement is reached between the City and the Firm at the time those instructions are received.

II. STAFFING

I will be the attorney in the Firm responsible for performing the assigned legal work. Where appropriate, I may also utilize the services of a legal assistant or Paralegal in the Firm. Our goal is to provide to the City cost effective, high quality legal services. I will make work assignments to maximize effectiveness and time efficiency and minimize the City's legal expenses.

III. FEES AND COSTS

My time is billed on an hourly basis or increments thereof. My hourly rate is $275.00. Our Paralegal is billed at $75.00 per hour and our Legal Assistant at $50.00 per hour.

In performing legal services for the City, the Firm may incur costs and advance sums on behalf of the City for items such as postage, courier and filing fees, travel expenses, mileage reimbursements (not to exceed IRS standards), transcript expenses, document preparation, investigation costs, copying costs at $.20 per page if the Firm makes the copies or at our cost if an outside copying service makes the copies. Depending on the size of such charges, we may request that they be advanced by the City. However, to the extent that the Firm advances those expenses, the City agrees to reimburse the Firm for them on a monthly basis. Travel time is considered billable time.

2244 Mistletoe Blvd. Fort Worth, Texas 76110
Telephone: 817.988.7108 ∞ lynn@lynntx.law

Attachment: 2022-144 ATTH 03 Lynn Law (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil Service)

The Firm will send the City monthly statements, indicating the current status of the City's account as to both fees and cost disbursements. These statements will be payable in full upon receipt. Our billing cycle ends on the last day of the month. The City will not be sent a bill if no work was performed, and no expenses were incurred during the billing cycle. Our bills provide a detailed description of work performed, including the name of the person performing the work, the date the work was performed, the time spent, the dollar amount for each time entry, and any expenses incurred on behalf of the City.

If, upon your receipt of the statement, you have any questions with regard to any charge set forth in it, or any item of information contained in it, please promptly contact me so that we may discuss these matters when they are fresh in both our minds. I want to avoid any misunderstanding between us concerning fees or charges.

IV. CONCLUSION

Thank you in advance for retaining us to assist the City on a forward-going basis in both the upcoming Collective Bargaining and ongoing Civil Service matters. If this letter meets with the City's approval and understanding of our respective responsibilities, please sign it and return to me. This Agreement will take effect when you have signed it, but its effective date will be retroactive to the date the Firm first provided you with services.

Very Truly Yours,

Bettye Lynn

Bettye Lynn
Lynn@lynntx.law
Direct Dial: 817.988.7108

Attachment: Bio Sketch
BL/mac

AGREED TO:

_____
J.W. Bramlett- Administrative Services Director

Attachment: 2022-144 ATTH 03 Lynn Law (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton as Legal Counsel for Civil Service)

RESOLUTION NO. 2022-144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ROSS, GANNAWAY, CLIFTON, PLLC FOR LEGAL COUNSEL RELATED TO CIVIL SERVICE MATTERS FOR THE CITY OF TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, has a need for legal counsel that will provide for guidance and recommendations related to civil service matters within the Texas Local Government Code; and

WHEREAS, the City of Texarkana, Texas, requested services for legal counsel from three (3) law firms; and

WHEREAS, three (3) submissions were received, one of which being from Ross, Gannaway, Clifton, PLLC.

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

SECTION 1: The City Manager is hereby authorized to execute a contract with Ross, Gannaway, Clifton, PLLC for legal counsel related to civil service related matters for the City of Texarkana, Texas.

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022**.

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

6:29 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-144 RES Approving Ross, Gannaway, Clifton for legal council signed (3870 : 2022-144 RES Approv. Ross, Gannaway, Clifton

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 11/9/2022 10:45 AM

Lead Department: Building Code Administration **Action Officer:** Mashell Daniel,

Subject: Ordinance No. 2022-131 amending Chapter 8, "Animal Care and Control", of the Code of Ordinances, by adding Section 8-21 "Impoundment or adoption; sterilization requirement."

Briefing: 12/12/2022 **Public Hearing:** 12/12/2022 **Council Vote:** 12/12/2022

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

Updates/History of Briefing:

Executive Summary and Background Information:

To control the local population of unwanted or stray dogs and cats, staff recommends adding Section 8-21 “Impoundment or adoption; sterilization requirement” to the Animal Care and Control ordinance. This section states animals impounded by the City must be sterilized within 30 days upon returning to the owner unless the animal has an unaltered animal permit, is less than 6 months of age, or a veterinarian determines sterilization is detrimental to the health of the animal.

Animals that are impounded are at large, so therefore can and will reproduce if they are not sterilized. This ordinance will encourage animal owners to sterilize their pets if impounded, as an unaltered pet permit costs are similar to the cost of sterilizing the pet.

Section (b) mimics state law in that an animal adopted from an animal shelter or the City must be sterilized within 30 days after adoption from an animal shelter.

The definition of Adoption is changed from the purchase of an animal to the acquisition of an animal, as all animals are not purchased.

The definition of Animal Control Officer is changed to add the abbreviation “ACO”.

Potential Options:

- Approve or Deny
-

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

Texarkana Animal Coalition Team (TACT)

Board/Committee Recommendation:

N/A

Advisory Board/Committee Meeting Date and Minutes:

October 20, 2022

Attachments

a. 2022-131 ORD amend Ch 8 Animals add 8-21 (DOCX)
b. 2022-131 Goals & Perspectives (DOCX)

Staff Coordination

Building Code Administration	Mashell Daniel	Department Head Review	Completed	11/08/2022 4:08 PM
Municipal Prosecutor	Deborah Jones	Asst. City Attorney Review	Completed	11/08/2022 4:45 PM
City Attorney	Jennifer Evans	City Attorney Review	Skipped	11/09/2022 11:13 AM
City Manager	David Orr	City Manager Review	Completed	11/09/2022 3:41 PM
City Council	Jennifer Evans	Meeting	Completed	11/14/2022 6:00 PM

Meeting History

Publish

ORDINANCE NO. 2022-131

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 8, "ANIMAL CARE AND CONTROL", OF THE CODE OF ORDINANCES BY ADDING SECTION 8-21, "IMPOUNDMENT OR ADOPTION; STERILIZATION REQUIREMENT", AND AMENDING SECTION 8-1 DEFINITIONS OF THE TERMS "ADOPTION" AND "ANIMAL CONTROL OFFICER"; CONTAINING REPEALER, SEVERABILITY, AND SUPERSEDING CLAUSES; CONTAINING LEGISLATIVE FINDINGS; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

Recitals

WHEREAS, Chapter 8 of the Code of Ordinances of the City of Texarkana, Texas provides for the care and control of animals within the city; and

WHEREAS, it is necessary and in the best interest of the City to curb and reduce the number of stray dogs and cats by introducing general requirements of spaying or neutering animals redeemed from impoundment or adopted from the City and allowing for specific exceptions including young age of the animal, veterinarian documentation that sterilization would be detrimental to the health of the animal, and securing an unaltered permit specific to the animal.

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

SECTION 1: Chapter 8 of the Code of Ordinances of the City of Texarkana, Texas, shall be amended to add the following Section 8-21, "Impoundment or adoption; sterilization requirement", as follows:

Sec. 8-21. – Impoundment or adoption; sterilization requirement.

(a) *Impoundment*. Within thirty (30) days of the return of an impounded animal to its owner, the owner shall cause the animal to be sterilized by a licensed veterinarian unless (i) the animal is less than six (6) months of age, (ii) documentation from a licensed veterinarian is provided to the City that sterilizing the animal is detrimental to the health of said animal, or (iii) the owner has obtained a City-issued unaltered permit specific to the animal and has paid all applicable fees.

(b) *Adoption*. Within thirty (30) days of adoption of an animal from the City, the owner shall cause the animal to be sterilized by a licensed veterinarian unless (i) the director of animal control deems sterilization of the animal unwarranted or (ii) documentation from a licensed veterinarian is provided to the City that sterilizing the animal is detrimental to the health of said animal.

Attachment: 2022-131 ORD amend Ch 8 Animals add 8-21 (3842 : 2022-131 ORD amending Ch 8 Animal Care & Control)

Publish

(c) The owner of an animal shall be responsible for providing to the City proof of sterilization as required by this section.

(d) Any person who does not provide to the City proof of sterilization as required by this section shall be deemed guilty of a Class C misdemeanor.

SECTION 2: The definitions of the terms "Adoption" and "Animal Control Officer" contained in Chapter 8 of the Code of Ordinances of the City of Texarkana, Texas, Section 8-1, shall be amended as follows:

Adoption means the acquisition of a dog or cat from the city for pet purposes.

Animal control officer (ACO) means the person designated by the city to represent and act for the city to enforce the provisions of this chapter; also known as an animal services officer.

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

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: In the event of any conflict between this Ordinance and any other ordinances or parts of ordinances, this Ordinance shall supersede and control.

SECTION 6: 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 7: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 8: 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 **12th day of December, 2022**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-131 ORD amend Ch 8 Animals add 8-21 (3842 : 2022-131 ORD amending Ch 8 Animal Care & Control)

City of Texarkana, Texas

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

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

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

Attachment: 2022-131 Goals & Perspectives (3842 : 2022-131 ORD amending Ch 8 Animal Care & Control)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 12/7/2022 2:09 PM

Lead Department: City Manager **Action Officer:** Vicky Coopwood, Assistant City Secretary

Subject: Ordinance No. 2022-137 providing for the limited-purpose annexation of approximately 8.755 acres in H. S. Janes HRS, A-306, Bowie County, Texas, by owner consent and pursuant to the City's Strategic Partnership Agreement with Macedonia-Eylau Municipal Utility District No. 1 of Bowie County.

Briefing: 12/12/2022 **Public Hearing:** 12/12/2022 **Council Vote:** 12/12/2022

Item Schedule

Updates/History of Briefing:

The City has issued notices to governmental entities and utilities of the proposed limited-purpose annexation and published the form of the proposed ordinance in the newspaper per Article I, Section 5 of the City Charter.

Executive Summary and Background Information:

In 2021, the City was approached by RaceTrac, Inc., to evaluate for commercial development the voluntary annexation of real property generally situated at the Northeast corner of the intersection of U.S. Highway 59 and S. Kings Highway --- an area within the City's extraterritorial jurisdiction and within the territory and service area of the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County. This evaluation led to the Strategic Partnership Agreement ("SPA") between City and District which identified specific areas for commercial development; and within those identified property areas, commercial development strategies agreed-upon by the City and District included commencement of limited-purpose annexations and ordinances for zoning, health, safety, and use of such limited-purpose annexed property, including any ordinance authorized by Chapter 251 of the Texas Alcoholic Beverage Code.

The SPA specifically addressed an intended strategy of full-purpose annexation and commercial development generally along the U.S. Hwy. 59 corridor bordered to the west by Kings Highway and to the east by the City's territorial city limits; this "Corridor" encompasses (1) the commercial property only on the north side of the Corridor and abutting U.S. Hwy. 59, (2) the portion of the U.S. Hwy. 59 footprint within the Corridor, and (3) the right-of-way only on the south side of the Corridor.

The proposed RaceTrac development anchors the western point of the Corridor. Cole & Prewitt, LLC, as the current owner, and RaceTrac, Inc., as the prospective purchaser under a negotiated sale agreement have either requested from or consented to the City annexing the property for limited purposes to enable certain development incentives to facilitate commercial development of the Property for a future RaceTrac site; this documentation is included in the agenda packet materials.

Ordinance No. 2022-137 implements the SPA limited-purpose annexation strategy with respect to the proposed RaceTrac site. It has been represented to the City that limited-purpose annexation of the property together with passage of an ordinance authorized by Chapter 251 of the Texas Alcoholic Beverage Code will be requisite circumstances for RaceTrac to consummate its sales agreement for the purchase of the site.
If passed by the Council, the ordinance will become effective only upon City Council approval of and execution by City and RaceTrac of a municipal services agreement following RaceTrac's acquisition of the site.

Potential Options:

- Approval or no approval of the proposed ordinance
-

Fiscal Implications:

The City will incur costs of notice and publication as may be required by law for any discrete annexation proceeding, including publication costs of this proposed ordinance in the form in which such may be finally passed as required by Article I, Section 5 of the City Charter.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-137 ORD LPA RaceTrac (DOCX)
b. 2022-137 ATTH 01 Letter of Request (PDF)
c. 2022-137 ATTH 02 Texarkana Letter of Agreement SIGNED (PDF)
d. 2022-137 ATTH 03 LPA ord publication (PDF)
e. 2022-137 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	Vicky Coopwood	Department Head Review	Completed	11/09/2022 4:43 PM
Finance Department	Jennifer Evans	Finance Review	Skipped	11/10/2022 7:55 AM
City Manager	David Orr	City Manager Review	Completed	11/10/2022 11:07 AM

City of Texarkana, Texas

City Council 6:00 PM	Jennifer Evans	Meeting	Completed	11/14/2022

Meeting History

ORDINANCE NO. 2022-137

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, PROVIDING FOR THE LIMITED-PURPOSE ANNEXATION OF APPROXIMATELY 8.755 ACRES OF LAND IN H. S. JANES HRS, A-306, BOWIE COUNTY, TEXAS, BY LANDOWNER CONSENT AND STRATEGIC PARTNERSHIP AGREEMENT BETWEEN MACEDONIA-EYLAU MUNICIPAL UTILITY DISTRICT NO. 1 OF BOWIE COUNTY AND THE CITY OF TEXARKANA, TEXAS; CONTAINING SEVERABILITY AND SUPERSEDING CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE TO OCCUR UPON A SPECIFIED EVENT.

WHEREAS, Cole & Prewitt, LLC, as owner, and RaceTrac, Inc., as prospective purchaser under a negotiated sale agreement, of an approximate 8.755 acres of land within the extraterritorial jurisdiction of the City of Texarkana, Texas, and within the territory of the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County, specifically described in Section 1 of this Ordinance and generally situated at the Northeast corner of the intersection of U.S. Highway 59 and S. Kings Highway ("the Property"), have either requested from or consented to the City of Texarkana, Texas, annexing the Property for limited purposes to enable certain development incentives to facilitate commercial development of the Property for a future RaceTrac site; and

WHEREAS, the Property is within an area identified for limited-purpose annexation and full-purpose annexation pursuant to a Strategic Partnership Agreement between Macedonia-Eylau Municipal Utility District No. 1 of Bowie County and the City of Texarkana, Texas, approved by the Board of Directors of the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County on September 26, 2022, approved by the City Council on October 24, 2022, and entered into on October 24, 2022 ("the SPA"), incorporated herein by reference for all purposes; and

WHEREAS, before instituting a limited-purpose annexation proceeding, notice and publication procedures were duly followed with respect to this Ordinance and the territory proposed for limited-purpose annexation; and

WHEREAS, before instituting a limited-purpose annexation proceeding, the City Council gave all interested persons the right to appear and to be heard, calling and conducting a public hearing for the territory described in Section 1 of this Ordinance during the regular City Council meeting held on December 12, 2022, at City Hall, 220 Texas Boulevard, Texarkana, Texas; and

WHEREAS, the City Council finds and determines that all requirements for City Council consideration of this limited-purpose annexation as may be applicable and found in the SPA and the Texas Local Government Code have been complied with, and the City Council considers it appropriate to proceed with limited-purpose annexation of the Property effective upon a specified event — the execution of a commercial services agreement between the City and RaceTrac, Inc., following the acquisition of the Property by RaceTrac, Inc., setting out essential terms for the commercial development of the Property.

Attachment: 2022-137 ORD LPA RaceTrac (3850 : 2022-137 ORD MEMUD annexation)

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

SECTION 1: Upon the Effective Date of this Ordinance, the Property, as described below in this section, is hereby annexed by the City of Texarkana, Bowie County, Texas, only for limited purposes in accordance with the SPA and the Texas Local Government Code:

All that certain lot, tract or parcel of land lying and situated in the H. S. Janes Headright Survey, Abstract 306, Bowie County, Texas, being all of that certain tract of land described as Tract 1 with 4 acres, and Tract 2, with 0.74 in the deed from N. E. Jones Oil Company, Inc. to Cole & Prewitt, LLC., dated April 14, 2015, recorded in Document No. 2015-3696 of the Real Property Records, Bowie County, Texas, being all of that certain tract of land described as 3.963 acres in the deed from Gary Tipton, et al to Cole & Prewitt, LLC., dated December 29, 2015, recorded in Document No. 2016-35 of the Real Property Records, Bowie County, Texas, being all of that certain tract of land described as 0.215 acres in the Order to Close, Abandon, and Vacate Black Drive, from the Bowie County Commissioners Court to Cole & Prewitt, LLC, recorded in Document No. 2022-00012360 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1 inch square pipe found for a corner, lying in the East right-of-way line of Farm-to-Market Road 989 (South Kings Highway), the Northwest corner of the said 4 acre tract, and the Southwest corner of that certain tract of land described as 20.903 acres in the deed from Woody Ridge Livestock Auction, LLC to SMBL Cattle Company, LLC, dated August 25, 2016, recorded in Document No. 2016-10474 of the Real Property Records, Bowie County, Texas

THENCE North 70 degrees 46 minutes 33 seconds East a distance of 244.41 feet generally along a fence line and the South line of the said 20.903 acre tract to a 1/2 inch steel pipe (control monument), found for a corner, the Northeast corner of the said 4 acre tract, the Northwest corner of the said 3.963 acre tract, and at an angle point in the South line of the said 20.903 acre tract;

THENCE North 87 degrees 38 minutes 42 seconds East a distance of 265.29 feet generally along a fence line, the North line of the said 3.963 acre tract and the South line of the said 20.903 acre tract to a 1/2 inch steel pipe (control monument), found for a corner, at an angle point in the North line of the said 3.963 acre tract, the Southeast corner of the said 20.903 acre tract, and the Southwest corner of Lot No. 3, Block No. 2 of Lake Drive Plaza Subdivision, according to the plat recorded in Volume 5435, Page 1 of the Real Property Records, Bowie County, Texas;

THENCE North 87 degrees 48 minutes 46 seconds East a distance of 29.53 feet generally along a fence line, the North line of the said 3.963 acre tract and the South line of the said Lot No. 3 to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, the Northeast corner of the said 3.963 acre tract, lying in the South line of the said Lot No. 3, and the Northwest corner of that certain tract of land described as 1.916 acres in the deed from Thomas A. Simpson, et ux, to Gary W. Treadway, dated March 11, 2015, recorded in Document No. 2015-3028 of the Real Property Records, Bowie County, Texas, said corner bears North 87 degrees 48 minutes 46 seconds East a distance of 176.16 feet to a 1/2 inch steel rod, found for the Northeast corner of the said 1.916 acre tract;

Attachment: 2022-137 ORD LPA RaceTrac (3850 : 2022-137 ORD MEMUD annexation)

THENCE South 23 degrees 41 minutes 34 seconds East a distance of 576.41 feet generally along a fence line, the East line of the said 3.963 acre tract and the West line of the said 1.916 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying the North right-of-way line of U.S. Highway No. 59 (South Lake Drive), the Southeast corner of the said 3.963 acre tract, and the Southwest corner of the said 1.916 acre tract, at the beginning of a circular curve, to the left, said corner bears North 49 degrees 49 minutes 52 seconds East a distance of 162.86 feet to a 1/2 inch steel rod, found for the Southeast corner of the said 1.916 acre tract;

THENCE in a Southwesterly direction along the arc of the said circular curve a distance of 414.64 feet, with a delta angle of 06 degrees 05 minutes 31 seconds, a radius of 3899.84 feet, a chord bearing of South 45 degrees 35 minutes 23 seconds West, and a chord distance of 414.45 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point in the South line of the said 0.74 acre tract and the North right-of-way line of the said South Lake Drive;

THENCE South 80 degrees 46 minutes 00 seconds West a distance of 124.00 feet along the South line of the said 0.74 acre tract and the North right-of-way line of the said South Lake Drive a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying at intersection of the North right-of-way of the said South Lake Drive, and the East right-of-way line of the said South Kings Highway, the Southwest corner of the said 0.74 acre tract;

THENCE North 24 degrees 17 minutes 59 seconds West a distance of 130.54 feet along the East right-of-way line of the said South Kings Highway and the West line of the said 0.74 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, the Northwest corner of the said 0.74 acre tract, the Southwest corner of the said Black Street 0.215 acre tract;

THENCE North 24 degrees 27 minutes 14 seconds West a distance of 687.99 feet along the East right-of-way line of the said South Kings Highway, the West line of the said 0.215 acre tract, and the West line of the said 4 acre tract to the point of beginning and containing 8.755 acres of land, more or less.

SECTION 2: The City Council affirms the limited purposes of annexation of the Property as stated in Section 3.2 of the SPA; and this Ordinance should not be construed as authorizing full-purpose annexation of the Property or requiring the City Council to authorize full-purpose annexation of the Property.

SECTION 3: As provided in Texas law and set forth in Section 3.3 of the SPA, upon the Effective Date of this Ordinance, the qualified voters of the Property — being an area annexed for limited purposes — are entitled to vote in City municipal elections regarding the election or recall of members of the City Council and the amendment of the City's municipal charter; however, such voters may not vote in any municipal bond election. Further, a resident of the Property — being an area annexed for limited purposes — is not eligible to be a candidate for or to be elected to a City municipal office.

SECTION 4: Following the Effective Date of this Ordinance: the City Secretary shall file with the County Clerk of Bowie County, Texas, a certified copy of this Ordinance; and the City

Attachment: 2022-137 ORD LPA RaceTrac (3850 : 2022-137 ORD MEMUD annexation)

Manager or designee shall cause the map of the boundaries of the City and its extraterritorial jurisdiction to be updated in accordance with this Ordinance to identify the Property as a Limited-Purpose Annexation area.

SECTION 5: 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 6: In the event of any conflict between this Ordinance and any other ordinances or parts of ordinances, this Ordinance shall supersede and control.

SECTION 7: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 8: *Effective Date of this Ordinance*. This Ordinance shall be in full force and effect only upon the occurrence of the following event:

> City and RaceTrac, Inc, executing a commercial services agreement (following RaceTrac, Inc., acquiring ownership of the Property) setting out essential terms for the commercial development of the Property, such terms to include but not be limited to the following: RaceTrac, Inc., confirming its intent, consent, and agreement for full-purpose annexation of the Property; RaceTrac, Inc., compliance with City building, land development, fire, planning, zoning, health and safety, and drainage ordinances in the development of and construction upon the Property; an estimate of infrastructure costs and the proportionate responsibility as between the parties for payment of such costs; City services to be provided for the Property on or after the effective date of full-purpose annexation; RaceTrac, Inc., payment or reimbursement of City publication costs, filing fees, and other fees required by law or City Charter pertaining to limited-purpose annexation and full-purpose annexation of the Property; and reimbursement to the City by RaceTrac, Inc., of the amount of compensation, if any, required to be paid by City pursuant to Texas Health & Safety Code Section 775.022 with respect to full-purpose annexation of the Property.

PASSED AND APPROVED in Regular Council Session on this the **12th day of December, 2022.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-137 ORD LPA RaceTrac (3850 : 2022-137 ORD MEMUD annexation)

SPIARS ENGINEERING & SURVEYING
765 Custer Road, Suite 100 I Plano, Texas 75075
Main 972.422.0077 I Fax 972.422.0075
TBPE No. F-2121 I TBPLS No. F-10043100

August 10, 2021

Mr. David Orr
City Manager
City of Texarkana, Texas
PO Box 1967
Texarkana, Texas 75501

Re: **Request for Due Diligence Exploration of Voluntary Annexation**
4601 S. Lake Drive, Texarkana, Texas

Dear Mr. Orr:

Please accept this letter of request for an exploration of Voluntary Annexation for the subject property, generally located at 4601 S. Lake Drive within the ETJ of Texarkana, Texas. My client is RaceTrac Petroleum and is under contract to purchase the subject tract and develop as a convenience store generally in keeping with the attached concept plan. As a part of our due diligence, we would like to explore the possibility of annexation into the corporate limits of the City. Should you have any questions or concerns, please feel free to contact me.

Regards,

David Bond

David J. Bond, P.E.

Attachment: 2022-137 ATTH 01 Letter of Request (3850 : 2022-137 ORD MEMUD annexation)

RaceTrac, Inc.
200 Galleria Parkway SE, Suite 900
Atlanta, GA 30339

LETTER AGREEMENT BY AND BETWEEN RACETRAC, INC. AND COLE & PREWITT, LLC

This letter shall set forth our written agreement and understanding ("Agreement") between RACETRAC, Inc. ("Purchaser") and COLE & PREWITT, LLC ("Seller") in relation to an approximately 8.54-acre tract located at the northeast corner of Highway 59 and Kings Highway (the "Future RaceTrac Site"). The Future RaceTrac Site will be developed (if applicable) in a substantially similar manner as shown on Exhibit A, subject to any revisions that are mutually agreed upon between the Purchaser and the City."

Seller and Purchaser have negotiated a sale agreement for the Future RaceTrac Site. Over the course of negotiations for the Future RaceTrac Site, Purchaser has worked with the City of Texarkana (the "City") and Macedonia-Eylau Municipal Utility District No. 1 (the "District") to determine a solution that will allow for Purchaser to sell alcoholic beverages at the Future RaceTrac Site.

Purchaser has determined that a Strategic Partnership Agreement ("SPA") substantially similar to the form of agreement attached hereto as **Exhibit B** will need to be executed between the City and District. The SPA between the City and the District will resolve the issue of bringing the Future RaceTrac Site within the city limits for the purpose of alcohol sales. In accordance with the approval of the SPA, the City will need to approve a limited-purpose annexation ordinance for the Future RaceTrac Site. In addition to the limited-purpose annexation by the City, the Future RaceTrac Site will require an approval of an Alcohol Beverage Code ordinance over the Future RaceTrac Site.

The undersigned hereby acknowledges and consents to the items provided above. The consents are being solely provided for the transactions expressly described hereunder and are not intended to imply consent or authorization to any other transactions or as to any future transactions.

RACETRAC, INC.

By: _____

Name: Jarrett Gammon

Title: Vice President

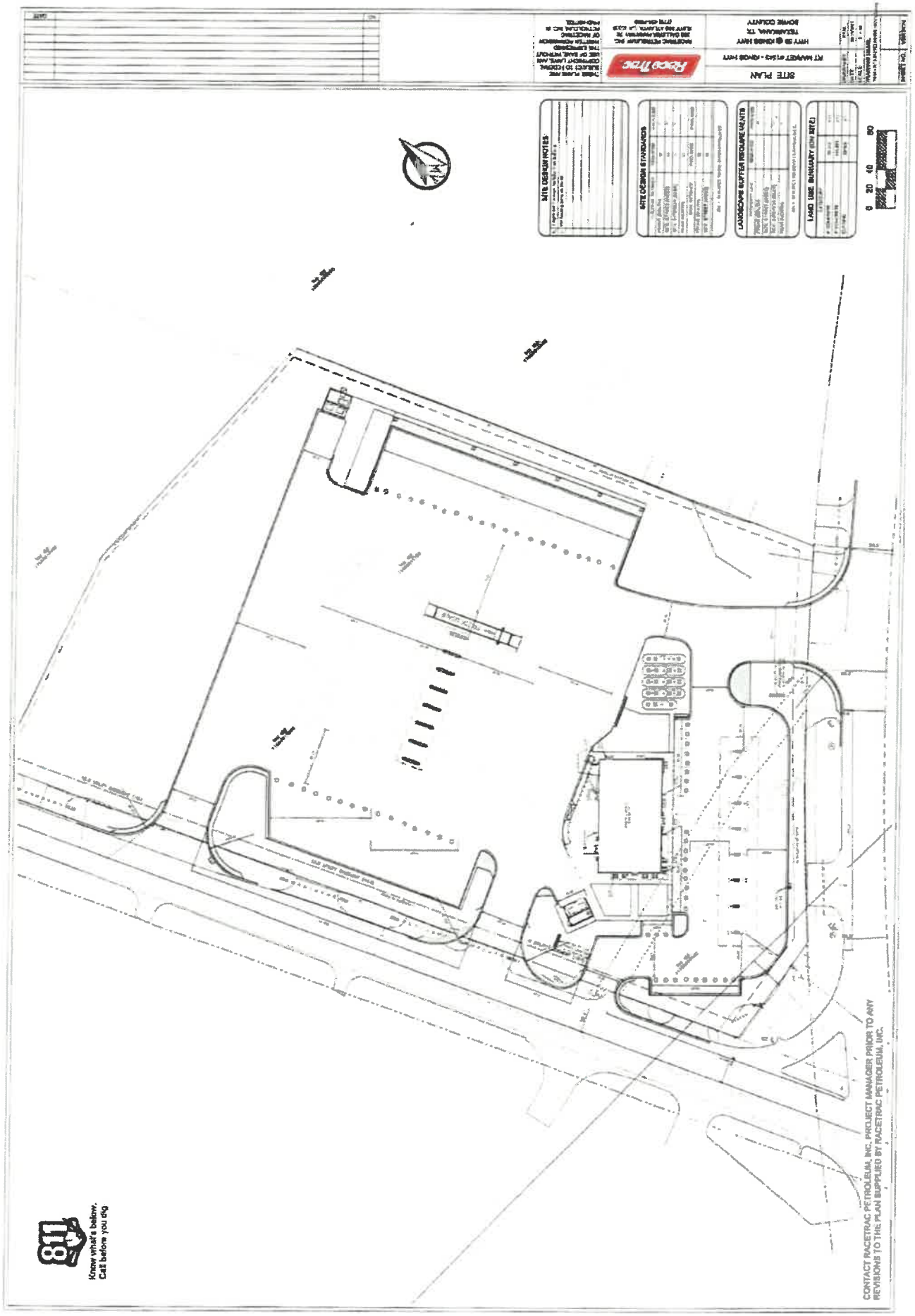
COLE & PREWITT, LLC

By: _____

Name: Kim Cole

Title: MANAGER

Attachment: 2022-137 ATTH 02 Texarkana Letter of Agreement SIGNED (3850 : 2022-137 ORD MEMUD annexation)



Attachment: 2022-137 ATTH 02 Texarkana Letter of Agreement SIGNED (3850 : 2022-137 ORD MEMUD annexation)

Strategic Partnership Agreement

* * * * *

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

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

RECITALS

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

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

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

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

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

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

Attachment: 2022-137 ATTH 02 Texarkana Letter of Agreement SIGNED (3850 : 2022-137 ORD MEMUD annexation)

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

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

Article III. Scope of Agreement

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

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

Attachment: 2022-137 ATTH 02 Texarkana Letter of Agreement SIGNED (3850 : 2022-137 ORD MEMUD annexation)

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

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

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

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

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

Attachment: 2022-137 ATTH 02 Texarkana Letter of Agreement SIGNED (3850 : 2022-137 ORD MEMUD annexation)

To City:

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

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

To District:

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

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

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

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

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

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

Attachment: 2022-137 ATTH 02 Texarkana Letter of Agreement SIGNED (3850 : 2022-137 ORD MEMUD annexation)

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

By: _____ Date: _____, 2022

Keith Griffie
General Manager

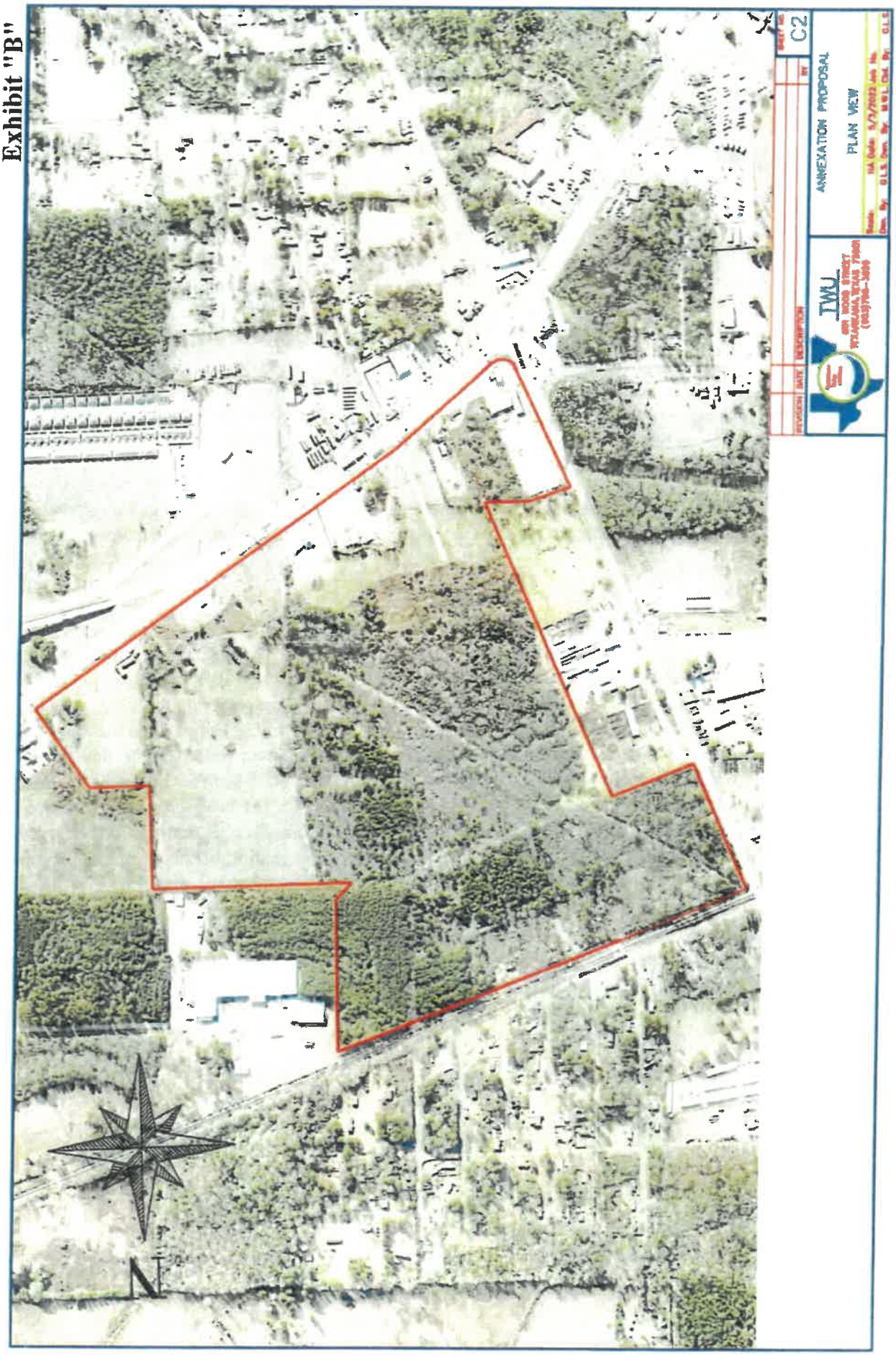
City of Texarkana, Texas

By: _____ Date: _____, 2022

David W. Orr, Ph.D.
City Manager

Attachment: 2022-137 ATTH 02 Texarkana Letter of Agreement SIGNED (3850 : 2022-137 ORD MEMUD annexation)

Exhibit "B"



Attachment: 2022-137 ATTH 02 Texarkana Letter of Agreement SIGNED (3850 : 2022-137 ORD MEMUD annexation)

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

II. Treated Water

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

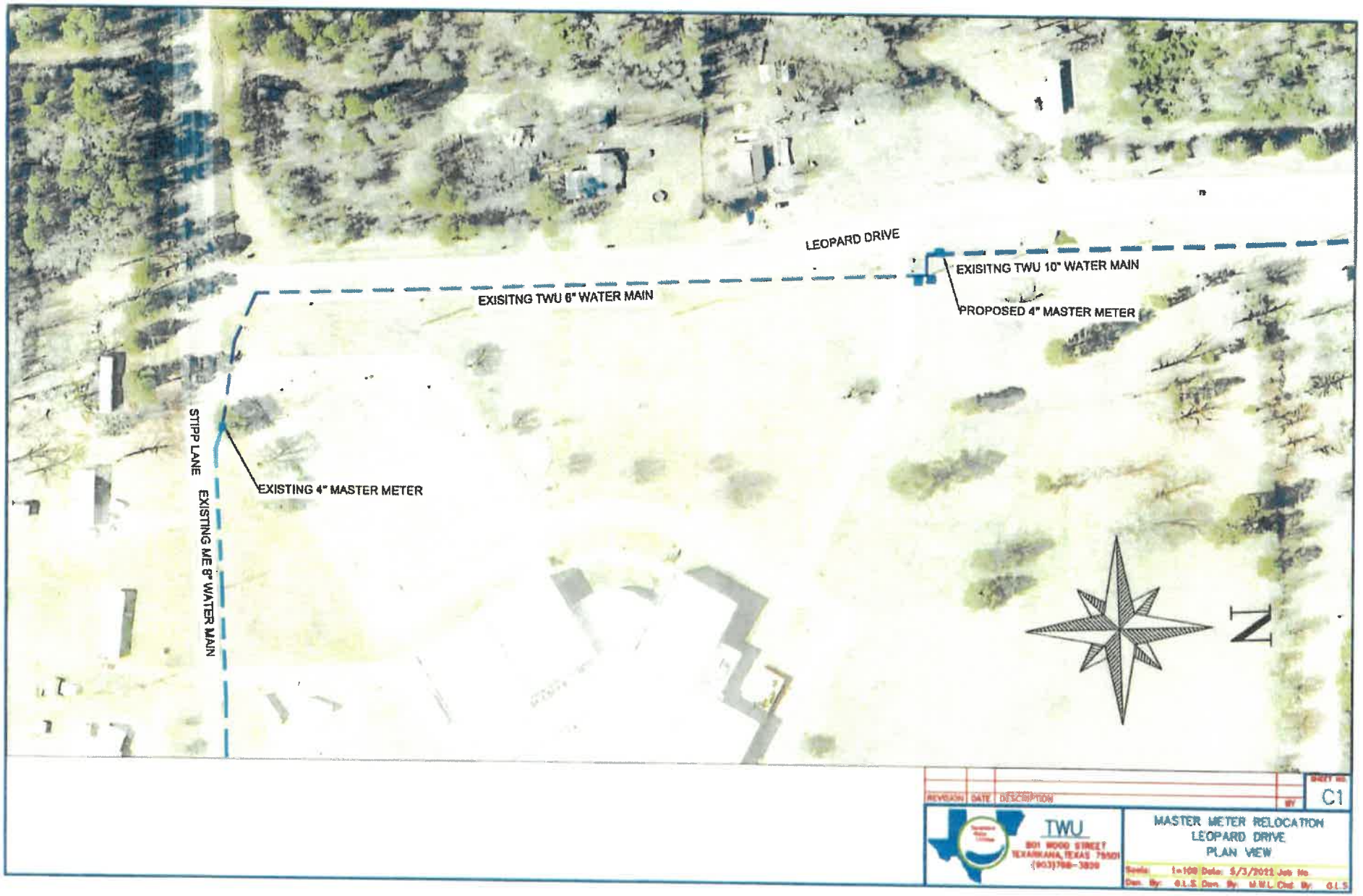
B. City intends to run a new six-inch (6") water main, beginning just west of the new master meter location, on the north side of Hwy 59, connecting to the existing four-inch (4") water main at Golden Rule (and City will decommission Golden Rule's existing connection to the existing twelve-inch (12")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

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

Attachment: 2022-137 ATTH 02 Texarkana Letter of Agreement SIGNED (3850 : 2022-137 ORD MEMUD annexation)

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

Attachment: 2022-137 ATTH 02 Texarkana Letter of Agreement SIGNED (3850 : 2022-137 ORD MEMUD annexation)


LEOPARD DRIVE
EXISITNG TWU 10" WATER MAIN
EXISITNG TWU 8" WATER MAIN
PROPOSED 4" MASTER METER
STIPP LANE
EXISTING 4" MASTER METER
EXISTING ME 8" WATER MAIN
N
REVISION DATE DESCRIPTION BY
SHEET NO. C1
TWU
801 WOOD STREET
TEXARKANA, TEXAS 75501
(903)798-3820
MASTER METER RELOCATION
LEOPARD DRIVE
PLAN VIEW
Scale: 1=100 Date: 5/3/2022 Job No.
Des. By: G.L.S. Dwn. By: M.W.L. Chd. By: G.L.S.

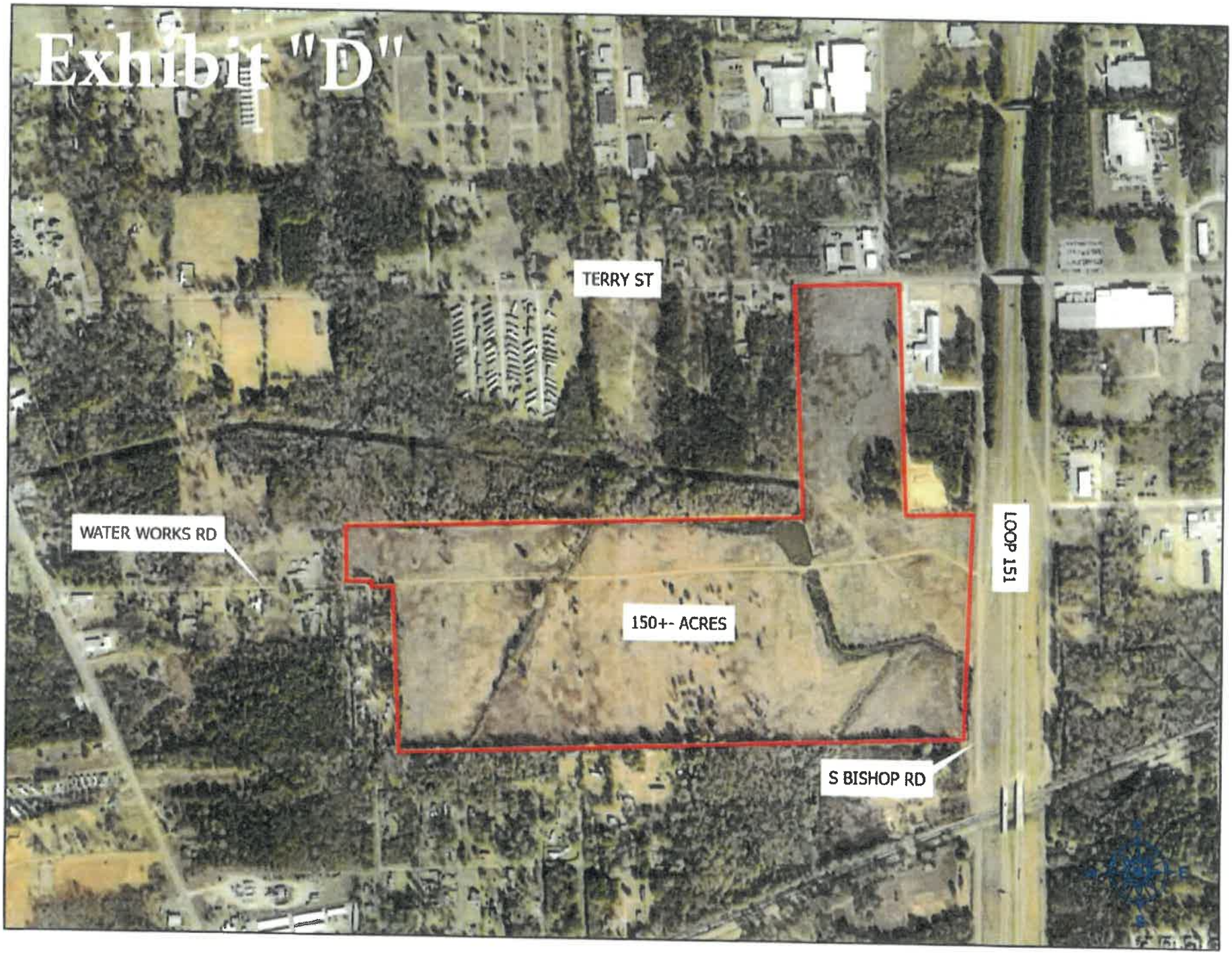


Exhibit "D"
TERRY ST
WATER WORKS RD
150+- ACRES
LOOP 151
S BISHOP RD

JOBS

4066 Help Wanted-General

TYPIST/TECH.
Mon-Fri. Needed for Medical Office. Will train but Typing experience needed. Resumes may be dropped off to Lori @ the Pearson Eye Institute
3211 Sugar Hill Rd.
Texarkana, AR. 71854
or email
pei_clinic@yahoo.com
870-772-4440 ask for Lori

Handyman Found!
Look no further, this Business Directory might just have the handyman you've been looking for. Check it out!

4066 Help Wanted-General

RENTALS

4143 Commercial/Rent

Industrial/Storage/Office
Move-In Ready Buildings
Shovel-Ready Ground
Lease, Sell, Build-To-Suit
TexAmericas Center.com
903-223-9841

LEGAL NOTICES

4190 Legal Notices

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that

4066 Help Wanted-General

SOUTHWEST ARKANSAS ELECTRIC

Southwest Arkansas Electric Cooperative, Texarkana, Arkansas,

has an opening for a **VICE PRESIDENT of FINANCE & ACCOUNTING, MEMBER SERVICES & PERSONNEL—**

The ideal candidate will have a bachelor's degree in business, finance or accounting, 10 years' of supervisory experience in accounting. CPA is preferred.

A link to the application and a full list of job responsibilities and qualifications are available at

www.swrea.com.

Interview is by invitation only.

Make application by December 16, 2022 , at: Southwest Arkansas Electric Cooperative Corp, 2904 E. 9th St., Texarkana, AR, 71854, or by email to hr@swrea.com.

This institution is an equal opportunity provider and employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, age, national origin, disability or veteran status

FOUR STATES

4190 Legal Notices

the City of Texarkana, Texas, Texas proposes to institute voluntary limited-purpose annexation proceedings by owner consent and pursuant to the City's Strategic Partnership Agreement with Macedonia-Eylau Municipal Utility District No. 1 of Bowie County of approximately 8.755 acres in H. S. Janes HRS, A-306, Bowie County, Texas. A public hearing will be held by the City Council of the City of Texarkana, Texas on **MONDAY, the 12TH day of DECEMBER, 2022 at 6:00 P.M.** in the Council Chambers, Second Floor, Municipal Building, located at West Third Street and Texas Boulevard, Texarkana, Texas for the purpose of conducting a public hearing on proposed Ordinance No. 2022-137 set out below. Dated this 22nd day of November 2022.
Jennifer Evans, City Secretary
City of Texarkana, Texas

ORDINANCE NO. 2022-137
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, PROVIDING FOR THE LIMITED-PURPOSE ANNEXATION OF APPROXIMATELY 8.755 ACRES OF LAND IN H. S. JANES HRS, A-306, BOWIE COUNTY, TEXAS, BY LANDOWNER CONSENT AND STRATEGIC PARTNERSHIP AGREEMENT BETWEEN MACEDONIA-EYLAU MUNICIPAL UTILITY DISTRICT NO. 1 OF BOWIE COUNTY AND THE CITY OF TEXARKANA, TEXAS; CONTAINING SEVERABILITY AND SUPERSEDING CLAUSES;

4142 Apartments Unfurnished

4159 Houses for Sale

Pam Hollingsworth
Makes Real Estate

4190 Legal Notices

2022-137 set out below.
Dated this 22nd day of November 2022.
Jennifer Evans, City Secretary
City of Texarkana, Texas

ORDINANCE NO. 2022-137
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, PROVIDING FOR THE LIMITED-PURPOSE ANNEXATION OF APPROXIMATELY 8.755 ACRES OF LAND IN H. S. JANES HRS, A-306, BOWIE COUNTY, TEXAS, BY LANDOWNER CONSENT AND STRATEGIC PARTNERSHIP AGREEMENT BETWEEN MACEDONIA-EYLAU MUNICIPAL UTILITY DISTRICT NO. 1 OF BOWIE COUNTY AND THE CITY OF TEXARKANA, TEXAS; CONTAINING SEVERABILITY AND SUPERSEDING CLAUSES;

4142 Apartments Unfurnished

CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE TO OCCUR UPON A SPECIFIED EVENT.

WHEREAS , Cole & Prewitt, LLC, as owner, and RaceTrac, Inc., as prospective purchaser under a negotiated sale agreement, of an approximate 8.755 acres of land within the extraterritorial jurisdiction of the City of Texarkana, Texas, and within the territory of the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County, specifically described in Section 1 of this Ordinance and generally situated at the Northeast corner of the intersection of U.S. Highway 59 and S. Kings Highway ("the Property"), have either requested from or consented to the City of Texarkana, Texas, annexing the Property for limited purposes to enable certain development incentives to facilitate commercial development of the Property for a future RaceTrac site; and

WHEREAS, the Property is within an area identified for limited-purpose annexation and fullpurpose annexation pursuant to a Strategic Partnership Agreement between Macedonia-Eylau Municipal Utility District No. 1 of Bowie County and the City of Texarkana, Texas, approved by the Board of Directors of the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County on September 26, 2022, approved by the City Council on October 24, 2022, and entered into on October 24, 2022 ("the SPA"), incorporated herein by reference for all purposes; and

WHEREAS , before instituting a limited-purpose annexation proceeding, notice and publication procedures were duly followed with respect to this Ordinance and the territory proposed for limited-purpose annexation; and

WHEREAS , before instituting a limited-purpose annexation proceeding, the City Council gave all interested persons the right to appear and to be heard, calling and conducting a public hearing for the territory described in Section 1 of this Ordinance during the regular City Council meeting held on December 12, 2022, at City Hall, 220 Texas Boulevard, Texarkana, Texas; and

WHEREAS, the City Council finds and determines that all requirements for City Council consideration of this limited-purpose annexation as may be applicable and found in the SPA and the Texas Local Government Code have been complied with, and the City Council considers it appropriate to proceed with limited-purpose annexation of the Property effective upon a specified event — the execution of a commercial services agreement between the City and RaceTrac, Inc., following the acquisition of the Property by RaceTrac, Inc., setting out essential terms for the commercial development of the Property.

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

SECTION 1: Upon the Effective Date of this Ordinance, the Property, as described below in this section, is hereby annexed by the City of Texarkana, Bowie County, Texas, only for limited purposes in accordance with the SPA and the Texas Local Government Code:

All that certain lot, tract or parcel of land lying and situated in the H. S. Janes Headright Survey, Abstract 306, Bowie County, Texas, being all of that certain tract of land described as Tract 1 with 4 acres, and Tract 2, with 0.74 in the deed from N. E. Jones Oil Company, Inc. to Cole & Prewitt, LLC., dated April 14, 2015, recorded in Document No. 2015-3696 of the Real Property Records, Bowie County, Texas, being all of that certain tract of land described as 3.963 acres in the deed from Gary Tipton, et al to Cole & Prewitt, LLC., dated December 29, 2015, recorded in Document No. 2016-35 of the Real Property Records, Bowie County, Texas, being all of that certain tract of land described as 0.215 acres in the Order to Close, Abandon, and Vacate Black Drive, from the Bowie County Commissioners Court to Cole & Prewitt, LLC, recorded in Document No. 2022-00012360 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1 inch square pipe found for a corner, lying in the East right-of-way line of Farm-to-Market Road 989 (South Kings Highway), the Northwest corner of the said 4 acre tract, and the Southwest corner of that certain tract of land described as 20.903 acres in the deed from Woody Ridge Livestock Auction, LLC to SMBL Cattle Company, LLC, dated August 25, 2016, recorded in Document No. 2016-10474 of the Real Property Records, Bowie County, Texas

THENCE North 70 degrees 46 minutes 33 seconds East a distance of 244.41 feet generally along a fence line and the South line of the said 20.903 acre tract to a 1/2 inch steel pipe (control monument), found for a corner, the Northeast corner of the said 4 acre tract, the Northwest corner of the said 3.963 acre tract, and at an angle point in the South line of the said 20.903 acre tract;

THENCE North 87 degrees 38 minutes 42 seconds East a distance of 265.29 feet generally along a fence line, the North line of the said 3.963 acre tract and the South line of the said 20.903 acre tract to a 1/2 inch steel pipe (control monument), found for a corner, at an angle point in the North line of the said 3.963 acre tract, the Southeast corner of the said 20.903 acre tract, and the Southwest corner of Lot No. 3, Block No. 2 of Lake Drive Plaza Subdivision, according to the plat recorded in Volume 5435, Page 1 of the Real Property Records, Bowie County, Texas;

THENCE North 87 degrees 48 minutes 46 seconds East a distance of 29.53 feet generally along a fence line, the North line of the said 3.963 acre tract and the South line of the said Lot No. 3 to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, the Northeast corner of the said 3.963 acre tract, lying in the South line of the said Lot No. 3, and the Northwest corner of that certain tract of land described as 1.916 acres in the deed from Thomas A. Simpson, et ux, to Gary W. Treadway, dated March 11, 2015, recorded in Document No. 2015-3028 of the Real Property Records, Bowie County, Texas, said corner bears North 87 degrees 48 minutes 46 seconds East a distance of 176.16 feet to a 1/2 inch steel rod, found for the Northeast corner of the said 1.916 acre tract;

~~THENCE South 23 degrees 41~~ minutes 34 seconds East a distance of 576.41 feet generally along a fence line, the East line of the said 3.963 acre tract and the West line of the said 1.916 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying the North right-of-way line of U.S. Highway No. 59 (South Lake Drive), the Southeast corner of the said 3.963 acre tract, and the Southwest corner of the said 1.916 acre tract, at the beginning of a circular curve, to the left, said corner bears North 49 degrees 49 minutes 52 seconds East a distance of 162.86 feet to a 1/2 inch steel rod, found for the Southeast corner of the said 1.916 acre tract;

THENCE in a Southwesterly direction along the arc of the said circular curve a distance of 414.64 feet, with a delta angle of 06 degrees 05 minutes 31 seconds, a radius of 3899.84 feet, a chord bearing of South 45 degrees 35 minutes 23 seconds West, and a chord distance of 414.45 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point in the South line of the said 0.74 acre tract and the North right-of-way right-of-way line of the said South Lake Drive;

THENCE South 80 degrees 46 minutes 00 seconds West a distance of 124.00 feet along the South line of the said 0.74 acre tract and the North right-of-way line of the said South Lake Drive a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying at intersection of the North right-of-way of the said South Lake Drive, and the East right-ofway line of the said South Kings Highway, the Southwest corner of the said 0.74 acre tract;

THENCE North 24 degrees 17 minutes 59 seconds West a distance of 130.54 feet along the East right-of-way line of the said South Kings Highway and the West line of the said 0.74 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, the Northwest corner of the said 0.74 acre tract, the Southwest corner of the said Black Street 0.215 acre tract;

THENCE North 24 degrees 27 minutes 14 seconds West a distance of 687.99 feet along the East right-of-way line of the said South Kings Highway, the West line of the said 0.215 acre tract, and the West line of the said 4 acre tract to the point of beginning and containing 8.755 acres of land, more or less.

SECTION 2: The City Council affirms the limited purposes of annexation of the Property as stated in Section 3.2 of the SPA; and this Ordinance should not be construed as authorizing fullpurpose annexation of the Property or requiring the City Council to authorize full-purpose annexation of the Property.

SECTION 3: As provided in Texas law and set forth in Section 3.3 of the SPA, upon the Effective Date of this Ordinance, the qualified voters of the Property — being an area annexed for limited purposes — are entitled to vote in City municipal elections regarding the election or recall of members of the City Council and the amendment of the City's municipal charter; however, such voters may not vote in any municipal bond election. Further, a resident of the Property — being an area annexed for limited purposes — is not eligible to be a candidate for or to be elected to a City municipal office.

SECTION 4: Following the Effective Date of this Ordinance: the City Secretary shall file with the County Clerk of Bowie County, Texas, a certified copy of this Ordinance; and the City Manager or designee shall cause the map of the boundaries of the City and its extraterritorial jurisdiction to be updated in accordance with this Ordinance to identify the Property as a Limited-Purpose Annexation area.

SECTION 5: 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 6: In the event of any conflict between this Ordinance and any other ordinances or parts of ordinances, this Ordinance shall supersede and control.

SECTION 7: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 8: Effective Date of this Ordinance. This Ordinance shall be in full force and effect only upon the occurrence of the following event:

City and RaceTrac, Inc, executing a commercial services agreement (following RaceTrac, Inc., acquiring ownership of the Property) setting out essential terms for the commercial development of the Property, such terms to include but not be limited to the following: RaceTrac, Inc., confirming its intent, consent, and agreement for full-purpose annexation of the Property; RaceTrac, Inc., compliance with City building, land development, fire, planning, zoning, health and safety, and drainage ordinances in the development of and construction upon the Property; an estimate of infrastructure costs and the proportionate responsibility as between the parties for payment of such costs; City services to be provided for the Property on or after the effective date of full-purpose annexation; RaceTrac, Inc., payment or reimbursement of City publication costs, filing fees, and other fees required by law or City Charter pertaining to limited-purpose annexation and full-purpose annexation of the Property; and reimbursement to the City by RaceTrac, Inc., of the amount of compensation, if any, required to be paid by City pursuant to Texas Health & Safety Code Section 775.022 with respect to full-purpose annexation of the Property.

PASSED AND APPROVED in Regular Council Session on this the **12th day of December**, 2022.

ATTEST:

JENNIFER EVANS,
CITY SECRETARY
BOB BRUGGEMAN,
MAYOR

IN THE CIRCUIT COURT OF MILLER COUNTY, ARKANSAS

4159 Houses for Sale

8.2.c

City of Texarkana, Texas

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

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

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

Attachment: 2022-137 Goals & Perspectives (3850 : 2022-137 ORD MEMUD annexation)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 11/10/2022 7:48 AM

Lead Department: City Manager **Action Officer:** Vicky Coopwood, Assistant City Secretary

Subject: Ordinance No. 2022-138 ordering "The Legal Sale of Malt Beverages and Wine for Off-Premise Consumption Only" within commercial property annexed for limited purposes pursuant to Ordinance No. 2022-137 and extending the provisions of Chapter 21 of the City's Code of Ordinances to the designated area of limited-purpose annexed commercial property.

Briefing: 12/12/2022 **Public Hearing:** 12/12/2022 **Council Vote:** 12/12/2022

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Please refer to the background information for the preceding ordinance, No. 2022-137.

As Ordinance No. 2022-137 implements the SPA limited-purpose annexation strategy with respect to the intended RaceTrac site, this ordinance implements the strategy to incentivize development of the property by authorizing, for the Property, the sale of malt beverages and wine for off-premise consumption as authorized by Chapter 251 of the Texas Alcoholic Beverage Code. Section 251.725 of the Texas Alcoholic Beverage Code provides that the governing body of a municipality, whose local option status allows for the legal sale of malt beverages and wine for off-premise consumption only as a result of a local option election as held by the City in 2014, may adopt an ordinance authorizing the sale of malt beverages and wine for off-premise consumption in an area annexed by the municipality after such local option election if at the time the ordinance is adopted: (1) the annexed area is not more than one percent of the total area covered by the municipality; (2) all of the land in the annexed area is zoned for commercial use only; and (3) the annexed area is not adjacent to residential, church, or school property. The proposed RaceTrac site fits the statutory criteria.

It has been represented to the City that limited-purpose annexation of the property together with passage of an ordinance authorized by Chapter 251 of the Texas Alcoholic Beverage Code will be requisite circumstances for RaceTrac to consummate its sales agreement for the purchase of the site.

If passed by the Council, the ordinance will become effective only upon City Council approval of and execution by City and RaceTrac of a municipal services agreement following RaceTrac's acquisition of the site.

Potential Options:

- Approval or no approval of the proposed ordinance. [City Council approval of Ordinance No.

2022-137 will be a prerequisite for consideration and approval of this proposed ordinance.]

-

Fiscal Implications:

The City will incur costs of publication as may be required by law following passage of the ordinance.

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-138 ORD RaceTrac ABC (DOCX)
b. 2022-138 Goals & Perspectives (DOCX)

Staff Coordination

City Manager	Vicky Coopwood	Department Head Review	Completed	11/10/2022 8:19 AM
Finance Department	Jennifer Evans	Finance Review	Skipped	11/09/2022 4:43 PM
City Manager	David Orr	City Manager Review	Completed	11/10/2022 11:06 AM
City Council	Jennifer Evans	Meeting	Completed	11/14/2022 6:00 PM

Meeting History

PUBLISH

ORDINANCE NO. 2022 – 138

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ORDERING "THE LEGAL SALE OF MALT BEVERAGES AND WINE FOR OFF-PREMISE CONSUMPTION ONLY" WITHIN COMMERCIAL PROPERTY ANNEXED FOR LIMITED PURPOSES PURSUANT TO ORDINANCE NO. 2022-137; EXTENDING THE PROVISIONS OF CHAPTER 21 OF THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, TO THE DESIGNATED AREA OF LIMITED-PURPOSE ANNEXED COMMERCIAL PROPERTY; PROVIDING FOR PUBLICATION; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE TO OCCUR UPON A SPECIFIED EVENT.

WHEREAS, the City Council of the City of Texarkana, Texas, by Ordinance No. 2014-099, called for a special election to be held on November 4, 2014, for the purpose of a local option election to legalize the sale of a prohibited type or classification - the "legal sale of beer and wine for off-premise consumption only" – to qualified voters in the City of Texarkana, Texas, in accordance with the provisions of Chapter 501 of the Texas Election Code; and

WHEREAS, a majority of the votes cast for the November 4, 2014, local option election approved or voted FOR "the legal sale of beer and wine for off-premise consumption only"; and

WHEREAS, the City Council, by Ordinance No. 2014-134, ordered "the legal sale of beer and wine for off-premise consumption only"; and

WHEREAS, in 2019, the 86th Texas Legislature, in H.B. 1545, Sec. 2, amended the Texas Alcoholic Beverage Code to replace the term "beer" with the term "malt beverage" [*see, e.g.*, Tex. Alc. Bev. Code § 1.04(15)]; and

WHEREAS, Section 251.725 of the Texas Alcoholic Beverage Code provides that the governing body of a municipality, whose local option status allows for the legal sale of malt beverages and wine for off-premise consumption only as a result of a local option election on the applicable ballot issue held on or after January 1, 1985, may adopt an ordinance authorizing the sale of malt beverages and wine for off-premise consumption in an area annexed by the municipality after that election if at the time the ordinance is adopted: (1) the annexed area is not more than one percent of the total area covered by the municipality; (2) all of the land in the annexed area is zoned for commercial use only; and (3) the annexed area is not adjacent to residential, church, or school property; and

WHEREAS, Section 21-1(a) of the Code of Ordinances of the City of Texarkana, Texas, prohibits the sale of alcoholic beverages by a dealer whose place of business is within three hundred feet (300') of a church, public school, or private school; and

WHEREAS, pursuant to Texas Local Government Code Section 43.0751, the City and the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County entered into a "Strategic

Attachment: 2022-138 ORD RaceTrac ABC (3852 : 2022-138 ORD MEMUD annexation and alcohol sales on Hwy 59)

PUBLISH

Partnership Agreement" for limited-purpose annexation of any commercial property within delineated boundaries wholly within the Utility District Property and the City's extraterritorial jurisdiction ("Limited Purpose Property"); and

WHEREAS, the City Council, by Ordinance No. 2022-137, annexed for limited purposes the commercial property set out in Section 1, below ("the Property"), consistent with the Strategic Partnership Agreement with the Macedonia-Eylau Municipal Utility District No. 1 of Bowie County and at the request of or consent from both the current owner of the Property (Cole & Prewitt, LLC) and the prospective purchaser under a negotiated sale agreement (RaceTrac, Inc.); and

WHEREAS, consistent with Ordinance No. 2022-137 ("the LPA Ordinance"), the City intends to incentivize commercial development of the Property by authorizing for the Property the sale of malt beverages and wine for off-premise consumption as authorized by Section 251.725 of the Texas Alcoholic Beverage Code; and the City Council considers it appropriate to proceed with such authorization effective upon and to coincide with the effective date of the LPA Ordinance.

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

SECTION 1: The City Council orders "the legal sale of malt beverages and wine for off-premise consumption only" in the area set out below, which corresponds to the exact area annexed for limited purposes in Ordinance No. 2022-137:

> All that certain lot, tract or parcel of land lying and situated in the H. S. Janes Headright Survey, Abstract 306, Bowie County, Texas, being all of that certain tract of land described as Tract 1 with 4 acres, and Tract 2, with 0.74 in the deed from N. E. Jones Oil Company, Inc. to Cole & Prewitt, LLC., dated April 14, 2015, recorded in Document No. 2015-3696 of the Real Property Records, Bowie County, Texas, being all of that certain tract of land described as 3.963 acres in the deed from Gary Tipton, et al to Cole & Prewitt, LLC., dated December 29, 2015, recorded in Document No. 2016-35 of the Real Property Records, Bowie County, Texas, being all of that certain tract of land described as 0.215 acres in the Order to Close, Abandon, and Vacate Black Drive, from the Bowie County Commissioners Court to Cole & Prewitt, LLC, recorded in Document No. 2022-00012360 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:
>
> BEGINNING at a 1 inch square pipe found for a corner, lying in the East right-of-way line of Farm-to-Market Road 989 (South Kings Highway), the Northwest corner of the said 4 acre tract, and the Southwest corner of that certain tract of land described as 20.903 acres in the deed from Woody Ridge Livestock Auction, LLC to SMBL Cattle Company, LLC, dated August 25, 2016, recorded in Document No. 2016-10474 of the Real Property Records, Bowie County, Texas
>
> THENCE North 70 degrees 46 minutes 33 seconds East a distance of 244.41 feet generally along a fence line and the South line of the said 20.903 acre tract to a 1/2 inch steel pipe (control monument), found for a corner, the Northeast corner of the said 4 acre tract, the Northwest corner of the said 3.963 acre tract, and at an angle point in the South line of the said 20.903 acre tract;

Attachment: 2022-138 ORD RaceTrac ABC (3852 : 2022-138 ORD MEMUD annexation and alcohol sales on Hwy 59)

PUBLISH

THENCE North 87 degrees 38 minutes 42 seconds East a distance of 265.29 feet generally along a fence line, the North line of the said 3.963 acre tract and the South line of the said 20.903 acre tract to a 1/2 inch steel pipe (control monument), found for a corner, at an angle point in the North line of the said 3.963 acre tract, the Southeast corner of the said 20.903 acre tract, and the Southwest corner of Lot No. 3, Block No. 2 of Lake Drive Plaza Subdivision, according to the plat recorded in Volume 5435, Page 1 of the Real Property Records, Bowie County, Texas;

THENCE North 87 degrees 48 minutes 46 seconds East a distance of 29.53 feet generally along a fence line, the North line of the said 3.963 acre tract and the South line of the said Lot No. 3 to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, the Northeast corner of the said 3.963 acre tract, lying in the South line of the said Lot No. 3, and the Northwest corner of that certain tract of land described as 1.916 acres in the deed from Thomas A. Simpson, et ux, to Gary W. Treadway, dated March 11, 2015, recorded in Document No. 2015-3028 of the Real Property Records, Bowie County, Texas, said corner bears North 87 degrees 48 minutes 46 seconds East a distance of 176.16 feet to a 1/2 inch steel rod, found for the Northeast corner of the said 1.916 acre tract;

THENCE South 23 degrees 41 minutes 34 seconds East a distance of 576.41 feet generally along a fence line, the East line of the said 3.963 acre tract and the West line of the said 1.916 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying the North right-of-way line of U.S. Highway No. 59 (South Lake Drive), the Southeast corner of the said 3.963 acre tract, and the Southwest corner of the said 1.916 acre tract, at the beginning of a circular curve, to the left, said corner bears North 49 degrees 49 minutes 52 seconds East a distance of 162.86 feet to a 1/2 inch steel rod, found for the Southeast corner of the said 1.916 acre tract;

THENCE in a Southwesterly direction along the arc of the said circular curve a distance of 414.64 feet, with a delta angle of 06 degrees 05 minutes 31 seconds, a radius of 3899.84 feet, a chord bearing of South 45 degrees 35 minutes 23 seconds West, and a chord distance of 414.45 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point in the South line of the said 0.74 acre tract and the North right-of-way line of the said South Lake Drive;

THENCE South 80 degrees 46 minutes 00 seconds West a distance of 124.00 feet along the South line of the said 0.74 acre tract and the North right-of-way line of the said South Lake Drive a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying at intersection of the North right-of-way of the said South Lake Drive, and the East right-of-way line of the said South Kings Highway, the Southwest corner of the said 0.74 acre tract;

THENCE North 24 degrees 17 minutes 59 seconds West a distance of 130.54 feet along the East right-of-way line of the said South Kings Highway and the West line of the said 0.74 acre tract to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, the Northwest corner of the said 0.74 acre tract, the Southwest corner of the said Black Street 0.215 acre tract;

THENCE North 24 degrees 27 minutes 14 seconds West a distance of 687.99 feet along the East right-of-way line of the said South Kings Highway, the West line of the said 0.215 acre tract, and the West line of the said 4 acre tract to the point of beginning and containing 8.755 acres of land, more or less.

Attachment: 2022-138 ORD RaceTrac ABC (3852 : 2022-138 ORD MEMUD annexation and alcohol sales on Hwy 59)

PUBLISH

The City Council finds and determines that with respect to the commercial property described in this section, (a) the area is not more than one percent of the total area covered by the City, (b) all of the land in the area is zoned for commercial use only, (c) the area is not adjacent to residential, church, or school property, and (d) the area is not within three hundred feet (300') of a church, public school, or private school.

SECTION 2: Upon the Effective Date of this Ordinance, the provisions of Chapter 21 of the Code of Ordinances of the City of Texarkana, Texas, shall apply to the commercial property or area set out in Section 1 of this Ordinance.

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

SECTION 5: *Effective Date of this Ordinance*. This Ordinance shall be in full force and effect on the same date that Ordinance No. 2022-137 — the LPA Ordinance — shall be in full force and effect.

PASSED AND APPROVED in Regular Council Session on this the **12th day of December, 2022**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-138 ORD RaceTrac ABC (3852 : 2022-138 ORD MEMUD annexation and alcohol sales on Hwy 59)

City of Texarkana, Texas

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

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

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

Attachment: 2022-138 Goals & Perspectives (3852 : 2022-138 ORD MEMUD annexation and alcohol sales on Hwy 59)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 11/5/2022 1:48 PM

Lead Department: Planning and Community Development **Action Officer:** Vashil Fernandez, PCD Director

Subject: Resolution No. 2022-140 approving the Community Development Block Grant (CDBG) Comprehensive Assessment Performance Evaluation Report.

Briefing: 12/12/2022 **Public Hearing:** 12/12/2022 **Council Vote:** 12/12/2022

Item Schedule

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

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

The U.S. Department of Housing and Urban Development - Community Planning Department requires each Community Development Block Grant (CDBG) Entitlement Community to complete an annual Comprehensive Assessment Performance Evaluation Report (CAPER) no later than 90 days after the close of the program year (Program Year-End Date: September 30, 2022).

The City of Texarkana, Texas herby gives notice that the DRAFT of the Community Development Block Grant 2021 Program Year Consolidated Annual Performance Evaluation Report (CAPER) will be available for public review and comment at the dates and times listed below. Spanish translation is available upon request.

The Department of Housing and Urban Development requires all recipients of Community Development Block Grant funds to submit an annual report. All interested persons or groups are encouraged to review the DRAFT CAPER and formally present their comments for inclusion in this report.

The DRAFT report can be reviewed during the comment period of November 28 – December 12, 2022 at the following location during regular business hours at:

Texarkana, Texas City Hall
Department of Planning and Community Development
220 Texas Boulevard
Texarkana, Texas

The DRAFT CAPER is also available on the Texarkana, Texas website at www.ci.texakana.tx.us

The City will hold a regularly scheduled City Council Meeting, which is a Public Meeting, on November 14, 2022 where the public and Council will be briefed on the report and comment period.

The Public Hearing for the CAPER will occur at the regularly scheduled City Council Meeting on December 12, 2022. The 15-day comment period will end on December 12, 2022.

City of Texarkana, Texas

Citizens are asked to present their comments at this Public Hearing for inclusion in the report or to submit written comments for inclusion in the report to the Department of Planning and Community Development, City of Texarkana, Texas 220 Texas Boulevard, Texarkana, Texas 75504. Comments may be mailed or delivered to this office by 5:00 p.m. December 12, 2022.

Potential Options:

- Approve
- Deny

Fiscal Implications:

None

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2022-140 RES Approving 2021 CDBG CAPER (DOCX)
b. 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (DOCX)
c. 2022-140 ATTH 02 Caper PY2021 Presentation 10.31.22 (PDF)
d. 2022-140 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development		Vashil Fernandez	Department Head Review Completed	11/03/2022 11:43 AM
City Manager	David Orr	City Manager Review	Completed	11/03/2022 12:19 PM
City Council	Jennifer Evans	Meeting	Completed	11/14/2022 6:00 PM

Meeting History

RESOLUTION NO. 2022 – 140

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL PERFORMANCE EVALUATION REPORT AND AUTHORIZING THE CITY MANAGER TO SUBMIT SAID REPORT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the U. S. Department of Housing and Urban Development has provided the City of Texarkana, Texas, with Community Development Block Grant (CDBG) funds; and

WHEREAS, the City of Texarkana, Texas, hereby gives notice that the DRAFT of the Community Development Block Grant 2021 Program Year (Fiscal Year 2022) Consolidated Annual Performance Evaluation Report (CAPER) will be available for public review and comment; and

WHEREAS, the Department of Housing and Urban Development requires all recipients of Community Development Block Grant funds to submit an annual report. All interested persons or groups are encouraged to review the DRAFT CAPER and formally present their comments for inclusion in this report; and

WHEREAS, the City Council has determined it to be appropriate to approve the Community Development Block Grant 2021 Program Year CAPER.

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

SECTION 1: The Community Development Block Grant 2021 Program Year Consolidated Annual Performance Evaluation Report (CAPER) is hereby approved.

SECTION 2: The City Manager is hereby authorized to submit said Community Development Block Grant 2021 Program Year Consolidated Annual Performance Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development and provide such additional information as may be required.

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

PASSED AND APPROVED in Regular Council Session on this the 12th **day of December, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-140 RES Approving 2021 CDBG CAPER (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

DRAFT

City of Texarkana, Texas
CAPER
Consolidated Annual Performance Evaluation Report

Community Development Block Grant Program
October 1, 2021 through September 30, 2022
Program Year 2021

OMB Control No: 2506-0117 (exp. 06/30/2018)

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

During CDBG Program Year 2021 (October 1, 2021 – September 30, 2022 = PY21), the City of Texarkana had a total of $444,289 in CDBG resources to address various community needs. These funds included carryover resources in the amount of $50,000 from prior allocations, $10,193 in Program Income and $384,096 for the Program Year 2021 allocation. The City expended $376,826 leaving an unexpended balance at the beginning of the 2022 program year of $67,463.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Home Ownership Assistance	Affordable Housing	CDBG: $	Direct Financial Assistance to Homebuyers	Households Assisted	8	0	0.00%	2	1	0.00%
Lead-Based Paint Awareness	Affordable Housing	CDBG: $	Other	Other	50	0	0.00%			
Owner-Occupied Housing Rehabilitation	Affordable Housing	CDBG: $	Homeowner Housing Rehabilitated	Household Housing Unit	20	8	40.00%	0	0	0.00%

Program Administration & Fair Housing Activities	Administration	CDBG: $	Other	Other	1	1	100.00%	1	1	100.00%
Public Facilities Improvements	Non-Housing Community Development	CDBG: $	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	500	0	0.00%			
Public Improvements and Infrastructure	Non-Housing Community Development	CDBG: $	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	1000	0	0.00%			
Public Improvements and Infrastructure	Non-Housing Community Development	CDBG: $	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	0	150				
Public Improvements and Infrastructure	Non-Housing Community Development	CDBG: $	Homeless Person Overnight Shelter	Persons Assisted	0	0				

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG

Public Services	Homeless Non-Homeless Special Needs Non-Housing Community Development	CDBG: $	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	250	750	300.00%	200	200	100.00%
Public Services	Homeless Non-Homeless Special Needs Non-Housing Community Development	CDBG: $	Homeless Person Overnight Shelter	Persons Assisted	0	0				
Revolving Loan Fund	Non-Housing Community Development	CDBG: $	Businesses assisted	Businesses Assisted	1	0	0.00%			
Section 108 Loan - Repayment	Affordable Housing	CDBG: $	Rental units constructed	Household Housing Unit	0	0		20	0	0.00%
Section 108 Loan - Repayment	Affordable Housing	CDBG: $	Other	Other	1	1	100.00%	1	1	
Section 108 Loan-Affordable Housing	Affordable Housing	Section 108: $	Rental units constructed	Household Housing Unit	20	0	0.00%			

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan,

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG

giving special attention to the highest priority activities identified.

The City carried out the following activities during this reporting period:

Public Service – Vista $6,000 : Vista One Stop Shop providing coordinated services through THN for persons experiencing homelessness.

Public Service – Community Gardens $2,596 : Community Gardens installed/improved for LMI neighborhoods in Beverly and Rosehill.

Public Service – MT Litter $9,074 : Litter program for downtown area.

Down Payment Assistance -- $6,940 : down payment & closing cost assistance for 1 LMI household.

Section 108 Loan $228,625 : Grim Lofts to create low/mod housing in Downtown began & will be ongoing through the next year.

Administration $34,928 : Administration of CDBG program to provide services to LMI &/or homeless individuals/families.

CV-Public Services $63,738 : Public Services provided by Mission Texarkana, RSOS, THC & EOC to provide food, supplies, personal protection equipment, care packages, testing, homeless shelter assistance & quarantine assistance for LMI or homeless persons affected by Covid-19.

CV-Administration $24,925 : Administration of CDBG CV program to provide services to LMI &/or homeless individuals/families affected by Covid-19.

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

	CDBG
White	17
Black or African American	83
Asian	0
American Indian or American Native	0
Native Hawaiian or Other Pacific Islander	0
Total	**100**
Hispanic	2
Not Hispanic	98

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

Downtown Texarkana is located in Census Tract #48037010500. This tract has a poverty rate of 49.8%. Of the 3232 residents that call the Downtown area home, 1,009 are white, 2,050 are Black or African American. Population continues to decline in the area as fewer and fewer make their homes here. In this area of just over 200 acres, there are over 200 confirmed or suspected Brownfield properties ranging from suspected lead and asbestos contamination to petroleum and MTBE's. Nearly half of the buildings in the area are no longer open or functioning.

The Beverly area (Census Tract #48037010600) population has decreased from 2,612 in 1990 to 2,293 in 2010, with the number of households for the same period also declining from 921 to 774. Total number of housing units likewise decreased from 1,103 to 918 households. The number of vacant housing units decreased from 182 to 144. During this same time period, renter occupied housing units rose from 441 to 506 while owner occupied housing units dramatically decreased 44.17% from 480 to 268. In 2012, average median household income for Texarkana, Texas was $37,526, but only $17,262 in Beverly, a variance of 46%. Per capita income was also lower by 45% as compared to the city at $23,297 per person in the city and only $10,477 in Beverly. Median home values in the city were reported at $136,770 and only $37,863 in Beverly.

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

DRAFT

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	469,042	376,826

Table 3 - Resources Made Available

Narrative

During CDBG Program Year 2021 (October 1, 2021 – September 30, 2022 = PY21), the City of Texarkana had a total of $444,289 in CDBG resources to address various community needs. These funds included carryover resources in the amount of $50,000 from prior allocations, $10,193 in Program Income and $384,096 for the Program Year 2021 allocation. The City expended $376,826 leaving an unexpended balance at the beginning of the 2022 program year of $67,463.

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
LMI Neighborhood Revitalization		19	Public Services: Vista Program, Community Gardens, Litter Program, Coffee Shop, RSOS, Salvation Army
City-Wide	2	2	For Housing Rehab
Downtown Area	63	63	108 Loan, Sidewalks/Trees

Table 4 – Identify the geographic distribution and location of investments

Narrative

Beverly Boundaries are New Boston Rd (Hwy 82), Robinson Rd, College Dr & Richmond Rd to Summerhill Rd- qual census tract 106. It is bordered by commercially zoned streets with interior comprised of older housing stock & many vacant, boarded buildings & has minority, elderly, & poverty concentrations.Staff worked closely with community leaders & it became clear that residents needed neighborhood cleanups.The city committed staff time to help while the Neighborhood Assoc has taken on the responsibility of the actual cleanups.The Downtown Area (Tract 105) is bound by the Kansas City Southern Railroad (Front St) & 7th St (MLK Blvd.), Stateline Ave, & Lake Dr.Citizens asked staff to focus on downtown revitalization for the past ten years.Consultation with numerous agencies, public meetings/hearings, citizen surveys, & votes of elected City Council Members establish a strong consensus for moving forward to arrest the decline of this historic center of the town & revitalize the area's potential for economic growth & provide affordable housing close to area services.These regions were chosen because they have great potential & need.They are bordered by major transportation routes, prime real estate for commercial development.New multifamily & new single family housing will

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

provide safe, secure, quality, affordable, housing for families.The economic development potential can bring jobs to sustain these LMI areas.

In PY2021, expenditures included:

Downtown area: Litter program, coffee shop, sidewalks/trees. Grim Lofts to create low/mod housing in Downtown is almost complete & includes Section 108 Loan Funds. Section 108 Loan funds were drawn from HUD – HQ in PY2019 after closing with developer. EN funds were also drawn to repay a portion of the HUD – HQ loan plus interest and financing fees. All Section 108 Loan funds have been drawn and repaid using CDBG EN funds.

Other LMI Areas: Down payment assistance to 1 LMI household. Public services implemented with Texarkana Homeless Coalition – Vista Program designed to provide a one-stop shop for homeless persons to receive needed services. Community garden work completed in Rosehill neighborhood.

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The City recognizes the importance of leveraging resources. It is estimated that these community development projects will bring $1.75 in private resources spent in the local economy for each grant dollar invested. Moreover, most projects require substantial private investments at a 9 to 1 ratio, especially the Revolving Loan Fund program for Downtown Business economic development. Matching requirements for other grant programs are met by in-kind donations of labor and/or materials rather than by the use of CDBG funds. Publicly owned land or property located within the jurisdiction includes housing lots owned by the city, city parks, and scattered properties located in downtown. This property may be used to promote economic development, provide support for homeless programs, and/or affordable housing in Texarkana, Texas. Publicly owned land may also be used to support public health activities, infrastructure, and public services, promoting livability and sustainability within the jurisdiction. The City expects to use CDBG funding as a leveraging tool to support community and economic development within the jurisdiction. Other grant programs that magnify the impact the City's commitment of CDBG resources and provide significant leverage to CDBG investments in the Downtown and Beverly Target Areas include the:

- $ 440,000 EPA Brownfields Multi-Purpose Grant
- $ 900,000 EPA Brownfields Revolving Loan Fund
- $ 200,000 EPA Brownfields Petroleum Assessment Grant
- $ 200,000 EPA Brownfields Hazardous Materials Assessment Grant
- $ 94,000 USDA Farmers' Market Promotions Program
- $ 100,000 NEA Grant for Downtown redevelopment

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	50	50
Number of Non-Homeless households to be provided affordable housing units	50	50
Number of Special-Needs households to be provided affordable housing units	50	50
Total	**150**	**150**

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	20	0
Number of households supported through Rehab of Existing Units	0	0
Number of households supported through Acquisition of Existing Units	0	0
Total	**20**	**0**

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

The City's 5 Year Consolidated Plan for meeting Housing goals primarily consisted of projects and activities relying on Non-CDBG funding. Significant changes in funding streams the City relied upon for meeting these goals, including both CDBG and Non-CDBG funding, necessitated changes in plans for the 2019 Action Plan and will impact future Action Plans.

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

In the past, the City has included outcomes associated with projects funded with Non-CDBG funding sources like TDHCA in the 5 Year Plan & 1 Year Action Plans. For example, the City included four Housing Rehabilitation projects in the Con Plan funded through TDHCA. Those funds are now not available. Without a replacement funding source, those programs have been removed from the City's expected outcomes. However, even though these no longer exist as projects in HUD's (Housing and Urban Development) database system due to the way IDIS archives projects associated with these plans, the expected outcomes still appear in this report. The more significant issue is the decrease in funding in CDBG and Non-CDBG funding programs. This directly impacts real outcomes in Texarkana communities. The City does provide capacity building support for Homeless Coalition members, including Randy Sams Homeless Shelter, ArkTex Council of Governments and Mission Texarkana. The outcomes for these activities are reported as organizations assisted.

Discuss how these outcomes will impact future annual action plans.

Future action plans will incorporate more activities funded by the CDBG program leading to improvements in meeting the goals & outcomes specified in the 5 Year Consolidated Plan. The City has submitted a new Consolidated Plan to allow for future annual action plans to specify the use of CDBG funds to address priority needs areas, especially those relating to housing, homelessness, & homelessness prevention activities.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	0	0
Low-income	0	0
Moderate-income	0	0
Total	**0**	**0**

Table 7 – Number of Households Served

Narrative Information

The city operates a Homebuyers Assistance Program to increase affordable housing in LMI neighborhoods. In PY2021, 1 home was assisted with CDBG down payment assistance. Additionally, the city is actively involved with mortgage lenders as a part of the Community Advisory Committee to increase access to affordable housing products & loan services in Texarkana. The city made available a First Time Home Buyer Down Payment Assistance Grants Program in Program Year 2021 (October 1, 2021 – September 30, 2022) that require eligibility determination.

The city is a grantee for ESG & CoC funds to assist extremely low-income individuals & families. Homeless PIT numbers have decreased 17% or to 120 individuals during the last homeless count period.

The city has several infrastructure projects including over 15,994 LF of new sidewalks & ramps to increase access/safety/mobility for persons with disabilities.

The city is an active partner & providing a 2.3-million-dollar loan package for the Hotel Grim Lofts that will provide 93 additional housing units with 20 affordable units for low to moderate income individuals & families.

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The priorities for Texarkana in addressing the needs of these population groups include:

- To assist public and nonprofit agencies in providing housing & supportive services to the elderly & frail elderly;
- To assist public & nonprofit agencies in providing housing & supportive services to homeless persons & those "at-risk" of homelessness.
- To assist the Texarkana Homeless Coalition & those agencies that are part of the coalition, serving special needs populations.

The city of Texarkana is a long-time advocate for ending homelessness. As such, the city is an active participant in the Texarkana Homeless Coalition. Staff lends their expertise & the city contributes countless hours to assisting the Coalition in its endeavors to reduce duplication of services, benefit from efficient models of service delivery, & create economies of scale. Additionally, the city has partnered with homeless services providers to apply for Continuum of Care & Emergency Solutions Grant funds & works closely with the Texas Homeless Network to ensure Texarkana will one day end homelessness. CDBG funding was used to meet outcomes associated with the Program Year 2018 Action Plan. Specifically, the city focused on building capacity in non-profits associated with the Homeless Coalition, its partnership with the Texas Homeless Network & Texas Balance of State Continuum of Care. Future Action Plans will also incorporate the use of CDBG funding to meet goals & objectives related to ending homelessness.

Addressing the emergency shelter and transitional housing needs of homeless persons

Emergency Housing, Transitional Housing & Rapid Re-Housing:

RSOS for the Homeless (emergency shelter for 86 unaccompanied adults) provides services under ESG & CoC grants. The Salvation Army, Texarkana, Arkansas (9 family rooms for up to 36 people & 25 beds for individual men). ArkTex Council of Governments (ATCOG) provides services under the ESG grant. Mission Texarkana provides services under CoC grant.

RSOS provides the only available beds for people who are chronically homeless in Texarkana, Texas. The Salvation Army Homeless Shelters for Families, & Unaccompanied Men are located in Texarkana, Arkansas. Their facility is listed here because they are the only local provider of shelter for homeless families in the region. Crossing state lines for shelter is problematic for many homeless persons because

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

assistance is usually tied to state of residence. Mission Texarkana (formerly Texarkana Friendship Center) provides services to the needy & homeless in downtown Texarkana. They are a non-profit care provider rendering life sustaining assistance to the indigent & job training/placement for able bodied clients without regard to religious preference, political affiliation, sex, race, handicap, or other classification. They feed an average of 300 people a day as well & provide groceries for over 20 families daily. Additionally, MT provides Rapid Rehousing to more than forty formerly homeless families through Continuum of Care grant as a partner to the City. Special Health Services of Texas provides some support for HIV/AIDS patients in the region. Community Health Core plans to provide supportive housing & permanent supportive housing to homeless veterans & their families as well as supportive housing for MHMR clientele. Additionally, the city has partnered with homeless services providers for Emergency Solutions Grant funds & works closely with the THN to ensure Texarkana will one day end homelessness.

CDBG funding was used to meet outcomes associated with the Program Year 2021 Action Plan. Specifically, the City focused on providing support through Public Services to non-profits associated with the Homeless Coalition, its partnership with the Texas Homeless Network and Texas Balance of State Continuum of Care. The City worked closely with Randy Sams Outreach Shelter and Mission Texarkana by administering the Continuum of Care Grant. The City made payments directly to the non-profit providers of Rapid Rehousing and Case Management services.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The elderly, frail elderly, persons with disabilities, persons with alcohol or other drug addictions, persons with HIV/AIDS & their families, public housing residents, & victims of domestic violence present a range of complex problems that put them at greater risk of severe income limitations & homelessness. These populations have a much more difficult time finding, securing, & maintaining adequate housing & necessary social services. The city serves as the fiscal agent for a CoC - Rapid Re-Housing grant administered through RSOS & MT. These agencies provided rapid housing &/or case management to approximately 148 individuals, including 29 childen under the CoC grant. Of these participants, one head-of-household is a veteran & ten have physical or developmental disabilities. The program moved from a Transitional Housing model to a Rapid Rehousing model as of March 1, 2015. In both cases, the program meets the needs of these residents by providing case management, counseling, life skills training, & assistance for job seekers. The program assists these persons & families learn self-sufficiency. These formerly homeless persons transition gradually to paying their own rents. They are considered permanently housed at the point that they are paying their own way. CDBG funding was used to meet outcomes associated with the Program Year 2021 Action Plan. Specifically, the City focused on assisting three (3) non-profits under Public Services. The City worked closely with RSOS, Texarkana Homeless

Coalition Vista program and Amachi Vision Corps to provide services such as life skills, job training and youth programs that are designed to improve the lives of homeless persons & provide help in gaining self sufficiency.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The primary goal for serving special needs populations is to assist public & nonprofit agencies in expanding & enhancing their provision of housing & services to the elderly, disabled & dually/multiply diagnosed, persons with HIV/AIDS, victims of domestic violence, & persons with addictions. The city recognizes services required by special-needs populations often overlap the housing needs & supportive services for the homeless as identified & addressed throughout the Consolidated Plan. CDBG funding was used to meet outcomes associated with the Program Year 2021 Action Plan. Specifically, the city focused on assisting three (3) non-profits under Public Services: RSOS, THC Vista program & Amachi Vision Corps to provide services such as life skills, job training & youth programs that are designed to improve the lives of homeless persons & provide help in gaining self sufficiency. The City made payments directly to the non-profit providers of Public Services. Future Action Plans will also incorporate the use of CDBG funding to meet goals & objectives related to ending homelessness.

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

Texarkana & the Housing Authority of Texarkana (HATT) have made significant, meaningful strides toward ensuring that extremely low, low-, and moderate-income citizens have access to safe, affordable housing. While these gains are meaningful, the city's goals have not been fully realized.

Public Housing currently has less than a 2% vacancy rate & maintains a Section 8 waiting list in excess of 800 families at any given time. Clearly, there is more work to be done to provide affordable housing in Texarkana. The city continues to assist the PHA in the acquisition of lots, demolition & clearance. Subsidized housing on the existing PHA site & the surrounding community is a part of the replacement housing. The Rosehill area continues to be a priority for the City, though the emphasis has shifted to the Beverly Area where the homes are primarily owner occupied or rentals & not public housing units.

Program Administration funds include time spent working with HATT to ensure quality public housing exists in Texarkana.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

HATT's community centers, an active communications program, & frequent, positive resident engagement encourages residents to seek out & use services offered & participate in the management of public housing in Texarkana. HATT transitioned to a referral-based system ensuring that public housing residents have access to services provided by federal, state, local, &/or non-profit agencies, including educational resources like GED preparation & computer skills training through the Literacy Council, vocational & job training programs offered through Workforce Solutions, Texarkana Community College, & Texas A&M Texarkana, financial management skills training, child care, & other relevant support services. These programs help to connect residents to information that can help them to obtain better paying jobs & greater financial literacy. By buying down some of the mortgages of homes built with Hope VI funds, & providing information on home purchasing options to residents, HATT can improve home ownership rates in some of the poorest neighborhoods of the city. Staff continues to work closely with HATT to improve resident engagement & homeownership. Additionally, the city continues to educate lenders & HATT personnel on the availability of First Time Home Buyer Down Payment Assistance through the CDBG program. CDBG funding was used to meet outcomes associated with the Program Year 2019 Action Plan in Public Housing as Administrative planning funds. Future Action Plans may incorporate the use of CDBG funding to meet goals and objectives related support of Public Housing.

Actions taken to provide assistance to troubled PHAs

HATT is an exemplary public housing authority & is not designated as troubled.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Texarkana continuously monitors programs & activities to ensure compliance with City/State/Federal regulations & policies. Monitoring focuses on the following areas:

Financial: PCD & Finance staff work closely to ensure that funds drawn down are used for authorized activities on approved projects. Activities agreements, expense documentation, & approvals must be in-place for funds to be expended. The City ensures a system of checks & balances & that staff requesting payments of funds are not authorized to approve them. The City is also subject to an annual single audit, conducted by an independent accounting firm.

Environmental: All projects & individual activities are subject to a review of environmental impacts prior to funding approval. Remediation of impacts is implemented where required & projects unable to meet environmental requirements are abandoned or alternative locations or solutions are sought.

Programmatic: Results &/or impacts are expected of all projects. Staff is charged with monitoring progress toward program goals on a regular basis. Accomplishments & outcome data is entered into IDIS by staff. Ability to reimburse funds is tied directly to reporting of accomplishments.

Sub-Recipient Monitoring: The City currently has no sub-recipients for the CDBG program.

Labor Standards: The City of Texarkana monitors labor standards for all CDBG funded projects. Labor requirements are included in all bid documents & discussed again during the required pre-construction conference. Contractor payments are not processed until all required forms are submitted & verified to be accurate and correct.

Minority Business Outreach: Purchasing standards are closely monitored to maximize the number of minority & women owned businesses utilized. The City uses the State of Texas Purchasing System when local minority & women owned businesses are not available.

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

The City gave notice that the Draft of the PY2021 Caper would be available for public review & comment at:

Texarkana, Texas City Hall
Department Planning & Community Development
220 Texas Boulevard
Texarkana, Texas 75501

during the comment period of November 28 to December 12, 2022 during regular business hours. The Draft Caper was also available on the Texarkana, Texas website (www.ci.texarkana.tx.us) for the duration of the comment period. Public meetings were conducted in accordance with the Texas Open Meetings Law (V.T.C.A. Government Code 551) & in accordance with the Americans with Disabilities Act 42 USC 12101 (1991). The facility is wheelchair accessible & handicap parking is available. Requests for sign interpretive services are available upon request, which must be received at least 48 hours prior to the meeting. Spanish translation was available. Citizen comments are included as an attachment to this document.

No comments were received during the comment period & no comments were made at the Public Hearing December 12th City Council Meeting. Attached are the minutes for that meeting.

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The most significant changes that have occurred in Texarkana's program objectives have been the exclusion of Non-CDBG Funded projects & activities from the Five-Year Consolidated Plan & Annual Action Plan. Moving from city led to volunteer-driven neighborhood association clean-up projects staff at the city have been able to forge stronger relationships that will prove invaluable as the City continues to work at transforming Beverly from a Target Area to a desirable neighborhood. The short-term impact of excluding Non-CDBG funds on the CAPER is the creation of perception that the program is not meeting its targets & goals. In the past, the City has included outcomes associated with projects funded with Non-CDBG funding sources like TDHCA to meet Housing goal indicators. For example, the City included four Housing Rehabilitation projects in the Consolidated Plan funded through TDHCA & administered through City staff. Those funds are now not available & the City has been directed to remove those programs from the City's expected outcomes. However, even though these no longer exist as projects in HUD's database system (called IDIS – the Integrated Disbursement & Information System) due to the way IDIS archives projects associated with these plans, the expected outcomes still appear in this report. Another important change to the City's planning is that the City was able to partner with the TxDot to provide needed ADA improvements to sidewalks & curbs for its downtown infrastructure projects, allowing the City to leverage these CDBG dollars.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

Attachment

PR26 Texarkana PY2021

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

Financial Summary PY2021 Txk

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

Txk PY2021 Cover Page

City of Texarkana, Texas
CAPER

Consolidated Annual Performance Evaluation Report

Community Development Block Grant Program
October 1, 2021 through September 30, 2022
Program Year 2021

DRAFT

OMB Control No: 2506-0117 (exp. 09/30/2021)

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

Txk PY2021 Public Notice

Notice of Public Comment

The City of Texarkana, Texas hereby gives notice that the DRAFT of the Community Development Block Grant 2021 Program Year *Consolidated Annual Performance Evaluation Report (CAPER)* will be available for public review/comment. The Department of HUD requires all recipients of CDBG funds to submit an annual report. All interested persons or groups are encouraged to review the DRAFT CAPER & formally present their comments for inclusion in this report.

The CAPER DRAFT can be reviewed during the 15 Day Public Comment Period at the following location during regular business hours between November 28 to December 12, 2022:

Texarkana, Texas City Hall
220 Texas Boulevard
Texarkana, Texas 75501

The DRAFT CAPER is also available on the Texarkana, Texas website (www.ci.texarkana.tx.us).

The City will hold a City Council Meeting on November 14, 2022 & Public Hearing for the CAPER will occur on December 12, 2022. Citizens are asked to present their comments at this Public Hearing or to submit written comments to the City by 5:00 p.m. December 12, 2022.

These meetings are conducted in accordance with the Texas Open Meetings Law (V.T.C.A. Government Code 551) & in accordance with the Americans with Disabilities Act 42 USC 12101 (1991). The facility is wheelchair accessible & and handicap parking is available. Requests for sign interpretive services are available upon request, which must be received at least 48 hours prior to the meeting.

DRAFT

Attachment: 2022-140 ATTH 01 Caper PY2021 Draft 10.31.22 (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation

CITY OF
TEXARKANA
TEXAS

CDBG CAPER Report

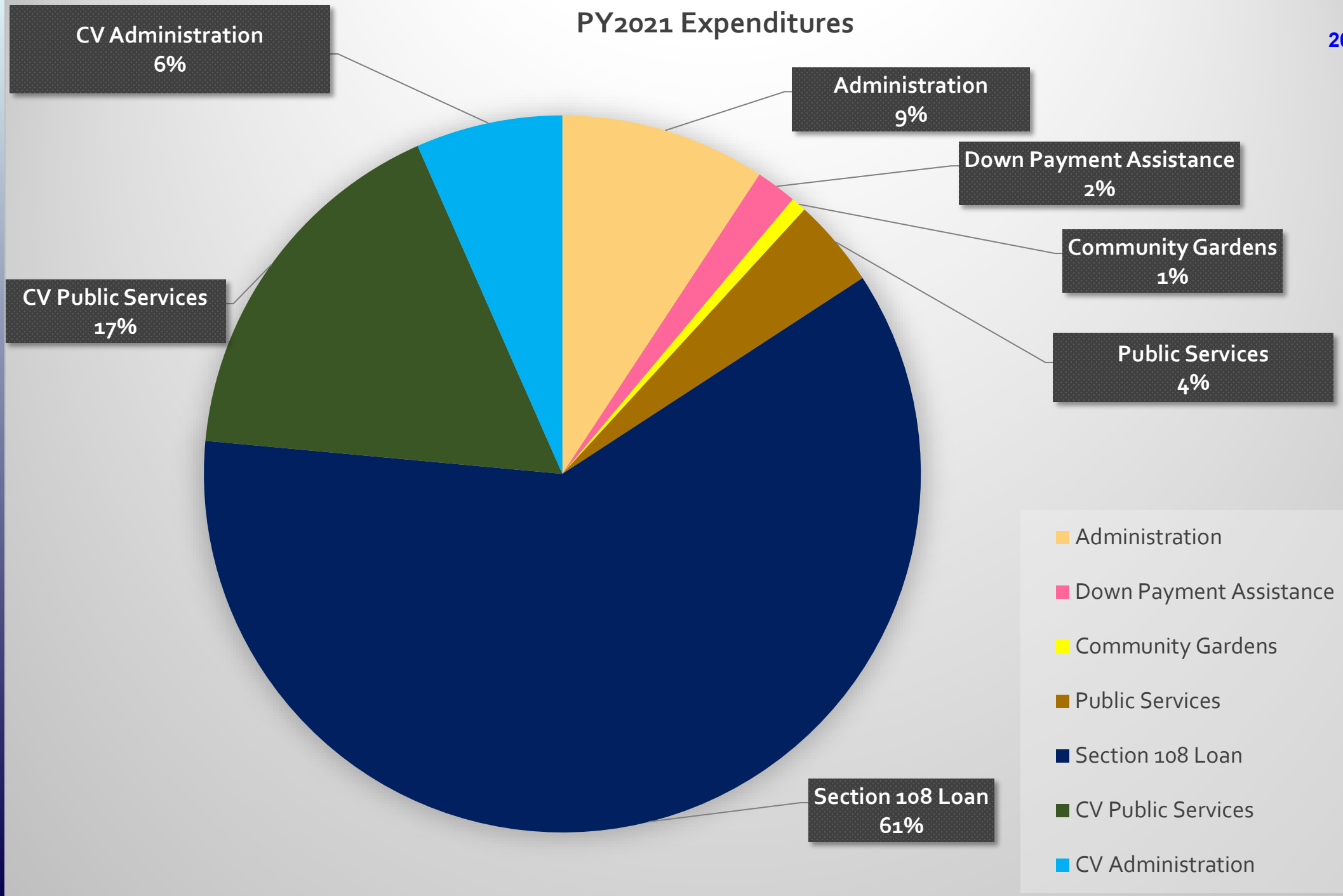
Attachment: 2022-140 ATTH 02 Caper PY2021 Presentation 10.31.22 (3866 : 2022-140 RES

CDBG CAPER Report

- The annual report includes expenditures and accomplishments fo the 2021 Community Development Block Grant (CDBG) Action Plan (October 1, 2021 -- September 30, 2022)
- Public Comment Period (November 28th – December 12th, 2022)
- Public Hearing on Monday, December 12th

Attachment: 2022-140 ATTH 02 Caper PY2021 Presentation 10.31.22 (3866 : 2022-140 RES

PY2021 Expenditures



Attachment: 2022-140 ATTH 02 Caper PY2021 Presentation 10.31.22 (3866 : 2022-140 RES

HUD requires Entitlement Communities receiving CDBG funds to spend at least seventy percent of program expenditures on activities that benefit low- and moderate-income persons. One hundred percent of Texarkana's program expenditures benefitted low- and moderate-income persons.

Eight percent of total expenditures went toward administration of the program.

Project/Activity	Status	Percent	Funded	Drawn Current Year
CV-Public Service – Sidewalks/Trees	On Going	2%	100,000.00	8,825.89
CV-Public Service –MT Coffee Shop	On Going	10%	50,000.00	38,971.19
CV-Public Service – MT	On Going	4%	60,000.00	15,941.25
CV-Administration	On Going	7%	52,164.00	24,924.62
Down Payment Assistance	Completed	2%	10,000.00	6,940.52
Public Service - Vista	Completed	2%	8,000.00	6,000.00
Public Service - MT Litter	Completed	2%	12,000.00	9,074.22
Community Gardens	Completed	1%	5,000.00	2,595.61
Section 108 Loan Repayment (final payment)	Completed	61%	250,000.00	228,624.68
Administration	Completed	9%	75,000.00	34,927.64
TOTAL		100%	732,164.00	376,825.62

Attachment: 2022-140 ATTH 02 Caper PY2021 Presentation 10.31.22 (3866 : 2022-140 RES

Citizens are asked to present their comments at this Public Hearing for inclusion in the report or to submit written comments for inclusion in the report to the Department of Planning and Community Development, City of Texarkana, Texas 220 Texas Boulevard, P.O. Box 1967, Texarkana, Texas 75504. Comments may be mailed or delivered to this office before 5:00 p.m. December 12, 2022

Attachment: 2022-140 ATTH 02 Caper PY2021 Presentation 10.31.22 (3866 : 2022-140 RES

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2022-140 Goals & Perspectives (3866 : 2022-140 RES PY 2021 CDBG Consolidated Annual Performance Evaluation Report)

City of Texarkana, Texas

Briefing Sheet

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

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

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

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

Item Schedule

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

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

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

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

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

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

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

Potential Options:

- Approve
- Deny

Fiscal Implications:

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

Staff Recommendation:

Staff Recommends Approval

Advisory Board/Committee Review:

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

(Insert Minutes Here - PENDING)

Attachments

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

e. 2022-123 ORD Amending Ch 140-106 signed (PDF)

Staff Coordination

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

Meeting History

10/24/22	City Council	MOVED FORWARD	Next: 11/14/22

ORDINANCE NO. 2022-123

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

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

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

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

WHEREAS, after consideration of this amendment and the recommendation of the Historic Landmark Preservation Committee, the City Council of the City of Texarkana, Texas, does hereby find that approval of this amendment is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: Chapter 140-106 (f) is hereby amended to include:

a. Adding a definition for Tax Relief

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

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

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

(1) The city shall exempt ten percent of the assessed value of a structure, including the land necessary for access to and use of the structure, from annual city ad valorem

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

taxation. In order to receive this tax exemption, the structure must have been located within a designated Historic Residential Overlay District on January 1 of the applicable tax year and must be designated as the owner's homestead for the applicable tax year.

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

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

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

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

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

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

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

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

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

_____	_____
VICKY COOPWOOD, ASST. CITY SECRETARY	BOB BRUGGEMAN, MAYOR

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

City of Paris, Texas

Division 4. Tax Exemption for Historically Significant Sites

Sec. 2.08.091 Authorized; eligibility

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

(b) Rehabilitation of property.

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

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

(c) New construction.

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 2.08.092 Application process

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

(1) State the legal description;

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

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

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

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

(6) Authorize the members of the historic preservation commission, the city manager or designee, representatives of the Lamar County Appraisal District, and elected officials to visit and inspect the property proposed for exemption to verify that it is in need of construction, repair or rehabilitation and to verify construction, repair or rehabilitation;

(7) Sign an agreement, styled "historic preservation tax exemption agreement," to in all things comply with the requirements of this division regarding the tax exemption, agreeing to comply with all requirements of the city governing said improvements, providing for recapture of all exempted taxes in the event of noncompliance with the requirements hereof, and including such other terms and conditions as

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

the city shall require;

(8) Include a tax certificate showing all taxes due upon the property have been paid;

(9) Provide any additional information to the historic preservation commission and the city manager or designee, or representatives of the Lamar County Appraisal District, which the city, the commission, the district, or the owner deems relevant or useful, such as the history of the site, access to the site by the public, or any proposed changes in use of the site.

(Ordinance 2004-055, sec. 3, adopted 11/18/04; Ordinance 2005-020, sec. 3, adopted 5/18/05; 1988 Code, sec. 30-51)

Sec. 2.08.093 Application review process

Upon receipt of the sworn application, the city manager, or his designee, shall forward the application to the historic preservation commission and to appropriate city code officials for review. The historic preservation commission shall review the proposed repair or rehabilitation or new, historically compatible construction for conformance with the city's historic preservation ordinance and any applicable design guidelines with regard to issuance of certificates of appropriateness where required. City code officials shall review the proposed construction for compliance with all applicable city codes. Following completion of its review, the historic preservation commission shall notify the city manager accordingly. The city manager shall approve a properly completed application as eligible for tax exemption, subject to verification of completion as provided herein. (Ordinance 2004-055, sec. 3, adopted 11/18/04; Ordinance 2005-020, sec. 4, adopted 5/18/05; 1988 Code, sec. 30-52)

Sec. 2.08.094 Verification process

Upon completion of the repair or rehabilitation, or new, historically compatible construction, the applicant shall submit to the city manager, or his designee, a sworn statement of completion acknowledging that the site has been substantially repaired or rehabilitated or new, historically compatible construction has been completed in accordance with the plan approved under this division. In the instance of repair or rehabilitation, the applicant must also present documentation verifying that the cost of repair or rehabilitation meets or exceeds the amounts established in section 2.08.091(d)(3) of this division. In the instance of new, historically compatible construction, the applicant must also present documentation verifying that the cost of the new, historically compatible construction meets or exceeds the amounts established in section 2.08.091(d)(4) of this division. The city manager, or his designee, and the historic preservation commission, upon receipt of the sworn statement of completion, but no later than thirty (30) days thereafter, shall make an investigation of the property and shall approve or disapprove that the property has been completed as required. If the repair, renovation, or new, historically compatible construction deviates in any way from the plans approved by the historic preservation commission or the city's code officials, verification of completion shall be deemed unfavorable, and the applicant shall be required to complete or correct the repair, rehabilitation, or new construction in order to obtain the tax exemption provided by this division, or appeal the city manager's or historic preservation commission's decision to the city council. When the verification of completion receives a favorable review by the historic preservation commission, the commission shall notify the city manager in writing of compliance. Thereafter, if the city manager is likewise satisfied, the city manager shall enter into a tax exemption agreement and execute a tax exemption certificate and forward same to the Lamar County Appraisal District. If required by the Lamar County Appraisal District, the city manager, or designee, shall provide annually a list of sites eligible for tax exemption under this division. (Ordinance 2004-055, sec. 3, adopted 11/18/04; Ordinance 2005-020, sec. 5, adopted 5/18/05; 1988 Code, sec. 30-53)

Sec. 2.08.095 Property appearance guidelines

Properties that receive tax exemption in accordance with this division shall be maintained in accordance with the requirements of the historic preservation ordinance and all applicable city codes. (Ordinance 2004-055, sec. 3, adopted 11/18/04; 1988 Code, sec. 30-54)

Sec. 2.08.096 Alteration or destruction of property; recapture of taxes for noncompliance

(a) During the exemption period, if the city manager or his designee, or the historic preservation commission, has reason to believe that a structure receiving tax exemption pursuant to this division has been altered or totally or partially destroyed without compliance with all applicable city codes and ordinances, or allowed to deteriorate by the willful act or negligence of the owner or his/her representative, the city manager or his designee shall immediately cause the matter to be scheduled for

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

consideration by the city council. If, after giving notice and hearing to the owner, the city council determines that the structure receiving tax exemption pursuant to this division has been totally or partially destroyed or altered without compliance with all applicable city codes and ordinances, or allowed to deteriorate by the willful act or negligence of the owner or his representative, then the tax exemption agreement shall terminate, all exemption of taxes shall likewise terminate, and the current owner shall immediately repay to the city and all other local taxing entities all of the tax revenues that were not paid because of the exemption plus interest calculated at an annual rate of seven (7) percent. This provision shall not apply to destruction or alterations that result from acts of God.

(b) If the tax exemption certificate executed by the city manager is timely recorded by the owner of the site in the deed records of Lamar County with the approved application, the tax exemption authorized herein shall constitute a covenant running with the land for a period of three (3) years as provided in section 2.08.091(c) of this division or for a period of seven (7) years as provided in section 2.08.091(b) of this division. Likewise, any tax exemption approved in accordance with this division shall apply for future owners of the affected property for the remainder of the three (3) or seven (7) year term (whichever is applicable), provided the owner or owners execute an assignment of the tax exemption agreement in such form as the city shall specify. Should the current owner of the site ever cease to comply with the terms of the application, the tax exemption agreement, or this division during the three (3) or seven (7) year period, the exemption may be revoked for the years remaining within the applicable three (3) or seven (7) year period, upon the finding of such noncompliance by the city council, after giving notice of hearing to the owner. The city manager, or his designee, shall advise the chief appraiser of the Lamar County Appraisal District of the revocation of the exemption and shall file an appropriate document in the deed records of Lamar County revoking the tax exemption.

(c) In the event that the city or any other affected jurisdiction having granted a tax exemption hereunder determines that the applicant or owner is in default of any of the terms or conditions contained in the application, in the tax exemption agreement, or in this division, then the affected jurisdiction shall give the applicant or current owner (60) days' written notice to cure such default. In the event such default is not cured to the satisfaction of the affected jurisdiction within the sixty-day notice period, then the tax exemption agreement shall terminate, all exemption of taxes shall likewise terminate, and the current owner shall immediately repay to the city and all other local taxing entities all of the tax revenues that were not paid because of the exemption plus interest calculated at an annual rate of seven (7) percent.

(d) In every case of termination set forth above, any affected jurisdiction having granted the tax exemption may determine whether default has occurred by the applicant or owner in the terms and conditions of the application, the tax exemption agreement, or this division, and shall so notify all other affected jurisdictions. Termination of the tax exemption agreement by any affected jurisdiction shall constitute simultaneous termination of all tax exemption agreements of all other affected jurisdictions.

(Ordinance 2004-055, sec. 3, adopted 11/18/04; Ordinance 2005-020, sec. 6, adopted 5/18/05; 1988 Code, sec. 30-55)

Secs. 2.08.097–2.08.120 Reserved

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

Funding—IncentiveSources

The following are several major sources of funding that may have potential for implementing the initiatives presented in this Strategic Historic Preservation Plan.

LOCAL LEVEL FUNDING

Ad Valorem/Property Tax Abatement.
The City of Tyler and the Historical Preservation Board currently offer abatement on 50 percent of the assessed value of a designated Tyler Historic Landmark and an abatement on 100 percent of the increase in property value following a Board-approved rehabilitation project

Tax Increment Reinvestment Zone (TIRZ).
Tax Increment Financing is a State authorized program administered by a municipality that allocates future increases in property taxes from a designated area for improvements dedicated to that area, including property enhancements, façade improvements, adaptive use projects, and streetscape and gateway enhancements. In Texas, Tax Increment Financing is implemented at the local level through the establishment of a Tax Increment Reinvestment Zone (TIRZ).

Public Improvement Districts (PIDs).
A Public Improvement District is a State authorized financing program that can be administered by the City or by a designated service provider agency to deliver a wide range of physical improvements and additional services in a defined geographic area, such as a Downtown commercial district. A PID usually has a defined term limit such as three to five years and is funded by a special tax assessment paid by the property owners within the designated PID. A PID is only established and renewed through a municipal enabling ordinance.

Capital Improvement Plan.
Most communities incorporate some aspects of public improvement initiatives for historic resources, such as brick street maintenance within the municipal capital improvements plan.

Hotel Occupancy Tax.
Local communities in Texas are permitted to levy a six percent tax on the occupancy of rooms in hotels, motels, bed and breakfasts and short-term accommodations in apartments and condominiums. Proceeds from the Hotel Occupancy Tax can be used for tourism and community marketing and promotion activities.

Equity/Community-Supported Financing.
A community equity fund is most often used to provide gap financing for start-up businesses or for the rehabilitation or adaptive use of a commercial property. Equity funds themselves are formed by the pooling of funds from local investors. An equity fund can also be used in combination with other incentives as part of a gap financing structure for a building rehabilitation project.

Community Foundations.
Local community foundations may provide support for specific preservation outreach and education activities.

Preservation Easement.
A preservation easement donation is a one-time charitable Federal income tax deduction equal to the appraised value of the preservation easement. The easement assigns the right to review and approve alterations to a qualified non-profit organization for preserving the property in perpetuity. Property must be a certified historic structure in the National Register of Historic Places, individually listed, or contributing to a local Landmark District.

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

City of Mt. Vernon, Texas

Sec. 5.2-31. - Purpose.

The purpose of these guidelines is to help the property owner and the Landmark Commission of the City of Mt. Vernon in determining the types of alterations, renovations, and changes that will maintain the special qualities of historical residential districts in Mt. Vernon, Texas.

The guidelines apply only to the exterior of properties in the historic residential districts of the City of Mt. Vernon, Texas, and will guide the landmark commission for issuing a certificate of appropriateness. Nothing in these guidelines shall change the requirements for issuance of a building permit through the City of Mt. Vernon.

There are several points to remember when using the guidelines. Every building is unique. Even buildings that look identical have a few details or a setting that distinguishes them from any other buildings. This means that what is appropriate for one (1) building may not be appropriate for another. Each building must be reviewed on an individual basis both by the property owner and by the landmark commission.

Over the years, some buildings have been altered or details have been removed. Although it may be preferred to restore these buildings to their original appearance, the guidelines and the landmark commission acknowledge that an exact restoration is not always practical economically.

The purpose of design guidelines for the Historic Residential Districts of Mt. Vernon:

- Protect, enhance and perpetuate landmarks and districts of historical, cultural, architectural or archeological importance that reflect distinctive and important elements of the unique historical heritage of Mt. Vernon.

- Foster civic pride by recognizing accomplishments of the past.

- Protect and enhance the attractiveness of the city to tourists and visitors and support and stimulate the economy.

- Insure the harmonious, orderly and efficient growth and development of the city.

- Promote the economic prosperity and welfare of the community.

- Promote stabilization and increase in property values.

- Encourage the stabilization, restoration and improvement of property. Maintain a generally harmonious outward appearance of both historic and modern structures, which are compatible and complimentary in scale, form, color, proportion, texture and material.

These guidelines are presented to aid residential property owners in Mt. Vernon to protect and enhance the historic resources of the community. The standards describe design ideas for appropriate alterations and new construction, and also provide basic maintenance tips.

(Ord. No. 2009-05, 4-14-09)

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

Sec. 5.2-32. - A history of the town.

A history of the Town of Mt. Vernon and the three (3) historical residential districts adopted by the City of Mt. Vernon subject to administration under the Historic Preservation Ordinance of the City of Mt. Vernon.

The town of Mt. Vernon grew up as a settlement near the Fanning Springs (Holbrook Street south of the present town square). By 1848 the United States government established a post office; a formal townsite was laid out on land donated by Stephen and Rebecca Keith in April 1849 and the town was laid out in its present configuration with lots and blocks around a town square. Since there were two (2) other Mount Vernons in Texas the post office was called Keith (1848-1849) and then Lone Star (1850-1875) before the name Mount Vernon became available in 1875. Franklin County was carved out of Titus County in 1875 and Mt. Vernon was named the county seat. The arrival of the railroad in 1887 led to the city's growth as a center for transportation. The town of Mt. Vernon was incorporated as a city in 1910.

The county's economy has been based in mixed agriculture, commencing with cotton farms, followed with over five hundred thousand (500,000) peach trees in production in the 1920's; watermelons in the 1930's; and the state's top record production of cane syrup in the 1940's. The 1936 discovery of oil in the north part of the county led to diversified economy with oil production continuing today combined with light industry, manufacturing, and diverse agricultural endeavors.

The Cherokee Trace runs along the eastern edge of the county south toward Nacogdoches. The Choctaw Trail runs through the center of the county toward Dallas. The Bankhead Highway (early east-west transcontinental automobile route through the United States - 1919) remains as Mt. Vernon's Main Street.

The earliest homes still standing in the town of Mt. Vernon date from the 1870's; there are four (4) ante-bellum homes in the county. Over sixty (60) homes built before World War I are marked with attractive signs designating the original owners and year of construction. Tour maps are available. There are over twenty (20) official state historical markers. The present courthouse was erected on the north side of the square in 1912.

The three (3) historic residential districts are described as follows:

(1) The 1841—Village/Fanning Springs/New Liberty in the W.S. Keith Survey. This district includes the area in the W.S. Keith Survey on the east side of Holbrook Street; the property basically follows the "town branch" or Denton Creek from its headwaters at Fanning Springs to the north. A high ridge provided a secure site for houses, churches and the first school in the village; the original development in this "village" would have been haphazard and the first settlers were squatting in an area near where a major Indian massacre occurred. The commercial buildings at this location were burned during the Civil War which precipitated the movement to the present town square. The African-American community here has churches on sites occupied since the Civil War and a cemetery started at the same time. This early village includes both the African-American community on the south and the Anglo community to the north.

(2) The 1849—Early Mount Vernon Community. The gift by Stephen and Rebecca Keith of twenty-four (24) acres for formation of a town led to the movement from the original village to a formal townsite. The formal commercial center was laid out at the northeast corner of the twenty-four (24) acres. Land to the south and east was sold off for residential development and this area of about twenty (20) acres has many early homes.

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

(3) The 1885—Silk Stock Row area. After the railroad arrived, the area along Main Street west of town and then north of Main Street developed with "new" houses and became the premier residential area in the town.

The boundaries of the three (3) districts are set out in Appendix A with a map attached as Appendix B hereto. Architectural terms and styles are reflected in a glossary and then in line drawings attached as Appendix C and Appendix D hereto [Appendixes A—D are on file with the city].

The predominant building type throughout all three (3) historic residential districts is the single-family residence, with wood frame bungalows being the most common configuration. Variations on the Four Square form are scattered throughout the district. Growth in the districts generally reflected proximity to downtown and the transportation routes with the earlier homes being the closest to the downtown.

Different neighborhoods within all three (3) districts do have a consistent, unified feeling with variations in scale. Any construction, restoration or adaptation with the boundaries of the three (3) historic residential districts requiring a building permit under the building codes of the City of Mt. Vernon, Texas, shall be pursuant to these guidelines and shall be made to conform to the historic integrity of the neighborhood and district.

The dominant impression in the three (3) historic residential districts is of block upon block of houses, set back from the street in constant rows. Garages were commonly constructed at the backs of lots, accessed by a narrow drive passing between houses from the street. Although alleyways were platted, few are open or in use. Shade trees occur in places throughout the districts, but there is no regular pattern of landscaping. In the 1841 Village District, all construction was configured to follow the boundary of the W.S. Keith Survey (present Holbrook Street) so that all construction is laid back from this defined boundary. In the 1849 Village District, the roads follow meandering lanes which served various functions, with Leftwich Street running directly into the center of the 1894 Depot and Hunnicutt Street and Fleming Streets arising out of lanes left for milk cattle maintained in small barns behind early homes to wander to pasture and water.

The earliest homes in the 1841 Village and in the 1849 Village have Greek Revival and Victorian influences dominant in residential architecture throughout the turn of the century.

Since all three (3) districts developed before there was a real concept of a subdivision, the house styles are varied. There are consistent mixes where numerous grand Victorian Houses were demolished to allow for construction of modern Ranch Style brick homes; sometimes standing next to much newer construction (even Geodesic Domes in two (2) historic districts). An earlier photographic legacy documents the houses which are now gone and their location against the historic houses which still remain.

In the 1849 Village, two (2) homes on Kaufman Street still have barns and other outbuildings intact from the time when horses and cows were stabled behind the owner's homes. A house on Leftwich has its original well evidencing the need for water wells before public water became available in the 1920's. A house on Miller Street and several other homes in the historic districts include pastures of three to five (3—5) acres where a horse could be maintained before the advent of the automobile negated the continued need for maintaining a horse and carriage for transportation. An aerial view of the town shows numerous green spaces and an unusual configuration of land use which predates modern town development patterns.

Old magnolia trees still stand to mark the location of several homes which were built to face the railroad soon after tracks were laid in 1887 in deference to this new mode of transportation.

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

There are true Victorians, Queen Anne Victorians, four (4) square houses and ultimately bungalow cottages, all mixed together with construction that "filled in" spaces as people needed smaller lots as horses and cattle lots were removed; or as homes burned or were demolished and new homes built. The three (3) districts all demonstrate a real evolution with no real consistency of construction. There are arts and crafts style bungalows with the exposed rafter tails or eave brackets that are this style's main identifying elements.

A few churches stand in the various middle-class neighborhoods they served. The real loss is in the 1849 Village which was truly filled with fine gingerbread Victorian houses; in the 1950's through the 1970's all but two (2) have been demolished.

(Ord. No. 2009-05, 4-14-09)

Sec. 5.2-33. - Programs for recognition of the three historic residential districts.

(a) *The National Park Service.* National Register listing does not place any restrictions on the property owner unless grant assistance or tax incentives are involved. Also, financial advantages are available in the form of federal investment tax credit for income producing buildings, which are listed in the National Register.

(b) *Texas Historical Commission.* The Texas Historical Commission is the State agency responsible for coordination of preservation activities in Texas. As the statewide preservation agency, it offers services to individuals and organizations regarding National Register nominations, Tax Act certifications, technical assistance and other preservation related inquiries. Structures in the districts may also be eligible for the Recorded Texas Historic Landmark designation. This special status conveys various benefits such as grant programs administered by the Architecture Division of the Texas Historical Commission. Other benefits include access to Historic Preservation grant-in-aid assistance for non-profit organizations and Texas Historic Preservation Grant funding.

(c) *The City of Mt. Vernon and the Landmark Commission.* The City of Mt. Vernon has adopted numerous tax incentives designed to promote historic preservation. Property owners will want to check with the city office of economic development to obtain information regarding benefits available based on their ownership of properties within the districts. The City of Mt. Vernon Landmark Commission oversees application procedures for certificates of appropriateness pursuant to these guidelines. Again, forms and information are available through the city offices.

(Ord. No. 2009-05, 4-14-09)

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

Non-Residential National Historic Structures With Current Tax Valuation	Date Listed
Hotel McCartney	9/6/1979
Rialto Building	6/17/1982
Texarkana National Bank	4/21/2021
Texarkana National Bank Motor Bank and Garage	4/21/2021
Texarkana Union Station	10/19/1978

Non- Residential Recorded Texas Historic Landmark	
Moores-Burke-Ragland House (Mansion on Main)	1978
Cervini House (Has been office)	1988
The Jamison Building	1983

Attachment: 2022-123 ATTH 01 Fiscal Impact Texarkana (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic

Address	Parcel ID	2021 Tax Value	Current Yearly City Ad Valorem Taxes
100 Main (Listed as 100 Block of State Line)	03840019300	$26,642.00	$173.17
317 North State Line Avenue	03840008800	$57,665.00	$456.79
100 Broad Street	03840009700	$173,500.00	$1,409.85
217 Pine Street	03840009300	$35,000.00	$1,409.85
State Line and Front Street #1 Union Plaza	03841068400	$48,078.00	$312.51
802 Main Street	03840056500	$49,467.00	$401.92
524 Spruce Street	03840035200	$78,449.00	$509.92
523 W. 3rd Street	03840014800	$40,521.00	$493.05
			$5,167.06

Attachment: 2022-123 ATTH 01 Fiscal Impact Texarkana (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic

10 Years City Ad Valorum Taxes at Current Rate	Fiscal Impact of 50% City Ad Valorem Taxes Over 10 Years	Redeveloped Estimated Value	Tax Rate	Annual City Ad Valorem Taxes After Redevelopment
$1,731.70	$865.85	$10,000,000.00	0.81259366	$81,259.37
$4,567.90	$2,283.95	$6,000,000.00	0.81259366	$48,755.62
$14,098.50	$7,049.25	$10,000,000.00	0.81259366	$81,259.37
$14,098.50	$7,049.25	$8,000,000.00	0.81259366	$65,007.49
$3,125.10	$1,562.55	$10,000,000.00	0.81259366	$81,259.37
$4,019.20	$2,009.60	$2,000,000.00	0.81259366	$16,251.87
$5,099.20	$2,549.60	$500,000.00	0.81259366	$4,062.97
$4,930.50	$2,465.25	$2,000,000.00	0.81259366	$16,251.87
$51,670.60	$25,835.30			$394,107.93

Attachment: 2022-123 ATTH 01 Fiscal Impact Texarkana (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic

2022-123 ATTH 01

Fiscal Impact of 50% City Ad Valorem Taxes Over 10 Years Post Redevelopment

$406,296.83
$243,778.10
$406,296.83
$325,037.46
$406,296.83
$81,259.37
$20,314.84
$81,259.37
$1,970,539.63

Attachment: 2022-123 ATTH 01 Fiscal Impact Texarkana (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic

City of Texarkana, Texas

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

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

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

Attachment: 2022-123 Goals & Perspectives (3834 : 2022-123 ORD amend 140- Article V Section 106 ((f) Tax Relief for Historic Property

ORDINANCE NO. 2022-123

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

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

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

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

WHEREAS, after consideration of this amendment and the recommendation of the Historic Landmark Preservation Committee, the City Council of the City of Texarkana, Texas, does hereby find that approval of this amendment is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: Chapter 140-106 (f) is hereby amended to include:

a. Adding a definition for Tax Relief

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

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

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

(1) The city shall exempt ten percent of the assessed value of a structure, including the land necessary for access to and use of the structure, from annual city ad valorem

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

taxation. In order to receive this tax exemption, the structure must have been located within a designated Historic Residential Overlay District on January 1 of the applicable tax year and must be designated as the owner's homestead for the applicable tax year.

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

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

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

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

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

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

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

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

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY
6:41 p.m.

BOB BRUGGEMAN, MAYOR

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

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/13/2022 4:52 PM

Lead Department: Planning & Zoning Commission
Action Officer: Laura Puckett, Administrative Coordinator

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

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Rocky Murray, owner, to rezone Lots 19, and 20, Block A, Parish Place Addition located at 103 Parish Street from Single Family- to General Retail. The current structure will be demolished.

The Future Land Use Map has designated this property as “Neighborhood Retail”.

The adjacent zoning is General Retail to the north and south, Single Family-2 to the east and west. The adjacent land use is a car lot to the north, appliance sales to the south, and residential to the east, and west.

The property located to the west of this site is owned by applicant and will be demolished and is the subject of rezoning in a separate case.

The proposed use is new and used auto sales (outdoor lot). Staff Recommends for approval of this request.

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

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

Potential Options:

Admit or deny.

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-124 ORD rezoning 103 Parish Street (DOCX)
b. 2022-124 ATTH 01 (Maps) (PDF)
c. 2022-124 Goals & Perspectives (DOCX)
d. 2022-124 ORD Rezoning 103 Parish Street signed (PDF)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed 10/13/2022 4:58 PM
City Manager	David Orr	Reviewer	Completed	10/14/2022 9:53 AM
City Council	Vicky Coopwood	Meeting	Completed	10/24/2022 6:00 PM

Meeting History

10/24/22	City Council	MOVED FORWARD	Next: 11/14/22

Z-22-16

ORDINANCE NO. 2022-124

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 19 AND 20, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 103 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO GENERAL RETAIL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to General Retail on Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Single Family-2 to General Retail**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to General Retail** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail.**

Attachment: 2022-124 ORD rezoning 103 Parish Street (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

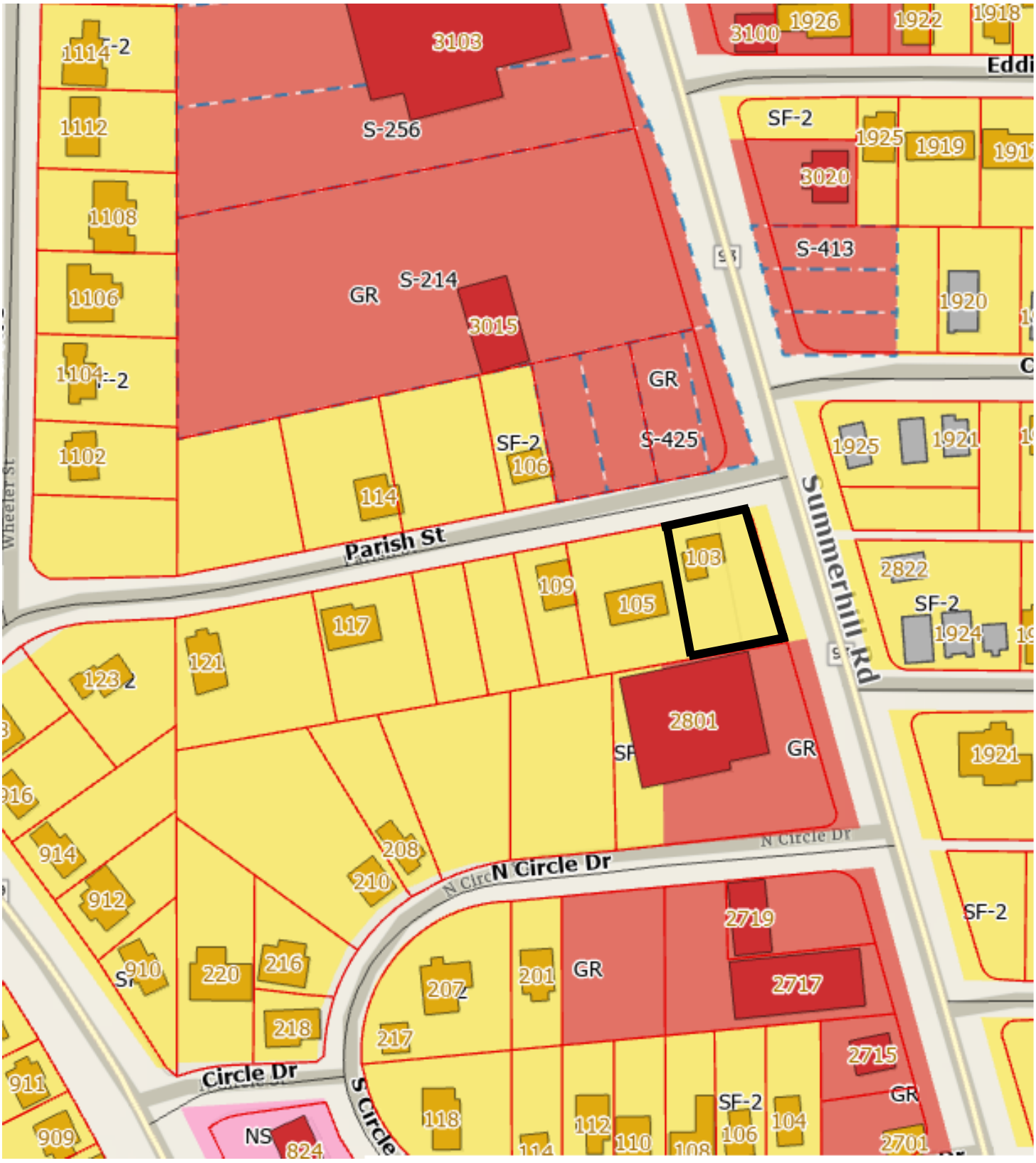
_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-124 ORD rezoning 103 Parish Street (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

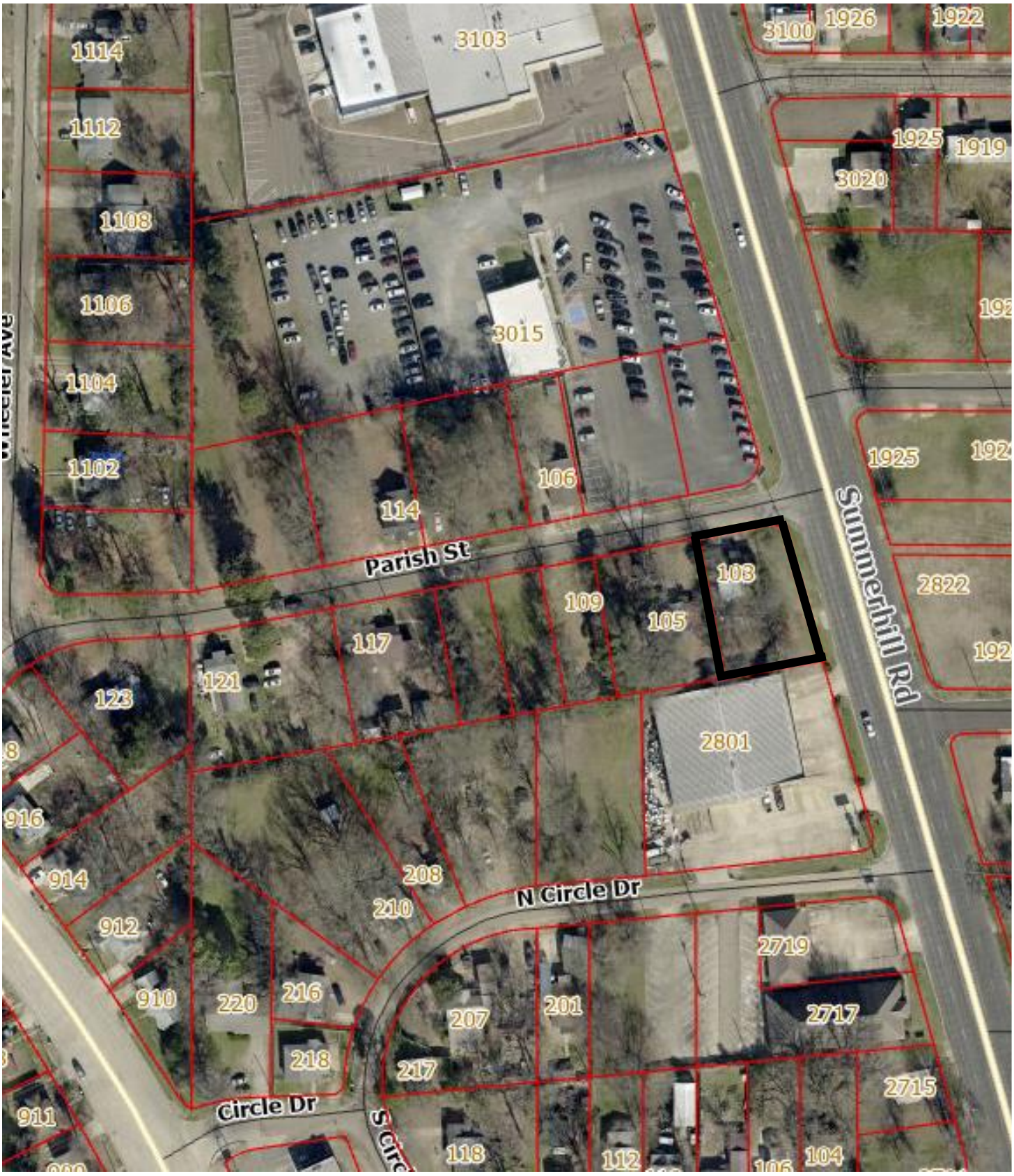
Z-22-16

103 Parish Street



Attachment: 2022-124 ATTH 01 (Maps) (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

103 Parish Street



Attachment: 2022-124 ATTH 01 (Maps) (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

City of Texarkana, Texas

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

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

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

Attachment: 2022-124 Goals & Perspectives (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

Z-22-16

ORDINANCE NO. 2022-124

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 19 AND 20, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 103 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO GENERAL RETAIL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to General Retail on Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Single Family-2 to General Retail**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to General Retail** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail.**

Attachment: 2022-124 ORD Rezoning 103 Parish Street signed (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

6:44 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-124 ORD Rezoning 103 Parish Street signed (3835 : 2022-124 ORD rezoning SF-2 to GR 103 Parish St.)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 11/2/2022 9:30 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-125 granting a Specific Use Permit to allow new and used auto sales (outdoor lot) on Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street. Rocky Murray, owner.		

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Rocky Murray, owner, for a Specific Use Permit to allow new and used car sales (outdoor lot) on Lots 19, and 20, Block A, Parish Place Addition, located at 103 Parish Street. The property is zoned Single Family-2.

The Future Land Use Map has designated this property as “Neighborhood Retail”.

The adjacent zoning is General Retail to the north, south, and Single Family-2 to the east and west. The adjacent land usage is a car lot to the north, appliance sales to the south, residential to the east and west.

The property to the west is owned by the applicant and subject to a separate zoning change request.

A Specific Use Permit is required to allow a new or used auto sales outdoor lot in this zoning district.

Staff recommends for approval of this request.

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-125 ORD SUP auto sales 103 Parish Street (DOCX)
b. 2022-125 ATTH 01 (Maps) (PDF)
c. 2022-125 Goals & Perspectives (DOCX)
d. 2022-125 ORD SUP auto sales 103 Parish St signed (PDF)

Staff Coordination

Building Code Administration		Mashell Daniel	Reviewer	Completed 10/13/2022 4:59 PM
City Manager	David Orr	Reviewer	Completed	10/14/2022 9:53 AM
City Council	Vicky Coopwood	Meeting	Completed	10/24/2022 6:00 PM

Meeting History

10/24/22	City Council	MOVED FORWARD	Next: 11/14/22

S-764

ORDINANCE NO. 2022-125

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY, AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-764 TO ALLOW NEW AND USED AUTO SALES (OUTDOOR LOT) ON LOTS 19 AND 20, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 103 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of new and used auto sales (outdoor lot) on **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street**, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **five (5) to one (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted allowing new and used auto sales (outdoor lot)** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-764** to allow the location of new and used auto sales (outdoor lot) on **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street,** in the City of Texarkana, Bowie County, Texas.

Attachment: 2022-125 ORD SUP auto sales 103 Parish Street (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

SECTION 2: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

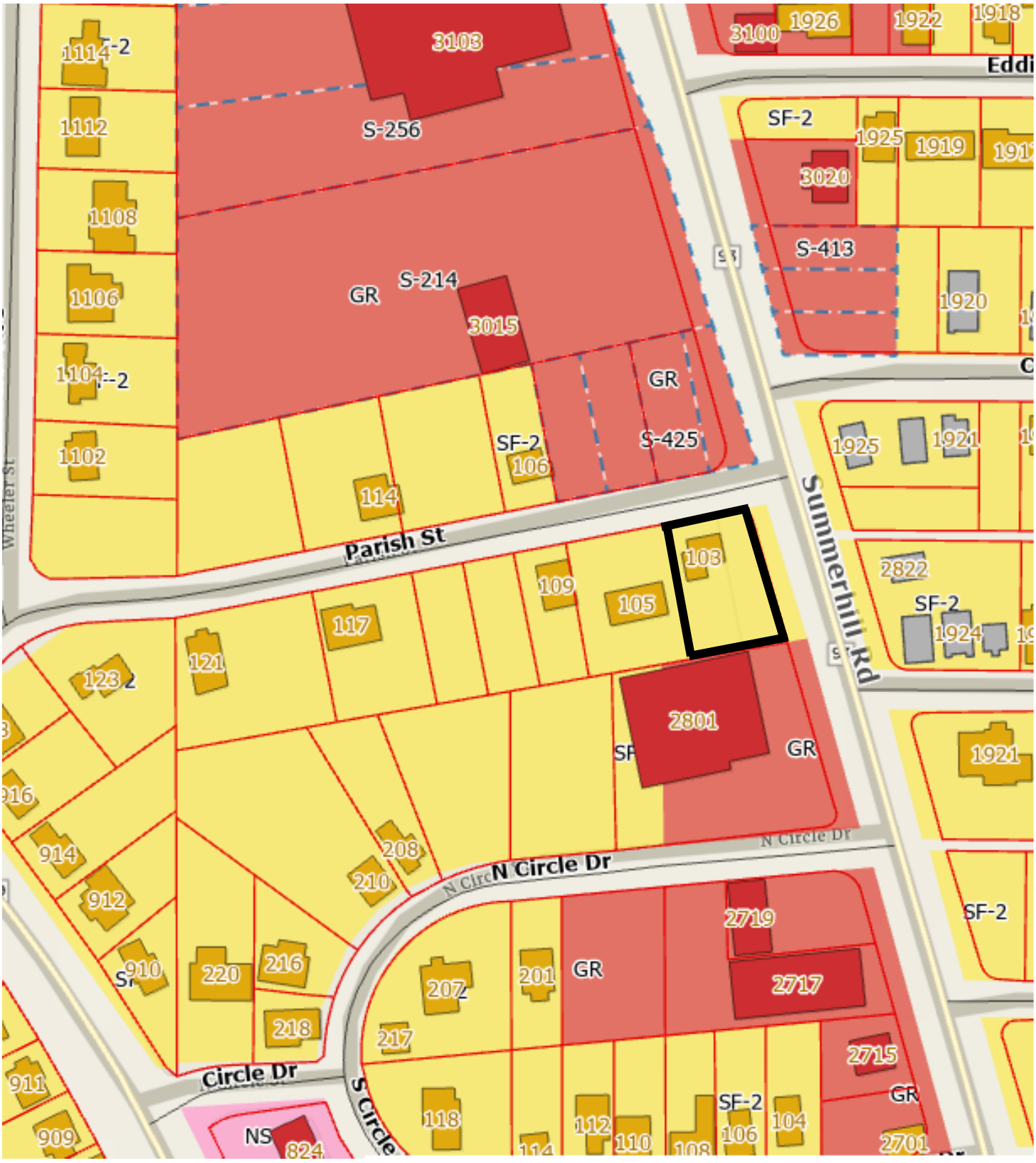
ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2022-125 ORD SUP auto sales 103 Parish Street (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

103 Parish Street



Attachment: 2022-125 ATTH 01 (Maps) (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

103 Parish Street

Attachment: 2022-125 ATTH 01 (Maps) (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

City of Texarkana, Texas

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

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

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

Attachment: 2022-125 Goals & Perspectives (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

S-764

ORDINANCE NO. 2022-125

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY, AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-764 TO ALLOW NEW AND USED AUTO SALES (OUTDOOR LOT) ON LOTS 19 AND 20, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 103 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of new and used auto sales (outdoor lot) on **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street**, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **five (5) to one (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted allowing new and used auto sales (outdoor lot)** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-764** to allow the location of new and used auto sales (outdoor lot) on **Lots 19 and 20, Block A, Parish Place Addition, located at 103 Parish Street,** in the City of Texarkana, Bowie County, Texas.

Attachment: 2022-125 ORD SUP auto sales 103 Parish St signed (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

SECTION 2: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

6:45 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-125 ORD SUP auto sales 103 Parish St signed (3836 : 2022-125 ORD granting SUP outdoor car lot 103 Parish St.)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/14/2022 9:13 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-126 rezoning Lots 17 and 18, Block A. Parish Place Addition, located at 105 Parish Street. Single Family-2 to General Retail. Rocky Murray, owner.		

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Rocky Murray, owner, to rezone Lots 17, and 18, Block A, Parish Place Addition located at 105 Parish Street from Single Family-2 to General Retail. The current structure will be demolished.

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

The adjacent zoning is General Retail to the north and south, Single Family-2 to the east and west. The adjacent land use is a car lot to the north, appliance sales to the south, and residential to the east, and vacant land to the west.

The property located to the east of this site is owned by applicant and will be demolished and is the subject of rezoning in a separate case.

The proposed use is new and used auto sales (outdoor lot). Staff Recommends for approval of this request.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-126 ORD rezoning 105 Parish Street (DOCX)
b. 2022-126 ATTH 01 (Maps) (PDF)
c. 2022-126 Goals & Perspectives (DOCX)
d. 2022-126 ORD Rezoning 105 Parish St signed (PDF)

Staff Coordination

Building Code Administration	10/13/2022 4:59 PM	Mashell Daniel	Reviewer	Completed
City Manager	David Orr	Reviewer	Completed	10/14/2022 9:54 AM
City Council	Vicky Coopwood	Meeting	Completed	10/24/2022 6:00 PM

Meeting History

10/24/22	City Council	MOVED FORWARD	Next: 11/14/22

Z-22-17

ORDINANCE NO. 2022-126

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 17 AND 18, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 105 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-2 TO GENERAL RETAIL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to General Retail on Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Single Family-2 to General Retail**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to General Retail** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail.**

Attachment: 2022-126 ORD rezoning 105 Parish Street (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

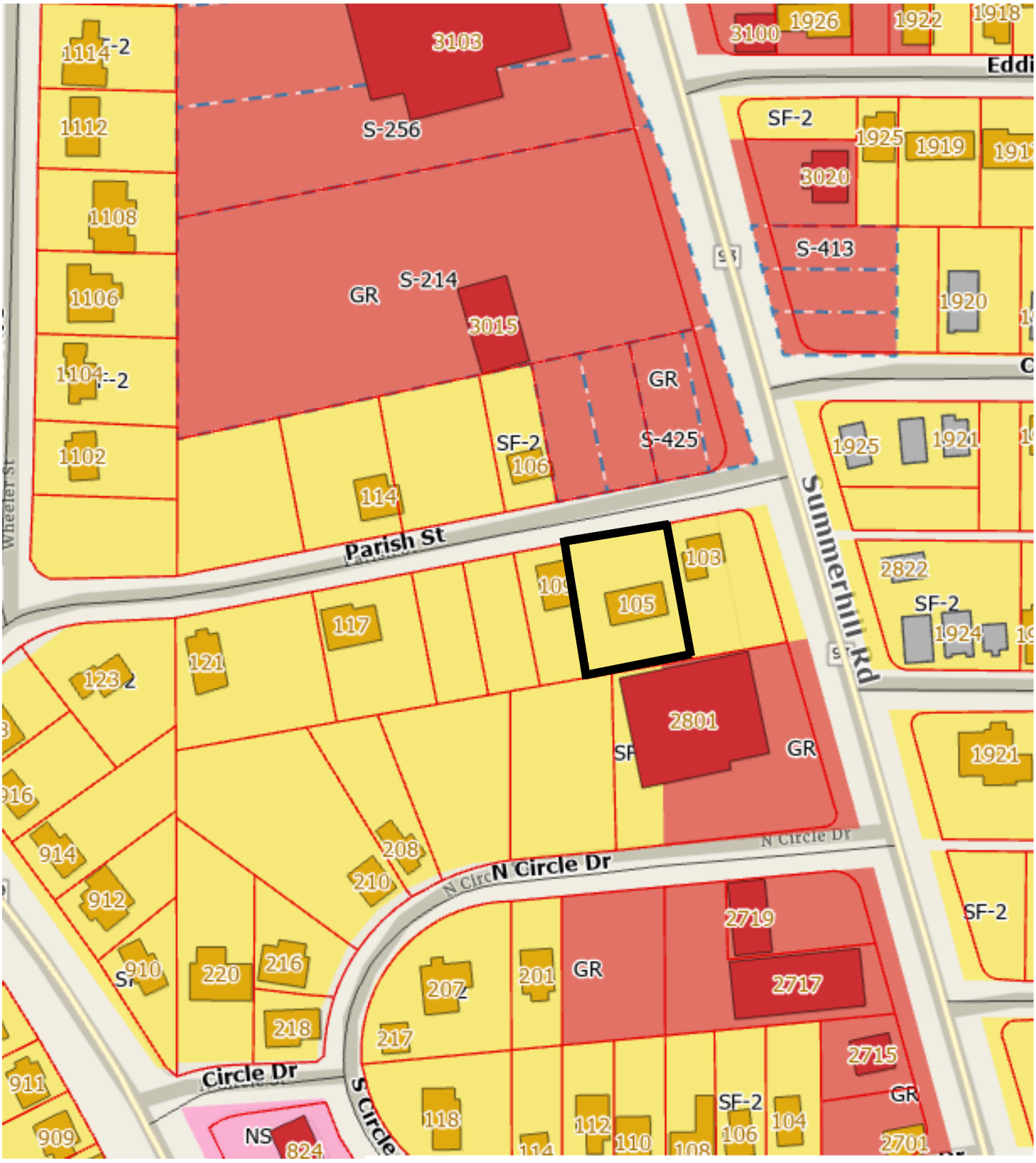
ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2022-126 ORD rezoning 105 Parish Street (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

105 Parish Street



Attachment: 2022-126 ATTH 01 (Maps) (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

105 Parish Street

Attachment: 2022-126 ATTH 01 (Maps) (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

City of Texarkana, Texas

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

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

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

Attachment: 2022-126 Goals & Perspectives (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

Z-22-17

ORDINANCE NO. 2022-126

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 17 AND 18, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 105 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-2 TO GENERAL RETAIL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to General Retail on Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **Single Family-2 to General Retail**; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to General Retail** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to General Retail.**

Attachment: 2022-126 ORD Rezoning 105 Parish St signed (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

6:46 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-126 ORD Rezoning 105 Parish St signed (3837 : 2022-126 ORD rezoning SF-2 to GR 105 Parish St.)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/14/2022 9:12 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-127 granting a Specific Use Permit to allow new and used auto sales (outdoor lot) on Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street. Rocky Murray, owner.		

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Rocky Murray, owner, for a Specific Use Permit to allow new and used car sales (outdoor lot) on Lots 17, and 18, Block A, Parish Place Addition, located at 105 Parish Street. The property is zoned Single Family-2.

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

The adjacent zoning is General Retail to the north, south, and Single Family-2 to the east and west. The adjacent land usage is a car lot to the north, appliance sales to the south, residential to the east and vacant land to the west.

The property to the east is owned by the applicant and subject to a separate zoning change request.

A Specific Use Permit is required to allow a new or used auto sales outdoor lot in this zoning district.

Staff recommends for approval of this request.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-127 ORD SUP 105 Parish Street (DOCX)
b. 2022-127 ATTH 01 (Maps) (PDF)
c. 2022-127 Goals & Perspectives (DOCX)
d. 2022-127 ORD SUP 105 Parish St signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	10/13/2022 5:00 PM
City Manager	David Orr	Reviewer	Completed	10/14/2022 9:54 AM
City Council	Vicky Coopwood	Meeting	Completed	10/24/2022 6:00 PM

Meeting History

10/24/22	City Council	MOVED FORWARD	Next: 11/14/22

S-765

ORDINANCE NO. 2022-127

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY, AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-765 TO ALLOW NEW AND USED AUTO SALES (OUTDOOR LOT) ON LOTS 17 AND 18, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 105 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of new and used auto sales (outdoor lot) on **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street**, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **five (5) to one (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted allowing auto sales (outdoor lot)** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-765** to allow the location of new and used auto sales (outdoor lot) on **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street,** in the City of Texarkana, Bowie County, Texas.

Attachment: 2022-127 ORD SUP 105 Parish Street (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

SECTION 2: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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

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

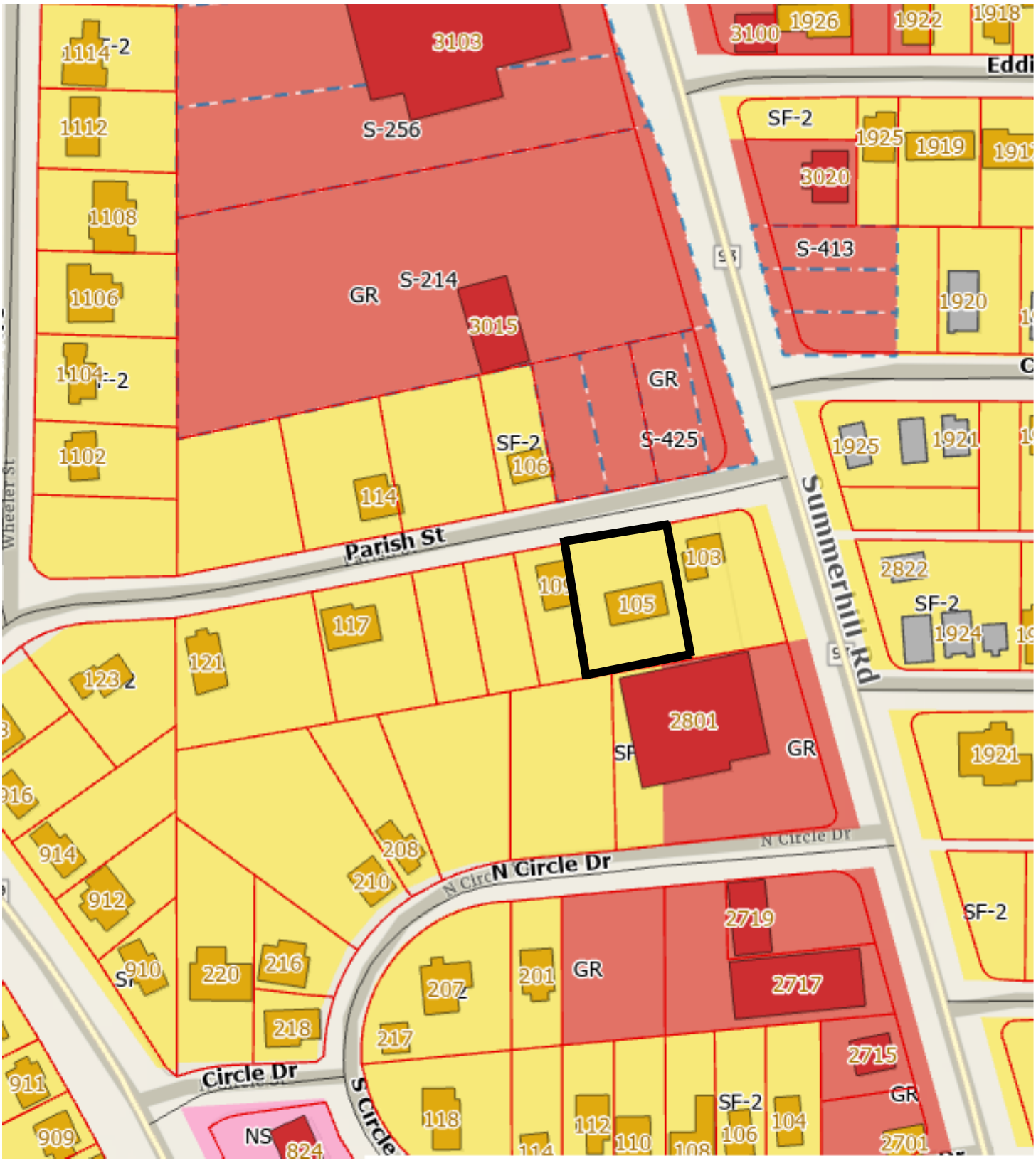
PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

VICKY COOPWOOD, ASST.CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2022-127 ORD SUP 105 Parish Street (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

105 Parish Street



Attachment: 2022-127 ATTH 01 (Maps) (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

105 Parish Street

Attachment: 2022-127 ATTH 01 (Maps) (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

City of Texarkana, Texas

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

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

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

Attachment: 2022-127 Goals & Perspectives (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

S-765

ORDINANCE NO. 2022-127

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY, AND USE OF CERTAIN PROPERTY BY THE GRANTING OF SPECIFIC USE PERMIT NO. S-765 TO ALLOW NEW AND USED AUTO SALES (OUTDOOR LOT) ON LOTS 17 AND 18, BLOCK A, PARISH PLACE ADDITION, LOCATED AT 105 PARISH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of new and used auto sales (outdoor lot) on **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street**, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **five (5) to one (0) to recommend** to the City Council of Texarkana, Texas, that a **Specific Use Permit be granted allowing auto sales (outdoor lot)** on said property; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-765** to allow the location of new and used auto sales (outdoor lot) on **Lots 17 and 18, Block A, Parish Place Addition, located at 105 Parish Street,** in the City of Texarkana, Bowie County, Texas.

Attachment: 2022-127 ORD SUP 105 Parish St signed (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

SECTION 2: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

6:47 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-127 ORD SUP 105 Parish St signed (3838 : 2022-127 ORD granting SUP new/used outdoor car lot 105 Parish St.)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/17/2022 1:28 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-128 amending PD-02-13(GR) for site plan approval on Lots 12 and 13, Block 6, Richmond Development Fifth Subdivision, (Phase 3), located in the 3400 block of Brooke Place. Brad Meador and Brandon Taylor, 2B Builders, owner.		

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Amendment to PD-02-13(GR) Phase 3: This is a request for site plan approval by Brad Meador, 2B Builders, owner, on Lots 12, and 13, Block 6, Richmond Development Fifth Subdivision, located in the 3400 block of Brooke Place, for the purpose of constructing 19 apartment units (Phase 3). This property is currently vacant land.

The adjacent zoning is Planned Development-General Retail to north, east, west, and Office and Planned Development-Multiple Family-1 to the south. The adjacent land use is vacant land to the north, retail sales to the east, offices to the west and apartments and offices to the South.

The site plan consists of the following:

1. Nineteen (19) two-story, one, two, and three-bedroom apartment units.
2. Façade will be hardi board siding, brick, and concrete with rock columns.
3. Access will be from Brooke Place.
4. 45 parking spaces.
5. Screened dumpster site.

Staff recommends for approval of the site plan.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

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

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-128 ORD Site plan 3400 Brooke Place (Phase 3) (DOCX)
b. 2022-128 EXH 'A' (Site Plan)(PDF)
c. 2022-128 ATTH 01 (Maps) (PDF)
d. 2022-128 ATTH 02 (Elevations-Floorplans) (PDF)
e. 2022-128 Goals and Perspectives (DOCX)
f. 2022-128 ORD Site plan 3400 Brooke Place (Phase 3) signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	10/13/2022 5:01 PM
City Manager	David Orr	Reviewer	Completed	10/14/2022 9:59 AM
City Council	Vicky Coopwood	Meeting	Completed	10/24/2022 6:00 PM

Meeting History

10/24/22	City Council	MOVED FORWARD	Next: 11/14/22

Attachment: 2022-128 ORD Site plan 3400 Brooke Place (Phase 3) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block

Amendment to
PD-02-13(GR)

ORDINANCE NO. 2022-128

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-02-13(GR) FOR SITE PLAN APPROVAL ON LOTS 12 AND 13, BLOCK 6, RICHMOND DEVELOPMENT FIFTH SUBDIVISION, LOCATED IN THE 3400 BLOCK OF BROOKE PLACE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lots 12 and 13, Block 6, Richmond Development Fifth Subdivision, located in the 3400 block of Brooke Place** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-02-13(GR)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-02-13(GR); and

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

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

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

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

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

SECTION 1: The site plan for **(Exhibit 'A') on Lots 12 and 13, Block 6, Richmond Development Fifth Subdivision, located in the 3400 block of Brooke Place** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-02-13(GR).

SECTION 2: PD-02-13(GR) is hereby amended by approval of the site plan (**Exhibit 'A'**),

incorporated herein by reference for all purposes, and includes the following:

1. Nineteen (19) two-story, one, two, and three-bedroom apartment units.
2. Façade will be hardi board siding, brick, and concrete with rock columns.
3. Access will be from Brooke Place.
4. 45 parking spaces.
5. Screened dumpster site.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

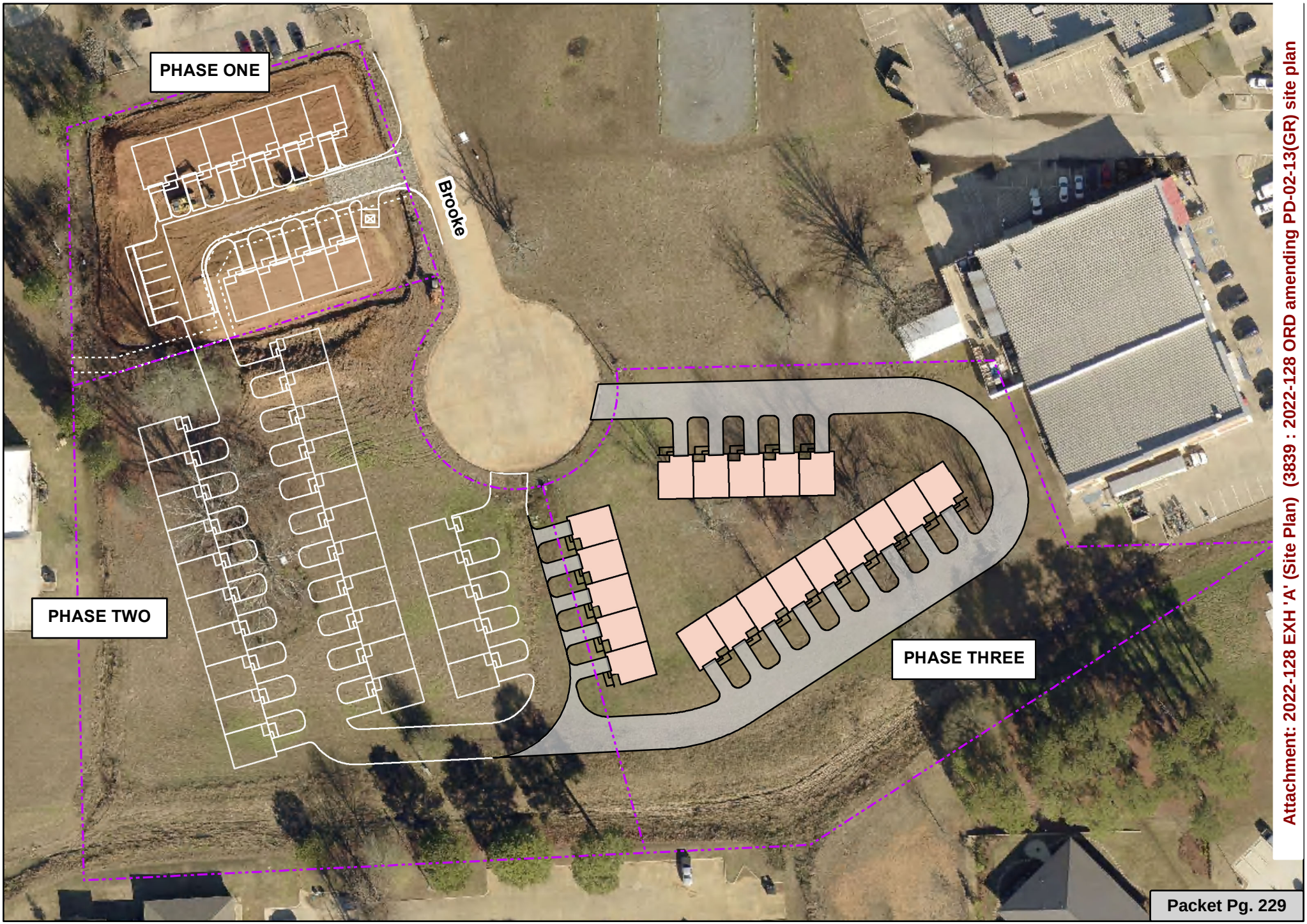
Attachment: 2022-128 ORD Site plan 3400 Brooke Place (Phase 3) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block

MTG | ENGINEERS & SURVEYORS

BROOKE PLAZA TOWNHOMES
TEXARKANA, TEXAS

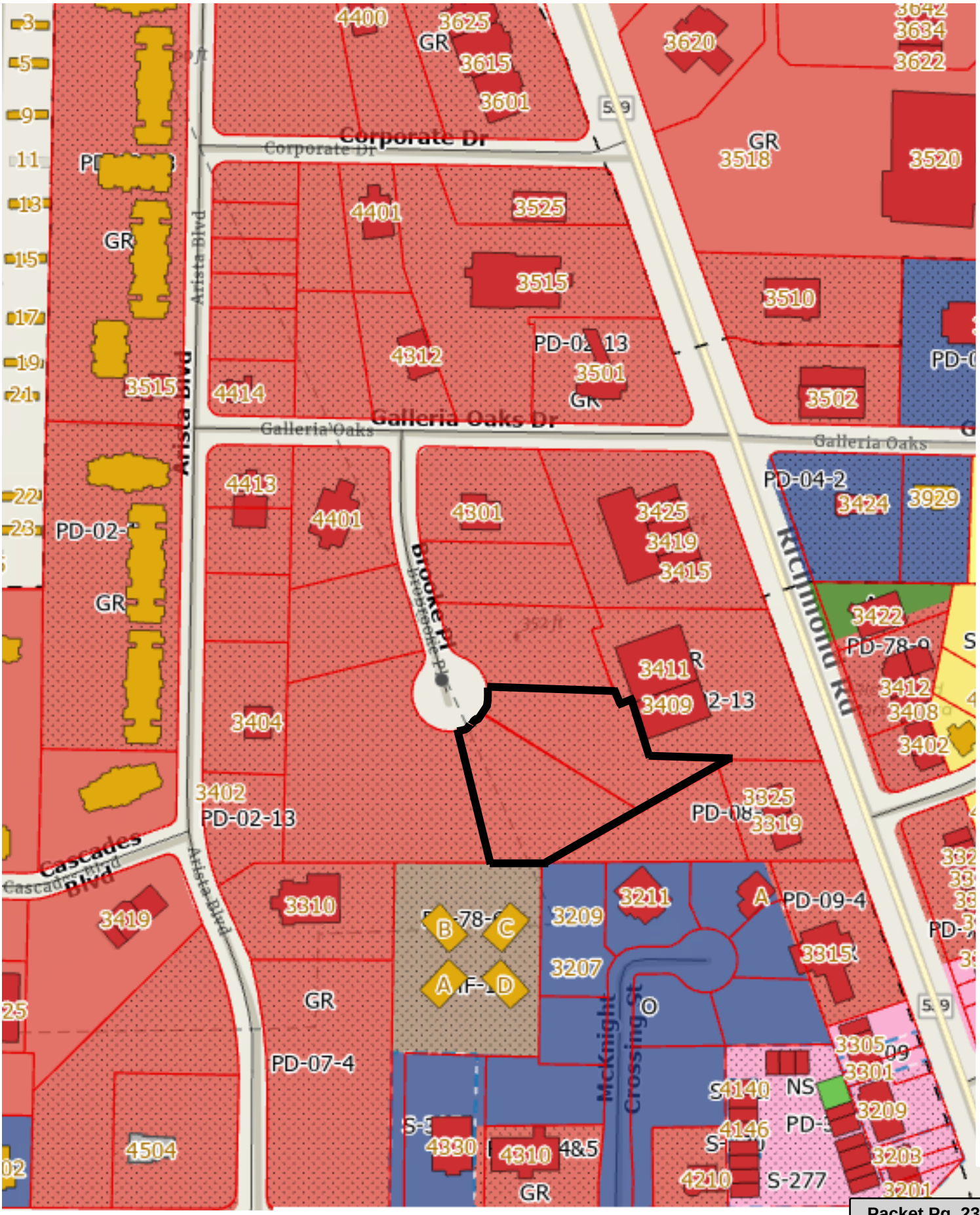
2022-128 EXH 'A'

0 25 50 100 F



Attachment: 2022-128 EXH 'A' (Site Plan) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan

Brooke Place Phase 3

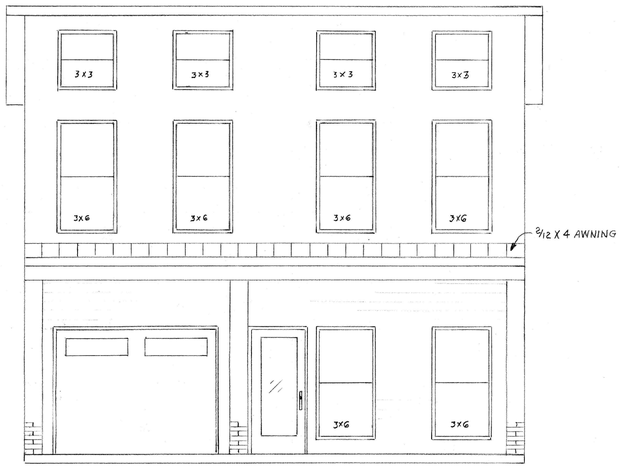


Attachment: 2022-128 ATTH 01 (Maps) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block Brooke Pl)

Brooke Place Phase 3

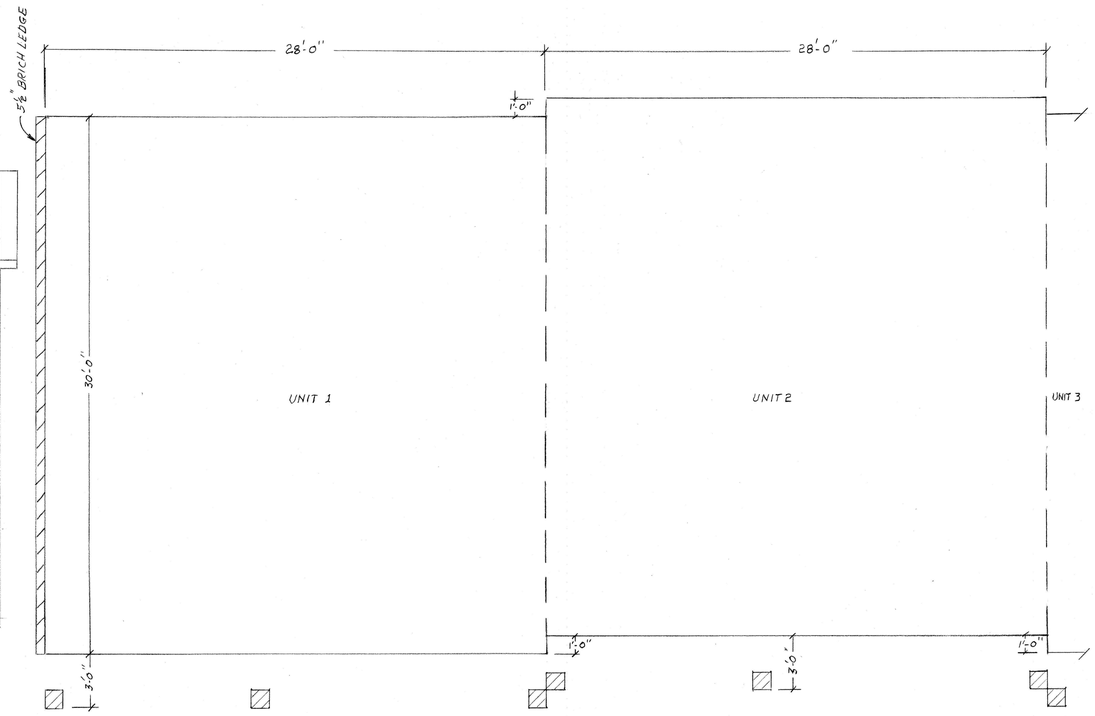
Attachment: 2022-128 ATTH 01 (Maps) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block Brooke Pl)

2022-128 ATTH 02



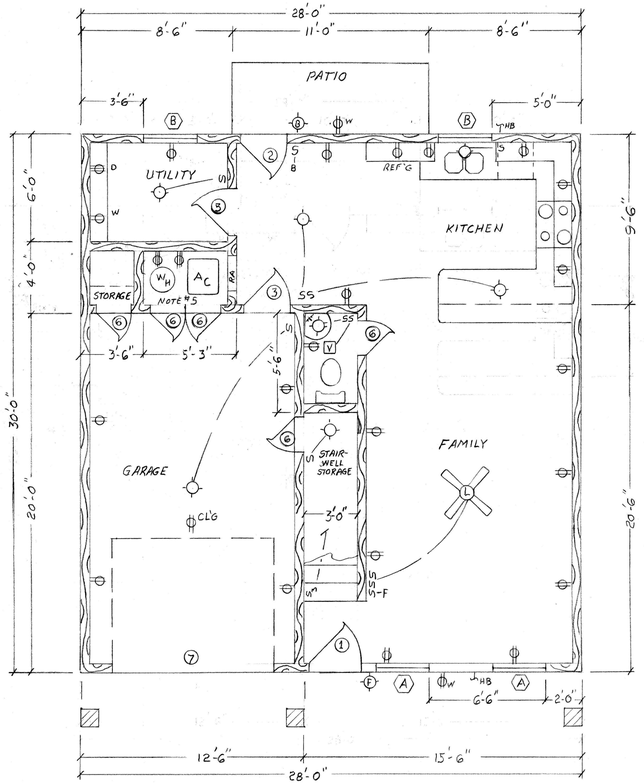
FRONT

BACK

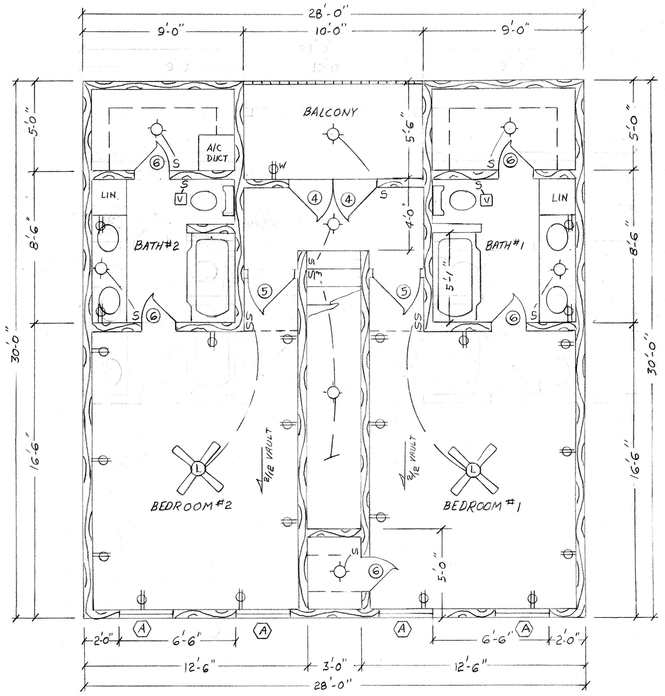


FOUNDATION

NOTE: EVER OTHER UNIT RECESSED 1'-0"



1ST FLOOR



2ND FLOOR

DOORS

KEY	SIZE	DESCRIPTION
1	3'-0"X6'-8"	EXTERIOR FULL GLASS
2.	2'-8"X6'-8"	½ GLASS
3.	2'-8"X6'-8"	METAL
4.	2'-6"X6'-8"	FULL GLASS
5.	2'-8"X6'-8"	INTERIOR HOLLOW CORE
6.	2'-0"X6'-8"	
7.	9'-0"X7'-0"	OVERHEAD W/ OPENER

WINDOWS

KEY	SIZE	DESCRIPTION
A	3'-0"X6'-0"	INSULATED SINGLE HUNG 1/1
B	3'-0"X3'-0"	

NOTES

1. 2X4 X16" O.C. WALLS
2. 2ND FLOOR BACK WALL PLATE HEIGHT
   8'-6" UNITS 1,3,5 etc.
   8'-4" UNITS 2,4,6 etc.
3. ROOF PITCH 3/12, MAINTAIN COMMON ROOF THROUGHOUT
4. BRICK LEDGE ON END UNITS ONLY
5. RAISE FLOOR 17"
6. WATER HEATER PAN REQUIRED
7. 1ST FLOOR 9'-0" CEILING HEIGHT

SQUARE FOOTAGES

1ST A/C AREA	785 S.F
2ND A/C AREA	554 S.F.
TOTAL	1,339 S.F.
GARAGE	240 S.F.
STORAGE	28 S.F.
BALCONY	55 S.F

2 BEDROOM 2½ BATH

2 B BUILDERS

TEXARKANA, USA

FLOOR / ELEVATIONS
SCALE: ¼" = 1'-0"
DATE: 8-21-2021
SHEET: 1/1

Attachment: 2022-128 ATTH 02 (Elevations-Floorplans) (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block Brooke Pl)

City of Texarkana, Texas

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

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

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

Attachment: 2022-128 Goals and Perspectives (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400 block Brooke Pl)

Amendment to
PD-02-13(GR)

ORDINANCE NO. 2022-128

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-02-13(GR) FOR SITE PLAN APPROVAL ON LOTS 12 AND 13, BLOCK 6, RICHMOND DEVELOPMENT FIFTH SUBDIVISION, LOCATED IN THE 3400 BLOCK OF BROOKE PLACE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') on Lots 12 and 13, Block 6, Richmond Development Fifth Subdivision, located in the 3400 block of Brooke Place** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-General Retail [PD-02-13(GR)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-02-13(GR); and

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

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

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

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

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

SECTION 1: The site plan for **(Exhibit 'A') on Lots 12 and 13, Block 6, Richmond Development Fifth Subdivision, located in the 3400 block of Brooke Place** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-02-13(GR).

SECTION 2: PD-02-13(GR) is hereby amended by approval of the site plan (**Exhibit 'A'**),

Attachment: 2022-128 ORD Site plan 3400 Brooke Place (Phase 3) signed (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400

incorporated herein by reference for all purposes, and includes the following:

1. Nineteen (19) two-story, one, two, and three-bedroom apartment units.
2. Façade will be hardi board siding, brick, and concrete with rock columns.
3. Access will be from Brooke Place.
4. 45 parking spaces.
5. Screened dumpster site.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

6:48 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-128 ORD Site plan 3400 Brooke Place (Phase 3) signed (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400

MTG | ENGINEERS & SURVEYORS

BROOKE PLAZA TOWNHOMES
TEXARKANA, TEXAS

2022-128 EXH 'A'

0 25 50 100 Feet

Attachment: 2022-128 ORD Site plan 3400 Brooke Place (Phase 3) signed (3839 : 2022-128 ORD amending PD-02-13(GR) site plan approval 3400

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/13/2022 4:59 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2022-129 rezoning Lots 1-4, Block 1, Jake Eldridge 1st Addition, located at 2315 Texas Boulevard. General Retail to Commercial. David Owen, owner.		

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

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by David Owen, owner, to rezone Lots 1-4, Block 1, Jake Eldridge 1st Addition, located at 2315 Texas Boulevard from General Retail to Commercial. The proposed use is light manufacturing of cbd/cannabis products. They currently sell their products at a separate location on Texas Boulevard.

The adjacent zoning is General Retail to the north, Commercial to the south and east and Single Family-2 to the west. The adjacent land use is retail sales to the north, south and east and a residence to the west.

Staff recommends for approval of this request.

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

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

Potential Options:

Approve or deny

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission voted four to one to recommend approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

October 3, 2022

Attachments

a. 2022-129 ORD rezoning 2315 Texas Blvd (DOCX)
b. 2022-129 ATTH 01 (Maps) (PDF)
c. 2022-129 Goals & Perspectives (DOCX)
d. 2022-129 ORD Rezoning 2315 Texas Blvd signed (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	10/13/2022 5:02 PM
City Manager	David Orr	Reviewer	Completed	10/14/2022 10:00 AM
City Council	Vicky Coopwood	Meeting	Completed	10/24/2022 6:00 PM

Meeting History

10/24/22	City Council	MOVED FORWARD	Next: 11/14/22

Z-22-18

ORDINANCE NO. 2022-129

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 1-4, BLOCK 1, JAKE ELDRIDGE 1ST ADDTITION, LOCATED AT 2315 TEXAS BOULEVARD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM GENERAL RETAIL TO COMMERCIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **Lots 1-4, Block 1, Jake Eldridge Addition, located at 2315 Texas Boulevard,** in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted four (4) to one (1) to recommend the application for rezoning from General Retail to Commercial on Lots 1-4, Block 1, Jake Eldridge Addition, located at 2315 Texas Boulevard** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **General Retail to Commercial**; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **Lots 1-4, Block 1, Jake Eldridge Addition, located at 2315 Texas Boulevard** in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial.**

Attachment: 2022-129 ORD rezoning 2315 Texas Blvd (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

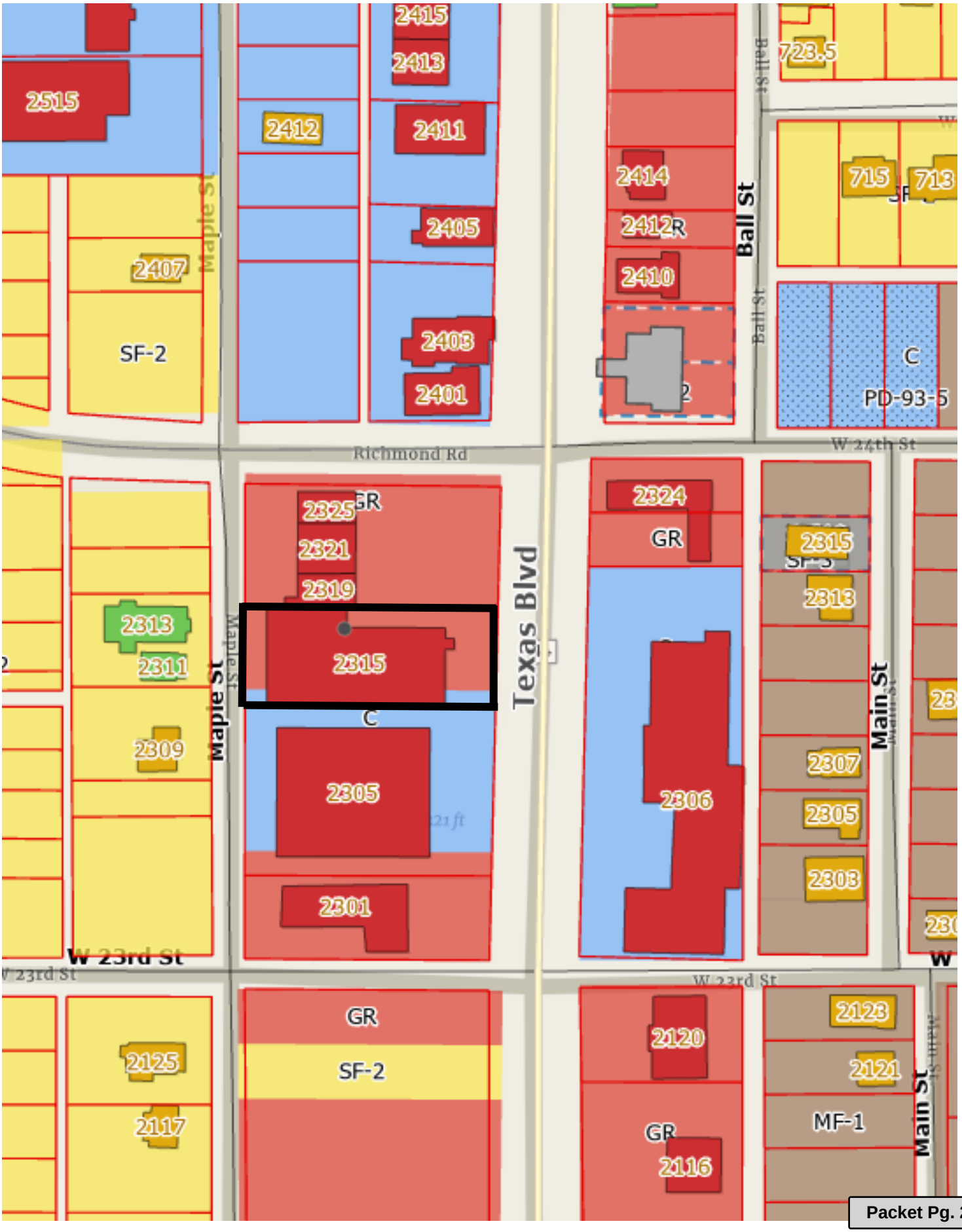
ATTEST:

_____ _____

VICKY COOPWOOD, ASST. CITY SECRETARY BOB BRUGGEMAN, MAYOR

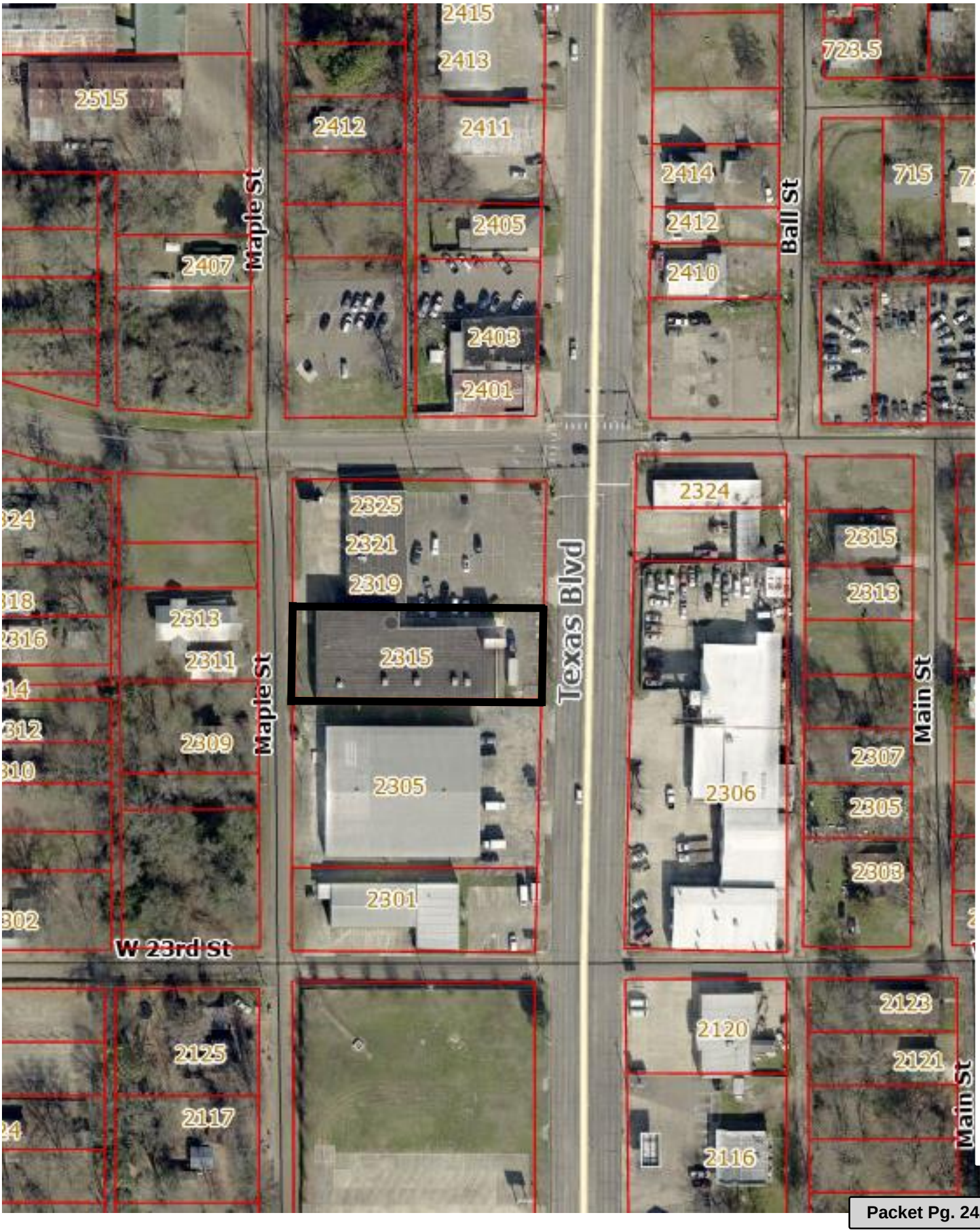
Attachment: 2022-129 ORD rezoning 2315 Texas Blvd (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)

2315 Texas Boulevard



Attachment: 2022-129 ATTH 01 (Maps) (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)

2315 Texas Boulevard



Attachment: 2022-129 ATTH 01 (Maps) (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)

City of Texarkana, Texas

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

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

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

Attachment: 2022-129 Goals & Perspectives (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)

Z-22-18

ORDINANCE NO. 2022-129

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING LOTS 1-4, BLOCK 1, JAKE ELDRIDGE 1ST ADDTITION, LOCATED AT 2315 TEXAS BOULEVARD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM GENERAL RETAIL TO COMMERCIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone **Lots 1-4, Block 1, Jake Eldridge Addition, located at 2315 Texas Boulevard,** in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted four (4) to one (1) to recommend the application for rezoning from General Retail to Commercial on Lots 1-4, Block 1, Jake Eldridge Addition, located at 2315 Texas Boulevard** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant agreed to amend the application from **General Retail to Commercial**; and

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone **Lots 1-4, Block 1, Jake Eldridge Addition, located at 2315 Texas Boulevard** in the City of Texarkana, Bowie County, Texas, from **General Retail to Commercial.**

Attachment: 2022-129 ORD Rezoning 2315 Texas Blvd signed (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **14th day of November, 2022.**

ATTEST:

VICKY COOPWOOD, ASST. CITY SECRETARY

6:50 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2022-129 ORD Rezoning 2315 Texas Blvd signed (3840 : 2022-129 ORD rezoning from GR to Commercial at 2315 Texas Blvd)