CITY OF TEXARKANA

CITY COUNCIL

MINUTES • DECEMBER 13, 2021

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	

City Staff: City Manager David Orr, Jennifer Evans, Kristin Peeples, J.W. Bramlett, Eric Schlotter, Keith Beason, Kevin Schutte, Mashell Daniel, Sherry Jackson Hawkins, Lisa Thompson, Jonathan Wade, Gary Smith, Vashil Fernandez, Alan Sikes, Lucas Shelton, Dustin Newman, Zach Flanagan, and Mitchel Wood.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER JEAN MATLOCK

III. SWEARING-IN CEREMONY FOR MAYOR, WARD 1, AND WARD 2

Municipal Judge Sherry Jackson performed the swearing-in ceremony for Mayor Bob Bruggeman, Ward 1 Council Member Jean Matlock, and Ward 2 Council Member Mary Hart.

Council Member Matlock thanked the residents of Ward 1 for their support. She said some times it's not easy, but she has learned so much serving as a council member.

Council Member Hart thanked the citizens of Ward 2 and said, "Ward 2 is a city of its own!" She also thanked staff for its support in answering her questions and providing help along the way. She is looking forward, during this next term, to working with the residents of Ward 2 and making new friends.

Mayor Bruggeman thanked the citizens across the city for their support. He said working in city government has been very rewarding, but it can also be very challenging. The city is in a great position and he is looking forward to working with council and city staff. He thanked

his wife Jackie and daughter Olivia (accompanied by her boyfriend Caleb) for their ongoing support as he continues his public service.

IV. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, January 10, 2022 at 6:00 p.m.
Monday, January 24, 2022 at 6:00 p.m.

The Intergovernmental Advisory Committee for the Bi-State Justice Center building will meet on Thursday, December 16, 2021, at 10:00 a.m. This meeting will be held at the Bi-State Justice Center, 100 North State Line Avenue, Texarkana, Arkansas, in the Texarkana Arkansas Police Department Training Room 101.

"Christmas on Main" will take place from 9:00 a.m. - 9:00 p.m. on December 18, 2021, at the Perot Theatre. Come enjoy The Polar Express, The Nightmare Before Christmas, and It's a Wonderful Life, as well as carriage rides, ice skating, a special visit from Santa Claus, food trucks, kids' crafts and a 100% chance of snow! For more ticket and activity information, call the Perot Box office at (903) 792.4992.

The annual Christmas Parade, held on Monday, December 6th, was a tremendous success! There were a lot of floats this year and a very large attendance. Many thanks to Judy Morgan who provided her personal vintage fire truck for both Mayors to ride on during the parade.

The "Unsung Heroes" luncheon will be held Friday, December 17th from 11:00 a.m. to 1:00 p.m. This luncheon is provided in recognition of those who do "little jobs" that the community depends on for support, but are often overlooked. These positions include school bus transportation, waste water and raw water treatment, sanitation, school maintenance and custodial duties, law enforcement, city road construction and fire fighting. These workers provide critical services that allow the city to thrive and survive. Thanks to all of the "Unsung Heroes" for what you do each day for the community!

V. SPECIAL PRESENTATION - FIRE DEPARTMENT CAPTAIN LUCAS SHELTON

On the morning of December 11th, Captain Shelton and the crew of Quint 1 were called to the Arkansas viaduct, to assist Arkansas Police and Fire units with an individual who was threatening to jump off the bridge.

Captain Shelton was on the tip of the ladder and when the time was right, he reached out and grabbed the individual by her belt and pulled her to safety amidst a struggle with her.

Captain Shelton's actions embodies what it means to be a firefighter. His quick thinking combined with strength and determination, while risking his own safety, made a difference that day.

Captain Shelton was thanked for his bravery and a job well done! He was accompanied by his wife and son.

VI. 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.

Johnny Riley thanked the city for supporting community meeting discussions focused on housing, food deserts, and youth crimes. Concerned citizens are looking for open communication and want to work with the city in finding solutions to these neighborhood issues.

VII. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Council Members Annual Board Appointments Review

Council made no changes to current council member board appointments. There were no citizen appointments or reappointments to any board or commission.

RESULT:	**CLOSE ACTION**

VIII. ITEMS FOR CONSIDERATION

Consent Items

(6:34 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Christie Page, Ward 4
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 25, 2021 at 6:00 PM.

2. Consider approval of the minutes of the Regular Meeting of the City Council held on November 8, 2021 at 6:00 PM.

3. Consider approval of the minutes of the Special Meeting of the City Council held on November 15, 2021 at 12:15 PM.

4. Resolution No. 2021-113 authorizing the City Manager to purchase one (1) Freightliner Vac-Con Dual Engine Truck, through the HGAC Buy Board, with budgeted funds in an amount not to exceed the Texas portion, $266,230.04 and the total amount not to exceed $434,448.50.

Public Hearing:
Council Vote: December 13, 2021

5. Ordinance No. 2021-121 amending Ordinance 2021-064, concerning Fiscal Year 2022 city budget, to allow for a monetary donation of $1,000 to be added to the police department budget account number 101-1703-52207 (Minor Tools and Equipment) for the purpose of purchasing body armor for the department's single purpose drug dog, Absurd.

   Public Hearing:
   Council Vote: December 13, 2021

6. Resolution No. 2021-122 amending the master fee list to add a fee for a temporary landing permit.

   Public Hearing:
   Council Vote: December 13, 2021

Action Items

7. Resolution No. 2021-106 appointing a Mayor Pro Tem beginning December 13, 2021, until such time the City Council elects a successor Mayor Pro Tem.

   Public Hearing:
   Council Vote: December 13, 2021

   Council Member Jean Matlock was nominated and appointed as the next Mayor Pro Tem.
   (6:35 p.m.)

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

8. Ordinance No. 2021-115 approving an amendment to the fiscal and personnel management agreement with the Texarkana Urban Transportation Study Policy Advisory Board.

   Public Hearing:
   Council Vote: December 13, 2021

Vashil Fernandez briefed this agenda item.
(6:37 p.m.)

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

9. Ordinance No. 2021-120 terminating Disaster Declaration 2021-001, issued on February 15, 2021, related to the winter weather event.

Public Hearing:
Council Vote: December 13, 2021

Eric Schlotter briefed this agenda item.
(6:39 p.m.)

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

IX. FIRST BRIEFINGS

1. Ordinance No. 2021-107 rezoning an approximate 1.89-acre tract of land (being Tract 139) in the J. W. Johnson HRS, A-308, located at the southwest corner of Jameson Street and Texarkana Avenue from Single Family-2 to Single Family-3. Anthony Lockhart and Latremont McCutchin, owners and John Lane, Agent.

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

Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 1/10/2022 6:00 PM**

2. Ordinance No. 2021-108 granting a Specific Use Permit to allow the location of a double-wide HUD code manufactured home as a residence on a 1.89-acre tract of land (being Tract 139) in the J.W. Johnson HRS, A-308, located at the southwest corner of Jameson Street and Texarkana Avenue. Anthony Lockhart and Latremont McCutchin, owners, and John Lane agent.

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

Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 1/10/2022 6:00 PM**

3. Ordinance No. 2021-109 rezoning Lots 1, 2, and west part of 3, Block 13, Richmond Pines 3rd Addition, located north of the residence at 3202 Robin Lane from Single Family-1 to Planned Development-Townhouse. Jason Nguyen, owner and Brandon Taylor, 2B Builders, agent.

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

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 1/10/2022 6:00 PM**

4. Ordinance No. 2021-110 approving an amendment to PD-21-3(TH) for site plan on Lots 1, 2, and west part of 3, Block 13, Richmond Pines 3rd Addition, located north of the residence at 3202 Robin Lane. Jason Nguyen, owner and Brandon Taylor, 2B Builders, agent.

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

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 1/10/2022 6:00 PM**

5. Ordinance No. 2021-111 approving an amendment to PD-01-8 (MF-1) for site plan approval on Lot 1, 2, and 3, Block 2, Brookwood Acres Addition, located in the 500 block of Belt Road. Jason Nguyen, owner, and Brandon Taylor, 2B Builders, agent.

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

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 1/10/2022 6:00 PM**

6. Resolution No. 2021-112 approving a redistricting services contract based on the 2020 U.S. Census.

   Public Hearing:
   Council Vote: January 10, 2022

City Manager Orr briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 1/10/2022 6:00 PM**

7. Resolution No. 2021-116 adopting evaluative factors and administrative procedures for low income housing tax credits resolution requests; containing a fact finding that the City has more than twice the state average of units per capita supported by housing tax credits or private activity bonds.

   Public Hearing:
   Council Vote: January 10, 2022

   Vashil Fernandez briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 1/10/2022 6:00 PM**

8. Ordinance No. 2021-117 closing and abandoning an unopened twenty-five foot (25') street right-of-way of Bradley Street located north of Pacific Avenue, south of Greenview Drive, and east of Lots 49 and 57 in the Belmont Addition.

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

   Jonathan Wade briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 1/10/2022 6:00 PM**

9. Resolution No. 2021-118 authorizing the City Manager to enter into a Chapter 380 economic development agreement with WinCo Foods.

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

   Lisa Thompson briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 1/10/2022 6:00 PM**

10. Resolution No. 2021-119 authorizing the City Manager to amend the contract for exclusive ambulance service with Lifenet, Inc.

    Public Hearing:
    Council Vote: January 10, 2022

    Eric Schlotter briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 1/10/2022 6:00 PM**

X. PUBLIC HEARINGS

1. Resolution No. 2021-101 approving the Community Development Block Grant (CDBG) 2020 Comprehensive Assessment Performance Evaluation Report.

   Public Hearing: December 13, 2021
   Council Vote: December 13, 2021

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

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

2. Ordinance No. 2021-102 closing and abandoning an unopened forty-foot (40') street right-of-way for Ward Avenue, located north of Austin Street and east of Collier Street, between block 6 and block 9 of the Greater Texarkana Addition.

   Public Hearing: December 13, 2021
   Council Vote: December 13, 2021

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

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

3. Resolution No. 2021-105 approving the City's mission, vision, and values statements.

   Public Hearing: December 13, 2021
   Council Vote: December 13, 2021

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

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

XI. ITEMS FOR DISCUSSION - CITY MANAGER'S REPORT

TWU True-up for the Riverbend Member Cities
Staff presented the final water rate true-up numbers on Wednesday, December 8th to the Riverbend Member Cities. The water rate calculation increased by .0741 cents per thousand gallons or 7.97%. As a result, the proposed 2022 annual water cost will increase by $95,604 annually or $7,967 monthly for Texarkana, Texas. This information will be used in the current water rate study as staff reviews the increases in water production costs over the past several years. Staff anticipates that study will be presented to Council during the city's next budget cycle.

KTBS Skycam 3 - Downtown Texarkana
A new skycam on Channel 3 has a shot of the U.S. Post Office and Federal Courthouse each night at 5:00 p.m., 6:00 p.m., and also at 10:00 p.m.. The skycam is sponsored by Farmers' Bank and Trust, the Texarkana Arts & Historic and the Arkansas A&P Commission. A big thanks to the work of Keith Beason and our Arts & Historic District team for making this project happen.

Planning Award Recognition
Texarkana was selected, again this year, as one of 34 cities in the state to receive the Texas Chapter of the American Planning Association's Planning Excellence award. This award is in recognition of the professional planning standards demonstrated by staff, Planning & Zoning Commission members and the City Council. Congrats to Vashil Fernandez, Mashell Daniel, and their staff for receiving this recognition.

Water Rights Permit Update
Riverbend and city staff are working through the protest concerns by the City of Irving, City of Sulphur Springs, North Texas Water District and Upper Trinity Water District that have all filed protests against the city's water permit application. Staff continues to be hopeful that mutually agreeable resolutions can be reached and are working towards additional updates in January.

Bi-State IAC Meeting
The next IAC meeting is scheduled for Thursday, December 16, 2021, at 10:00 a.m. It will be held at the Bi-state building in the normal meeting room and the agenda will include the bi-state budget for 2022.

MPO State Line Corridor Plan Report
The final MPO State Line Corridor Plan Report is located here <http://www.texarkanampo.org/publications.html>). Staff plans to use this report to coordinate with the DOTs on the corridor design plan and construction set for 2023.

Additionally, staff will be working on a proposed overlay district with both cities in the future as part of the overall corridor improvement plan.

Save the Dates:
Texarkana Chamber of Commerce Annual Celebration will be held on Friday, January 21st at 6:00 p.m. at the Texarkana Arkansas Convention Center.

State of the City Breakfast will take place Wednesday, January 26th at 8:00 a.m. at First United Methodist in Texarkana, Arkansas**.**

XII. ADMINISTRATIVE COMMENTS

1. City Council

   Council Member Davis wished everyone a Merry Christmas. He also said the City's Mission, Vision, and Values statement, adopted that night, was a good reminder for council members too in setting the pace for the city.

   Council Member Matlock commended staff for taking care of issues around the city. It's noticeable and appreciated.

   Council Member Hart also agreed with Council Member Matlock. Ms. Hart said, as a council member, it's getting easier to work with a citizen who may be upset, at the start, when voicing issues. Staff is getting things done throughout the city and this helps turn the citizen's attitude toward a more positive conversation.

   Mayor Bruggeman said the Theron Jones Winter Wonderland "Read-a-Thon" will take place on Friday, December 17th from 8:30 a.m. to 11:00 a.m. Those interested in being a featured reader, can contact Annette Daniels at (903) 793.4871, Ext. 5506. Holiday goodies will be provided for all to enjoy.

2. City Staff

   City Manager Orr thanked the council for adopting the City's Mission, Vision, and Values statement. This document will provide great direction for city staff and move the city forward. He wished everyone a Merry Christmas.

XIII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.071 - Consultation with the City Attorney and Sections 551.076 and 551.089 - Deliberation Regarding Security Devices or Security Audits.

XIV. RECONVENED INTO OPEN SESSION

XV. ADJOURNMENT

A motion was made to adjourn the meeting.
(8:10 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Version:

Briefing Sheet

Update Date: 11/17/2021 2:13 PM

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

Subject: Council Members Annual Board Appointments Review

Attachments

a. Council Board Appts 2021 (12.13.21) (PDF)

Council Member Board Appointments - 2021

ARK-TEX COG	1	Bill Harp	25-Nov-19	2.0	24-Nov-21	CC	1	2
ARK-TEX COG	2	Jean Matlock	25-Nov-19	2.0	24-Nov-21	CC	1	2
ARK-TEX COG	3	Mary Hart	25-Nov-19	2.0	24-Nov-21	CC	1	2
BI-STATE IAC	1	Bob Bruggeman	25-Nov-20	1.0	24-Nov-21	CC	1	2
BI-STATE IAC	2	Betty Williams	25-Nov-20	1.0	24-Nov-21	CC	1	2
BOWIE CENTRAL APPRAISAL DISTRICT	TXK	Jay Davis	1-Jan-22	2.0	31-Dec-23	CC	0	0
METROPOLITAN PLANNING								
MPO POLICY BOARD	1	Mary Hart	27-Nov-17	5.0	26-Nov-22	CC	0	0
MPO POLICY BOARD	3	Bob Bruggeman	1-Apr-19	5.0	31-Mar-24	CC	0	0
TXK URBAN TRANSIT DISTRICT								
TXK URBAN TRANSIT DISTRICT	MAY	Bob Bruggeman	25-Nov-19	2.0	24-Nov-21	M	1	2
MAYOR PRO TEM – (RESOLUTION)								
MAYOR PRO TEM	1	Bill Harp	1-Dec-20	1.0	30-Nov-21	M	1	2

Council Members have the option to be appointed to a board, continue serving on a current board, request to serve on another board, or discontinue service on a present board. (12.13.21)

Attachment: Council Board Appts 2021 (12.13.21) (3597 : Annual Council Board Appointments)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • OCTOBER 25, 2021

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: Interim City Manager David Orr, Vicky Coopwood, Sherry Jackson Hawkins, Mashell Daniel, Keith Beason, Brandon Uselton, Eric Schlotter, J. W. Bramlett, Kristin Peeples, Vashil Fernandez, Lisa Thompson, Kevin Schutte, Robby Robertson and Dustin Henslee.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY MAYOR BOB BRUGGEMAN

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, November 8, 2021 at 6:00 p.m. (**REMINDER:** Only one November Meeting.)
Monday, December 13, 2021 at 6:00 p.m.

Upcoming City Events:

Save the Date: Ribbon Cutting for the Courthouse Square Connections Project at the U.S. Post Office and Federal Courthouse will take place Friday, October 29th at 11:30 a.m. Local high school bands, food trucks and more will be on hand to celebrate the new improvements.

State Line Community Meeting #3: The final State Line corridor meeting will be held on Thursday, November 4th from 5:30 p.m. to 6:30 p.m. at the TRAHC Building, located at 321

Minutes Acceptance: Minutes of Oct 25, 2021 6:00 PM (Consent Items)

West 4th Street. Citizens from both sides of State Line are invited to come and give input for the corridor study at this final meeting!

Parks & Recreation Events:

October 28th	Movies in the Park - "The Town that Dreaded Sundown"	Spring Lake Park
October 30th	Trunk or Treat	Spring Lake Park

****Movies in the Park will 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.

Texas High Tiger Theatre Company will be presenting a production of "Annie" at the Sullivan Performing Arts Center on Thursday, November 4th, Friday, November 5th and Monday, November 8th. The tickets are $10 for adults and $5 for students.

The Mayor spoke of the passing of one of our community members, Mrs. Lova Wile. He asked for the family to be kept in our prayers.

The Texas Downtown Concert will be held on November 4th in front of the Perot Theatre. Feature band for the performance will be local band "Split Decision".

IV. SPECIAL PRESENTATION - KSLA CHANNEL 12

Fred Gamble - Silver Circle Broadcasting Award

Mr. Gamble was called out on assignment and sent his apologies for not being able to make the meeting. The presentation was rescheduled for the next council meeting on November 8th.

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.

Kyle Dooley, Executive Director of Riverbend, expressed support to appoint David Orr as the next City Manager.

Kayla Wood, of MTG Engineering, expressed support to appoint David Orr as the next City Manager.

Kelley Mitchell, of Texar Federal Credit Union, expressed support to appoint David Orr as the next City Manager.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Minutes Acceptance: Minutes of Oct 25, 2021 6:00 PM (Consent Items)

Council Member Matlock corrected the name of a recommendation for a Permit and License Appeal Board appointment. Instead of Dana Iona, the name should be Teressa Carter. This change will reflect on the Board, Commission, and Committee members list.

(6:15 p.m.)

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

VII. ITEMS FOR CONSIDERATION

Consent Items

(6:16 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Christie Page, Ward 4
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 11, 2021 at 6:00 PM.

2. Ordinance No. 2021-092 amending the budget for the Texarkana Area Community Foundation (TACF) Grant Fund (Fund 243) to reflect additional revenue and expenditures of $1,500 for grant funding received from the Texarkana Area Community Foundation.

   Public Hearing:
   Council Vote: October 25, 2021

3. Resolution No. 2021-093 approving Bowie Central Appraisal District's 2021 tax roll.

   Public Hearing:
   Council Vote: October 25, 2021

Action Items

Minutes Acceptance: Minutes of Oct 25, 2021 6:00 PM (Consent Items)

4. Resolution No. 2021-094 authorizing the expenditure of Community Relations funds in support of the Live United Bowl Team's banquet in an amount not to exceed $20,000.

   Public Hearing:
   Council Vote: October 25, 2021

   Mr. Jerry Huckabee, representative for the Live United Bowl, was present for questions.
   (6:18 p.m.)

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

5. Ordinance No. 2021-095 appointing David W. Orr, Ph.D., as City Manager and approving a City Manager Contract.

   Public Hearing:
   Council Vote: October 25, 2021

   City Manager Orr said he was honored and humbled to have the opportunity to lead the city as the next City Manager. He thanked his family and supporters.
   (6:19 p.m.)

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

6. Resolution No. 2021-099 approving a Texas Parks and Wildlife Community Outdoor Outreach Program grant application for support of the Days Creek Watershed Restoration Project in the amount of $44,200.

   Public Hearing:
   Council Vote: October 25, 2021

   Keith Beason briefed this agenda item.
   (6:24 p.m.)

Minutes Acceptance: Minutes of Oct 25, 2021 6:00 PM (Consent Items)

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

VIII. FIRST BRIEFINGS

1. Resolution No. 2021-091 adopting and approving the State of Texas and Texas Political Subdivisions' Opioid Abatement Fund Council and Settlement Allocation Term Sheet in its entirety and adopting the allocation method for Opioid Settlement Proceeds as set forth in the Texas Term Sheet ($192,094 allocated to Texarkana, Texas).

   Public Hearing:
   Council Vote: November 8, 2021

   Kevin Schutte briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 11/8/2021 6:00 PM**

2. Ordinance No. 2021-096 granting a Specific Use Permit to allow the location of a tattoo studio on Lots 1-12, Block 1, Crestwood Addition, located at 3917 N. State Line Avenue. Randy Lacy, owner and Michael Boleware, agent.

   Public Hearing: November 8, 2021
   Council Vote: November 8, 2021

   Mashell Daniel briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 11/8/2021 6:00 PM**

3. Ordinance No. 2021-097 amending PD-00-6 (O) for site plan approval on Lot 1 of number 1 ED, a part of the George Brinlee HRS, A-18, located at 3930 Galleria Oaks Drive. C. J. Uzick representing Arkansas Heart Hospital, owner and Kayla Wood, MTG Engineering and Surveyors, agent.

   Public Hearing: November 8, 2021
   Council Vote: November 8, 2021

   Mashell Daniel briefed this agenda item.

Minutes Acceptance: Minutes of Oct 25, 2021 6:00 PM (Consent Items)

RESULT:	MOVED FORWARD	Next: 11/8/2021 6:00 PM

4. Ordinance No. 2021-098 amending PD-15-1 (O) for site plan approval on an approximate 3.485-acre tract of land (Being Tract 51), J. A. Talbot HRS, A-564, located at 5808 Richmond Road. Blake Rich representing Grand Oaks ALF, LLC, and Kayla Wood, MTG Engineering and Surveyors, agent. (A 3/4 vote of the City Council is required to approve this request.)

   Public Hearing: November 8, 2021
   Council Vote: November 8, 2021

   Mashell Daniel briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 11/8/2021 6:00 PM

IX. PUBLIC HEARINGS - NONE

X. ITEMS FOR DISCUSSION

City Manager's Report

Texarkana Public Facility Corporation (TPFC) to host a Completion Ceremony
The Texarkana Public Facility Corporation (TPFC) will host a Completion Ceremony to celebrate the Rental Assistance Demonstration (RAD) program. The event will take place on Wednesday, November 3, 2021, from 6:00 p.m. - 8:00 p.m. at the Northridge Country Club.

Riverbend Board of Directors Meeting
The next Riverbend Board of Directors meeting is scheduled for Wednesday, October 27, 2021, at 12:00 p.m. at the Riverbend offices. Staff will present an update on the water rate true-up process that was delayed due to the cyber-attack.

TEXAR's Local Bands, Local Brews & Local Bites
TEXAR's Local Bands, Local Brews & Local Bites will be held on Thursday, November 4, 2021, from 7:00 p.m. - 9:00 p.m. in front of the Perot Theatre. Bring a lawn chair and enjoy free live music by local band Split Decision downtown.

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Council had no administrative comments for staff.

2. City Staff

   Staff had no administrative comments for Council.

Minutes Acceptance: Minutes of Oct 25, 2021 6:00 PM (Consent Items)

XII. ADJOURNMENT

Motion to Adjourn

A motion was made to adjourn the meeting.
(6:38 p.m.)

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

Vicky Coopwood
Asst. City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Oct 25, 2021 6:00 PM (Consent Items)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES ● NOVEMBER 8, 2021

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, Jennifer Evans, Kristin Peeples, Robby Robertson, Mashell Daniel, Dusty Henslee, Karey Parker, J.W. Bramlett, Jonathan Wade, Vashil Fernandez, Lisa Thompson, Sherry Jackson Hawkins, Kevin Schutte, and Gary Smith.

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, December 13, 2021 at 6:00 p.m. (**REMINDER:** One December Meeting.)
Monday, January 10, 2022 at 6:00 p.m.
Monday, January 24, 2022 at 6:00 p.m.

Parks & Recreation Events:

December 2nd Bramlett Beans N' Cornbread Texarkana Convention Center (**New Location**)

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.

Minutes Acceptance: Minutes of Nov 8, 2021 6:00 PM (Consent Items)

Other City Events:

The **Employee Appreciation Lunch** will be held at the Texarkana Texas Convention Center this year. The event is scheduled for Tuesday, November 16th from 11:00 a.m. to 2:00 p.m. Catering will be provided by Big Jakes BBQ, sponsored by Farmers Bank & Trust and the City.

The City and Texarkana Water Utilities will hold a **Job Fair** on Wednesday, November 17th from 11:00 a.m. to 2:00 p.m. at the Texarkana Texas Convention Center.

The annual "**Bark in the Park**" will be held December 4th from 9:00 a.m. - 2:00 p.m. at the Kylee Sullivan Dog Park in Spring Lake Park.

Thursday, November 11th is **Veterans Day**. Mayor Bruggeman thanked all current and retired veterans and also those in memoriam for service to their communities and country.

On November 9th at 11:00 a.m., a groundbreaking ceremony will be held at Texarkana College (TC) for the **McCulloch Industrial Technology Center**. The center will provide more that 15,000 sq.ft. of new training facilities for TC's Electrical Technology and Air Conditioning/Refrigeration (HVAC) programs.

IV. SPECIAL PRESENTATIONS

Fred Gamble - "Silver Circle Broadcasting Award"

Mr. Gamble, an employee of Shreveport's KSLA News 12, was recognized for receiving the Silver Circle Broadcasting Award for 48 years in television news. This honorary distinction is given to broadcasters who have served their communities for at least 25 years. Admirably, being a reporter/photojournalist has been Fred's first and only job!

The Mayor shared a memorable experience from the 1990s when Fred asked him to do a live interview on a very cold & cloudy evening. At the time, the Mayor was a spokesperson for SWEPCO and updated the community on storm recovery efforts during the broadcast. He said he would never forget that evening with Fred at the I-30 overpass.

Fred received a city lapel pin and was congratulated on receiving this much-deserved recognition in journalism.

Minutes Acceptance: Minutes of Nov 8, 2021 6:00 PM (Consent Items)



Small Business Saturday Proclamation - November 27, 2021

The Mayor read the Small Business Saturday Proclamation encouraging citizens to especially shop locally on the Saturday after the Thanksgiving Day holiday and continue to support small businesses throughout the year.

Johnny Riley, of the Small Business Development Center (SBDC), presented several small business owners from the region. Mr. Riley said the SBDC provides services such as business plan development, financial analysis, and assistance with securing bank funds.

The goal of the SBDC is to represent northeast Texas through the development center in Small Business Administration in this market area.

Small Business Saturday - November 27, 2021

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.

David Watkins thanked council and staff members for participating in the recently held meeting discussing rising crime rates among the youth. He also asked for more

Minutes Acceptance: Minutes of Nov 8, 2021 6:00 PM (Consent Items)

transparency from city government and the opportunity for others' voices to be heard so concerned citizens can work in partnership with the city.

VI. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Council Member Harp recommended the appointment of Wanda Northam to the University Planned Development District to replace the expired term of Jeff Elliott.

1. Motion to accept the recommendation of appointing Wanda Northam to the University Planned Development District.

(6:28 p.m.)

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

VII. ITEMS FOR CONSIDERATION

Consent Items

(6:29 p.m.)

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

1. Resolution No. 2021-103 authorizing the City Manager to execute a contract, with budgeted funds, for the Millwood WTP - Settling Basin Interior Repairs/Liner Project in an amount, with the Texas portion, not to exceed $232,659.39 and the total amount not to exceed $379,666.11

   Public Hearing:
   Council Vote: November 8, 2021

2. Resolution No. 2021-100 casting all 760 cumulative votes for Jay Davis for membership on the Bowie Central Appraisal District's Board of Directors to serve for the 2022-2023 term.

   Public Hearing:
   Council Vote: November 8, 2021

Minutes Acceptance: Minutes of Nov 8, 2021 6:00 PM (Consent Items)

Action Items

3. Resolution No. 2021-090 setting the 2022 City Council meeting dates and official city holiday closings.

   Public Hearing:
   Council Vote: November 8, 2021

   J.W. Bramlett briefed this agenda item.
   (6:31 p.m.)

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

4. Resolution No. 2021-104 authorizing the City Manager to execute an amendment to the original contract with A.L. Franks Engineering, Inc. of Texarkana, Arkansas, with budgeted funds, in an amount not to exceed $136,961 for engineering services associated with modifications to the Waggoner Creek Wastewater Treatment Plant.

   Public Hearing:
   Council Vote: November 8, 2021

   Gary Smith briefed this agenda item.
   (6:35 p.m.)

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

VIII. FIRST BRIEFINGS

1. Resolution No. 2021-101 approving the Community Development Block Grant (CDBG) 2020 Comprehensive Assessment Performance Evaluation Report.

   Public Hearing: December 13, 2021
   Council Vote: December 13, 2021

   Vashil Fernandez briefed this agenda item.

Minutes Acceptance: Minutes of Nov 8, 2021 6:00 PM (Consent Items)

RESULT:	**MOVED FORWARD**	**Next: 12/13/2021 6:00 PM**

2. Ordinance No. 2021-102 closing and abandoning an unopened forty-foot (40') street right-of-way for Ward Avenue, located north of Austin Street and east of Collier Street, between block 6 and block 9 of the Greater Texarkana Addition.

   Public Hearing: December 13, 2021
   Council Vote: December 13, 2021

   Jonathan Wade briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 12/13/2021 6:00 PM**

3. Resolution No. 2021-105 approving the City's mission, vision, and values statements.

   Public Hearing: December 13, 2021
   Council Vote: December 13, 2021

   City Manager Orr briefed this agenda item.

RESULT:	**MOVED FORWARD**	**Next: 12/13/2021 6:00 PM**

IX. PUBLIC HEARINGS

1. Resolution No. 2021-091 adopting and approving the State of Texas and Texas Political Subdivisions' Opioid Abatement Fund Council and Settlement Allocation Term Sheet in its entirety and adopting the allocation method for Opioid Settlement Proceeds as set forth in the Texas Term Sheet ($192,094 allocated to Texarkana, Texas).

   Public Hearing:
   Council Vote: November 8, 2021

   There were no public comments made at this hearing.
   (6:43 p.m.)

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

2. Ordinance No. 2021-096 granting a Specific Use Permit to allow the location of a tattoo studio on Lots 1-12, Block 1, Crestwood Addition, located at 3917 N. State Line Avenue. Randy Lacy, owner and Michael Boleware, agent.

Minutes Acceptance: Minutes of Nov 8, 2021 6:00 PM (Consent Items)

Public Hearing: November 8, 2021
Council Vote: November 8, 2021

Michael Boleware, accompanied by Jeffrey May, presented himself for questions at this hearing. There were no other public comments.
(6:45 p.m.)

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

3. Ordinance No. 2021-097 amending PD-00-6 (O) for site plan approval on Lot 1 of number 1 ED, a part of the George Brinlee HRS, A-18, located at 3930 Galleria Oaks Drive. C. J. Uzick representing Arkansas Heart Hospital, owner and Kayla Wood, MTG Engineering and Surveyors, agent.

Public Hearing: November 8, 2021
Council Vote: November 8, 2021

Kayla Wood, of MTG Engineering, presented herself for questions at this hearing. There were no other public comments.
(6:46 p.m.)

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

4. Ordinance No. 2021-098 amending PD-15-1 (O) for site plan approval on an approximate 3.485-acre tract of land (Being Tract 51), J. A. Talbot HRS, A-564, located at 5808 Richmond Road. Blake Rich representing Grand Oaks ALF, LLC, and Kayla Wood, MTG Engineering and Surveyors, agent. (A 3/4 vote of the City Council is required to approve this request.)

Public Hearing: November 8, 2021
Council Vote: November 8, 2021

The agent for the owner/applicant, Kayla Wood, of MTG Engineering, spoke at the public hearing and stated that the owner would be agreeable to using different exterior materials than as hardy board originally proposed. City Manager Orr directed the attention of the Council to the stipulations set out in Section 2 of the proposed ordinance; and City Attorney Jeffery Lewis advised that the Council could amend the motion for approval to reflect such a stipulation on different exterior materials.

Minutes Acceptance: Minutes of Nov 8, 2021 6:00 PM (Consent Items)

Council Member Davis made an amended motion to approve the ordinance but with the requirement of the building facade to consist of brick and stone.

(6:52 p.m.)

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

X. ITEMS FOR DISCUSSION

City Manager's Report

TXDOT Approves Kennedy Lane Sidewalks & Cowhorn Creek Multipurpose Trail Grant

On October 28, 2021, the Texas Transportation Commission (the Commission) approved funding for 41 Transportation Alternatives Set-Aside (TA) Program projects from across the state valued at approximately $55 million. The City's grant application for Kennedy Lane Sidewalks & the Cowhorn Creek Multipurpose Trail was approved for $2,310,247. Additionally, the City's project was authorized to receive federal TA funding (100% maximum for preliminary engineering and construction due to Transportation Development Credits eligibility) by the Commission. Congratulations to the Planning & Community Development team for this grant award.

Financial System - Cyber Recovery Update

Since the cyber-attack, staff has made tremendous progress in the financial rebuild. Because Fiscal Years 2020 and 2021 had not been audited at the time of the attack, it was necessary to rebuild all FY 2020 and FY 2021 data back into the financial system. It is staff's goal to start the Fiscal Year 2020 & 2021 audits in March and finish the audits in the summer. This is a monumental task. All credit goes to staff members that have worked diligently to restore this information while continuing to perform required daily tasks.

Employee Appreciation Lunch November 16th

The annual employee appreciation lunch this year will be held on Tuesday, November 16th from 11:00 a.m. to 2:00 p.m. at a new venue and location, the Texarkana Convention Center. This year's event will be catered by Big Jakes and sponsored by Farmers' Bank and Trust. Council Members are encouraged to come and join administration in saying "THANK YOU" to the city's outstanding team of employees.

City Job Fair November 17th

Human Resources is planning to hold a City job fair on Wednesday, November 17th from 11:00 a.m. - 2:00 p.m. at the Texarkana Texas Convention Center. Due to the high number of available positions, this year's job fair is being hosted along with same-day hiring interviews onsite, in hopes of finding qualified individuals for a number of currently vacant positions.

Minutes Acceptance: Minutes of Nov 8, 2021 6:00 PM (Consent Items)

XI. ADMINISTRATIVE COMMENTS

1. City Council

   Council had no administrative comments for staff.

2. City Staff

   Jennifer Evans announced the canvass for declaring the results of the General Election held on November 2, 2021, for Mayor, Ward 1, and Ward 2 will be conducted on Monday, November 15th.

XII. CLOSED SESSION

The City Council convened into closed session pursuant to Texas Government Code Section 551.087 (Economic Development Negotiations) to discuss or deliberate offers of financial or other incentives to business prospects [Project WinCo. Foods].

XIII. RECONVENED INTO OPEN SESSION

XIV. ADJOURNMENT

A motion was made to adjourn the meeting.
(7:24 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Nov 8, 2021 6:00 PM (Consent Items)

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • NOVEMBER 15, 2021

Council Chambers | **Special Meeting** | **12:15 PM**

220 TEXAS BLVD.
TEXARKANA, TX 75501

I. CALL TO ORDER, ESTABLISHMENT OF TWO ELECTED OFFICIALS

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	Absent	

Staff Present: City Manager David Orr, Jennifer Evans.

Legal Counsel: Jeff Lewis.

II. ITEM FOR CONSIDERATION

Consideration/Approval of "Canvass of General Election" certification of the precinct election returns of the General Election held on November 2, 2021, for electing a Mayor and Council Member for Ward 2.

Jean Matlock, Council Member for Ward 1, was on the November 2, 2021, general election ballot as **unopposed.**

Pursuant to Texas Election Code Section 67.004(a), two members of the local authority constitute a quorum for purposes of canvassing an election.

The Mayor and all attending council members proceeded with the canvass of the General Election held on November 2, 2021, for the purpose of electing a Mayor and a Council Member for Ward 2.

1. Ordinance No. 2021-114 canvassing the returns and declaring the results of the General Election held on November 2, 2021 for the purpose of electing a Mayor, a Council Member for Ward One (1), and a Council Member for Ward Two (2).

   Public Hearing:
   Council Vote: November 15, 2021

Minutes Acceptance: Minutes of Nov 15, 2021 12:15 PM (Consent Items)

(12:22 p.m.)

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

III. CLOSING COMMENTS

City Attorney Lewis said the swearing-in ceremony for the elected council members will be held at the December 13th council meeting.

City Manager Orr reminded everyone of the Employee Appreciation Luncheon scheduled for Tuesday, November 16th at the Texarkana Convention Center. The luncheon begins at 11:00 a.m. and remarks will start at 11:30 a.m.

IV. ADJOURNMENT

A motion was made to adjourn the meeting.
(12:24 p.m.)

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

Jennifer Evans
City Secretary

Bob Bruggeman
Mayor

Minutes Acceptance: Minutes of Nov 15, 2021 12:15 PM (Consent Items)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 12/6/2021 2:26 PM

Lead Department: Water Utilities **Action Officer:** Pam White,

Subject: Resolution No. 2021-113 authorizing the City Manager to purchase one (1) Freightliner Vac-Con Dual Engine Truck, through the HGAC Buy Board, with budgeted funds in an amount not to exceed the Texas portion, $266,230.04 and the total amount not to exceed $434,448.50.

Briefing: 12/13/2021 **Public Hearing:** **Council Vote:** 12/13/2021

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Texarkana Water Utilities (TWU) reviewed pricing from several manufacturers for the purchase of one (1) 2021 Freightliner Vac-Con Dual Engine truck. It was determined that the most cost-effective purchase would be to utilize the HGAC BuyBoard at $434,448.50. This price includes the BuyBoard applicable fees. The BuyBoard is a local government purchasing cooperative administered by the Texas Association of School Boards. TWU has purchased from the BuyBoard on previous occasions. Purchase from the BuyBoard meets all bidding requirements.

Potential Options:

- None
-

Fiscal Implications:

Funds were budgeted and are available for the purchase of this equipment in the Texarkana Water Utilities 2021-2022 Budget in the Utility Equipment Acquisition Fund.

Staff Recommendation:

Texarkana Water Utilities staff recommends approval of the purchase.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2021-113 RES Vac-Con Truck (DOCX)
b. 2021-113 ATTH 01 Quotation (PDF)
c. 2021-113 Goals & Perspectives (DOCX)
d. 2021-113 RES Van-Con Truck signed (PDF)

Staff Coordination

Water Utilities	Gary Smith	Department Head Review	Completed	11/23/2021 10:42 AM
Water Utilities	Tricia Briggs	Review	Completed	11/23/2021 1:33 PM
City Manager	David Orr	City Manager Review	Completed	11/29/2021 8:08 AM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

RESOLUTION NO. 2021-113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO PURCHASE ONE (1) FREIGHTLINER VAC-CON DUAL ENGINE TRUCK THROUGH HGAC BUY BOARD IN AN AMOUNT NOT TO EXCEED THE TEXAS PORTION, $266,230.04 AND THE TOTAL AMOUNT NOT TO EXCEED $434,448.50; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texarkana Water Utilities reviewed pricing from several manufacturers for the purchase of one (1) Freightliner Vac-Con Dual Engine Truck. It was determined that the most cost-effective purchase would be to utilize the HGAC Buy Board (**ATTH 01**)with a purchase price of $434,448.50; and

WHEREAS, the Buy Board is a local government purchasing cooperative administered by the Texas Association of School Boards. Texarkana Water Utilities has purchased from the Buy Board previously and purchase from the Buy Board meets all bidding requirements; and

WHEREAS, the funds were budgeted in the Texarkana Water Utilities 2021-2022 Budget in the Utility Equipment Acquisition Fund.

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

SECTION 1: The most cost-effective purchase would be to utilize the HGAC Buy Board in an amount not to exceed the Texas portion, $266,230.04 and the total amount not to exceed $434,448.50.

SECTION 2: The City Manager be and is hereby authorized to issue a purchase order for one (1) Freightliner Vac-Con Dual Engine Truck through the HGAC Buy Board.

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 **13th day of December, 2021**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2021-113 RES Vac-Con Truck (3596 : 2021-113 RES Purchase One (1) Freightliner Vac-Con Truck)

CLS EQUIPMENT CO. INC.
CLS Equipment Co.,Inc.
726 So. Sherman St.
Richardson, TX 75081
972-479-1335 Ph

Date 09/30/2021
Number 103686
Type of Quote Dual

PO

HGAC Pricing 09_2021

Retail Purchaser	City of Texarkana, Texas Oris Kemp	Ship ToCity of Texarkana, Texas

Comments

***CHASSIS IN STOCK / Availability Subject to Change

Model Number - V PD3690H/1000 L A -P

Main Information

Model	PD3690H/1000 (9 Cubic Yard / 1000 Gallons of Fresh Water)
Blower	824 Roots Blower Positive Displacement with Filtration
Boom	10' Aluminum Telescoping Boom with Pendant Control Station
Hose Reel	Front Mounted, Articulating to Driver Side (Std Pivot)
Jet Rodder Hose	1000' x 3/4" Jet Rodder Hose - (non-continuous)
Water System	50/3000, GIANT 7000, JD 4 CYL TIER 4 DIESEL 140HP
Water Pump	Giant Pump
Auxiliary Engine	John Deere Tier 4 140 HP

Other Items

Qty	Description
1	Debris Body "Power Flush" System, 8 jets
1	6" Knife Valve with Center Post and Handle, in Lieu of the 5" Butterfly Valve (662-0125)
1	A Flat Style Rear Door ilo Dome Style Door Including Hydraulic Opener will be Provided
1	Rear Splash Shield - Rear Flange Mounted
1	Winter Recirculating System for Rodder Hose - FEPTO or Aux Engine Driven Water Pumps
1	Air Purge System
1	1/4 turn ball valve water drain (cannot choose both 2-1/2" gate valve and 1/4 turn ball valve, only choose one)
1	Lazy Susan Pipe Rack (Holds 5 Pipes)

Attachment: 2021-113 ATTH 01 Quotation (3596 : 2021-113 RES Purchase One (1) Freightliner Vac-Con Truck)

1	Storage Box Behind Cab 16" x 42" x 96"
1	LED 4 Strobes - (2) front bumper / (2) rear bumper - Whelen 50A03ZCR - Amber
1	LED Arrow Board Wheelen
1	Remote Control (Wireless): Boom, Vacuum Breaker, Throttle & Debris Body (includes Hi-Dump, if applicable). Does not include remote cable pendant controls for boom or hi dump.
1	50' Capacity Retractable Hand Gun Hose Reel
1	5' x 8" Aluminum Pipe Extension
1	6' x 8" Aluminum Pipe Extension
2	8" Quick Clamp, spare, 680-0015
1	Hose Footage Counter (Standard - Driver Side)
1	Rear Mounted Tow Hooks
1	3/4" x 15' Length Leader Hose
1	Water Cooler Rack
1	LED Boom Mounted Flood Lights with Limb Guard - Whelen NP6BB Worklight
1	LED Flood Light - Level Wind Guide with Limb Guard - Whelen NP6BB Worklight
1	Traffic Camera With Color Monitor - MUST PICK CAMERA PLACEMENT
1	Rear Camera Placement
1	Rear Door Drain Valve Flush Out Connection
2	Cone Storage Rack - MUST SELECT PLACEMENT BELOW
2	Cone Storage Rack Placement - Rear of Frame
1	Screen assembly over drain port in debris tank
1	Debris tank drain screen placement - Standard drain valve
1	Omnibus Precision Power System (OPP)-Electronic Controller System-Includes: a color monitor, electronic footage counter, and pressure compensated hydraulics. AVAILABLE: DUAL AND SINGLE ENG MACHINES.
1	LED Midbody Flood Lights with guards - Whelen NP6BB (Driverside and Curbside)
1	Hydroexcavation Pkg Inc- 50â€™ Handgun Hose Reel w/ ½ hose 72”X ½Sch. 80 QD Lance w single Fwd Spray Nozzle, Storage Tubes for Lances Heavy Duty Unloader Valve Main Control Ball Valve Variable Flow Valve
1	Boom Headache rack Chassis frame mounted 711-55997A Headache rack with 711-55619 bumper mounted boom docking station.

Truck Chassis Information

Pool Truck Chassis Model **Freightliner 114SD 4x2 43000GVWR ISL370 3000RDS**

Qty Description

Machine Total $431,480.50
Delivery $2,968.00
Total **$434,448.50**

Offered by: JPS __

Accepted by:_____

Attachment: 2021-113 ATTH 01 Quotation (3596 : 2021-113 RES Purchase One (1) Freightliner Vac-Con Truck)

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: 2021-113 Goals & Perspectives (3596 : 2021-113 RES Purchase One (1) Freightliner Vac-Con Truck)

RESOLUTION NO. 2021-113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO PURCHASE ONE (1) FREIGHTLINER VAC-CON DUAL ENGINE TRUCK THROUGH HGAC BUY BOARD IN AN AMOUNT NOT TO EXCEED THE TEXAS PORTION, $266,230.04 AND THE TOTAL AMOUNT NOT TO EXCEED $434,448.50; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Texarkana Water Utilities reviewed pricing from several manufacturers for the purchase of one (1) Freightliner Vac-Con Dual Engine Truck. It was determined that the most cost-effective purchase would be to utilize the HGAC Buy Board (**ATTH 01**)with a purchase price of $434,448.50; and

WHEREAS, the Buy Board is a local government purchasing cooperative administered by the Texas Association of School Boards. Texarkana Water Utilities has purchased from the Buy Board previously and purchase from the Buy Board meets all bidding requirements; and

WHEREAS, the funds were budgeted in the Texarkana Water Utilities 2021-2022 Budget in the Utility Equipment Acquisition Fund.

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

SECTION 1: The most cost-effective purchase would be to utilize the HGAC Buy Board in an amount not to exceed the Texas portion, $266,230.04 and the total amount not to exceed $434,448.50.

SECTION 2: The City Manager be and is hereby authorized to issue a purchase order for one (1) Freightliner Vac-Con Dual Engine Truck through the HGAC Buy Board.

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 **13th day of December, 2021**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:34p.m.

Attachment: 2021-113 RES Van-Con Truck signed (3596 : 2021-113 RES Purchase One (1) Freightliner Vac-Con Truck)

RES 2021-113
ATTH 01



CLS Equipment Co.,Inc.
726 So. Sherman St.
Richardson, TX 75081
972-479-1335 Ph

Date 09/30/2021
Number 103686
Type of Quote Dual

PO

HGAC Pricing 09_2021

Retail Purchaser	City of Texarkana, Texas Oris Kemp	Ship ToCity of Texarkana, Texas

Comments

***CHASSIS IN STOCK / Availability Subject to Change

Model Number - V PD3690H/1000 L A -P

Main Information

Model	PD3690H/1000 (9 Cubic Yard / 1000 Gallons of Fresh Water)
Blower	824 Roots Blower Positive Displacement with Filtration
Boom	10' Aluminum Telescoping Boom with Pendant Control Station
Hose Reel	Front Mounted, Articulating to Driver Side (Std Pivot)
Jet Rodder Hose	1000' x 3/4" Jet Rodder Hose - (non-continuous)
Water System	50/3000, GIANT 7000, JD 4 CYL TIER 4 DIESEL 140HP
Water Pump	Giant Pump
Auxiliary Engine	John Deere Tier 4 140 HP

Other Items

Qty	Description
1	Debris Body "Power Flush" System, 8 jets
1	6" Knife Valve with Center Post and Handle, in Lieu of the 5" Butterfly Valve (662-0125)
1	A Flat Style Rear Door ilo Dome Style Door Including Hydraulic Opener will be Provided
1	Rear Splash Shield - Rear Flange Mounted
1	Winter Recirculating System for Rodder Hose - FEPTO or Aux Engine Driven Water Pumps
1	Air Purge System
1	1/4 turn ball valve water drain (cannot choose both 2-1/2" gate valve and 1/4 turn ball valve, only choose one)
1	Lazy Susan Pipe Rack (Holds 5 Pipes)

Attachment: 2021-113 RES Van-Con Truck signed (3596 : 2021-113 RES Purchase One (1) Freightliner Vac-Con Truck)

1	Storage Box Behind Cab 16" x 42" x 96"
1	LED 4 Strobes - (2) front bumper / (2) rear bumper - Whelen 50A03ZCR - Amber
1	LED Arrow Board Wheelen
1	Remote Control (Wireless): Boom, Vacuum Breaker, Throttle & Debris Body (includes Hi-Dump, if applicable). Does not include remote cable pendant controls for boom or hi dump.
1	50' Capacity Retractable Hand Gun Hose Reel
1	5' x 8" Aluminum Pipe Extension
1	6' x 8" Aluminum Pipe Extension
2	8" Quick Clamp, spare, 680-0015
1	Hose Footage Counter (Standard - Driver Side)
1	Rear Mounted Tow Hooks
1	3/4" x 15' Length Leader Hose
1	Water Cooler Rack
1	LED Boom Mounted Flood Lights with Limb Guard - Whelen NP6BB Worklight
1	LED Flood Light - Level Wind Guide with Limb Guard - Whelen NP6BB Worklight
1	Traffic Camera With Color Monitor - MUST PICK CAMERA PLACEMENT
1	Rear Camera Placement
1	Rear Door Drain Valve Flush Out Connection
2	Cone Storage Rack - MUST SELECT PLACEMENT BELOW
2	Cone Storage Rack Placement - Rear of Frame
1	Screen assembly over drain port in debris tank
1	Debris tank drain screen placement - Standard drain valve
1	Omnibus Precision Power System (OPP)-Electronic Controller System-Includes: a color monitor, electronic footage counter, and pressure compensated hydraulics. AVAILABLE: DUAL AND SINGLE ENG MACHINES.
1	LED Midbody Flood Lights with guards - Whelen NP6BB (Driverside and Curbside)
1	Hydroexcavation Pkg Inc- 50â€™ Handgun Hose Reel w/ ½ hose 72"X ½Sch. 80 QD Lance w single Fwd Spray Nozzle, Storage Tubes for Lances Heavy Duty Unloader Valve Main Control Ball Valve Variable Flow Valve
1	Boom Headache rack Chassis frame mounted 711-55997A Headache rack with 711-55619 bumper mounted boom docking station.

Truck Chassis Information

Pool Truck Chassis Model **Freightliner 114SD 4x2 43000GVWR ISL370 3000RDS**

Qty Description

Machine Total $431,480.50
Delivery $2,968.00
Total **$434,448.50**

Offered by: JPS

Accepted by:_____

Attachment: 2021-113 RES Van-Con Truck signed (3596 : 2021-113 RES Purchase One (1) Freightliner Vac-Con Truck)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 12/9/2021 4:42 PM

Lead Department: Police **Action Officer:** Shawn Fitzgerald,

Subject: Ordinance No. 2021-121 amending Ordinance 2021-064, concerning Fiscal Year 2022 city budget, to allow for a monetary donation of $1,000 to be added to the police department budget account number 101-1703-52207 (Minor Tools and Equipment) for the purpose of purchasing body armor for the department's single purpose drug dog, Absurd.

Briefing: 12/13/2021 **Public Hearing:** **Council Vote:** 12/13/2021

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The Police Department was the recipient of a $1,000 donation from the Kennel Club of Texarkana Inc to pay for a ballistic vest for our single purpose drug dog, Absurd. The monies have been received and have been deposited in the city general fund. This ordinance amends Ordinance No. 2021-064 in which the Council approved the City of Texarkana Texas Budget for Fiscal Year 2022. This amendment is needed to allow for the money donated to be added to the police department budget account 101-1703-52207 Minor Tools and Equipment. This ordinance will publicly acknowledge receipt of the money and authorize its allocation to a line item in the police department's budget to facilitate the purchase of body armor for the single purpose drug dog, Absurd.

Potential Options:

- NONE
-

Fiscal Implications:

Increase of $1,000 in donated revenue to the city.

Staff Recommendation:

Staff recommends accepting this donation and increasing the department's budget to reflect monies donated.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

City of Texarkana, Texas

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2021-121 ORD Amending Police Budget (DOCX)
b. 2021-121 Goals and Perspectives (DOCX)
c. 2021-121 ORD Amd. Budget Donation for drug dog signed (PDF)

Staff Coordination

Police	Kevin Schutte	Department Head Review	Completed	12/09/2021 9:03 AM
Police	Kevin Schutte	Supervisor Review	Completed	12/09/2021 9:04 AM
Finance Department	Kristin Peeples	Finance Review	Completed	12/09/2021 4:43 PM
City Manager	David Orr	City Manager Review	Completed	12/09/2021 5:48 PM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

ORDINANCE NO. 2021-121

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE POLICE DEPARTMENT BUDGET ENDING SEPTEMBER 30, 2022; REPEALING ALL ORDINANCES OR PARTS OF THE ORDINANCES IN CONFLICT; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1: That the budget estimate of the expenditures of the police department of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2021, and ending September 30, 2022, be amended to reflect additional expenditures appropriated as a result of a citizen donation.

1. Increase appropriations in the Texarkana Texas Police Department budget account number 101-1703-52207 (Minor Tools and Equipment) in the amount of $1,000.

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

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

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

PASSED AND APPROVED in Regular Council Session on this date the **13th day of December, 2021.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2021-121 ORD Amending Police Budget (3612 : 2021-121 ORD Amending Police Budget)

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: 2021-121 Goals and Perspectives (3612 : 2021-121 ORD Amending Police Budget)

ORDINANCE NO. 2021-121

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE POLICE DEPARTMENT BUDGET ENDING SEPTEMBER 30, 2022; REPEALING ALL ORDINANCES OR PARTS OF THE ORDINANCES IN CONFLICT; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1: That the budget estimate of the expenditures of the police department of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2021, and ending September 30, 2022, be amended to reflect additional expenditures appropriated as a result of a citizen donation.

1. Increase appropriations in the Texarkana Texas Police Department budget account number 101-1703-52207 (Minor Tools and Equipment) in the amount of $1,000.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of December, 2021.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

6:34 p.m.

BOB BRUGGEMAN, MAYOR

Attachment: 2021-121 ORD Amd. Budget Donation for drug dog signed (3612 : 2021-121 ORD Amending Police Budget)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 12/9/2021 2:47 PM

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

Subject: Resolution No. 2021-122 amending the master fee list to add a fee for a temporary landing permit.

Briefing: 12/13/2021 **Public Hearing:** **Council Vote:** 12/13/2021

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

The FY 2022 master fee list was approved on September 13, 2021.

Executive Summary and Background Information:

Resolution No. 2020-087 amended the FY 2021 Master Fee List for temporary landing permits for $335. Staff is requesting to add this fee to the FY 2022 Master Fee List.

Potential Options:

- Approve addition to master fee list
- Deny addition of master fee list

Fiscal Implications:

To offset the cost of services

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. 2021-122 RES Adding temp fee to MFL (DOCX)
b. 2021-122 Goals and Perspectives (DOCX)
c. 2021-122 RES landing permit fee to FY22 MFL signed (PDF)

City of Texarkana, Texas

Staff Coordination

Building Code Administration	Completed	Mashell Daniel 12/09/2021 1:48 PM	Department Head Review	
City Manager	David Orr	City Manager Review	Completed	12/09/2021 2:52 PM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

RESOLUTION NO. 2021-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE FISCAL YEAR 2022 MASTER FEE LIST; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 2021-004 amended the Fiscal Year 2021 Master Fee List to establish a $335 fee for temporary landing permits pursuant to Section 28-123(c) of the Code of Ordinances; and

WHEREAS, Resolution No. 2021-072 approved the Fiscal Year 2022 Master Fee List, but the established fee for temporary landing permits was inadvertently omitted; and

WHEREAS, by this resolution, the Fiscal Year 2022 Master Fee List will be amended to include the Council-approved fee for temporary landing permits pursuant to Section 28-123(c) of the Code of Ordinances.

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

SECTION 1: Resolution No. 2021-072 (adopting the Fiscal Year 2022 Master Fee List) is amended for the limited purpose of adding the established fee for temporary landing permits, per the requirement of Section 28-183(c) of the Code of Ordinances, in the amount of $335 for the remainder of Fiscal Year 2022.

SECTON 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 **13th day of December, 2021**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2021-122 RES Adding temp fee to MFL (3613 : 2021-122 RES Adding fee for a temporary landing permit to FY 2022 master fee list.)

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: 2021-122 Goals and Perspectives (3613 : 2021-122 RES Adding fee for a temporary landing permit to FY 2022 master fee list.)

RESOLUTION NO. 2021-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE FISCAL YEAR 2022 MASTER FEE LIST; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 2021-004 amended the Fiscal Year 2021 Master Fee List to establish a $335 fee for temporary landing permits pursuant to Section 28-123(c) of the Code of Ordinances; and

WHEREAS, Resolution No. 2021-072 approved the Fiscal Year 2022 Master Fee List, but the established fee for temporary landing permits was inadvertently omitted; and

WHEREAS, by this resolution, the Fiscal Year 2022 Master Fee List will be amended to include the Council-approved fee for temporary landing permits pursuant to Section 28-123(c) of the Code of Ordinances.

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

SECTION 1: Resolution No. 2021-072 (adopting the Fiscal Year 2022 Master Fee List) is amended for the limited purpose of adding the established fee for temporary landing permits, per the requirement of Section 28-183(c) of the Code of Ordinances, in the amount of $335 for the remainder of Fiscal Year 2022.

SECTON 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 **13th day of December, 2021**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:34 p.m.

Attachment: 2021-122 RES landing permit fee to FY22 MFL signed (3613 : 2021-122 RES Adding fee for a temporary landing permit to FY 2022

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 12/6/2021 2:27 PM

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

Subject: Resolution No. 2021-106 appointing a Mayor Pro Tem beginning December 13, 2021, until such time the City Council elects a successor Mayor Pro Tem.

Briefing: 12/13/2021 **Public Hearing:** **Council Vote:** 12/13/2021

Item Schedule

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Article II, Section 4 of the city charter provides for the office of Mayor Pro Tem, who shall act as Mayor during the absence of disability of the Mayor. The city charter provides for the election of the Mayor Pro Tem from among the council members.

The duties and responsibilities of the Mayor Pro Tem shall become effective immediately upon the passage and approval of this Resolution until such time the City Council elects a successor mayor pro tem.

Potential Options:

- None
-

Fiscal Implications:

None

Staff Recommendation:

Staff recommends the election of a Mayor Pro Tem in accordance with the provisions of the city charter.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2021-106 RES Mayor Pro Tem (2021) jcl rev (DOC)
b. 2021-106 Goals & Perspectives (DOCX)
c. 2021-106 RES Appt. Mayor Pro Tem signed (PDF)

Staff Coordination

City Manager	Jennifer Evans	Department Head Review	Completed	11/12/2021 3:48 PM
City Manager	David Orr	City Manager Review	Completed	11/12/2021 3:55 PM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

RESOLUTION NO. 2021 - 106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ELECTING A MAYOR PRO TEM; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Article II, Section 4 of the City Charter of the City of Texarkana, Texas, provides that the City Council "shall elect a mayor pro tem who shall act as mayor during the absence of or disability of the Mayor"; and

WHEREAS, Article II, Section 4 of the City Charter also provides that "[t]he mayor pro tem shall be elected from among" the councilmembers.

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

SECTION 1: Pursuant to Article II, Section 4 of the City Charter, the City Council elects the following councilmember as Mayor Pro Tem:

_____.

SECTION 2: The duties and responsibilities of the Mayor Pro Tem shall become effective immediately upon the passage and approval of this Resolution until such time the City Council elects a successor mayor pro tem.

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 **13th day of December, 2021.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2021-106 RES Mayor Pro Tem (2021) jcl rev (3594 : 2021-106 RES Appointment of Mayor Pro Tem)

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: 2021-106 Goals & Perspectives (3594 : 2021-106 RES Appointment of Mayor Pro Tem)

RESOLUTION NO. 2021 – 106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ELECTING A MAYOR PRO TEM; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Article II, Section 4 of the City Charter of the City of Texarkana, Texas, provides that the City Council "shall elect a mayor pro tem who shall act as mayor during the absence of or disability of the Mayor"; and

WHEREAS, Article II, Section 4 of the City Charter also provides that "[t]he mayor pro tem shall be elected from among" the councilmembers.

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

SECTION 1: Pursuant to Article II, Section 4 of the City Charter, the City Council elects the following councilmember as Mayor Pro Tem:

JEAN MATLOCK.

SECTION 2: The duties and responsibilities of the Mayor Pro Tem shall become effective immediately upon the passage and approval of this Resolution until such time the City Council elects a successor mayor pro tem.

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 **13th day of December, 2021.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:35 p.m.

Attachment: 2021-106 RES Appt. Mayor Pro Tem signed (3594 : 2021-106 RES Appointment of Mayor Pro Tem)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 12/9/2021 9:30 AM

Lead Department: Planning and Community Development **Action Officer:** Vashil Fernandez, PCD Director

Subject: Ordinance No. 2021-115 approving an amendment to the fiscal and personnel management agreement with the Texarkana Urban Transportation Study Policy Advisory Board.

Briefing: 12/13/2021 **Public Hearing:** **Council Vote:** 12/13/2021

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

The Texarkana Urban Transportation Study TUTS , as the designated Metropolitan Planning Organization (MPO) for the Texarkana Metropolitan Planning Area (MPA), is responsible for performing transportation planning activities within the Texarkana Study Area Boundary.

Executive Summary and Background Information:

The Fiscal and Personnel Management Agreement between the TUTS and the City establishes the City as the financial disbursing agent of all TUTS funds received.

The City, as one of eight parties to an interlocal agreement creating TUTS, has determined it is in the public interest to assist TUTS in securing and managing funds for transportation planning purposes in the local area.

The current Fiscal and Personnel Management Agreement between TUTS and the City, which is set to expire on December 30, 2021, will be extended to June 30, 2022.

Potential Options:

- Approve
- Deny

Fiscal Implications:

(Insert Text Here)

Staff Recommendation:

Recommends for approval

Advisory Board/Committee Review:

(Advisory Board/Committee Name OR say "NONE")

Board/Committee Recommendation:

(Insert Date Here):

(Insert Text Here or say "NOT APPLICABLE")

Advisory Board/Committee Meeting Date and Minutes:

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

Attachments

a. 2021-115 ORD Fiscal and Personal Management agreement Extension (DOCX)
b. 2021-115 Goals & Perspectives (DOCX)
c. 2021-115 EXH 'A' Third Amendment Fiscal and Personal Management agreement (DOCX)
d. 2021-115 ORD 3rd Amend. to Mgmt Agrmt w TUTS-PB signed (PDF)

Staff Coordination

Planning and Community Development		Vashil Fernandez	Department Head Review Completed	12/01/2021 4:50 PM
City Manager	David Orr	City Manager Review	Completed	12/02/2021 8:03 AM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

ORDINANCE NO. 2021 - 115

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AN AMENDMENT OF THE FISCAL AND PERSONNEL MANAGEMENT AGREEMENT WITH THE TEXARKANA URBAN TRANSPORTATION STUDY POLICY ADVISORY BOARD; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, ("City") has been designated to act as the financial disbursing agent for all Texarkana Urban Transportation Study Policy Advisory Board("TUTS") funds; and

WHEREAS, by Ordinance No. 190-03, approved on October 13, 2003, and amended by Ordinance No. 055-05 on March 14, 2005, the City Council authorized the City Manager to execute a Fiscal and Personnel Management Agreement between the City as the financial disbursing agent for all TUTS funds and TUTS for the term provided therein; and

WHEREAS, the Fiscal and Personnel Management Agreement between the City and TUTS was amended on December 17, 2015; and

WHEREAS, the City and TUTS desire to extend the Fiscal and Personnel Management Agreement, a copy of which is attached hereto as **Exhibit "A"**

WHEREAS, the Fiscal and Personnel Management Agreement between the City and TUTS, set to expire on December 30, 2021, will be extended to June 30, 2022.

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

SECTION 1: The City Manager be and is hereby authorized to execute an extension of the Fiscal and Personnel Management Agreement between the City, as the financial disbursing agent for TUTS, and the Texarkana Urban Transportation Study Policy Advisory Board (TUTS) as set forth hereinabove and in the Amendment of the Fiscal and Personnel Management Agreement, a copy of which is attached hereto as **Exhibit "A".**

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of December, 2021.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2021-115 ORD Fiscal and Personal Management agreement Extension (3598 : 2021-115 ORD Approv 3rd Amend.To Fiscal/Personal

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2021-115 Goals & Perspectives (3598 : 2021-115 ORD Approv 3rd Amend.To Fiscal/Personal Mgmt Agrmt)

Attachment: 2021-115 EXH 'A' Third Amendment Fiscal and Personal Management agreement (3598 : 2021-115 ORD Approv 3rd Amend.To

THIRD AMENDMENT TO FISCAL AND PERSONNEL MANAGEMENT AGREEMENT

THIS DOCUMENT IS A **3rd AMENDMENT** ("3rd Amendment") made on the ____ day of _____, 2021, by and between the City of Texarkana, Texas ("City") and the Texarkana Urban Transportation Study Policy Board, (hereinafter referred to as "TUTS") to that certain FISCAL AND PERSONNEL MANAGEMENT AGREEMENT (the "Contract") executed on December 18, 2015 which said Contract is incorporated herein and made a part hereof by reference as if reproduced herein *in toto*.

Whereas, the City and TUTS wish to add or modify certain terms of the Contract, the provisions of this 3rd Amendment are hereby added to, modify and incorporated in the terms and conditions of the aforementioned Contract, as follows:

1. Article 2. TERM. Shall be amended to read as follows:

   "**ARTICLE 2. TERM.** The term of this Agreement begins upon execution by both parties and ends June 30, 2022 or sooner by mutual agreement of the parties."

All else of said Contract is to remain in full force and effect except as expressly modified herein, whether or not any term, provision, paragraph, or amendment so modified is expressly noted or otherwise recited herein for reference.

IN WITNESS WHEREOF, each party to this agreement has caused it to be executed on the date hereinabove first shown. In further witness, each party warrants and represents that each person executing this instrument shall have executed this instrument after first having been duly authorized to do so.

CITY OF TEXARKANA, TEXAS

By: _____
David Orr, City Manager

TEXARKANA URBAN TRANSPORTATION STUDY POLICY BOARD "TUTS"

By:_____

Printed Name: _____

Title: _____

ORDINANCE NO. 2021 – 115

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AN AMENDMENT OF THE FISCAL AND PERSONNEL MANAGEMENT AGREEMENT WITH THE TEXARKANA URBAN TRANSPORTATION STUDY POLICY ADVISORY BOARD; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, ("City") has been designated to act as the financial disbursing agent for all Texarkana Urban Transportation Study Policy Advisory Board("TUTS") funds; and

WHEREAS, by Ordinance No. 190-03, approved on October 13, 2003, and amended by Ordinance No. 055-05 on March 14, 2005, the City Council authorized the City Manager to execute a Fiscal and Personnel Management Agreement between the City as the financial disbursing agent for all TUTS funds and TUTS for the term provided therein; and

WHEREAS, the Fiscal and Personnel Management Agreement between the City and TUTS was amended on December 17, 2015; and

WHEREAS, the City and TUTS desire to extend the Fiscal and Personnel Management Agreement, a copy of which is attached hereto as **Exhibit "A"**; and

WHEREAS, the Fiscal and Personnel Management Agreement between the City and TUTS, set to expire on December 30, 2021, will be extended to June 30, 2022.

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

SECTION 1: The City Manager be and is hereby authorized to execute an extension of the Fiscal and Personnel Management Agreement between the City, as the financial disbursing agent for TUTS, and the Texarkana Urban Transportation Study Policy Advisory Board (TUTS) as set forth hereinabove and in the Amendment of the Fiscal and Personnel Management Agreement, a copy of which is attached hereto as **Exhibit "A".**

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of December, 2021.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:37p.m.

Attachment: 2021-115 ORD 3rd Amend. to Mgmt Agrmt w TUTS-PB signed (3598 : 2021-115 ORD Approv 3rd Amend.To Fiscal/Personal Mgmt

THIRD AMENDMENT TO
FISCAL AND PERSONNEL MANAGEMENT AGREEMENT

THIS DOCUMENT IS A **3rd AMENDMENT** ("3rd Amendment") made on the 13th day of DECEMBER, 2021, by and between the City of Texarkana, Texas ("City") and the Texarkana Urban Transportation Study Policy Board, (hereinafter referred to as "TUTS") to that certain FISCAL AND PERSONNEL MANAGEMENT AGREEMENT (the "Contract") executed on December 18, 2015 which said Contract is incorporated herein and made a part hereof by reference as if reproduced herein *in toto*.

Whereas, the City and TUTS wish to add or modify certain terms of the Contract, the provisions of this 3rd Amendment are hereby added to, modify and incorporated in the terms and conditions of the aforementioned Contract, as follows:

1. Article 2. TERM. Shall be amended to read as follows:

   "**ARTICLE 2. TERM.** The term of this Agreement begins upon execution by both parties and ends June 30, 2022 or sooner by mutual agreement of the parties."

All else of said Contract is to remain in full force and effect except as expressly modified herein, whether or not any term, provision, paragraph, or amendment so modified is expressly noted or otherwise recited herein for reference.

IN WITNESS WHEREOF, each party to this agreement has caused it to be executed on the date hereinabove first shown. In further witness, each party warrants and represents that each person executing this instrument shall have executed this instrument after first having been duly authorized to do so.

CITY OF TEXARKANA, TEXAS

By: _____
David Orr, City Manager

TEXARKANA URBAN TRANSPORTATION STUDY POLICY BOARD "TUTS"

By: _____

Printed Name: Thomas F Whitten III

Title: Bowie County Commissioner

Attachment: 2021-115 ORD 3rd Amend. to Mgmt Agrmt w TUTS-PB signed (3598 : 2021-115 ORD Approv 3rd Amend.To Fiscal/Personal Mgmt

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 12/9/2021 9:48 AM

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

Subject: Ordinance No. 2021-120 terminating Disaster Declaration 2021-001, issued on February 15, 2021, related to the winter weather event.

Briefing: 12/13/2021 **Public Hearing:** **Council Vote:** 12/13/2021

Item Schedule

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

On February 15th, 2021 Mayor Bruggeman signed Disaster Declaration 2021-001 relating to the winter storm that struck our community. In accordance with Texas Government Code the Disaster Declaration was continued by the City Council by way of Ordinance 2021-012.

In the time since the declaration was issued all response and recovery efforts have been completed and no other needs related to the winter weather event exist, and thus it is time now to terminate the declaration.

Because Disaster Declaration 2021-001 was continued by Ordinance 2021-012, its termination must be by way of ordinance as well.

Potential Options:

- Approve ordinance as presented ending Disaster Declaration 2021-001
- Deny ordinance and continue Disaster Declaration 2021-001

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2021-120 ORD Terminating Disaster Declaration 2021-001 (DOC)
b. 2021-120 Goals & Perspectives (DOCX)
c. 2021-120 ATTH01 Disaster Declaration 2021-001 (PDF)
d. 2021-120 ORD Term. Disaster Decl. 2021-001 signed (PDF)

Staff Coordination

Fire Department	Eric Schlotter	Department Head Review	Completed	12/08/2021 10:25 AM
City Manager	David Orr	City Manager Review	Completed	12/09/2021 2:51 PM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

PUBLISH

ORDINANCE NO. 2021 - 120

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, TERMINATING THE DECLARATION OF DISASTER 2021-001 ORDERED FOR THE CITY OF TEXARKANA, TEXAS, BY MAYOR BOB BRUGGEMAN ON FEBRUARY 15, 2021, PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on February 15, 2021, Mayor Bob Bruggeman, in his official capacity as Mayor of the City of Texarkana, Texas, and pursuant to lawful authority, declared a disaster for the City of Texarkana, Texas, attached to this Ordinance as **Exhibit "A"** and incorporated herein by reference for all purposes [the "Mayoral Declaration of Disaster 2021-001"]; and

WHEREAS, Texas Government Code Section 418.108(b) provides that a declaration of local disaster may not be continued for a period in excess of seven days without the consent of the governing body of the political subdivision; and

WHEREAS, by Ordinance 2021-012, the City Council consented to a continuation of the Mayoral Declaration of Disaster 2021-001; and

WHEREAS, it has been determined that all response and recovery efforts have been completed and the need for Mayoral Disaster Declaration 2021-001 no longer exists.

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

SECTION 1: The City Council finds and determines that the conditions necessitating the Mayoral Declaration of Disaster 2021-001 for the City of Texarkana, Texas, on February 15, 2021, no longer exist; and pursuant to Texas Government Code Section 418.108(b), the City Council orders the termination of the Mayoral Declaration of Disaster 2021-001.

SECTION 2: 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 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 **13th day of December, 2021.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2021-120 ORD Terminating Disaster Declaration 2021-001 (3611 : 2021-120 ORD Terminating Disaster Declaration 2021-001)

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: 2021-120 Goals & Perspectives (3611 : 2021-120 ORD Terminating Disaster Declaration 2021-001)

DECLARATION OF DISASTER 2021-001

WHEREAS, on February 12, 2021, Greg Abbott, Governor of the State of Texas, declared a state of disaster in all 254 counties in Texas based on the existence of an imminent threat of widespread and sever property damage, injury, and loss of life due to prolonged freezing temperatures, heavy snow, and freezing rain statewide; and

WHEREAS, on February 14, 2021, President Joseph R. Biden, Jr., declared that an emergency exists in the State of Texas and ordered federal assistance to supplement state and local response efforts due to the emergency conditions resulting from the severe winter storm which began on February 11, 2021; and

WHERAS, the City of Texarkana, Texas, is currently in the midst of this statewide winter weather emergency; and

WHEREAS, the City has received a significant amount of snow/ice, and temperatures are expected to be below freezing for a prolonged period; and

WHEREAS, the City's electrical grid and other infrastructure has been strained by the effects of the winter weather emergency; and

WHEREAS, this winter weather emergency has and will continue to pose a threat to the health and safety of local residents; and

WHEREAS, the Mayor of the City of Texarkana, Texas, has determined that extraordinary measures must be taken under the authority of Texas law and the City Charter of the City of Texarkana, Texas, to protect the proper delivery of essential services provided by the City.

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF TEXARKANA, TEXAS:

1. That a local state of disaster is hereby declared for Texarkana, Texas, pursuant to §418.108(a) of the Texas Government Code.
2. Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council of the City of Texarkana, Texas.
3. Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the city emergency management plan.
5. Pursuant to §418.108 of the Texas Government Code and / or Article II, Section 13 of the City Charter of the City of Texarkana, Texas, this declaration orders and

Attachment: 2021-120 ATTH01 Disaster Declaration 2021-001 (3611 : 2021-120 ORD Terminating Disaster Declaration 2021-001)

authorizes the City Manager or her designee(s) as applicable to approve and implement such actions as necessary during the emergency to mitigate the current data incident.

6. That this proclamation shall take effect immediately from and after its issuance.

ORDERED this 15th day of February, 2021.

Bob Bruggeman, Mayor

Attachment: 2021-120 ATTH01 Disaster Declaration 2021-001 (3611 : 2021-120 ORD Terminating Disaster Declaration 2021-001)

PUBLISH

ORDINANCE NO. 2021 – 120

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, TERMINATING THE DECLARATION OF DISASTER 2021-001 ORDERED FOR THE CITY OF TEXARKANA, TEXAS, BY MAYOR BOB BRUGGEMAN ON FEBRUARY 15, 2021, PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on February 15, 2021, Mayor Bob Bruggeman, in his official capacity as Mayor of the City of Texarkana, Texas, and pursuant to lawful authority, declared a disaster for the City of Texarkana, Texas, attached to this Ordinance as **ATTH 01** and incorporated herein by reference for all purposes [the "Mayoral Declaration of Disaster 2021-001"]; and

WHEREAS, Texas Government Code Section 418.108(b) provides that a declaration of local disaster may not be continued for a period in excess of seven days without the consent of the governing body of the political subdivision; and

WHEREAS, by Ordinance 2021-012, the City Council consented to a continuation of the Mayoral Declaration of Disaster 2021-001; and

WHEREAS, it has been determined that all response and recovery efforts have been completed and the need for Mayoral Disaster Declaration 2021-001 no longer exists.

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

SECTION 1: The City Council finds and determines that the conditions necessitating the Mayoral Declaration of Disaster 2021-001 for the City of Texarkana, Texas, on February 15, 2021, no longer exist; and pursuant to Texas Government Code Section 418.108(b), the City Council orders the termination of the Mayoral Declaration of Disaster 2021-001.

SECTION 2: 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 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 **13th day of December, 2021.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

6:39 p.m.

Attachment: 2021-120 ORD Term. Disaster Decl. 2021-001 signed (3611 : 2021-120 ORD Terminating Disaster Declaration 2021-001)

DECLARATION OF DISASTER 2021-001

WHEREAS, on February 12, 2021, Greg Abbott, Governor of the State of Texas, declared a state of disaster in all 254 counties in Texas based on the existence of an imminent threat of widespread and sever property damage, injury, and loss of life due to prolonged freezing temperatures, heavy snow, and freezing rain statewide; and

WHEREAS, on February 14, 2021, President Joseph R. Biden, Jr., declared that an emergency exists in the State of Texas and ordered federal assistance to supplement state and local response efforts due to the emergency conditions resulting from the severe winter storm which began on February 11, 2021; and

WHERAS, the City of Texarkana, Texas, is currently in the midst of this statewide winter weather emergency; and

WHEREAS, the City has received a significant amount of snow/ice, and temperatures are expected to be below freezing for a prolonged period; and

WHEREAS, the City's electrical grid and other infrastructure has been strained by the effects of the winter weather emergency; and

WHEREAS, this winter weather emergency has and will continue to pose a threat to the health and safety of local residents; and

WHEREAS, the Mayor of the City of Texarkana, Texas, has determined that extraordinary measures must be taken under the authority of Texas law and the City Charter of the City of Texarkana, Texas, to protect the proper delivery of essential services provided by the City.

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF TEXARKANA, TEXAS:

1. That a local state of disaster is hereby declared for Texarkana, Texas, pursuant to §418.108(a) of the Texas Government Code.
2. Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council of the City of Texarkana, Texas.
3. Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the city emergency management plan.
5. Pursuant to §418.108 of the Texas Government Code and / or Article II, Section 13 of the City Charter of the City of Texarkana, Texas, this declaration orders and

Attachment: 2021-120 ORD Term. Disaster Decl. 2021-001 signed (3611 : 2021-120 ORD Terminating Disaster Declaration 2021-001)

authorizes the City Manager or her designee(s) as applicable to approve and implement such actions as necessary during the emergency to mitigate the current data incident.

6. That this proclamation shall take effect immediately from and after its issuance.

ORDERED this 15th day of February, 2021.

Bob Bruggeman, Mayor

Attachment: 2021-120 ORD Term. Disaster Decl. 2021-001 signed (3611 : 2021-120 ORD Terminating Disaster Declaration 2021-001)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 12/7/2021 1:51 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2021-107 rezoning an approximate 1.89-acre tract of land (being Tract 139) in the J. W. Johnson HRS, A-308, located at the southwest corner of Jameson Street and Texarkana Avenue from Single Family-2 to Single Family-3. Anthony Lockhart and Latremont McCutchin, owners and John Lane, Agent.		

Briefing: 1/10/2022 **Public Hearing:** 1/10/2022 **Council Vote:** 1/10/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Anthony Lockhart and Latremont McCutchin, owners and John Lane, agent, to rezone an approximate 1.89-acre tract of land (being Tract 139) in the J. W. Johnson HRS, A-308, located at the southwest corner of Jameson Street and Texarkana Avenue from Single Family-2 to Single Family-3. The property is currently vacant land. The proposed use is a double wide HUD code manufactured home.

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

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

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

There are manufactured homes located in the immediate area. HUD code double wide manufactured housing looks like some of the existing frame pier and beam houses in the area. This type housing could also be a revitalization housing alternative to traditional site-built homes. Therefore, 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 voted to recommend for approval.

Advisory Board/Committee Meeting Date and Minutes:

November 1, 2021

Attachments

a. 2021-107 ORD Rezoning sw corner of Jameson St and Texarkana Ave (DOCX)
b. 2021-107 EXH 'A' (Legal Description) (PDF)
c. 2021-107 ATTH 01 (Maps) (PDF)
d. 2021-107 Goals & Perspectives (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Review	Completed	12/07/2021 1:29 PM
City Manager	David Orr	Review	Completed	12/07/2021 3:27 PM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

Z-21-22

ORDINANCE NO. 2021-107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 1.89-ACRE TRACT OF LAND (BEING TRACT 139), IN THE J. W. JOHNSON HRS, A-308, LOCATED AT THE SOUTHWEST CORNER OF JAMESON STREET AND TEXARKANA AVENUE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-2 TO SINGLE FAMILY-3; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone an approximate **1.89-acre tract of land (being Tract 139) in the J.W. Johnson HRS, A-308, located at the southwest corner of Jameson Street and Texarkana Avenue,** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to Single Family-3, on an approximate 1.89-acre tract of land (being Tract 139) in the J.W. Johnson HRS, A-308, located at the southwest corner of Jameson Street and Texarkana Avenue** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to Single Family-3** is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone an approximate 1.89-acre tract of land (being Tract 139) in the J.W. Johnson HRS, A-308, located at the southwest corner of Jameson Street and Texarkana Avenue in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3.**

Attachment: 2021-107 ORD Rezoning sw corner of Jameson St and Texarkana Ave (3605 : 2021-107 ORD rezoning from SF2 to SF3 SW corner

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 **10th day of January, 2022.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2021-107 ORD Rezoning sw corner of Jameson St and Texarkana Ave (3605 : 2021-107 ORD rezoning from SF2 to SF3 SW corner

2020-8 ... Total Pages: 4

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

20245049D

GENERAL WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BOWIE §

THAT THE UNDERSIGNED, **GREATER NEW HOPE BAPTIST CHURCH, an unincorporated association**, formerly known as NEW HOPE BAPTIST CHURCH with an address of 1101 Phenie St., Texarkana, TX 75501, hereinafter referred to as "Grantor," whether one or more, for and in consideration of the sum of TEN DOLLARS ($10.00) cash, and other good and valuable consideration in hand paid by the Grantee, herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD, and CONVEYED, and by these presents does hereby GRANT, SELL, and CONVEY unto **ANTHONY LOCKHART and LATREMONT D. MCCUTCHIN**, with an address of 12811 Cooper Cliff Ave. #A Austin, TX 78727, herein referred to as "Grantee," whether one or more, the real property described as follows:

All that certain tract or parcel of land situated in Bowie County, Texas, a part of the J.W. JOHNSON HEADRIGHT SURVEY, A-308, and being Lot 1 of the partition of a 5 acre tract between George Smith, Ed Harper and Henry Harper, recorded in Volume 79, Page 191, Deed Records of Bowie County, Texas, and being more particularly described as follows:

BEGINNING at the SW corner of Lot 1, same being the SE corner of Lot 2 and in the NBL of Lot 3 of the above mentioned partition of 5 acre tract, said point of beginning being an existing fence corner;

THENCE N 27° 00' W, with an existing fence line and its projection, 433.0 feet to a point in the NBL of said 5 acre tract, same being the NBL of J.W. Johnson HRS, Bowie County, Texas, said point also being in a street designated as Jamison Street;

THENCE E with said NBL of 5 acre tract and Johnson HRS, 269.358 feet to the NE corner of said 5 acre tract, same being in the intersection of said Jamison St. and a street designated as Texarkana Ave;

THENCE S 27° 00' E, with the EBL of said 5 acre tract, 270.213 feet to a point;

THENCE S 63° 00' W, 174.0 feet to a point;

THENCE S 27° 00' E, 40.5 feet to a point;

THENCE S 63° 00' W, 66.0 feet to the POINT OF BEGINNING and containing 1.887 acres of land, more or less.

Attachment: 2021-107 EXH 'A' (Legal Description) (3605 : 2021-107 ORD rezoning from SF2 to SF3 SW corner Jameson & Texarkana Ave)

SAVE AND EXCEPT 0.2050 acres (8928.55 sq. ft.) of land, more or less, conveyed to the State of Texas by deed dated May 17, 1991, filed for record on June 24, 1991, in Volume 1629, Page 204, Real Property Records of Bowie County, Texas.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; and taxes for 2020, which Grantee assumes and agrees to pay, but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

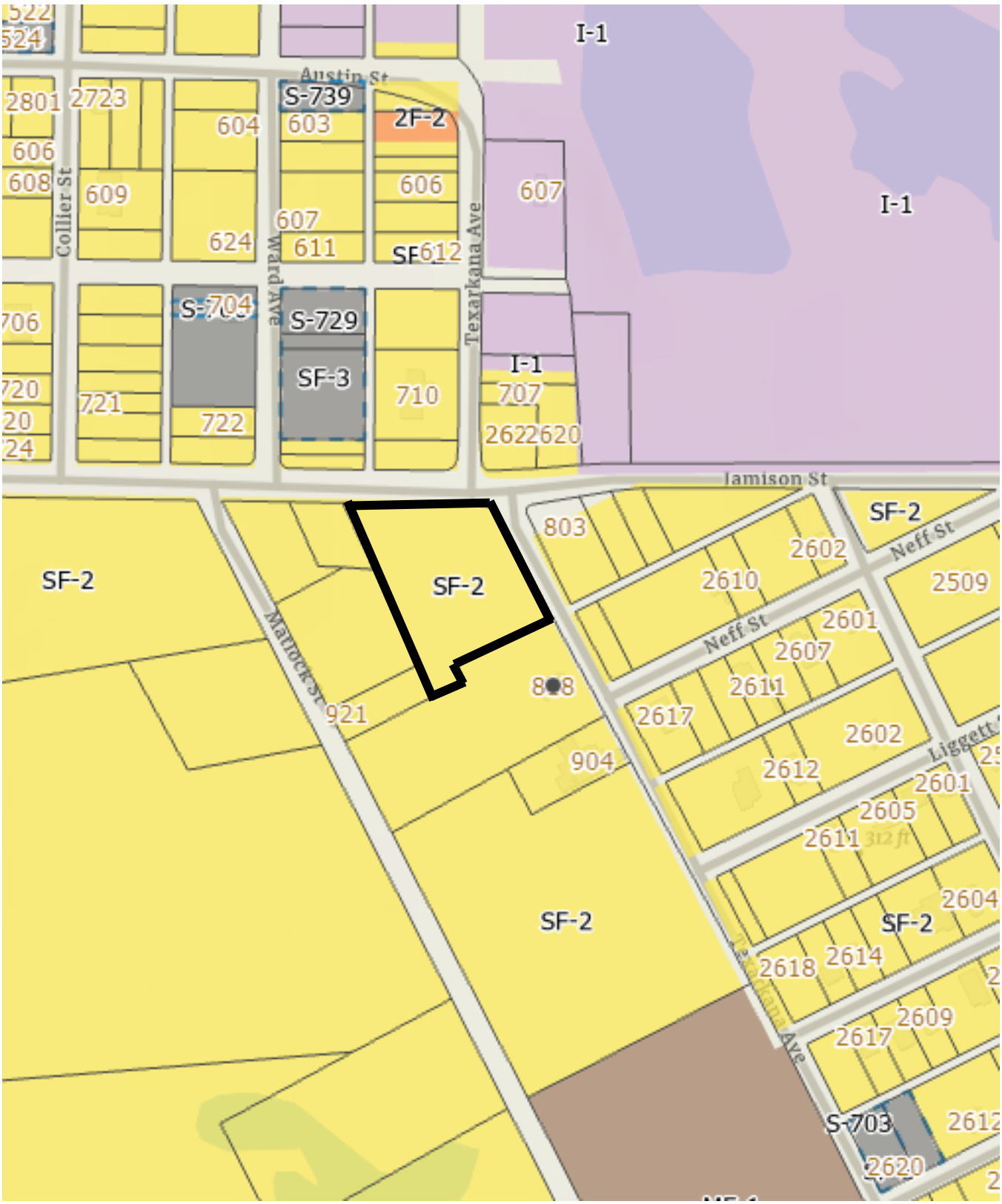
TO HAVE AND TO HOLD the above described premises, together with all the rights and appurtenances lawfully accompanying it, by the Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors, and/or assigns to WARRANT AND FOREVER DEFEND all the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

Current ad valorem taxes on said property having been prorated, the payment thereof is assumed by Grantee.

[Remainder of this page left intentionally blank.]

Attachment: 2021-107 EXH 'A' (Legal Description) (3605 : 2021-107 ORD rezoning from SF2 to SF3 SW corner Jameson & Texarkana Ave)

SW Corner of Jameson and Texarkana Ave.



Attachment: 2021-107 ATTH 01 (Maps) (3605 : 2021-107 ORD rezoning from SF2 to SF3 SW corner Jameson & Texarkana Ave)

SW Corner of Jameson and Texarkana Ave.



Attachment: 2021-107 ATTH 01 (Maps) (3605 : 2021-107 ORD rezoning from SF2 to SF3 SW corner Jameson & Texarkana Ave)

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: 2021-107 Goals & Perspectives (3605 : 2021-107 ORD rezoning from SF2 to SF3 SW corner Jameson & Texarkana Ave)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 12/9/2021 9:13 AM

Lead Department: Planning & Zoning Commission **Action Officer:** Laura Puckett, Administrative Coordinator

Subject: Ordinance No. 2021-108 granting a Specific Use Permit to allow the location of a double-wide HUD code manufactured home as a residence on a 1.89-acre tract of land (being Tract 139) in the J.W. Johnson HRS, A-308, located at the southwest corner of Jameson Street and Texarkana Avenue. Anthony Lockhart and Latremont McCutchin, owners, and John Lane agent.

Briefing: 1/10/2022 **Public Hearing:** 1/10/2022 **Council Vote:** 1/10/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Anthony Lockhart and Latremont McCutchin, owners, and John Lane, agent, for a Specific Use Permit to allow the location of a double wide HUD code manufactured home as a residence on a 1.89-acre tract of land (being Tract 139) in the J.W. Johnson HRS, A-308, located at the southwest corner of Jameson Street and Texarkana Avenue. The property is currently vacant land.

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

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

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

Staff recommends for approval of this request with the following stipulations:

1. That one 2020 or newer double wide HUD code manufactured home be allowed on this property.
2. That the double wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the double wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this Ordinance. It is the owner’s responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.

6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

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

Potential Options:

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 recommended for approval with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

November 1, 2021

Attachments

a. 2021-108 ORD SUP sw corner Jameson and Texarkana Ave (DOCX)
b. 2021-108 EXH 'A' (Legal Description) (PDF)
c. 2021-108 ATTH 01 (Maps) (PDF)
d. 2021-108 ATTH 02 (Photos and Floor Plan) (PDF)
e. 2021-108 Goals & Perspectives (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Reviewer	Completed	12/07/2021 1:30 PM
City Manager	David Orr	Review	Completed	12/07/2021 3:26 PM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

S-747

ORDINANCE NO. 2021-108

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-747 TO ALLOW THE LOCATION OF A DOUBLE-WIDE HUD CODE MANUFACTURED HOME ON A 1.89-ACRE TRACT OF LAND (BEING TRACT 139) IN THE J.W. JOHNSON HRS, A-308, LOCATED AT THE SOUTHWEST CORNER OF JAMESON STREET AND TEXARKANA AVENUE, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of a double-wide HUD Code manufactured home on an approximate **1.89-acre tract of land (being Tract 139) in the J.W. Johnson HRS, A-308, located at the southwest corner of Jameson Street and Texarkana Avenue**, in the City of Texarkana, Bowie County, Texas; and

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

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

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

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

SECTION 1: That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be further amended to grant **Specific Use Permit Numbered S-747** for the location of a double-wide HUD Code manufactured home on an 1.89-acre tract of land (being Tract 139) in the J.W. Johnson HRS, A-308, located at the southwest corner of Jameson Street and Texarkana Avenue, in the City of Texarkana, Bowie County, Texas.

Attachment: 2021-108 ORD SUP sw corner Jameson and Texarkana Ave (3606 : 2021-108 ORD SUP HUD code Mnfctrd home SW Corner of

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

1. That one 2020 or newer double-wide HUD code manufactured home be allowed on this property.
2. That the double-wide HUD code manufactured home be tied down/skirted/underpinned.
3. That the double-wide HUD code manufactured home be used for dwelling purposes only, human occupancy only.
4. That the Specific Use Permit be in effect for a period of three (3) years, beginning at the date of this ordinance. It is the owner's responsibility to renew this permit.
5. That if the HUD code manufactured home is not placed on the property within the three (3) year period, the Specific Use Permit will automatically be revoked.
6. That all driveways, parking, building codes/setbacks, engineered foundation, platting and flood plain requirements must be in accordance with the City of Texarkana, Texas codes.

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

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

SECTION 5: 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 **10th day of January, 2022.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2021-108 ORD SUP sw corner Jameson and Texarkana Ave (3606 : 2021-108 ORD SUP HUD code Mnfctrd home SW Corner of

2021-108 EXH 'A'

2020-8 ... Total Pages: 4

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

20245049D

GENERAL WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BOWIE §

THAT THE UNDERSIGNED, **GREATER NEW HOPE BAPTIST CHURCH, an unincorporated association**, formerly known as NEW HOPE BAPTIST CHURCH with an address of 1101 Phenie St., Texarkana, TX 75501, hereinafter referred to as "Grantor," whether one or more, for and in consideration of the sum of TEN DOLLARS ($10.00) cash, and other good and valuable consideration in hand paid by the Grantee, herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD, and CONVEYED, and by these presents does hereby GRANT, SELL, and CONVEY unto **ANTHONY LOCKHART and LATREMONT D. MCCUTCHIN**, with an address of 12811 Cooper Cliff Ave. #A Austin, TX 78727, herein referred to as "Grantee," whether one or more, the real property described as follows:

All that certain tract or parcel of land situated in Bowie County, Texas, a part of the J.W. JOHNSON HEADRIGHT SURVEY, A-308, and being Lot 1 of the partition of a 5 acre tract between George Smith, Ed Harper and Henry Harper, recorded in Volume 79, Page 191, Deed Records of Bowie County, Texas, and being more particularly described as follows:

BEGINNING at the SW corner of Lot 1, same being the SE corner of Lot 2 and in the NBL of Lot 3 of the above mentioned partition of 5 acre tract, said point of beginning being an existing fence corner;

THENCE N 27° 00' W, with an existing fence line and its projection, 433.0 feet to a point in the NBL of said 5 acre tract, same being the NBL of J.W. Johnson HRS, Bowie County, Texas, said point also being in a street designated as Jamison Street;

THENCE E with said NBL of 5 acre tract and Johnson HRS, 269.358 feet to the NE corner of said 5 acre tract, same being in the intersection of said Jamison St. and a street designated as Texarkana Ave;

THENCE S 27° 00' E, with the EBL of said 5 acre tract, 270.213 feet to a point;

THENCE S 63° 00' W, 174.0 feet to a point;

THENCE S 27° 00' E, 40.5 feet to a point;

THENCE S 63° 00' W, 66.0 feet to the POINT OF BEGINNING and containing 1.887 acres of land, more or less.

Attachment: 2021-108 EXH 'A' (Legal Description) (3606 : 2021-108 ORD SUP HUD code Mnfctrd home SW Corner of Jameson & Texarkana Ave)

SAVE AND EXCEPT 0.2050 acres (8928.55 sq. ft.) of land, more or less, conveyed to the State of Texas by deed dated May 17, 1991, filed for record on June 24, 1991, in Volume 1629, Page 204, Real Property Records of Bowie County, Texas.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; and taxes for 2020, which Grantee assumes and agrees to pay, but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

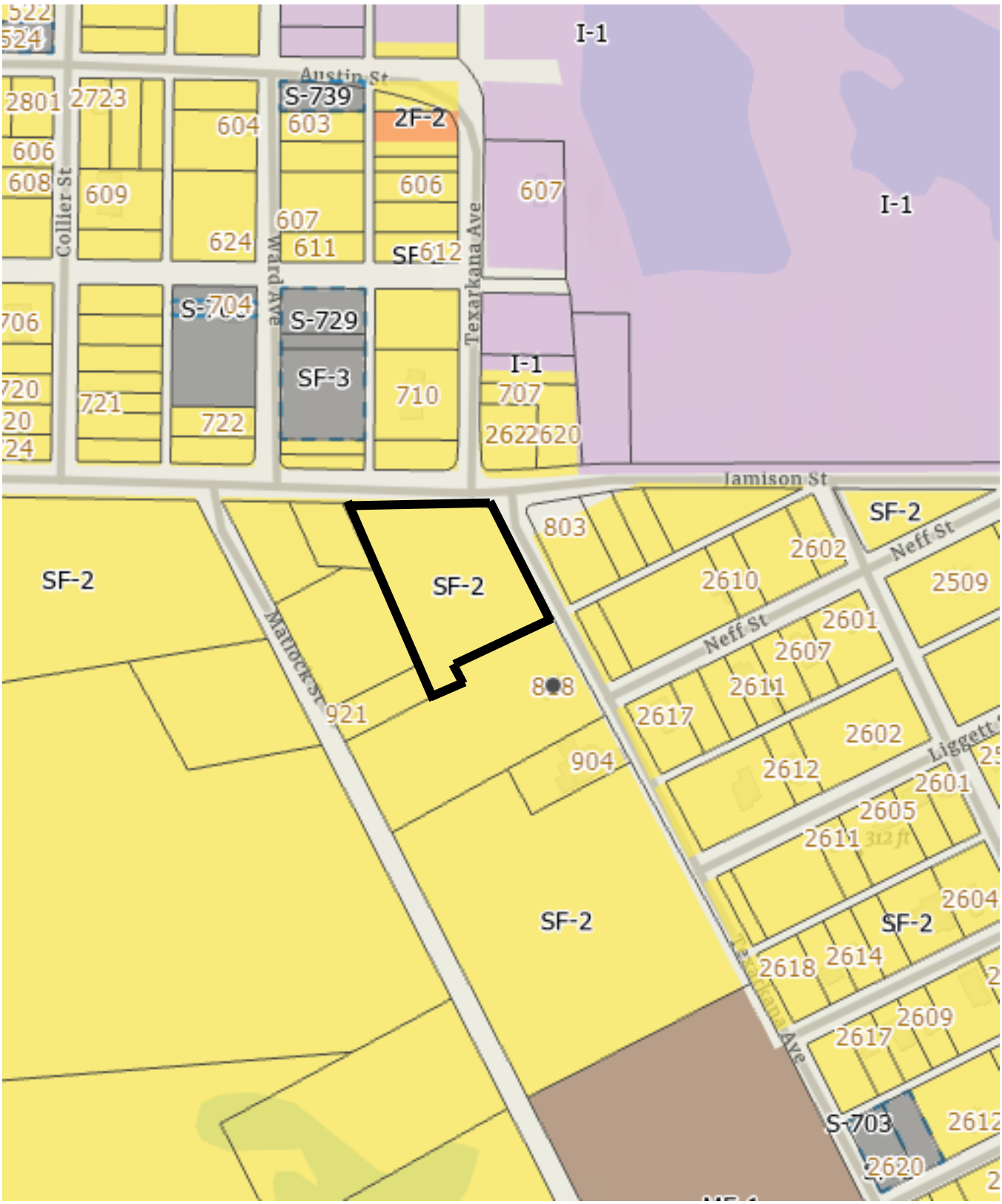
TO HAVE AND TO HOLD the above described premises, together with all the rights and appurtenances lawfully accompanying it, by the Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors, and/or assigns to WARRANT AND FOREVER DEFEND all the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

Current ad valorem taxes on said property having been prorated, the payment thereof is assumed by Grantee.

[Remainder of this page left intentionally blank.]

Attachment: 2021-108 EXH 'A' (Legal Description) (3606 : 2021-108 ORD SUP HUD code Mnfctrd home SW Corner of Jameson & Texarkana Ave)

SW Corner of Jameson and Texarkana Ave.



Attachment: 2021-108 ATTH 01 (Maps) [Revision 1] (3606 : 2021-108 ORD SUP HUD code Mnfctrd home SW Corner of Jameson & Texarkana

SW Corner of Jameson and Texarkana Ave.



Attachment: 2021-108 ATTH 01 (Maps) [Revision 1] (3606 : 2021-108 ORD SUP HUD code Mnfctrd home SW Corner of Jameson & Texarkana

Clayton homes

THE LITTLEFIEL

SFW021920TX
3 beds • 2 bat
2,078 sq.









(903) 838-5994
Monday - Friday: 9am - 6:00pm
Saturday: 9am - 5pm Sunday: Closed

CLAYTON HOMES-TEXARKAN
4402 SOUTH LAKE DRIVE, HWY
TEXARKANA, TX 755

Our home building facilities invest in continuous product and process improvements. Plans, dimensions, features, materials, specifications, and availability are subject to change without notice or obligation. Renderings and floor plans are representative likenesses of our homes and many differ from actual homes. We invite you to tour a Ho Center near you and inspect the highest value in quality housing available or call (865) 688-6110 to speak with a Home Consultant. ©2021, CMH. All rights reserved.

Attachment: 2021-108 ATTH 02 (Photos and Floor Plan) [Revision 1] (3606 : 2021-108 ORD SUP HUD code Mnfctrd home SW Corner of Jameson & Texarkana Ave)

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: 2021-108 Goals & Perspectives (3606 : 2021-108 ORD SUP HUD code Mnfctrd home SW Corner of Jameson & Texarkana Ave)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 12/7/2021 1:49 PM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2021-109 rezoning Lots 1, 2, and west part of 3, Block 13, Richmond Pines 3rd Addition, located north of the residence at 3202 Robin Lane from Single Family-1 to Planned Development-Townhouse. Jason Nguyen, owner and Brandon Taylor, 2B Builders, agent.		

Briefing: 1/10/2022 **Public Hearing:** 1/10/2022 **Council Vote:** 1/10/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Jason Nguyen, owner and Brandon Taylor, 2B Builders, agent, to rezone Lots 1, 2, and west part of 3, Block 13, Richmond Pines 3rd Addition, located north of the residence at 3202 Robin Lane from Single Family-1 to Planned Development-Townhouse. The property is currently vacant land. The proposed use is the construction of townhouse.

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

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

This property is located north of an existing residence at 3202 Robin Lane. This residence at 3202 Robin Lane will remain Single Family-2 and continue to be used as a residence. The proposed townhouses will be platted for individual sale or rent. The applicant is submitting two options for site plan approval. In option one, the townhouses will front Robin Lane (parking in the back) with access from Robin Lane. In option two, Bamboo Street will be continued through the proposed property out to Robin Lane. Under option two the townhouses will be constructed on either side of the new extended portion of Bamboo Street. This property was originally a part of 3202 Robin Lane and has remained undeveloped for many years. There are duplexes/townhomes in close proximity to this property on Wren Rowe Drive and Holly Lane.

A Planned Development designation allows for specific requirements/restrictions and requires adherence to these restrictions. Therefore, 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 3 to 2 to recommend for approval.

Advisory Board/Committee Meeting Date and Minutes:

November 1, 2021

Attachments

a. 2021-109 ORD rezoning lots north of 3202 Robin Lane (DOCX)
b. 2021-109 ATTH 01 (Maps) (PDF)
c. 2021-109 ATTH 02 (Site Plan Option 1) (PDF)
d. 2021-109 ATTH 03 (Floor Plans) (PDF)
e. 2021-109 ATTH 04 (Photo Rendering) (PDF)
f. 2021-109 ATTH 05 (Elevation) (PDF)
g. 2021-109 ATTH 06 (Letter of Opposition) (PDF)
h. 2021-109 Goals & Perspectives (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Review	Completed	12/07/2021 1:32 PM
City Manager	David Orr	Review	Completed	12/07/2021 3:26 PM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

City of Texarkana, Texas

Z-21-25

ORDINANCE NO. 2021-109

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, 2, AND THE WEST PART OF 3, BLOCK 13, RICHMOND PINES 3RD ADDITION, LOCATED NORTH OF THE RESIDENCE AT 3202 ROBIN LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-1 TO PLANNED DEVELOPMENT-TOWNHOUSE; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone a **Lots 1, 2, and the west part of 3, Block 13, Richmond Pines 3rd Addition, located north of the residence at 3202 Robin Lane** in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Planned Development-Townhouse;** and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted three (3) to two (2) to recommend approval of the application for rezoning** from **Single Family-1 to Planned Development-Townhouse** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-1 to Planned Development-Townhouse** 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 **Lots 1, 2, and the west part of 3, Block 13, Richmond Pines 3rd Addition, located north of the residence at 3202 Robin Lane** in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Planned Development-Townhouse.**

Attachment: 2021-109 ORD rezoning lots north of 3202 Robin Lane (3607 : 2021-109 ORD rezone SF-2 PD-TH north of 3202 Robin Ln)

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 **10th day of January, 2022.**

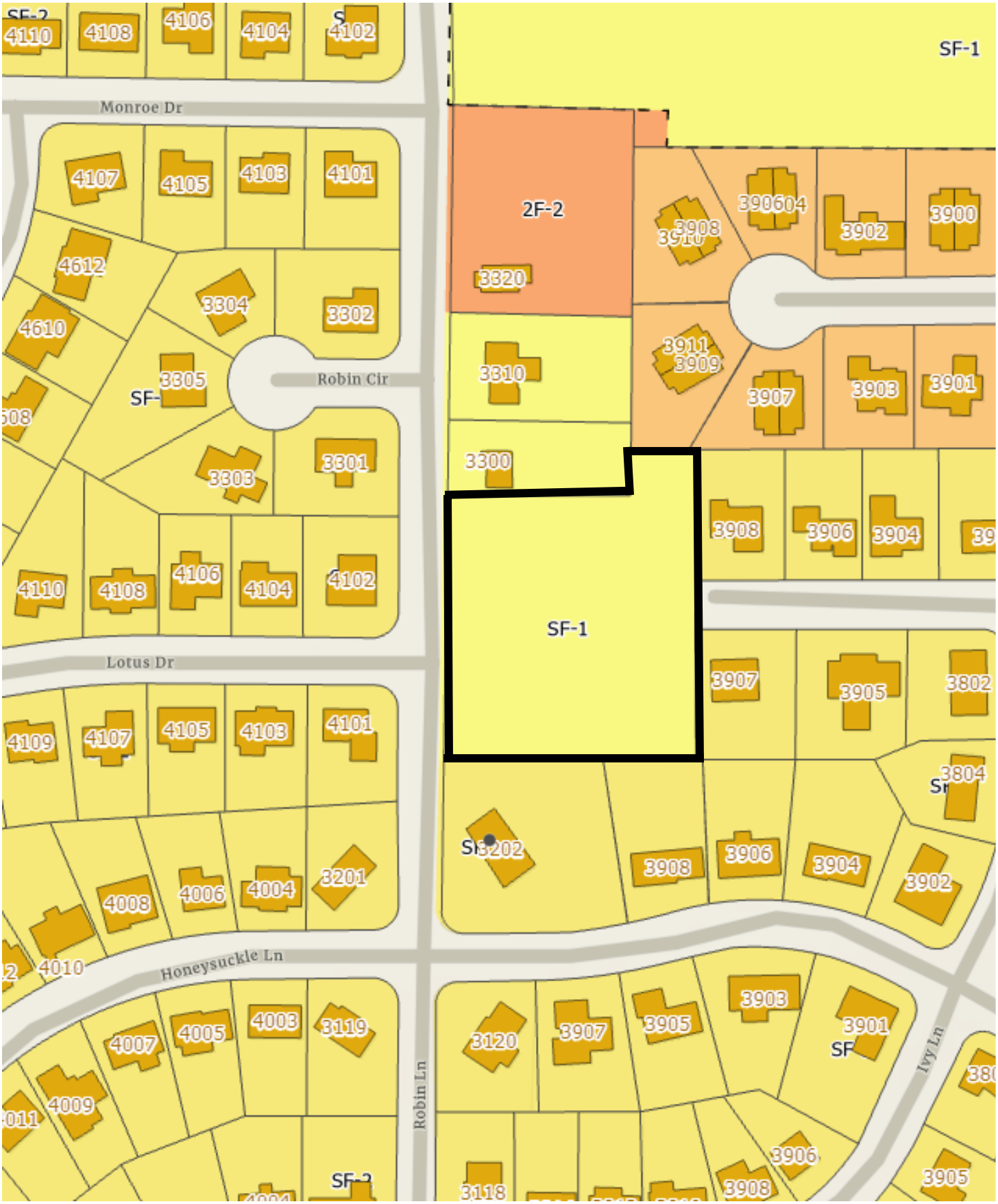
ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2021-109 ORD rezoning lots north of 3202 Robin Lane (3607 : 2021-109 ORD rezone SF-2 PD-TH north of 3202 Robin Ln)

3202 Robin Lane



Attachment: 2021-109 ATTH 01 (Maps) (3607 : 2021-109 ORD rezone SF-2 PD-TH north of 3202 Robin Ln)

3202 Robin Lane



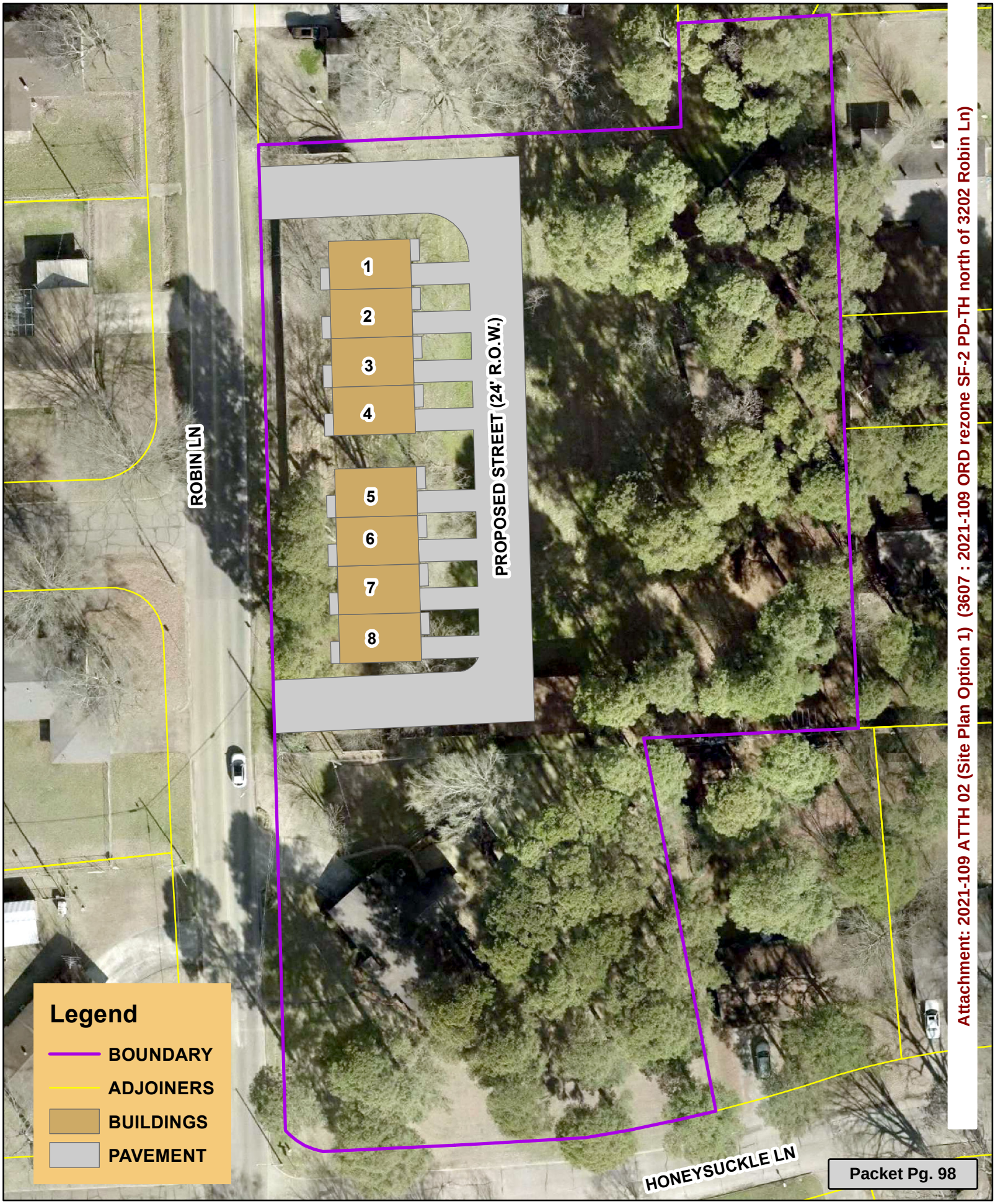
Attachment: 2021-109 ATTH 01 (Maps) (3607 : 2021-109 ORD rezone SF-2 PD-TH north of 3202 Robin Ln)

MTG | ENGINEERS & SURVEYORS

ROBIN LANE TOWNHOMES
OPTION #1

Z-21-25

0 25 50 100 t



Attachment: 2021-109 ATTH 02 (Site Plan Option 1) (3607 : 2021-109 ORD rezone SF-2 PD-TH north of 3202 Robin Ln)

DOORS

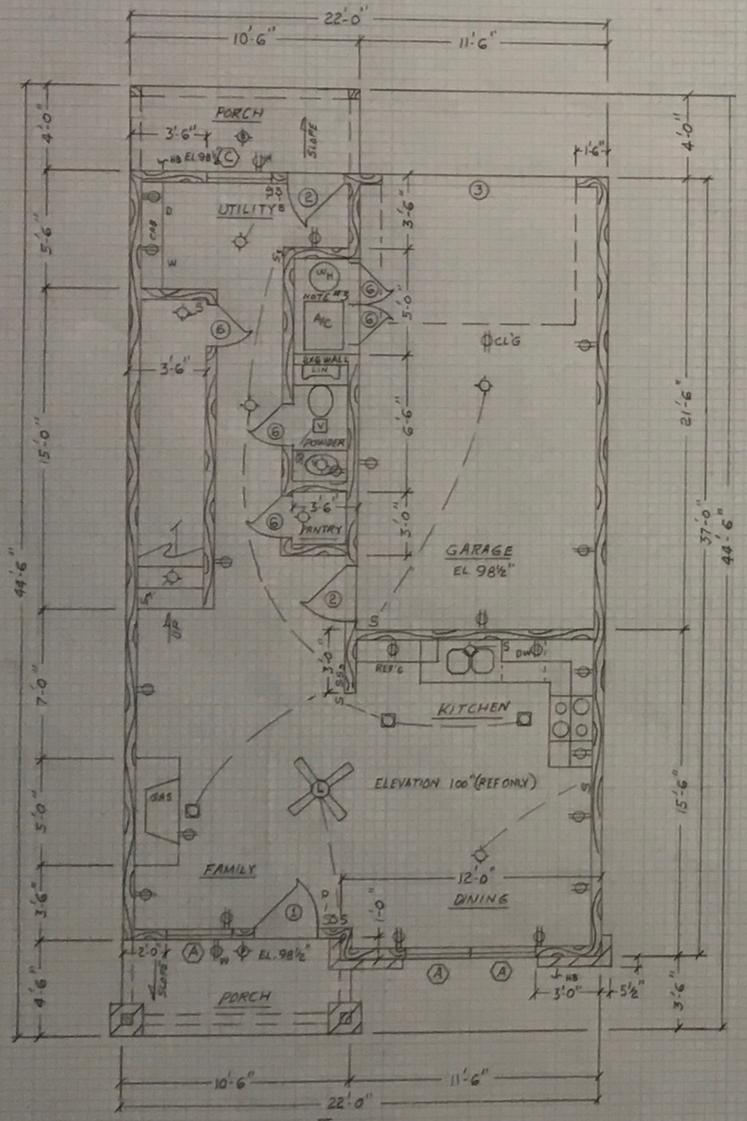
KEY	SIZE	DESCRIPTION			
1.	3'-0"X6'-8"	EXTERIOR-OWNER SPEC.			
2.	2'-8"X6'-8"	METAL ½ GLASS			
3.	9'-0" X 7'-0"	OVERHEAD w/ OPENER			
4.	2'-8"X6'-8"	INTERIOR HOLLOW CORE			
5.	2'-6"X6'-8"	✓	✓	✓	
6.	2'-0"X6'-8"	✓	✓	✓	
7.	4'-0" X6'-8"	✓	✓	✓	BIFOLD

WINDOWS

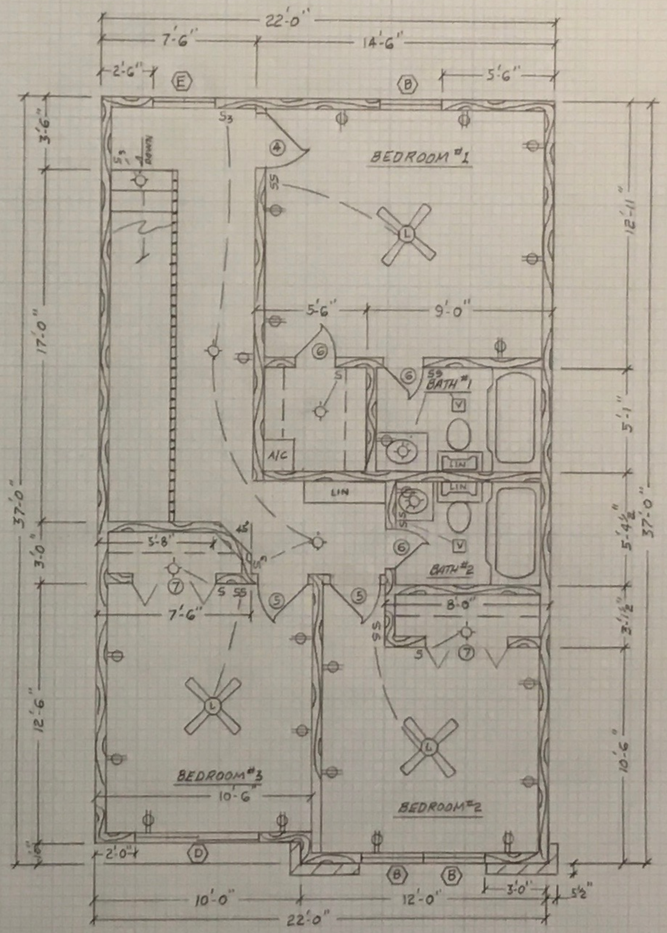
KEY	SIZE	DESCRIPTIONS			
		INSULATED	SINGLE HUNG	½	
A	3'-0"X6'-0"	✓	✓	✓	✓
B	3'-0"X5'-0"	✓	✓	✓	✓
C	3'-0"X3'-0"	✓	✓	✓	✓
D	6'-0"X4'-0"	✓	SLIDING		
E	3'-0"X3'-0"	✓	FIXED		

NOTES

1. 2X4 X 16" O.C. WALLS EXCEPT AS NOTED
2. CEILING HEIGHT - 1ST FLOOR 9'-0", 2ND FLOOR 8'-0"
3. RAISE FLOOR 17"
4. STAIRS - 7⅝" MAX. RISE, 10" MIN. RUN, 36" MIN. WIDTH
5. 5/8" TYPE X FIRE-RATED DRYWALL ON GARAGE CEILING & WALLS
6. APPROVED SMOKE & CARBON MONOXIDE DETECTORS REQUIRED
7. WATER HEATER PAN REQUIRED
8. 3½" X 16" ENGINEERED TRUSSES
9. ADVANTECH T&G FLOORING
10. SMART BOARD EXT. TRIM & SIDING



FRONT
1ST FLOOR



FRONT
2ND FLOOR

SQUARE FOOTAGES	
A/C FIRST FLOOR	546 SF
A/C SECOND FLOOR	733 SF
A/C TOTAL	1,279 SF
PORCHES	86 SF

3 BEDROOM, 2 ½ BATH FOURPLEX

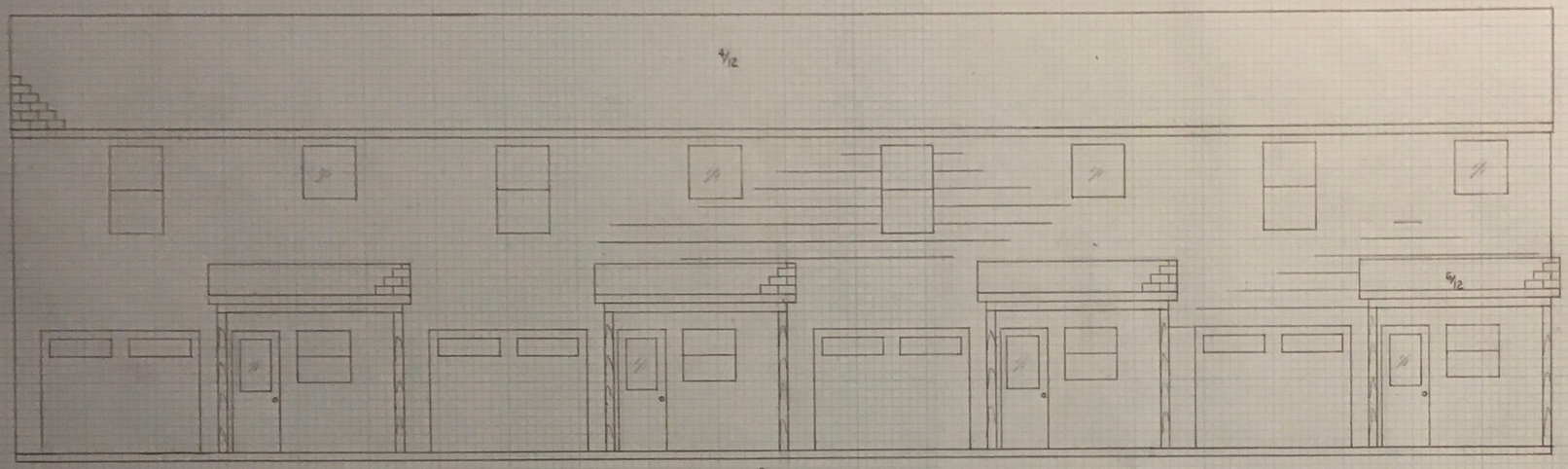
FLOOR PL
SCALE: ⅛"
DATE:
SH

Attachment: 2021-109 ATTH 03 (Floor Plans) (3607 : 2021-109 OKD rezone SF-2 PD-TH north of 3302 Robin Ln)

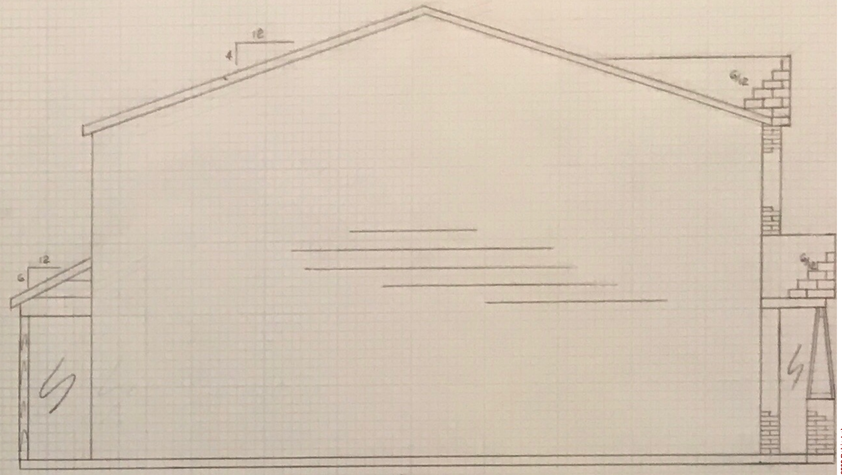
Packet Pg. 99



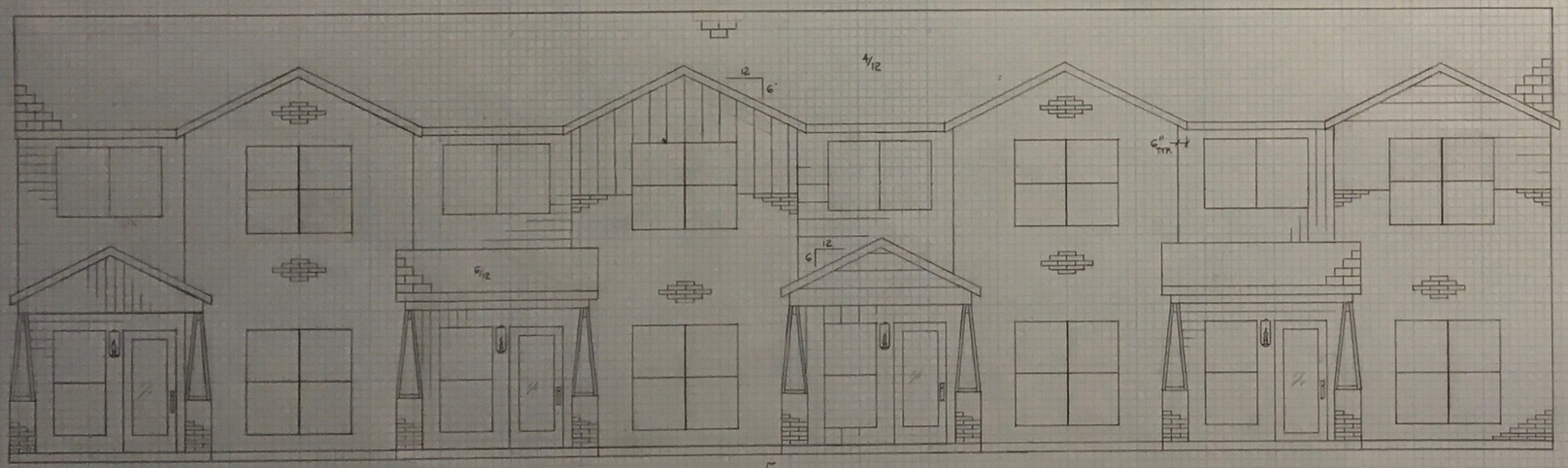
Attachment: 2021-109 ATTH 04 (Photo



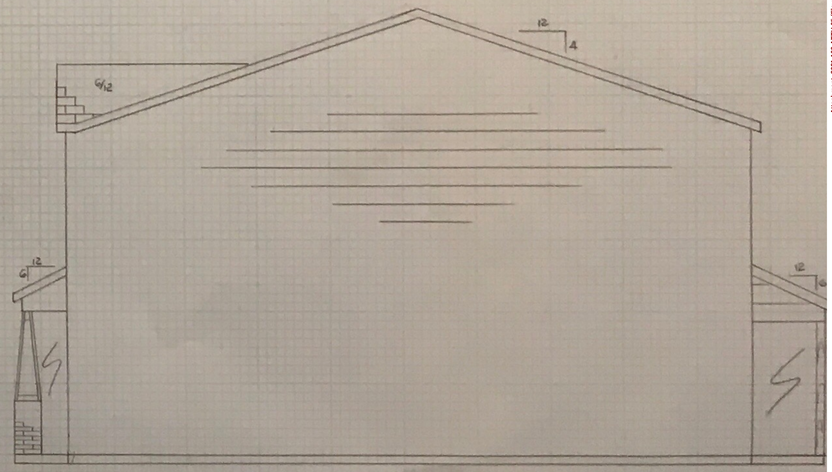
BACK



LEFT



FRONT



RIGHT

3 BEDROOM, 2 ½ BATH FOURPLEX	ELEVATIONS SCALE: ¼"=1'-0" DATE: SHEET: 2 of 2

Attachment: 2021-109 ATTH 05 (Elevation) (3907 : 2021-109 ORD rezone SF-2 PD-TH north of 3302 Robin Ln)

PLANNING AND ZONING COMMISSION

I am writing this letter to express my opposition to the planned Townhouses on Robin lane. I have lived in the area for over 40 years and believe the Townhouse would have negative impact on the neighborhood. This area is mainly single family housing. With low traffic count.

Thank you for your consideration

Bert Nicklas

Attachment: 2021-109 ATTH 06 (Letter of Opposition) (3607 : 2021-109 ORD rezone SF-2 PD-TH north of 3202 Robin Ln)

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: 2021-109 Goals & Perspectives (3607 : 2021-109 ORD rezone SF-2 PD-TH north of 3202 Robin Ln)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 12/9/2021 9:13 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2021-110 approving an amendment to PD-21-3(TH) for site plan on Lots 1, 2, and west part of 3, Block 13, Richmond Pines 3rd Addition, located north of the residence at 3202 Robin Lane. Jason Nguyen, owner and Brandon Taylor, 2B Builders, agent.		

Briefing: 1/10/2022 **Public Hearing:** 1/10/2022 **Council Vote:** 1/10/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Jason Nguyen, owner, and Brandon Taylor, 2B Builders, agent, for site plan approval on Lots 1, 2, and west part of 3, Block 13, Richmond Pines 3rd Addition, located north of the residence at 3202 Robin Lane. The property is currently vacant land. The proposed use is the construction of townhouses.

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

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

This property is located north of an existing residence at 3202 Robin Lane. This residence at 3202 Robin Lane will remain Single Family-2 and continue to be used as a residence. The proposed townhouses will be platted for individual sale or rent. The applicant is submitting two options for site plan approval. In option one, the townhouses will front Robin Lane (parking in the back) with access from Robin Lane. In option two, Bamboo Street will be continued through the proposed property out to Robin Lane. Under option two the townhouses will be constructed on either side of the new extended portion of Bamboo Street. This property was originally a part of 3202 Robin Lane and has remained undeveloped many years. There are duplexes/townhomes in close proximity to this property on Wren Rowe Drive and Holly Lane.

Since the applicant has requested the Planned Development designation, this allows for specific requirements/restrictions and requires adherence to an approved site plan. The proposed site plan submitted by the applicant shows the following:

1. Construction of two 2-story buildings with four townhouses in each building.
2. Façade will be brick and hardi board.
3. Access will be from Robin Lane with parking in the rear of the proposed development.
4. Two parking spaces will be provided per unit (one car garage and driveway).
5. There will be no signage.
6. The property will have to be platted prior to development.
7. The development must meet all city ordinances (subdivision, street, drainage, etc.)
8. A concrete sidewalk that connects the parking and the front of each unit.
9. Lights should be shielded away from any residences and facing downward.

The site plan will need to be updated to show any of the items listed above that may not be currently be shown on the site plan.

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 with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission voted unanimously recommending for approval with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

November 1, 2021

Attachments

a. 2021-110 ORD Amendment to PD-21-3(TH) for site plan approval (DOCX)
b. 2021-110 EXH 'A' (Site Plan Option 1) (PDF)
c. 2021-110 ATTH 01 (Maps) (PDF)
d. 2021-110 ATTH 02 (Floor Plans) (PDF)
e. 2021-110 ATTH 03 (Photos) (PDF)

f. 2021-110 ATTH 04 (Elevation) (PDF)
g. 2021-110 ATTH 05 (Letter of Opposition) (PDF)
h. 2021-110 Goals & Perspectives (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Review	Completed	12/07/2021 1:33 PM
City Manager	David Orr	Review	Completed	12/07/2021 3:25 PM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

ORDINANCE NO. 2021-110

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-21-3 (TH) FOR SITE PLAN APPROVAL ON LOTS 1, 2, AND THE WEST PART OF 3, BLOCK 13, RICHMOND PINES 3RD ADDITION, LOCATED NORTH OF THE RESIDENCE AT 3202 ROBIN LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') to construct townhouses on Lots 1, 2, and the west part of 3, Block 13, Richmond Pines 3rd Addition, located north of the residence at 3202 Robin Lane** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-Townhouse [PD-21-3(TH)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-21-3(TH); and

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

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously by a vote of 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: That the site plan **(Exhibit 'A')) to construct townhouses on Lots 1, 2, and the west part of 3, Block 13, Richmond Pines 3rd Addition, located north of the residence at 3202**

Attachment: 2021-110 ORD Amendment to PD-21-3(TH) for site plan approval (3608 : 2021-110 ORD Amendment PD-21-3 (TH) north of 3202

Robin Lane in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-21-3(TH).

SECTION 2: PD-21-3(TH) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes, and includes the following:

1. Construction of two 2-story buildings with four townhouses in each building.
2. Façade will be brick and hardi board.
3. Access will be from Robin Lane with parking in the rear of the proposed development.
4. Two parking spaces will be provided per unit (one car garage and driveway).
5. There will be no signage.
6. The property will have to be platted prior to development.
7. The development must meet all city ordinances (subdivision, street, drainage, etc.)
8. A concrete sidewalk that connects the parking and the front of each unit.
9. Lights should be shielded away from any residences and facing downward.

SECTION 3: It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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

PASSED AND APPROVED in Regular Council Session on this the **10th day of January, 2022.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

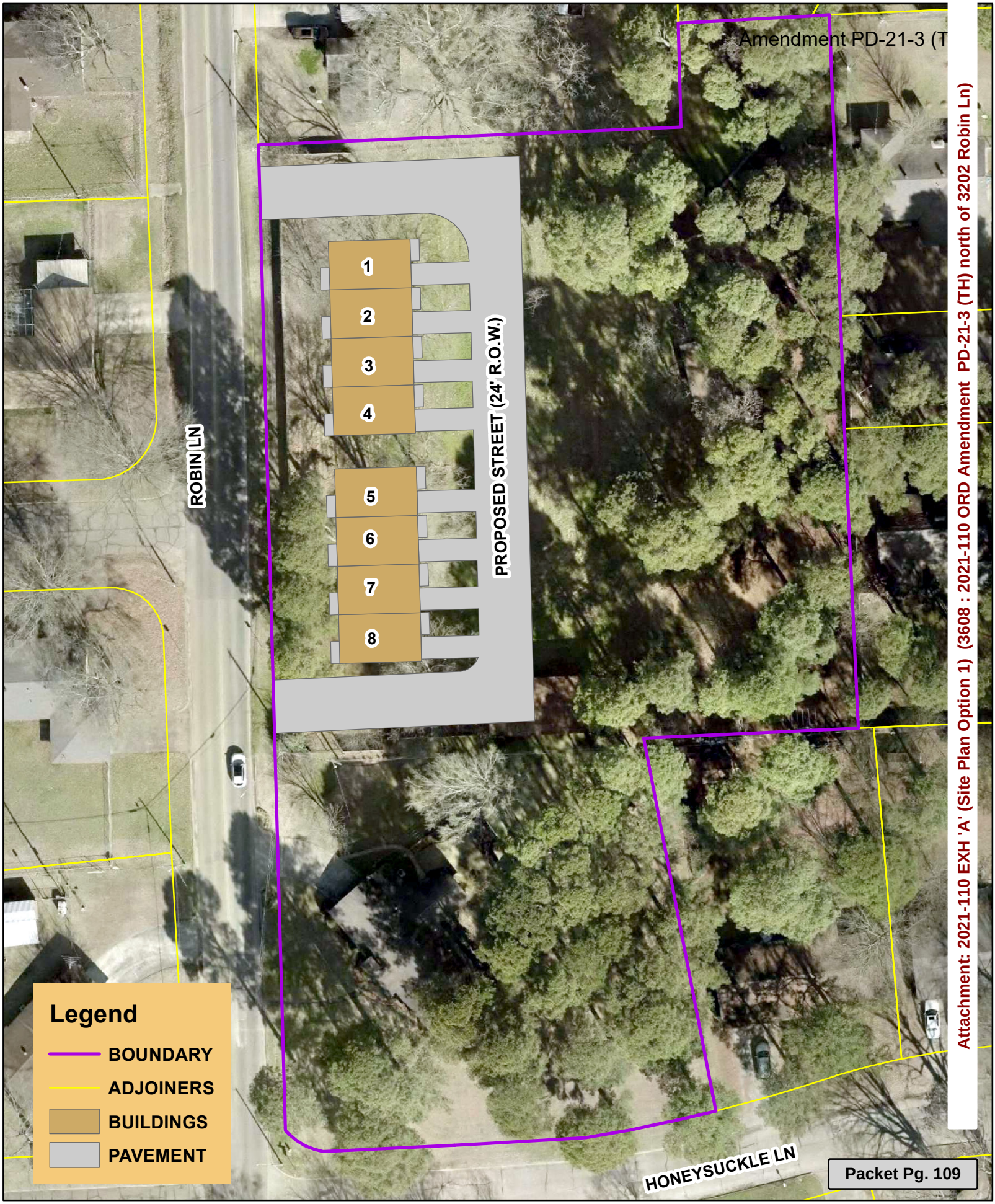
BOB BRUGGEMAN, MAYOR

Attachment: 2021-110 ORD Amendment to PD-21-3(TH) for site plan approval (3608 : 2021-110 ORD Amendment PD-21-3 (TH) north of 3202

MTG | ENGINEERS & SURVEYORS

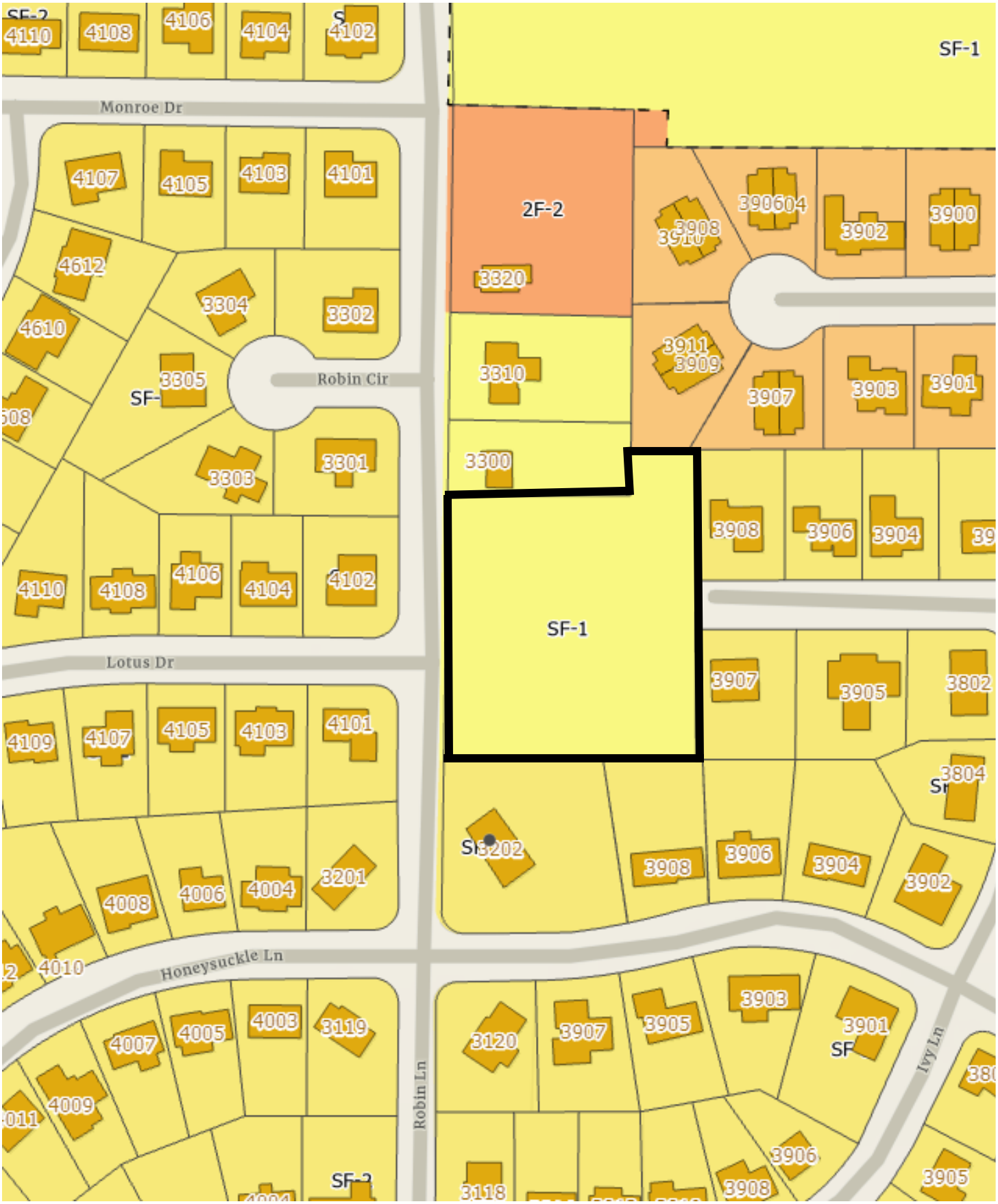
ROBIN LANE TOWNHOMES
OPTION #1

0 25 50 100 t



Attachment: 2021-110 EXH 'A' (Site Plan Option 1) (3608 : 2021-110 ORD Amendment PD-21-3 (TH) north of 3202 Robin Ln)

3202 Robin Lane



Attachment: 2021-110 ATTH 01 (Maps) (3608 : 2021-110 ORD Amendment PD-21-3 (TH) north of 3202 Robin Ln)

3202 Robin Lane



Attachment: 2021-110 ATTH 01 (Maps) (3608 : 2021-110 ORD Amendment PD-21-3 (TH) north of 3202 Robin Ln)

DOORS

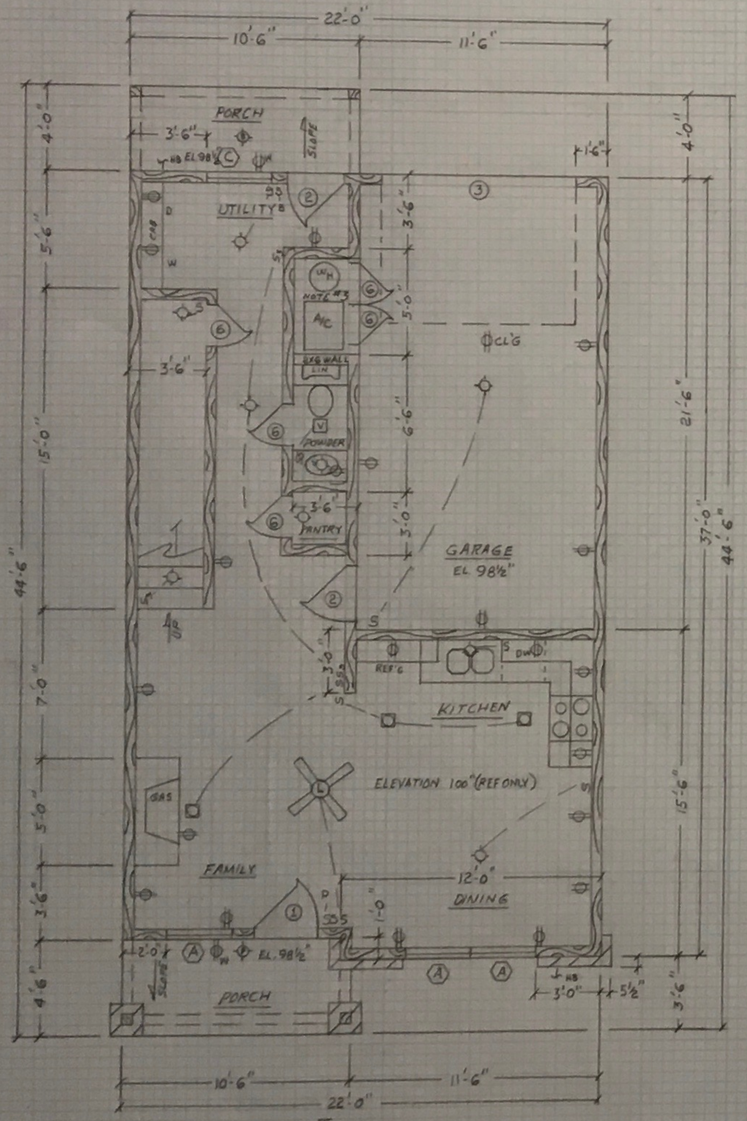
KEY	SIZE	DESCRIPTION			
1.	3'-0"X6'-8"	EXTERIOR-OWNER SPEC.			
2.	2'-8"X6'-8"	METAL ½ GLASS			
3.	9'-0"X7'-0"	OVERHEAD W/ OPENER			
4.	2'-8"X6'-8"	INTERIOR HOLLOW CORE			
5.	2'-6"X6'-8"	✓	✓	✓	
6.	2'-0"X6'-8"	✓	✓	✓	
7.	4'-0"X6'-8"	✓	✓	✓	BIFOLD

WINDOWS

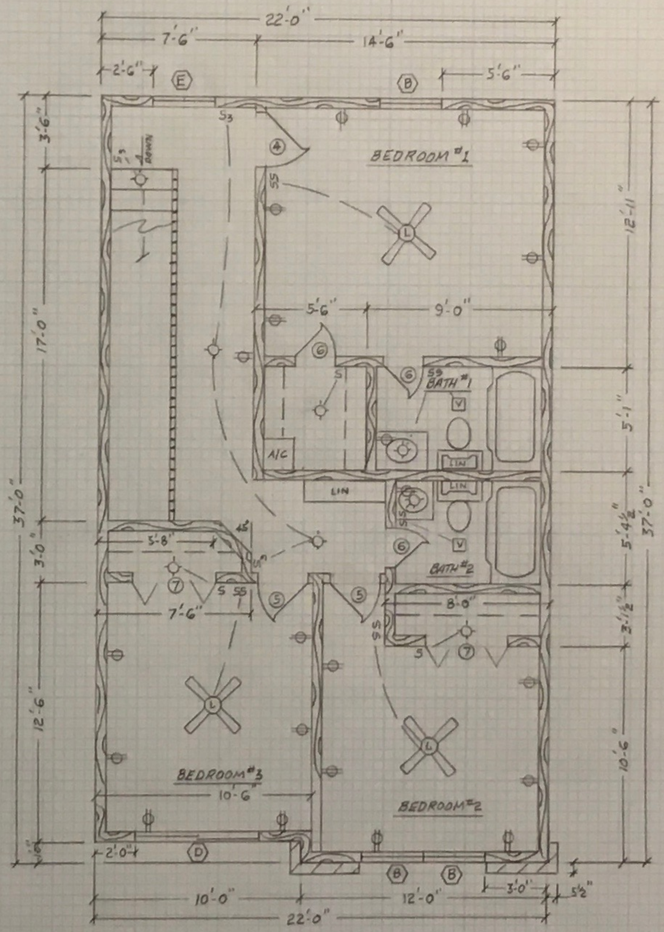
KEY	SIZE	DESCRIPTIONS			
		INSULATED	SINGLE HUNG	½	
A	3'-0"X6'-0"	✓	✓	✓	✓
B	3'-0"X5'-0"	✓	✓	✓	✓
C	3'-0"X3'-0"	✓	✓	✓	✓
D	6'-0"X4'-0"	✓	SLIDING		
E	3'-0"X3'-0"	✓	FIXED		

NOTES

1. 2X4 X 16" O.C. WALLS EXCEPT AS NOTED
2. CEILING HEIGHT - 1ST FLOOR 9'-0", 2ND FLOOR 8'-0"
3. RAISE FLOOR 17"
4. STAIRS - 7⅝" MAX. RISE, 10" MIN. RUN, 36" MIN. WIDTH
5. 5/8" TYPE X FIRE-RATED DRYWALL ON GARAGE CEILING & WALLS
6. APPROVED SMOKE & CARBON MONOXIDE DETECTORS REQUIRED
7. WATER HEATER PAN REQUIRED
8. 3½" X 16" ENGINEERED TRUSSES
9. ADVANTECH T&G FLOORING
10. SMART BOARD EXT. TRIM & SIDING



FRONT
1ST FLOOR



FRONT
2ND FLOOR

SQUARE FOOTAGES

A/C FIRST FLOOR	546 SF
A/C SECOND FLOOR	733 SF
A/C TOTAL	1,279 SF
PORCHES	86 SF

3 BEDROOM, 2 ½ BATH FOURPLEX

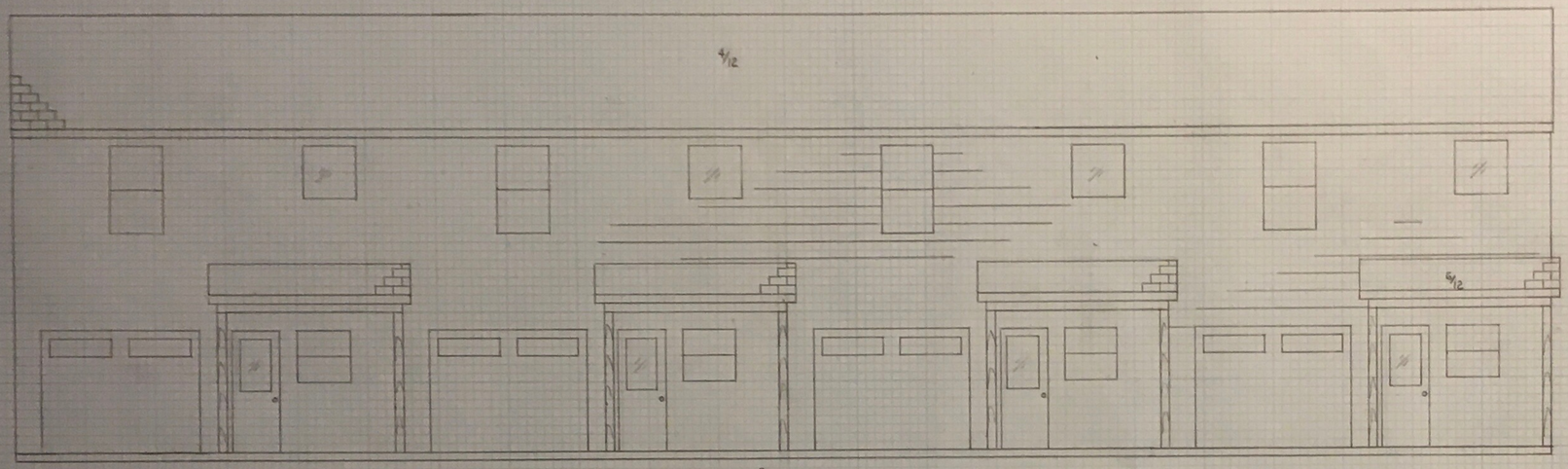
FLOOR PL
SCALE: ⅛"
DATE:
SH

Attachment: 2021-110 ATTH 02 (Floor Plans) (3608 : 2021-110 ORD Amendment PD-21-3 (TH) north of 3202 Robin Ln)

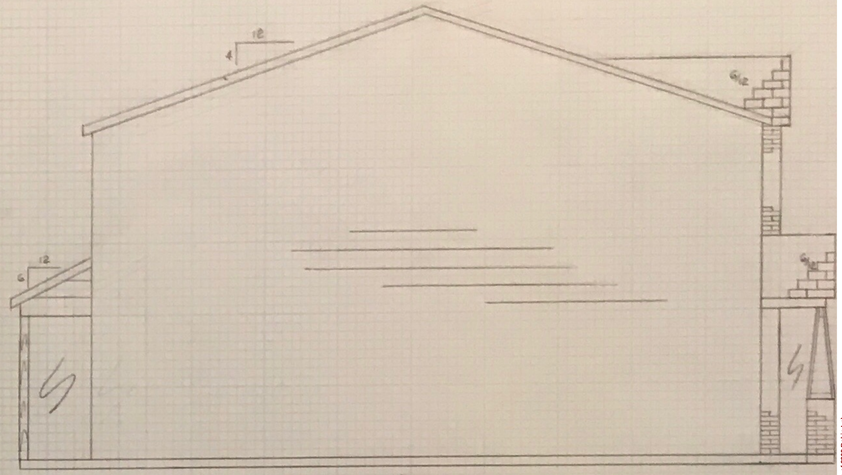
Amendment PD-21-3 (TH)

Attachment: 2021-110 ATTH 03

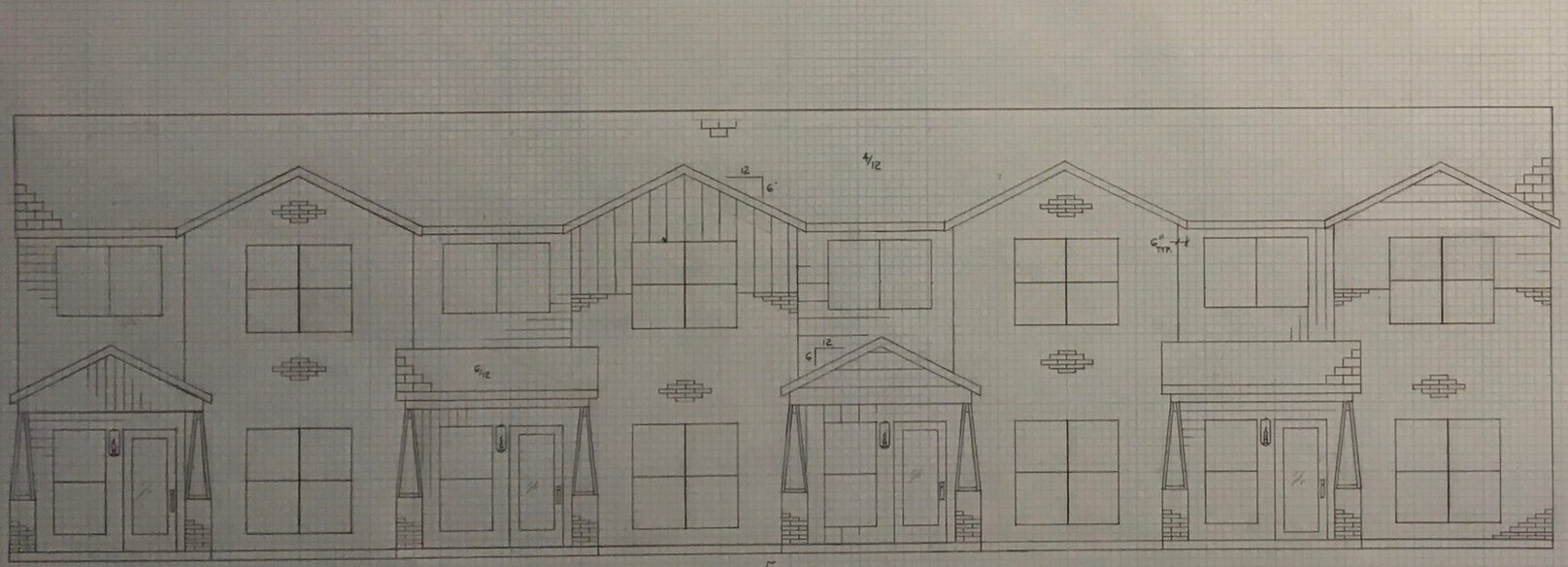




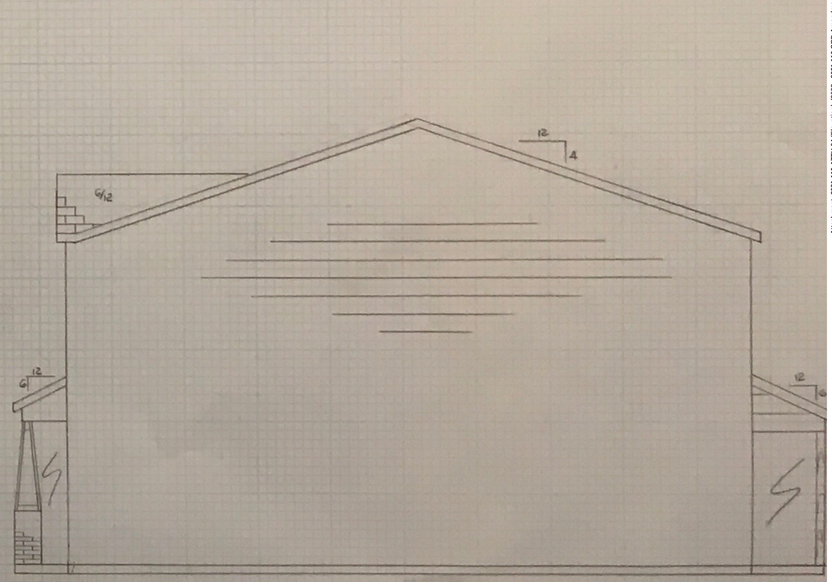
BACK



LEFT



FRONT



RIGHT

3 BEDROOM, 2 ½ BATH FOURPLEX	ELEVATIONS SCALE: ¼"=1'-0" DATE: SHEET: 2 of 2

Attachment: 2021-110 ATTH 04 (Elevations) (2608 : 2021-110 ORD Amendment PO-5.3-5 (7th) north of 83rd Robin Ln)

PLANNING AND ZONING COMMISSION

I am writing this letter to express my opposition to the planned Townhouses on Robin lane. I have lived in the area for over 40 years and believe the Townhouse would have negative impact on the neighborhood. This area is mainly single family housing. With low traffic count.

Thank you for your consideration

Bert Nicklas

Attachment: 2021-110 ATTH 05 (Letter of Opposition) (3608 : 2021-110 ORD Amendment PD-21-3 (TH) north of 3202 Robin Ln)

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: 2021-110 Goals & Perspectives (3608 : 2021-110 ORD Amendment PD-21-3 (TH) north of 3202 Robin Ln)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 12/9/2021 9:14 AM

Lead Department:	Planning & Zoning Commission	**Action Officer:**	Laura Puckett, Administrative Coordinator
Subject:	Ordinance No. 2021-111 approving an amendment to PD-01-8 (MF-1) for site plan approval on Lot 1, 2, and 3, Block 2, Brookwood Acres Addition, located in the 500 block of Belt Road. Jason Nguyen, owner, and Brandon Taylor, 2B Builders, agent.		

Briefing: 1/10/2022 **Public Hearing:** 1/10/2022 **Council Vote:** 1/10/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Jason Nguyen, owner, and Brandon Taylor, 2B Builders, agent, for site plan approval on Lot 1, 2, and 3, Block 2, Brookwood Acres Addition, located in the 500 block of Belt Road. The proposed use is townhouse looking, two story apartment units. This property is currently vacant land.

The adjacent zoning is Planned Development-Multiple Family-1 to the north and south, Two Family-2 to the west and Planned Development-Mutiple Family-1 and Single Family -2 to the east. The adjacent land use is a residential to the north, south west and east.

The Future Land Use Map designates this property as “Neighborhood Residential”.

The site plan shows the following:

1. Construction of 14,000 sq. ft. of townhouse style apartment units.
2. Access will be off Cheyenne Place and Apache Trail.
3. 2 parking spaces per unit. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. No signage.
5. The façade will be hardi siding and brick.
6. Screened dumpster site located in the parking area.
7. Sidewalks from the front of the property connecting the parking in back.
8. Continue the privacy fence along the rear of the property connecting to the duplexes on Apache Trail.
9. The property will have to be platted prior to development.
10. The development must meet all city ordinances (subdivision, street, drainage, etc.)

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.

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 recommended for approval with stipulations.

Advisory Board/Committee Meeting Date and Minutes:

November 1, 2021

Attachments

a. 2021-111 ORD Amendment to PD-01-8(MF-1) for site plan approval (DOCX)
b. 2021-111 EXH 'A' (Site Plan)(PDF)
c. 2021-111 ATTH 01 (Maps) (PDF)
d. 2021-111 ATTH 02 (Floor Plan) (PDF)
e. 2021-111 ATTH 03 (Photo Rendering) (PDF)
f. 2021-111 ATTH 04 (Elevation) (PDF)
g. 2021-111 Goals & Perspectives (PDF)

Staff Coordination

Building Code Administration	Mashell Daniel	Review	Completed	12/07/2021 1:34 PM
City Manager	David Orr	Review	Completed	12/07/2021 3:24 PM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

ORDINANCE NO. 2021-111

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING PD-01-8 (MF-1) FOR SITE PLAN APPROVAL ON LOTS 1, 2, AND 3, BLOCK 2, BROOKWOOD ACRES ADDITION, LOCATED IN THE 500 BLOCK OF BELT ROAD IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting the approval of a **site plan (Exhibit 'A') to construct townhouses on Lots 1, 2, and 3, Block 2, Brookwood Acres Addition, located in the 500 block of Belt Road** in the City of Texarkana, Bowie County, Texas; and

WHEREAS, the subject property is zoned Planned Development-Townhouse [PD-01-8(MF-1)], and approval of the site plan **(Exhibit 'A')** would constitute an amendment to PD-01-8(MF-1); and

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

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **unanimously by a vote of five (5) to zero (0) to recommend approval of the site plan (Exhibit 'A')** to the City Council of the City of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that the approval of the site plan for the above described property is in the best interest of the public health, safety, morals and general welfare of the City.

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

SECTION 1: That the site plan **(Exhibit 'A') to construct townhouses on Lots 1, 2, and 3, Block 2, Brookwood Acres Addition, located in the 500 block of Belt Road** in the City of Texarkana, Texas, Bowie County, Texas, is hereby approved and hereby amends PD-01-8(MF-1).

Attachment: 2021-111 ORD Amendment to PD-01-8(MF-1) for site plan approval (3609 : 2021-111 ORD Amendment to PD-01-8 (MF-1) 500 block

SECTION 2: PD-01-8(MF-1) is hereby amended by approval of the site plan (**Exhibit 'A'**), incorporated herein by reference for all purposes, and includes the following:

1. Construction of 14,000 sq. ft. of townhouse style apartment units.
2. Access will be off Cheyenne Place and Apache Trail.
3. 2 parking spaces per unit. All parking spaces shall be a minimum of 180 sq. ft. in size.
4. No signage.
5. The façade will be hardi, siding, and brick.
6. Screened dumpster site located in the parking area.
7. Sidewalks from the front of the property connecting the parking in back.
8. Continue the privacy fence along the rear of the property connecting to the duplexes on Apache Trail.
9. The property will have to be platted prior to development.
10. The development must meet all city ordinances (subdivision, street, drainage, etc.)

SECTION 3: It is further provided that in case a section, clause, sentence or part of this ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

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

PASSED AND APPROVED in Regular Council Session on this the **10th day of January, 2022.**

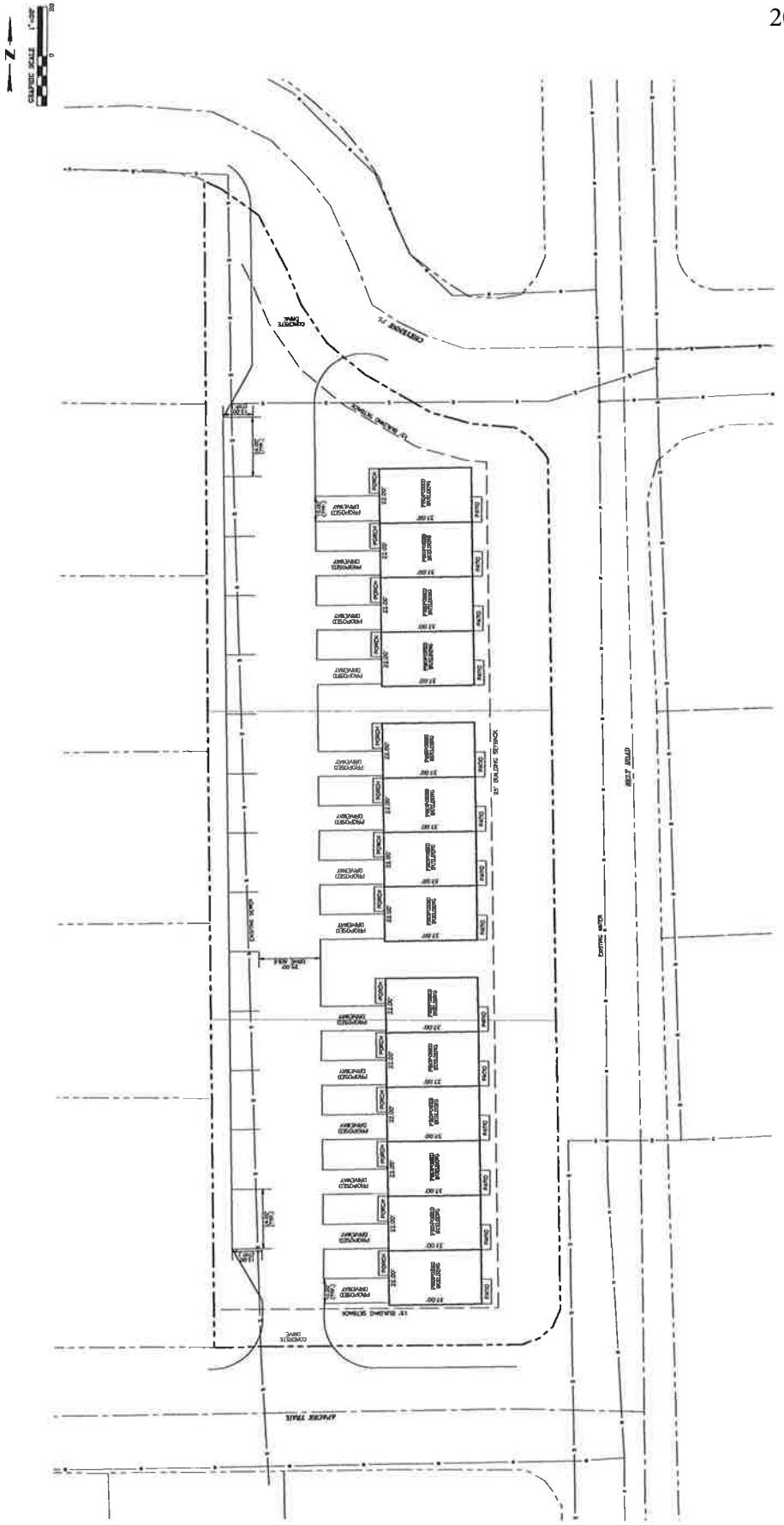
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2021-111 ORD Amendment to PD-01-8(MF-1) for site plan approval (3609 : 2021-111 ORD Amendment to PD-01-8 (MF-1) 500 block

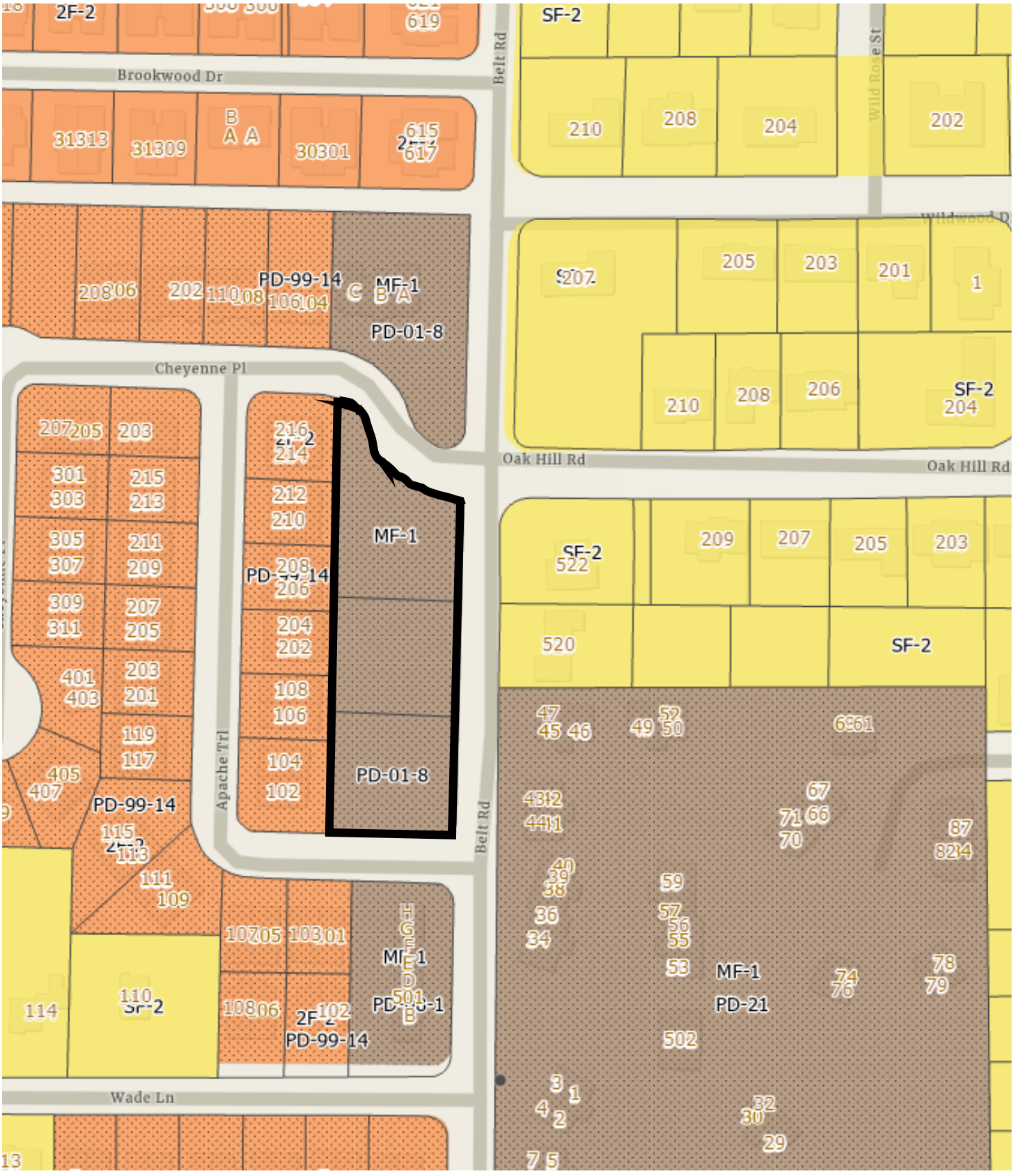
2021-111 EXH 'A'



Attachment: 2021-111 EXH 'A' (Site Plan) (3609 : 2021-111 ORD Amendment to PD-01-8 (MF-1) 500 block Belt Road)

2021-111 ATTH 01
Amendment to PD-01-8

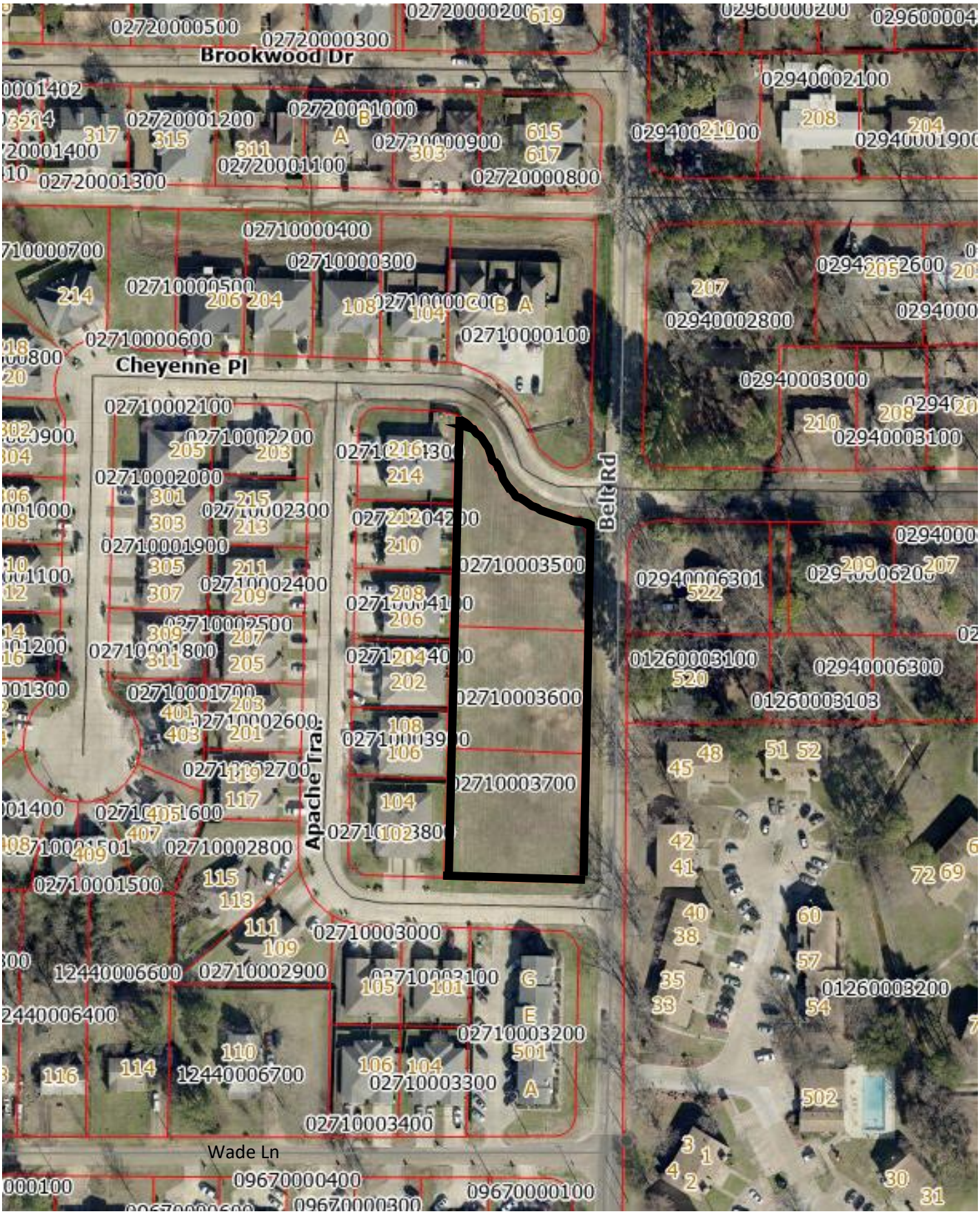
500 Block of Belt Road



Attachment: 2021-111 ATTH 01 (Maps) (3609 : 2021-111 ORD Amendment to PD-01-8 (MF-1) 500 block Belt Road)

2021-111 ATTH 01
Amendment to PD-01-8

500 Block of Belt Road



Attachment: 2021-111 ATTH 01 (Maps) (3609 : 2021-111 ORD Amendment to PD-01-8 (MF-1) 500 block Belt Road)

DOORS

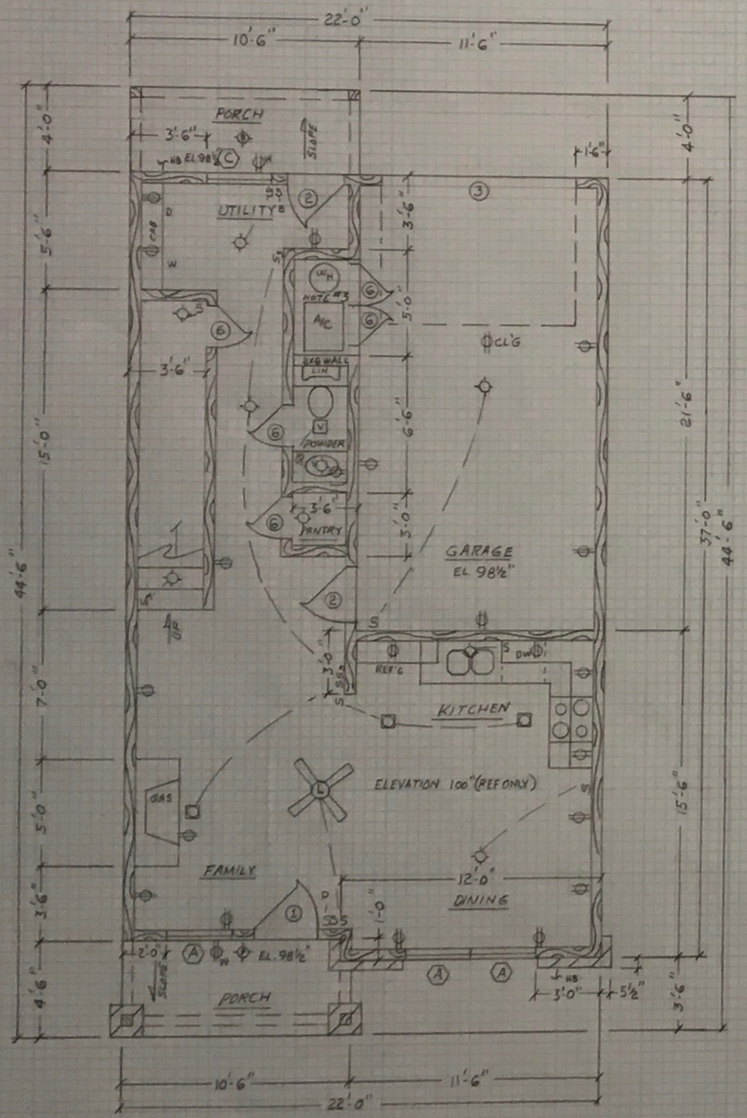
KEY	SIZE	DESCRIPTION			
1.	3'-0"X6'-8"	EXTERIOR-OWNER SPEC.			
2.	2'-8"X6'-8"	METAL ½ GLASS			
3.	9'-0"X7'-0"	OVERHEAD w/ OPENER			
4.	2'-8"X6'-8"	INTERIOR HOLLOW CORE			
5.	2'-6"X6'-8"	✓	✓	✓	
6.	2'-0"X6'-8"	✓	✓	✓	
7.	4'-0"X6'-8"	✓	✓	✓	BIFOLD

WINDOWS

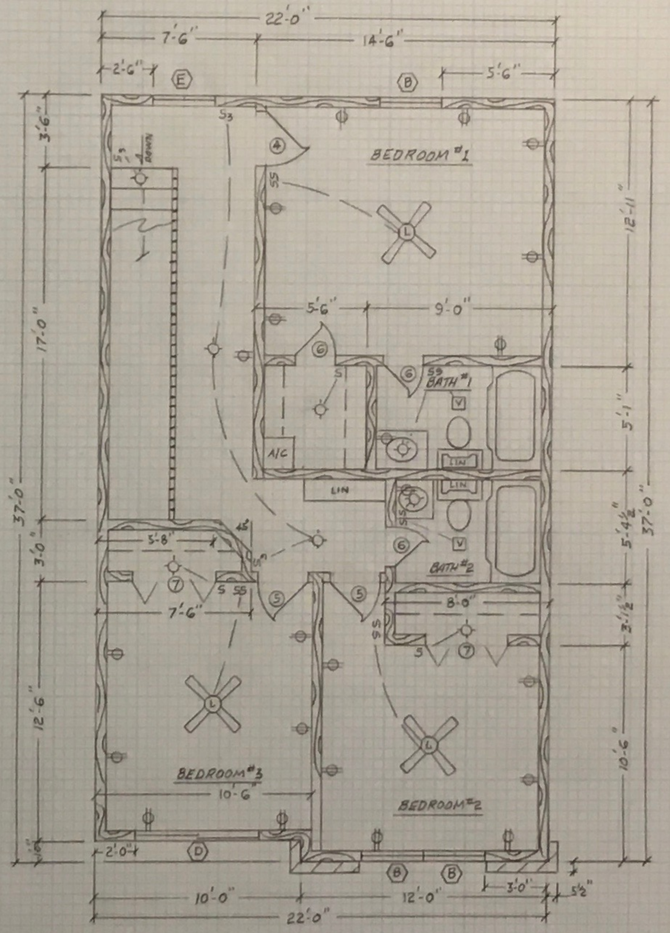
KEY	SIZE	DESCRIPTIONS			
		INSULATED	SINGLE HUNG	½	
A	3'-0"X6'-0"	✓	✓	✓	✓
B	3'-0"X5'-0"	✓	✓	✓	✓
C	3'-0"X3'-0"	✓	✓	✓	✓
D	6'-0"X4'-0"	✓	SLIDING		
E	3'-0"X3'-0"	✓	FIXED		

NOTES

1. 2X4 X 16" O.C. WALLS EXCEPT AS NOTED
2. CEILING HEIGHT - 1ST FLOOR 9'-0", 2ND FLOOR 8'-0"
3. RAISE FLOOR 17"
4. STAIRS - 7⅝" MAX. RISE, 10" MIN. RUN, 36" MIN. WIDTH
5. 5/8" TYPE X FIRE-RATED DRYWALL ON GARAGE CEILING & WALLS
6. APPROVED SMOKE & CARBON MONOXIDE DETECTORS REQUIRED
7. WATER HEATER PAN REQUIRED
8. 3½" X 16" ENGINEERED TRUSSES
9. ADVANTECH T&G FLOORING
10. SMART BOARD EXT. TRIM & SIDING



FRONT
1ST FLOOR



FRONT
2ND FLOOR

SQUARE FOOTAGES	
A/C FIRST FLOOR	546 SF
A/C SECOND FLOOR	733 SF
A/C TOTAL	1,279 SF
PORCHES	86 SF

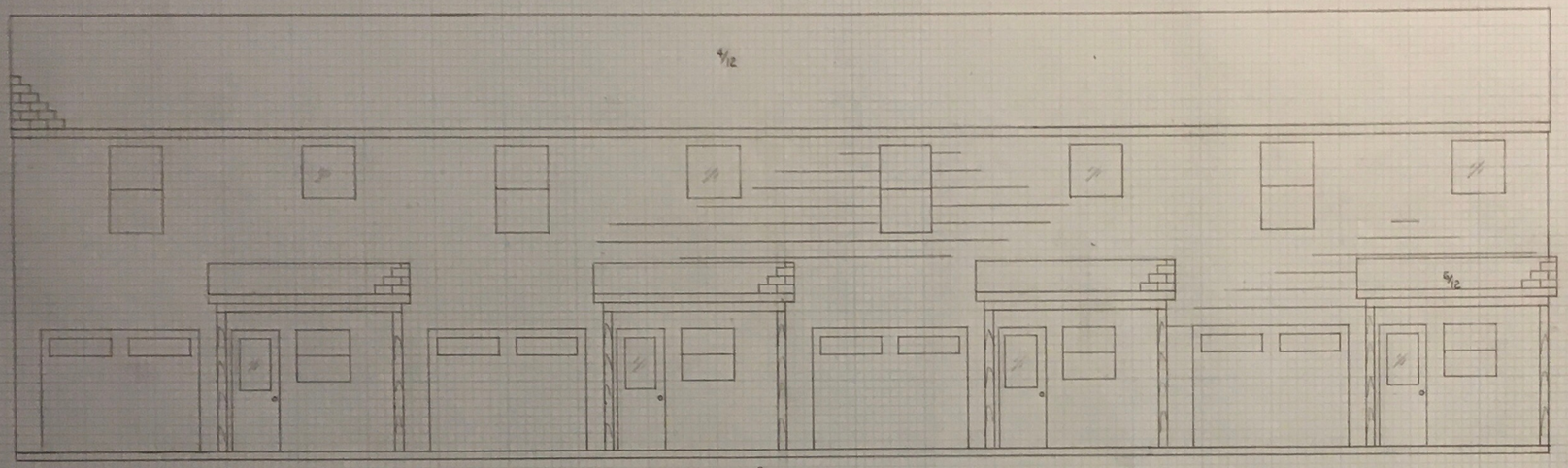
3 BEDROOM, 2½ BATH FOURPLEX

FLOOR PL
SCALE: ⅛"
DATE:
SH

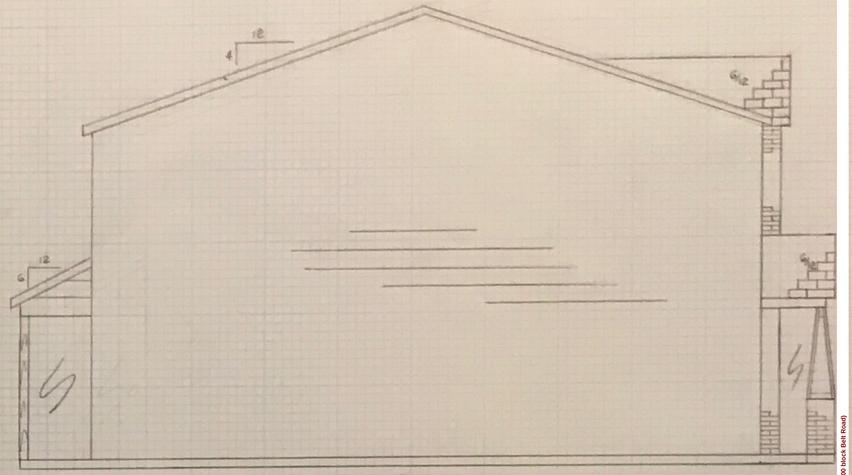
Attachment: 2021-111 ATTH 02 (Floor Plan) (3609 : 2021-111 ORD Amendment to PD-01-5 (MF-1) 500 block Bell Road)



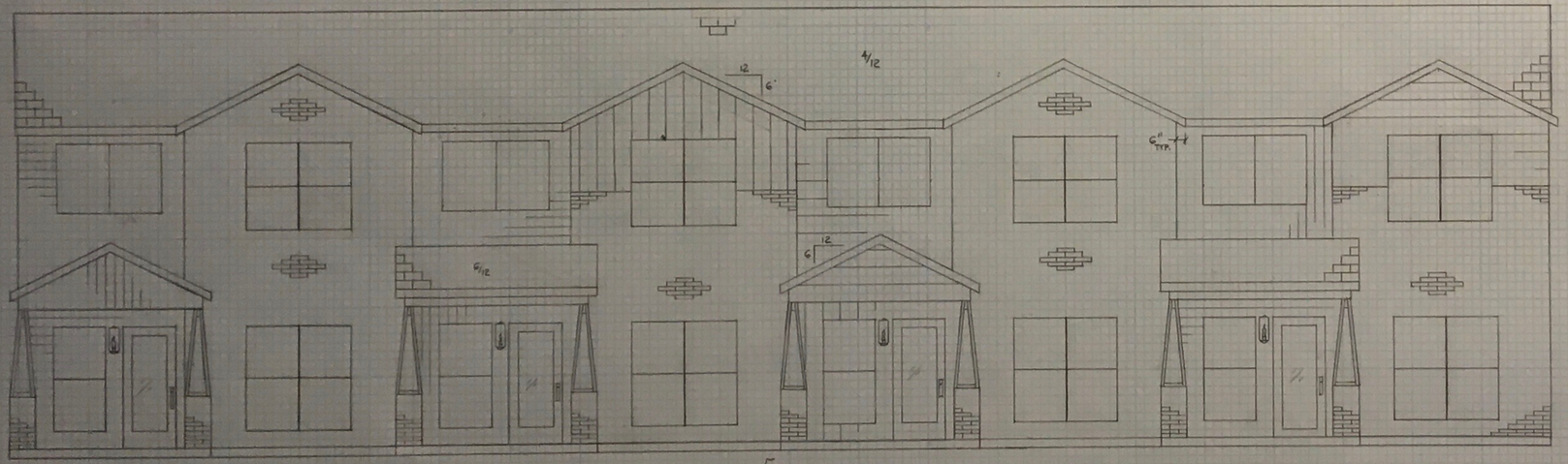
Attachment: 2021-111 ATTH 03 (Photo



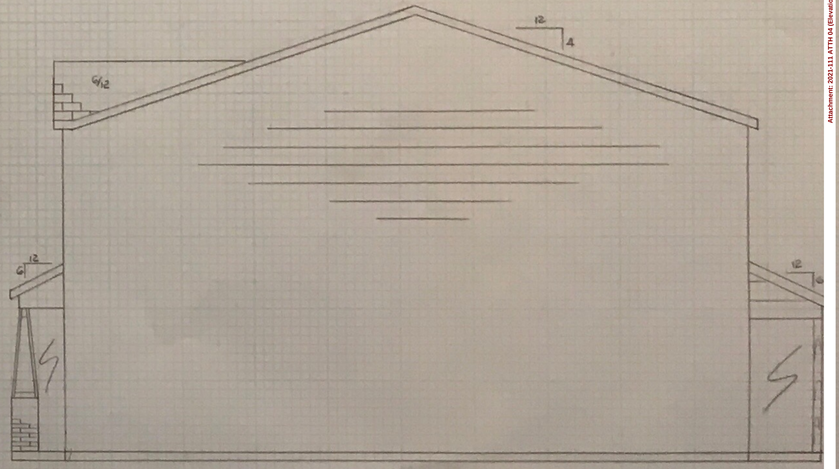
BACK



LEFT



FRONT



RIGHT

3 BEDROOM, 2 ½ BATH FOURPLEX	ELEVATIONS SCALE: ¼"=1'-0" DATE: SHEET: 2 of 2

Attachment: 2021-111 ATTH 04 (Elevations) [2809 : 2021-111 CRD Amendment to PD-05-E (MF-31) 550 block Bell Road)

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: 2021-111 Goals & Perspectives (3609 : 2021-111 ORD Amendment to PD-01-8 (MF-1) 500 block Belt Road)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 12/9/2021 9:14 AM

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

Subject: Resolution No. 2021-112 approving a redistricting services contract based on the 2020 U.S. Census.

Briefing: 1/10/2022 **Public Hearing:** **Council Vote:** 1/10/2022

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Redistricting is necessary every 10 years, in connection with the U.S. Census population figures from the latest 2020 Census.

Staff recommends the use of Bickerstaff Heath Delgado Acosta LLP which is the same firm the City used in 2011 for the 2010 redistricting process and was also used most recently by Texarkana Independent School District for 2020 redistricting services.

The Firm will consult with the city council and establish a schedule for performance of the various tasks. This would include scheduling city council meetings, work sessions and public meetings; establishing target dates for presentation of proposed plans for city council consideration and/or for public discussion; and establishing target deadlines for city council adoption of a redistricting plan. The Firm will advise the city council and clearly define the council's responsibility in the redistricting process.

The law firm will provide an initial assessment to determine any imbalances within the districts. From there, associates will work with city staff to create a redistricting process to get boundaries within compliance of federal voting laws.

Potential Options:

- Approve
- Deny

Fiscal Implications:

$30,550

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. 2021-112 RES Redistricting Svcs Contract (DOCX)
b. 2021-112 ATTH 01 Redistricting Contract (PDF)
c. 2021-112 ATTH 02 Redistricting 2021 - Budget - Req (PDF)
d. 2021-112 ATTH 03 Redistricting Process and Firm Qualifications_Municipalities (PDF)
e. 2021-112 Goals & Perspectives (PDF)

Staff Coordination

City Manager	David Orr	Department Head Review	Completed	12/07/2021 5:38 PM
Public Works Department	Amanda Freeland	Reviewer	Completed	12/08/2021 7:51 AM
City Manager	David Orr	City Manager Review	Completed	12/08/2021 8:03 AM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

RESOLUTION NO. 2021-112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BICKERSTAFF HEATH DELGADO ACOSTA LLP FOR PROVIDING REDISTRICTING SERVICES BASED ON THE 2020 U. S. CENSUS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, redistricting is necessary every 10 years, in connection with the U.S. Census population figures from the latest 2020 Census; and

WHEREAS, city staff recommends the use of Bickerstaff Heath Delgado Acosta LLP, the same firm used by the City in 2011 for the 2010 redistricting process and the same firm that was also recently used by Texarkana Independent School District for 2020 redistricting services; and

WHEREAS, the firm will consult with the City Council and establish a schedule for performance of various tasks to include scheduling city council meetings, work sessions and public meetings, establishing target dates for presentation of proposed plans for city council consideration and for public discussion, and establishing target deadlines for city council adoption of a redistricting plan; and

WHEREAS, the firm will advise the City Council and clearly define the council's responsibility in the redistricting process; and

WHEREAS, the law firm will provide an initial assessment to determine any imbalances within the districts and will work with city staff to create a redistricting process to get boundaries within compliance of federal voting laws based on the 2020 U.S. Census; and

WHEREAS, the scope of the Engagement Agreement is summarized in **ATTH 01**.

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

SECTION 1: The recommendation to engage the law firm of Bickerstaff Heath Delgado Acosta LLP to provide legal services related to the 2020 redistricting process is approved.

SECTION 2: The City Manager is hereby authorized to execute a contract with Bickerstaff Heath Delgado Acosta LLP of Austin, Texas for the above-described services.

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 **10th day of January, 2022**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2021-112 RES Redistricting Svcs Contract (3610 : 2021-112 RES Redistricting Svcs Contract for the 2020 Census)

Bickerstaff Heath Delgado Acosta LLP

3711 S. MoPac Expy., Building 1, Suite 300, Austin, Texas 78746

ENGAGEMENT AGREEMENT

This agreement sets forth the standard terms of our engagement as your attorneys. Unless modified in writing by mutual agreement, these terms will be an integral part of our agreement with you. Therefore, we ask that you review this agreement carefully and contact us promptly if you have any questions. Please retain this agreement in your file.

Identity of Client. We will be representing the interests of the City of Texarkana, Texas (the "City").

Attorneys. Bickerstaff Heath Delgado Acosta LLP is engaged by you as your attorneys, and I, C. Robert Heath, will be the partner who will coordinate and supervise the services we perform on your behalf. We routinely delegate selected responsibilities to other persons in our Firm when, because of special expertise, time availability or other reasons, they are in a better position to carry them out. In addition, we will try, where feasible and appropriate, to delegate tasks to persons who can properly perform them at the least cost to you.

The Scope of Our Work. You should have a clear understanding of the legal services we will provide. We will provide services related only to matters as to which we have been specifically engaged. Although in the future we may from time to time be employed on other matters, our present relationship is limited to representing the above-named client in the matters described in **Exhibit A**. We will at all times act on your behalf to the best of our ability. Any expressions on our part concerning the outcome of your legal matters are expressions of our best professional judgment, but are not guarantees. Such opinions are necessarily limited by our knowledge of the facts and are based on the state of the law at the time they are expressed. We cannot guarantee the success of any given matter, but we will strive to represent your interests professionally and efficiently.

Fees for Legal Services. Our charges for professional services are customarily based on the time devoted to the matter, the novelty and difficulty of the questions presented, the requisite experience, reputation and skill required to deal with those questions, time limitations imposed by the circumstances, and the amount involved and the results obtained. Unless otherwise indicated in writing, our fees for legal services are determined on the basis of the hourly rates of the respective lawyers and other timekeepers who perform the services. These rates vary depending on the expertise and experience of the individual. We will only adjust these rates with your consent and will notify you in writing if this fee structure is modified. The initial agreed billing rates for attorneys and other timekeepers engaged on your work are attached as **Exhibit B**.

Other Charges. All out-of-pocket expenses (such as copying charges, travel expenses, messenger expenses, filing and other court costs, and the like) incurred by us in connection with our representation of you will be billed to you as a separate item on your statement. A description of the most common expenses is included as **Exhibit C** and agreed to as part of this agreement.

Billing Procedures and Terms of Payment. Our billing period begins on the 16th of the month and ends on the 15th of the following month. We will render periodic invoices to you for legal services and expenses. We usually mail these periodic invoices on or before the last day of the month following the latest date covered in the statement. Each invoice is due upon receipt, must be paid in U.S. Dollars, and is considered delinquent if not paid in full within 30 days from the date it was received by the City. Payment must be made to the Firm at 3711 S. MoPac Expressway, Building One, Suite 300, Austin, Texas, 78746. We will include all information reasonably requested by you on all invoices and will reference any purchase order number provided by you. Payment and interest, if any, will comply with the Prompt Payment Act (Texas Government Code Chapter 2251), if applicable, for any final invoices. If you have any question or disagreement about any invoice that we submit to you for payment, please contact me at your earliest convenience so that we can resolve any problems without delay. Typically, such questions or disagreements can be resolved to the satisfaction of both sides with little inconvenience or formality.

Attachment: 2021-112 ATTH 01 Redistricting Contract (3610 : 2021-112 RES Redistricting Svcs Contract for the 2020 Census)

Termination of Services. You have the right at any time to terminate our employment upon written notice to us, and if you do we will immediately cease to render additional services. We reserve the right to discontinue work on pending matters or terminate our attorney-client relationship with you at any time that payment of your account becomes delinquent, subject to Court approval if necessary. In the event that you fail to follow our advice and counsel, or otherwise fail to cooperate reasonably with us, we reserve the right to withdraw from representing you upon short notice, regardless of the status of your matter. No termination, whether by you or by us, will relieve you of the obligation to pay fees and expenses incurred prior to such termination.

Retention of Documents. Although we generally attempt to retain for a reasonable time copies of most documents in the possession of this Firm related to the matter(s) described in **Exhibit A**, we are not obligated to do so indefinitely, and we hereby expressly disclaim any responsibility or liability for failure to do so. We generally attempt to furnish copies of all documents and significant correspondence to you at the time they are created or received, and you agree to retain all originals and copies of documents you desire among your own files for future reference. This document serves as notice to you that we will destroy such materials in accordance with the Firm's record retention policy, which may be amended from time to time and a copy of which will be provided at your request. It is our Firm's policy to destroy all copies, whether in paper or electronic form, of materials in connection with the representation seven (7) years after the completion of our work relating to this engagement or the completion of a particular project under this engagement, unless and to the extent an exception recognized in our document retention policy or other legal requirement applies to some or all of the subject materials and requires retention for a longer period of time. The Firm also reserves the discretion to retain its records of pertinent documents relating to its ongoing representation of a client, e.g. in a general counsel capacity. If you would like to obtain copies of materials in the Firm's possession related to this matter prior to the scheduled destruction of the materials, please notify the Firm. Because you will have been furnished with copies of all relevant materials contained in our files during the course of the active phase of our representation, if you later ask us to retrieve and deliver materials contained in a file that has been closed, you agree that we will be entitled to be paid a reasonable charge for the cost of retrieving the file, and identifying, reproducing, and delivering the requested materials to you.

Fee Estimates. We are often requested to estimate the amount of fees and costs likely to be incurred in connection with a particular matter. Our attorneys do their best to estimate fees and expenses for particular matters when asked to do so. However, an estimate is just that, and the fees and expenses required are ultimately a function of many conditions over which we have little or no control, especially in litigation or negotiation situations where the extent of necessary legal services may depend to a significant degree upon the tactics of the opposition. Unless otherwise agreed in writing with respect to a specific matter, all estimates made by us will be subject to your agreement and understanding that such estimates do not constitute maximum or fixed-fee quotations and that the ultimate cost is frequently more or less than the amount estimated.

Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, United States of America, without giving effect to its choice of law's provisions. Venue of any case or controversy arising under or pursuant to this Agreement will be exclusively in Bowie County, Texas, United States of America.

Standards of Professionalism and Attorney Complaint Information. Pursuant to rules promulgated by the Texas Supreme Court and the State Bar of Texas, we hereby advise you that the State Bar of Texas investigates and prosecutes complaints of professional misconduct against attorneys licensed in Texas. Information on the grievance procedures is available from the State Bar of Texas, and any questions you have about the disciplinary process should be addressed to the Office of the General Counsel of the State Bar of Texas, which you may call toll free at 1-800-932-1900.

Questions. If you have any questions from time to time about any aspect of our arrangements, please feel free to raise those questions. We want to proceed in our work for you with your clear and satisfactory understanding about every aspect of our billing and payment policies; and we encourage an open and frank discussion of any or all of the matters addressed in this agreement.

Acceptance of Terms. If this arrangement is acceptable to the City, please sign the enclosed duplicate original of this agreement and return it and the required retainer to us at your earliest convenience. We truly appreciate the opportunity to be of service to you and look forward to working with you in a mutually beneficial relationship.

Attachment: 2021-112 ATTH 01 Redistricting Contract (3610 : 2021-112 RES Redistricting Svcs Contract for the 2020 Census)

AGREED TO AND ACCEPTED

CITY OF TEXARKANA, TEXAS

By: _____

_____

[Printed name]

Title: _____

Date: _____

cc: Billing Department

BICKERSTAFF HEATH DELGADO ACOSTA LLP

By: _____

C. Robert Heath

Date: November 22, 2021

Attachment: 2021-112 ATTH 01 Redistricting Contract (3610 : 2021-112 RES Redistricting Svcs Contract for the 2020 Census)

Exhibit A — Scope of Services

Bickerstaff Heath Delgado Acosta LLP

While we agree that in the future we may from time to time be employed on other matters, this agreement provides that our relationship is limited to representing and counseling you in connection with the following:

- Redistricting services based on 2020 census data for the City of Texarkana, Texas; and

- Other legal services assigned or requested, only if the scope of which is confirmed by you in writing at the time of assignment.

Other legal services not assigned or requested, and confirmed in writing, are specifically not within the scope of our representation.

Attachment: 2021-112 ATTH 01 Redistricting Contract (3610 : 2021-112 RES Redistricting Svcs Contract for the 2020 Census)

Exhibit B — Billing Rates

Bickerstaff Heath Delgado Acosta LLP

Attachment: 2021-112 ATTH 01 Redistricting Contract (3610 : 2021-112 RES Redistricting Svcs Contract for the 2020 Census)

Initial Assessment and Set-up

$6,000.00

The Initial Assessment will consist of the preliminary tasks, post-census initial data analysis, and a presentation and discussion of the Firm's findings with the City Council. If the council districts are determined to be out of balance, we will on request develop a detailed budget, outline the City's obligations, and produce a timeline for completing the remainder of the redistricting process. We charge $6,000 and hourly fees for travel time for the preparation and presentation of the Initial Assessment, plus out-of-pocket expenses. If the Initial Assessment reveals that the council districts are balanced, and the City Council decides not to redistrict, no other fees will be assessed unless additional services are requested.

Redistricting Process

Hourly Fee Basis (plus out of pocket expenses)

Unless otherwise indicated in writing, our fees for legal services related to redistricting are determined on the basis of the hourly rates of the respective lawyers, paralegals and specialists who perform the services, including for travel time, plus out-of-pocket expenses. These rates vary depending on the expertise and experience of the individual and are indicated below.

Senior Attorneys:	$420-$480 per hour
Other Attorneys:	$250-$375 per hour
Senior GIS Specialist:	$230 per hour
GIS Specialist:	$180 per hour
Paralegal:	$180 per hour

Exhibit C—Client Costs Advanced

Bickerstaff Heath Delgado Acosta LLP

The firm incurs expenses on behalf of clients only when required by the legal needs of the clients. Some cases or matters require extensive use of outside copy facilities, and other cases may not be so paper-intensive. Standard services handled within the firm are not charged, and client specific expenses are billed to the client needing those services. An explanation of the billing structure is as follows:

Not Charged

Secretarial and word processing time, routine postage, file setup, file storage, local or ordinary long distance charges, fax charges, and computerized legal research data charges.

Delivery Services

Outside delivery services are used for pickup and delivery of documents to the client as well as to courts, agencies, and opposing parties. Outside delivery fees are charged to the client at the rate charged to the firm. Overnight delivery services are also charged at the rate charged to the firm. Firm Office Services Department personnel may provide delivery service in urgent situations and charges for such in-house service will not exceed the charge that would be made by an outside service in a similar situation.

Postage

Our postal equipment calculates exact U.S. postage for all sizes and weights of posted material. The rate charged for postage is the same as the amount affixed to the material that is mailed. We will not charge clients for postage on routine correspondence; however, the cost of large-volume mail, certified mail, or other additional mail services will be charged to the client.

Copies and Prints

Our standard rate for black and white copies and prints made by firm personnel is $0.15 per page. Color copies and prints are charged at a standard rate of $0.55 per page. These charges cover paper, equipment costs, and other supplies. If savings can be realized within the required time frame by sending copy jobs to subcontractors, the firm uses only qualified legal services copiers and the cost charged to the client is the same as the amount billed to the firm.

Phone Charges

Only charges for conference calls or international calls are charged, and charges are billed at the same amount billed to the firm by the outside provider.

Travel

Attorney and other timekeeper time spent traveling on behalf of a client is billed to the client. Hotel, meals, local transportation, and similar expenses are charged based on receipts and travel expense forms submitted by the attorney. Documentation is available to the client if requested.

Maps

Maps produced in conjunction with a project will be billed at $50 for each 34 x 44 inch map and $20 for each smaller map, plus cost (time fees) for preparation.

Other Expenses

Expenses incurred with outside providers in connection with the client's legal services will be paid by the client directly to the outside provider unless specifically arranged in advance. If the firm agrees to pay outside providers, the cost charged to the client is the same as the amount billed to the firm. Examples of such charges include: court reporter fees, filing fees, newspaper charges for publication notices, expert witness fees, consultants and other similar expenses.

Attachment: 2021-112 ATTH 01 Redistricting Contract (3610 : 2021-112 RES Redistricting Svcs Contract for the 2020 Census)

Exhibit D—Verification Required by Texas Government Code Chapter 2271

Bickerstaff Heath Delgado Acosta LLP

By signing below, Bickerstaff Heath Delgado Acosta LLP hereby verifies the following:

1. The Firm does not boycott Israel; and
2. The Firm will not boycott Israel during the term of this Engagement Agreement.



SIGNED BY: _____

C. Robert Heath

Date: November 22, 2021

This Verification is incorporated and made a part of the Engagement Agreement between Bickerstaff Heath Delgado Acosta LLP and the City of Texarkana, Texas.

Attachment: 2021-112 ATTH 01 Redistricting Contract (3610 : 2021-112 RES Redistricting Svcs Contract for the 2020 Census)

Proposed City of Texarkana
2021 Redistricting Budget

	Partner	Atty	Senior GIS	GIS	Para	Flat fee	Reimbursa Expense
	$420	$300	$230	$180	$180		
I. PRELIMINARY WORK							
Initial schedule planning							
Gather data and input benchmark			*Flat Fee*				
Geocode incumbents							
Identify and begin other Census-related tasks							
II. INITIAL ASSESSMENT							
Preparation of initial assessment (flat fee)						$6,000.00	
III. CONSULT WITH CLIENT AND DEVELOP AND ADOPT CRITERIA							
Initial consultation with City Council	6	2	3	6	2		
Notice of public meeting (criteria)/translate	0	1	0	0	2		$5(
Geocode locations (polling places, and facilities)	0	0	3	5	2		
Draft resolution on criteria & process	1	2	0	0	2		
ADVICE/CONSULTATION Total Hours	7	5	6	11	8		
ADVICE/CONSULTATION Total Cost	$2,940	$1,500	$1,380	$1,980	$1,440		
IV. DEVELOP REDISTRICTING PLANS							
Build first Illustrative Plan for City Council Districts	3	1	3	8	2		
Revise Illustrative Plan for City Council Districts	3	1	3	8	2		
DEVELOP REDISTRICTING PLANS Total Hours	6	2	6	16	4		
DEVELOP REDISTRICTING PLANS Total Cost	$2,520	$600	$1,380	$2,880	$720		
V. PUBLIC HEARINGS AND ADOPTION OF PLAN							
Prepare for and conduct public hearing/adoption of final plan	4	1	2	6	2		
Translate hearing notices/submission notice into Spanish	0	0	0	0	2		$20(
Large format maps for posting at public hearings ($50.00 x 2 maps)							$10(
PUBLIC HEARINGS AND ADOPTION OF PLAN Total Hours	4	1	2	6	4		
PUBLIC HEARINGS AND ADOPTION OF PLAN Total Cost	$1,680	$300	$460	$1,080	$720		
VI. REQUIRED DISSEMINATION OF REDISTRICTING PLANS							
Maps/demographic information to City	0	0	0	2	1		
Submit adopted redistricting plan to County Elections' Department	0	0	1	2	1		
Send digital mapping files as client directs	0	0	1	2	1		
Prepare any additionally requested maps	0	0	0	2	1		
DISSEMINATION OF PLANS Total Hours	0	0	2	8	4		
DISSEMINATION OF PLANS Total Cost	$0	$0	$460	$1,440	$720		
Total Attorney Hours	**25**						
Total GIS Hours	**57**						
Total Paralegal Hours	**20**						
GRAND TOTALS	**$7,140**	**$2,400**	**$3,680**	**$7,380**	**$3,600**	**$6,000.00**	**$35(

TOTAL FOR ALL	**$30,550**
TOTAL HOURS	**102**

** Hours allocated to plans are for districts that follow existing Census geography.*
This budget includes one City Council District plan with revisions.

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Attachment: 2021-112 ATTH 02 Redistricting 2021 - Budget - Req (3610 : 2021-112 RES Redistricting Svcs Contract for the 2020 Census)

Bickerstaff Heath Delgado Acosta LLP

REDISTRICTING SERVICES FOR MUNICIPALITIES

Bickerstaff Heath Delgado Acosta LLP (the "Firm") offers full-scope redistricting services to all types of local government entities. Described below are more details about our services and the redistricting process for Texas municipalities.

1. **Initial Schedule Planning**. The Firm will consult with the city council and establish a schedule for performance of the various tasks for which the Firm has been engaged. This would include scheduling city council meetings, work sessions and public meetings; establishing target dates for presentation of proposed plans for city council consideration and/or for public discussion; and establishing target deadlines for city council adoption of a redistricting plan. The Firm will advise the city council and clearly define the council's responsibility in the redistricting process.

2. **Preliminary Tasks**. We will collect data for current boundaries and other factors and verify the accuracy of this data with the City. Current data for city council districts and boundaries will be input into the Firm's GIS software.

3. **Initial Assessment**. The Firm will analyze whether current council districts have become sufficiently unbalanced in population as to require the City to engage in redistricting. The "Initial Assessment" will consist of a presentation and discussion with the city council. If the council districts are determined to be out of population balance, we will outline the City's obligations and produce a timeline for completing the remainder of the redistricting process.

4. **Develop Redistricting Plans**. The Firm will develop redistricting plans for council districts using the Firm's GIS and demographic capabilities. The Firm will work with the city council to develop plans that take into account, consistent with the applicable legal requirements, the various practical considerations the City determines are relevant. We anticipate that several plans may be developed, each responding to a different set of considerations proposed by the city council. Modifications or refinements may be required before a particular plan is determined to be acceptable.

5. **Advise the City Council Regarding the Merits of Plan(s)**. The Firm will advise the city council of the relative legal and practical merits of particular plans under consideration. As directed by the City, members of the Firm will attend meetings of the city council to present and discuss plan options. In addition, the Firm will provide an independent assessment of any plans under serious consideration. The assessment will verify whether and how the plan under consideration satisfies the applicable legal standards and whether the adopted redistricting criteria have been followed.

Attachment: 2021-112 ATTH 03 Redistricting Process and Firm Qualifications_Municipalities (3610 : 2021-112 RES Redistricting Svcs Contract

6. **Public Input, Deliberation, and Adoption of Final Plan**. Typically, one or more plans proposed by the city council will be presented for public comment. Depending on the City's preferences and cost-savings approach, the Firm will either (a) conduct public presentations of proposed plans and summarize public comments, or (b) direct the City to prepare a recording of the public input meeting in order for the Firm to review. Depending on the comments received, the City may wish to adopt a final plan directly following the public meeting.

7. **Post-Project Support**. The Firm will remain available to the City to deliver maps and answer any remaining questions at the conclusion of the project and provide other assistance as requested.

8. **Litigation**. In the event there is actual litigation or threatened litigation, the Firm will be available to counsel the City about the likely merits of any suit or claim brought or anticipated to be brought imminently, or to defend the challenge. The Firm would also be available to advise the City regarding potential litigation arising after the submission process is concluded.

FIRM QUALIFICATIONS

Since it was founded in 1980, the Firm and its attorneys have been involved with redistricting for the State of Texas as well as hundreds of Texas local government entities, including (among others) cities, counties, and school districts. The Firm offers a comprehensive solution for our municipal clients' redistricting needs and has the expertise and technology to provide full-scope redistricting services. ***Although other firms offer redistricting services, we differ in several key areas*:**

More Experience – 2021 will mark the ***fifth decennial redistricting cycle*** that the Firm has provided redistricting services since our founding in 1980. We have worked for some of the largest cities in Texas – including (among others) Houston, Dallas, San Antonio, and El Paso, along with numerous small and medium-sized cities throughout Texas. The geographic reach of our redistricting practice is statewide, and our attorneys present redistricting topics at state and national conferences. For example, the Firm's co-founder Bob Heath presented *Decision #1: Data* (addressing the data available to redistricting professionals and the critical choices that must be made) at the 2019 National Conference of State Legislatures Capitol Forum in Phoenix. He also presented *Evenwel v. Abbott: Redistricting and the Meaning of Political Representation* at the 2016 American Bar Association Conference in San Francisco. In addition, our attorneys have extensive experience representing government clients regarding the federal Voting Rights Act, a critical component of the redistricting process.

Attachment: 2021-112 ATTH 03 Redistricting Process and Firm Qualifications_Municipalities (3610 : 2021-112 RES Redistricting Svcs Contract

Governmental Focus – We have substantial legal practice experience with Texas local government entities and thus are sensitive to the complex legal issues they face -- including the often-unique election, governance, and open government law issues dealt with on a regular basis by cities, counties, and other types of local governments in Texas.

Higher Capacity – With 23 attorneys and 26 support staff, our firm is one of the largest in the state with extensive, longstanding, statewide redistricting practice experience. We assign a dedicated team of attorneys, GIS specialists, and other support staff to ensure the full redistricting process is completed according to the client's schedule and specific needs.

Customized Approach – We recognize the redistricting needs of individual cities will vary greatly, which is why we work with the city council to prepare plans based on the specific concerns of the City. The redistricting process typically occurs only once per decade; therefore, it is vital for the City to capitalize on this opportunity to address a range of practical concerns under federal, state, and local law, some of which may include:

- **Establishment of Process Within Home Rule City Charter Requirements and Redistricting Commission Structure**
- **Rebalance of Population in City Council Districts**
- **Review and Legal Analysis of Minority Majority Districts, if any**
- **Election Precinct Coordination and Adjustment**

The Firm will work closely with the City to assess specific needs and deliver a final product that will be useful for the decade following the 2021 redistricting cycle.

Technology – The Firm utilizes the latest technology in order to meet client needs in several areas, including:

- **Quality Maps** – The Firm utilizes Edge2020 Redistricting Software to evaluate the 2020 Census data in order to provide clients with an Initial Assessment. In previous years, we have used AutoBound Redistricting Software, and Edge2020 represents the next generation of this redistricting software developed by Citygate GIS. Edge2020 exports seamlessly with ESRI map products and allows export of all redistricting data for use in most standard mapping software. The redistricting software is uniquely specialized to perform all types of analyses required for the development and evaluation of redistricting plans and exports data that is compatible with ArcGIS 10.0 software. In addition, we have the capability to produce a variety of printed map sizes, including large-format printing though the use of an in-house plotter. Our GIS staff can prepare detailed large-format maps

Attachment: 2021-112 ATTH 03 Redistricting Process and Firm Qualifications_Municipalities (3610 : 2021-112 RES Redistricting Svcs Contract

and export those maps into both PDF and graphic formats if clients choose to do their own printing.

- **Virtual Meetings** – Some clients prefer to meet via videoconference in order to reduce travel costs. If requested, the Firm will utilize the GoToMeeting platform to present the initial redistricting assessment, host drawing sessions, or for other requested meetings. Our team also has access to the Microsoft Teams and Zoom meeting platforms if either should need to be utilized during the City's redistricting project.
- **In-Person Attendance** – We frequently attend meetings in person to deliver redistricting presentations. If needed, we have the capacity to bring laptops, a projector, and other technology to the meetings that may be useful to clients with limited on-site technology.
- **Website Posts** – The Firm can assist the City in developing public notices, timelines, and map files for posting to the City's website.

Savings – We first perform an "Initial Assessment" using the census data to determine whether current city council districts or wards have become sufficiently unbalanced in population as to require the City to engage in redistricting. We have developed pricing for the Initial Assessment phase of redistricting planning that minimizes costs to cities that may not require redistricting. We do not require fees in advance of the work performed. Other than for the Initial Assessment, our clients are billed on an hourly basis according to the work that is performed. Additionally, we offer cost-savings approaches, such as virtual meetings and drawing sessions, which some clients prefer to utilize. We believe clients should have the flexibility to develop a budget that works for their needs. We are happy to work with you to develop a budget and find additional ways of reducing costs.

Attachment: 2021-112 ATTH 03 Redistricting Process and Firm Qualifications_Municipalities (3610 : 2021-112 RES Redistricting Svcs Contract

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: 2021-112 Goals & Perspectives (3610 : 2021-112 RES Redistricting Svcs Contract for the 2020 Census)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 1/4/2022 11:19 AM

Lead Department: Planning and Community Development **Action Officer:** Vashil Fernandez, PCD Director

Subject: Resolution No. 2021-116 adopting evaluative factors and administrative procedures for low income housing tax credits resolution requests; containing a fact finding that the City has more than twice the state average of units per capita supported by housing tax credits or private activity bonds.

Briefing: 1/10/2022 **Public Hearing:** **Council Vote:** 1/10/2022

Item Schedule

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

Updates/History of Briefing:

Federal law provides for federal income tax credits to stimulate private developers to invest in and construct low-income housing. *See* 26 U.S.C. § 42. The federal tax credits are allocated between the states and awarded at the state level by a designated housing credit agency. The Texas Legislature has designated the Texas Department of Housing and Community Affairs ("TDHCA") to administer the state's low income housing tax credit ("LIHTC") program. *See* Tex. Gov't Code Ch. 2306; 10 Tex. Adm. Code Ch. 11. Federal law requires TDHCA to allocate tax credits pursuant to a Qualified Allocation Plan ("QAP"), which must include certain selection criteria. TDHCA is also required by state law to adopt a QAP.

Executive Summary and Background Information:

TDHCA requires that a City Council issue a Resolution of Support (9% tax credit applications) or a Resolution of No Objection, or a Resolution of Opposition in order for the applications to be eligible for tax credits or bond financing through the state.

The City Council evaluates the criteria listed in the LIHTC Resolution Procedures in order to decide whether to issue a Resolution in Support, Resolution of No Objection or a Resolution of Opposition for a proposed development.

This ensure that the City is meeting the need for housing based on the Comprehensive Plan and also ensure that competent and eligible developers are receiving these projects.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Not applicable

Staff Recommendation:

Recommend for Approval

Advisory Board/Committee Review:

(Advisory Board/Committee Name OR say "NONE")

Board/Committee Recommendation:

(Insert Date Here):

(Insert Text Here or say "NOT APPLICABLE")

Advisory Board/Committee Meeting Date and Minutes:

None

Attachments

a. 2021-116 RES Approving LIHTC Procedures (DOCX)
b. 2021-116 Goals & Perspectives (DOCX)
c. 2021-116 EXH 'A' LIHTC Evaluation Procedures 12-2-2021 (DOCX)

Staff Coordination

Planning and Community Development	Vashil Fernandez	Department Head Review	Completed	12/02/2021 3:29 PM
Finance Department	Kristin Peeples	Finance Review	Completed	12/03/2021 8:14 AM
City Manager	David Orr	City Manager Review	Completed	12/09/2021 2:48 PM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

Attachment: 2021-116 RES Approving LIHTC Procedures (3599 : 2021-116 RES Approving Low Income Housing Tax Credit LIHTCResolution

RESOLUTION NO. 2021 - 116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ADOPTING EVALUATIVE FACTORS AND ADMINISTRATIVE PROCEDURES FOR LOW INCOME HOUSING TAX CREDITS RESOLUTION REQUESTS; CONTAINING A FACT FINDING THAT THE CITY OF TEXARKANA, TEXAS, HAS MORE THAN TWICE THE STATE AVERAGE OF UNITS PER CAPITA SUPPORTED BY HOUSING TAX CREDITS OR PRIVATE ACTIVITY BONDS; CONTAINING A SUPERSEDING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, federal law provides for federal income tax credits to stimulate private developers to invest in and construct low-income housing and such credits are allocated between the states and awarded at the state level by a designated housing credit agency; and

WHEREAS, the Texas Legislature has designated the Texas Department of Housing and Community Affairs ("TDHCA") to administer the state's low income housing tax credit ("LIHTC") program; and

WHEREAS, federal law requires TDHCA to allocate tax credits pursuant to a Qualified Allocation Plan ("QAP") which must include certain selection criteria, and the TDHCA-adopted QAP is set out at Title 10 Tex. Adm. Code Chapter. 11; and

WHEREAS, when evaluating LIHTC applications, the TDHCA scores and ranks applications using a point system for specified threshold criteria required by the QAP, with one specific criterion providing for 17 points for a resolution of a municipality in support of the proposed development, 14 points for a resolution of a municipality that does not object to the proposed development, or zero points for a resolution in opposition to the proposed development or absence of a resolution; and

WHEREAS, Texas law and TDHCA's QAP provide in pertinent part that if a proposed development is located in a municipality that has more than twice the state average of units per capita supported by Housing Tax Credits or private activity bonds at the time the acceptance period for LIHTC application begins, then the applicant must obtain prior approval of the development from the governing body of the municipality; *see* Tex. Gov't Code § 2306.6703(a)(4); Title 10 Tex. Adm. Code § 11.3(c); and

WHEREAS, since neither federal nor state law provides for specific guidelines directing a municipality's evaluation of a request to its governing body for such a resolution, the City Council finds and determines that evaluative factors and administrative procedures should be promulgated for City staff's evaluation of requests for such resolutions.

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

SECTION 1: The City Council adopts and approves the "City of Texarkana, Texas Evaluative Factors and Administrative Procedures LIHTC Resolution Requests" attached hereto as **Exhibit "A"** and incorporated herein by reference for all purposes. These evaluative factors and administrative procedures are intended to be consistent with — and when applying such factors and procedures the City shall follow — all applicable federal and state fair housing laws and regulations, cases interpreting and applying those laws, and the City's own housing ordinances and policies.

SECTION 2: The City Council finds and determines — as described in Section § 2306.6703(a)(4) of the Texas Government Code and Title 10 Texas Administrative Code Chapter 11, Section 11.3(c) — that the City of Texarkana, Texas, has more than twice the state average of units per capita supported by housing tax credits or private activity bonds.

SECTION 3: In case a section, clause, sentence, or part of this resolution (including a section, clause, sentence, or part of the exhibit to this resolution) 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 resolution or, as applicable, the exhibit to this resolution.

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of December, 2021.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2021-116 RES Approving LIHTC Procedures (3599 : 2021-116 RES Approving Low Income Housing Tax Credit LIHTCResolution

City of Texarkana, Texas

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2021-116 Goals & Perspectives (3599 : 2021-116 RES Approving Low Income Housing Tax Credit LIHTCResolution Request

City of Texarkana, Texas

Evaluative Factors and Administrative Procedures

LIHTC Resolution Requests

Preamble

Federal law provides for federal income tax credits to stimulate private developers to invest in and construct low-income housing. *See* 26 U.S.C. § 42. The federal tax credits are allocated between the states and awarded at the state level by a designated housing credit agency. The Texas Legislature has designated the Texas Department of Housing and Community Affairs ("TDHCA") to administer the state's low income housing tax credit ("LIHTC") program. *See* Tex. Gov't Code Ch. 2306; 10 Tex. Adm. Code Ch. 11. Federal law requires TDHCA to allocate tax credits pursuant to a Qualified Allocation Plan ("QAP"), which must include certain selection criteria. TDHCA is also required by state law to adopt a QAP.

When evaluating LIHTC applications, TDHCA must determine whether the application satisfies specified threshold criteria required by the QAP. TDHCA scores and ranks applications using a point system. One specific criterion evaluates and scores each application based upon a resolution of a municipality in support of (17 points) or with no objection to (14 points) the proposed development. 10 Tex. Admin Code § 11.9(d)(1)(A)(i), (A)(ii). Absence of a resolution, or a resolution in opposition, receives zero points. *Id.*, § 11.9(d)(1).

Also, Texas law and TDHCA's QAP provides in pertinent part that if a proposed development is located in a municipality that has more than twice the state average of units per capita supported by Housing Tax Credits or private activity bonds at the time the acceptance period for LIHTC application begins, then the applicant must obtain prior approval of the development from the governing body of the municipality; *see* Tex. Gov't Code § 2306.6703(a)(4); 10 Tex. Adm. Code § 11.3(c). TDHCA's QAP expressly requires that a resolution of approval adopted by a municipality's governing body must set forth a written statement of support, specifically citing Tex. Gov't Code §2306.6703(a)(4) in the text of the actual adopted resolution, and authorizing an allocation of housing tax credits for the development. The City Council of the City of Texarkana, Texas, has found and determined that the City has more than twice the state average of units per capita supported by housing tax credits or private activity bonds.

Since neither federal nor state law provide for specific guidelines directing a city's evaluation of a request to its governing body for such a resolution, the City Council has promulgated the following evaluative factors and administrative procedures for City staff's evaluation of requests for such resolutions. These factors and procedures are intended to be consistent with — and when applying such factors and procedures the City shall follow — all applicable federal and state fair housing laws and regulations, cases interpreting and applying those laws, and the City's own housing ordinances and policies.

Attachment: 2021-116 EXH 'A' LIHTC Evaluation Procedures 12-2-2021 [Revision 1] (3599 : 2021-116 RES Approving Low Income Housing Tax

Attachment: 2021-116 EXH 'A' LIHTC Evaluation Procedures 12-2-2021 [Revision 1] (3599 : 2021-116 RES Approving Low Income Housing Tax

Definitions

§11.9(d)(1) RESOLUTION – the resolution described at 10 Tex. Adm. Code § 11.9(d)(1).

PRE-APPLICATION – the information described at 10 Tex. Adm. Code § 11.8.

PRE-APPLICATION FINAL DELIVERY DATE – the date specified at 10 Tex. Adm. Code § 11.2 for submission of the PRE-APPLICATION to TDHCA.

[Italicized words shall have the same meaning as defined at 10 Tex. Adm. Code § 11.1(d).]

Development Information — Evaluative Factors

1. Specific to the *Development*, disclose the names, physical and e-mail addresses, telephone contact numbers, and authorized contact persons for:

    1.1 *Applicant*
    1.2 *Developer*
    1.3 *Development Consultant*
    1.4 *Development Owner*
    1.5 *Development Team*
    1.6 *General Contractor*
    1.7 *General Partner*
    1.8 *Guarantor*
    1.9 *Managing General Partner*
    1.10 *Principal*
    1.11 any *Affiliate* to 1.1. 1.2. 1.3, 1.4, 1.5, 1.7, 1.9, or 1.10
    1.12 the owners of the *Property*
    1.13 architect
    1.14 tax professional
    1.15 market analyst
    1.16 tenant services provider
    1.17 real estate syndicator
    1.18 real estate broker, agent, or other person receiving a fee in connection with services usually provided by a real estate broker or agent
    1.19 attorney

2. Disclose *Development* characteristics, including but not limited to:

    2.1 a description of the *Development*, *Development Site*, and *Property*
    2.2 *Site Control*
    2.3 any agreements or letters of intent between the owners of the *Property* and any persons associated with 1.1. 1.2. 1.3, 1.4, 1.5, 1.7, 1.9, 1.10, or 1.11
    2.4 *Developer Fee*
    2.5 *Developer Services*
    2.6 *Market Analysis*
    2.7 *Primary Market*
    2.8 *Property Condition Assessment*
    2.9 anticipated *Site Work*
    2.10 estimated *Total Housing Development Cost*

Attachment: 2021-116 EXH 'A' LIHTC Evaluation Procedures 12-2-2021 [Revision 1] (3599 : 2021-116 RES Approving Low Income Housing Tax

2.11 the location of the *Development*, measured in linear miles, from an existing development that serves the same type of customer or household as proposed for the *Development*;
2.12 whether the *Development* constitutes an approved land use at the *Property* under the City's zoning ordinances
2.13 *Development* financing
2.14 the anticipated tenant population, and detailing whether the population will include persons with special housing needs or individuals with children
2.15 whether the *Development* is intended for eventual tenant ownership
2.16 the energy efficiency of the *Development*
2.17 environmental or topographical issues existing on the *Property*
2.18 any need for expanded City services and related infrastructure than what otherwise exists for the *Development Site* (e.g., police and fire services, water, sanitary sewer, stormwater capacities and facilities, roads and traffic devices)
2.19 compliance with applicable laws and City ordinances, including building codes and accessibility standards

3. State the anticipated impact of the *Development* on the following (where applicable):
3.1 historical areas, sites, buildings, or other structures
3.2 special districts or zones created by the City Council (e.g., overlay districts, UPDD, TIRZ)
3.3 the independent school district within which the proposed development would be located
3.4 developments supported by resolutions of the City Council

4. For any developments constructed within the past five years involving any persons associated with 1.1. 1.2. 1.3, 1.4, 1.5, 1.7, 1.9, 1.10, or 1.11, disclose the following:

4.1 the location of such developments
4.2 names and contact information for on-site managers for such developments
4.3 the Texas governmental entities that passed a §11.9(d)(1) RESOLUTION for such developments

5. Disclose the date the requestor notified the following about the *Development* (include copies of the notifications):

4.1 the independent school district within which the *Development* would be located
4.2 elected officials
4.3 the Texas Department of Transportation, if a state highway is within 200 feet of the proposed development
4.4 the owners of 20 percent or more of the area within 200 feet of the *Development*

Evaluative Factors — City Information

1. Housing needs characteristics and whether, at the time of application, the City has more than twice the state average of units per capita supported by housing tax credits or private activity bonds.

2. Whether the *Development* constitutes an approved land use at the *Property* under the City's zoning ordinances; if not, whether any zoning change proceeding has been commenced by the owners of the *Property*.

3. Whether the *Development* is consistent with the City's Comprehensive Plan.

4. Categories 1, 2, 3, and 4 of the "Development Information" evaluative factors.

5. Any evaluative factor unique to the proposed development or made apparent during City staff review of the request.

Procedures and Deadlines

1. Required information. Any person requesting a §11.9(d)(1) RESOLUTION from the City Council shall submit to the City Secretary the following:

   a. a copy of the filed PRE-APPLICATION pertaining to the proposed development

   b. information responsive to the "Evaluative Criteria - Development Information" category, to the extent not otherwise disclosed in the PRE-APPLICATION

   c. the requested action of the City Council (the requestor may, but is not required, to submit a draft resolution containing the requested action)

2. Request deadline. The requestor must submit to the City Secretary a request for a §11.9(d)(1) RESOLUTION no later than the fifth business day after the PRE-APPLICATION FINAL DELIVERY DATE. This deadline cannot be extended. The City Secretary shall not accept any untimely request. The City Secretary shall log all timely submissions and forward requests to the City's Director of Planning & Community Development.

3. Staff review. City staff shall analyze each timely-submitted request using the evaluative criteria to guide the analysis. City staff may meet with the requestor or require submission of additional information during the review process.

4. City Council discretion. Any timely-submitted request for a §11.9(d)(1) RESOLUTION shall be submitted to the City Council accompanied by City staff analysis and draft resolutions in three alternative formats: in support of the development; no objection to the development; and opposition to the development. Neither the City Manager nor City staff shall be required to suggest or recommend a course of action to the City Council on any request. The weight to give any evaluative factor and the decision whether or not to pass a §11.9(d)(1) RESOLUTION lies solely within the discretion of the City Council. In the event the City Council exercises discretion to pass such a resolution, the City Secretary and City Attorney shall conform any draft resolution to reflect the vote of the City Council. Any §11.9(d)(1) RESOLUTION shall expressly provide that such resolution shall not be construed as providing either an advisory opinion on zoning, an exception to compliance with the City's zoning ordinances, or a waiver of any requirements of the City's zoning ordinances.

5. Changes in law or regulations. The City Manager is delegated authority to make revisions to these procedures to conform to any changes in law or regulations.

Attachment: 2021-116 EXH 'A' LIHTC Evaluation Procedures 12-2-2021 [Revision 1] (3599 : 2021-116 RES Approving Low Income Housing Tax

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 12/10/2021 9:45 AM

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

Subject: Ordinance No. 2021-117 closing and abandoning an unopened twenty-five foot (25') street right-of-way of Bradley Street located north of Pacific Avenue, south of Greenview Drive, and east of Lots 49 and 57 in the Belmont Addition.

Briefing: 1/10/2022 **Public Hearing:** 1/10/2022 **Council Vote:** 1/10/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The City received a request from Mr. Jeffrey Wood on behalf of Nantze Electric for the abandonment of an unopened 25' Street Right of Way for Bradley Street. This section is in the Belmont Addition north of Pacific Avenue and south of Greenview Drive. All associated lots adjacent to the abandonment area are owned by Nantze Electric.

If this section is abandoned, then by policy the right-of-way will be delivered to Nantze Electric.

The City sent out a memorandum to City Departments and Utility representatives. The City has no plans to ever use this right-of-way for future street purposes. Utility representatives requested that the utility easement be retained throughout the abandonment area and there are no other issues with closing and abandoning this right-of-way.

Attached in the packet is the memorandum and responses.

Potential Options:

- Approve closure and abandonment
- Not approve closure and abandonment

Fiscal Implications:

No fiscal implications

Staff Recommendation:

Staff recommends approval of closure and abandonment as well as retainage of utility easement

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

Attachments

a. 2021-117 ATTH 01 Memo To City Staff and Utility Companies (PDF)
b. 2021-117 ATTH 02 Staff and Utility Comments and Approvals (PDF)
c. 2021-117 EXH 'A' - Property Description (PDF)
d. 2021-117 ORD ROW Abandonment for Bradley Street (DOCX)
e. 2021-117 Goals and Perspectives (DOCX)

Staff Coordination

Public Works Department		Jonathan Wade	Review	Completed
12/01/2021 8:39 AM				
Public Works Department		Dusty Henslee	Department Head Review	
Completed		12/01/2021 2:07 PM		
Fire Department	Eric Schlotter	Review	Completed	12/03/2021
8:15 AM				
Police	Kevin Schutte	Review	Completed	12/03/2021
9:44 AM				
City Manager	David Orr	City Manager Review	Completed	12/03/2021
10:50 AM				
City Council	Jennifer Evans	Meeting	Completed	12/13/2021
6:00 PM				

Meeting History

CITY OF
TEXARKANA
Public Works Department TEXAS
919 Elm Street
Texarkana, TX 75501
Phone (903) 798-3948
Fax (903) 792-5419

November 3, 2021

City Departments and Utility Representatives

Re: Proposed Street Abandonment

The City of Texarkana, Texas has received a letter from Jeffrey Wood requesting the abandonment of an approximately 25' unopened section of Bradley Street located east of Lots 49 and 57 of the Belmont Addition.

Please refer to the attachments and provide any comments to me by November 24th, 2021 if you are in favor of abandonment and if your office will need an easement for any existing utilities.

Your prompt response is appreciated. If you have any questions, please contact me at my office or through email.

Sincerely,

Jonathan Wade, EIT, CFM
Associate City Engineer
Office: (903) 798-3251
Cell: (903) 908-2725
Jonathan.wade@txkusa.org

Attachment: 2021-117 ATTH 01 Memo To City Staff and Utility Companies (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

CITY OF
TEXARKANA
TEXAS

P.O. Box 1967
Texarkana, TX 75504
Phone (903) 798-3900

Application for Public R.O.W. Abandonment

Type:

X *Street* ___ *Alley* ___ *Other*

Purpose of Abandonment: To eliminate public access through development

Applicant/Agent Information:

Name: Jeffrey Wood - MTG Engineers & Surveyors

Address: 5930 Summerhill Road, Texarkana TX 75503

Phone: 903 838-8533 Fax: ( ) Work E-mail: jwood@mtgengineers.com

Required Documents needed to proceed with review:

- Letter requesting abandonment
- Electronic Copy of plat/deed/plot plan showing requested abandonment
- Letter/Petition from all adjacent property owners agreeing to abandonment

Required Documents needed prior to City Council Meeting:

- Abandonment release form signed by owner/applicant
- Abandonment release form signed by adjacent land owners
- Legal Exhibit and Property Description of property being abandoned
- Application Fee

Note: Partial abandonment requests will not be accepted.

Jeffrey Wood	Jeffrey Wood	10-28-21
Applicant's Printed Name	Applicant's Signature	Date

Application Fee: $750 Received by: _____

Application Fee Paid: _____ Receipt No.: _____

Attachment: 2021-117 ATTH 01 Memo To City Staff and Utility Companies (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

October 28, 2021

Dusty Henslee, Public Works Director
City of Texarkana
220 Texas Boulevard
Texarkana, TX 75503

Re: Bradley Street Right-of-Way

Dear Dusty,

Nantze Electric would like to abandon the West-half right-of-way of Bradley Street East of Lots 49 and 57 of Belmont Addition to the City of Texarkana. The eastern half of this right-of-way was abandoned in May of 2000.

Nantze owns both sides of the development and no longer wishes to have a city-maintained street inside its development perimeter. As such, the owner understands that utility easements might still be required in this right-of-way location and that those utilities will need proper access at all times.

Please use this letter as the owner's request to abandon Bradley Right-of-Way within this section of Belmont Addition.

Sincerely,
MTG Engineers & Surveyors

Jeffrey Wood

Jeffrey Wood
Project Manager

Attachment: 2021-117 ATTH 01 Memo To City Staff and Utility Companies (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

Property Description
0.161 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the M. E. P. & P. Railway Company Headright Survey, Abstract 435, Bowie County, Texas, being the West 25.00 feet of Bradley Street located East of Lots 49 and 57 of Belmont Addition to the City of Texarkana, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1 1/2 inch steel pipe (control monument), found for a corner, lying in the North right-of-way line of Pacific Avenue, lying in the West right-of-way line of the said Bradley Street, and being the Southeast corner of the said Lot 57;

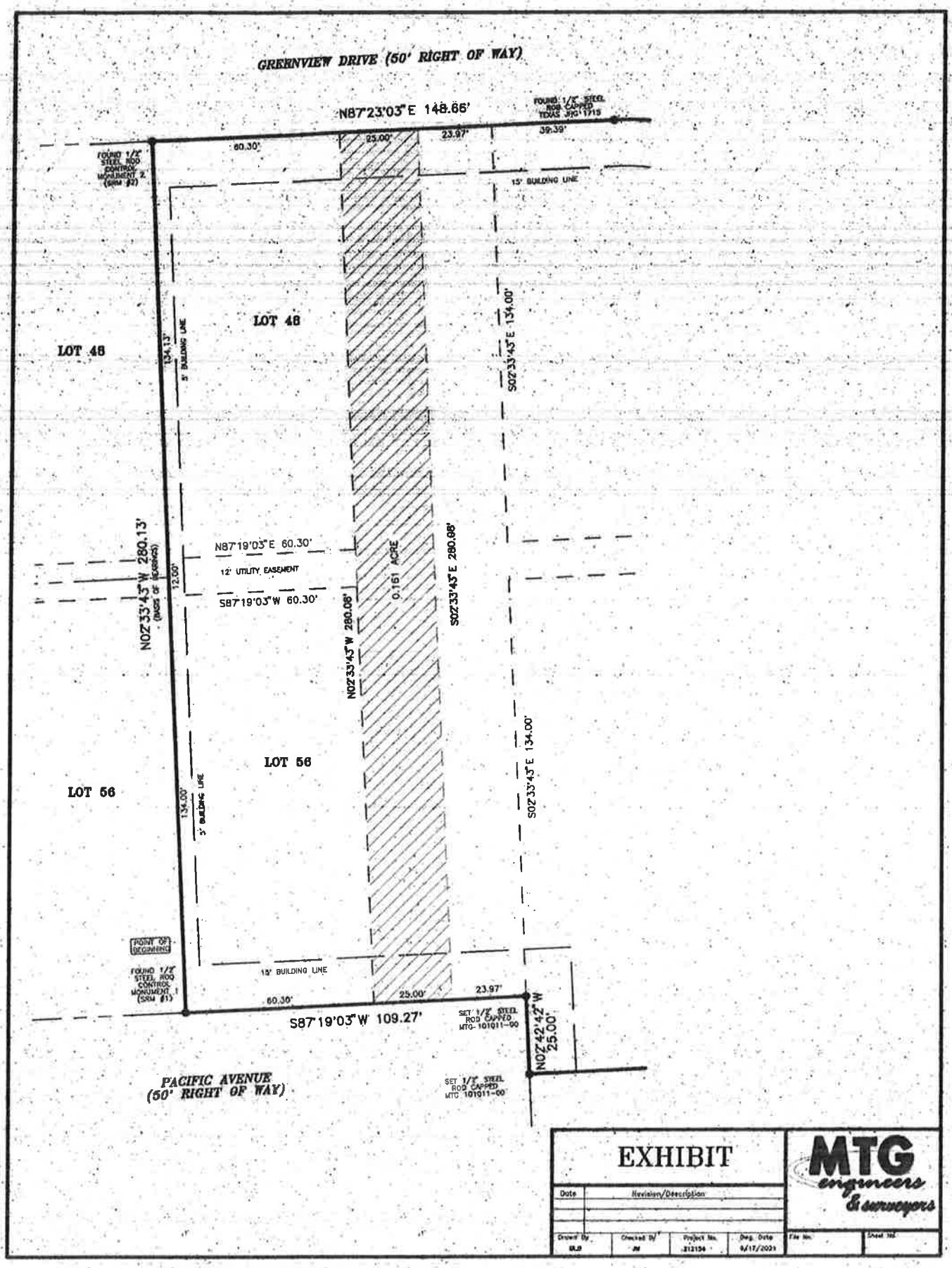
THENCE North 02 degrees 33 minutes 43 seconds West (basis of bearings) a distance of 280.06 feet along the West right-of-way line of the said Bradley Avenue and the East line of the said Lots 57 and 49 to a 1/2 inch steel rod, capped TX5080 AR1233, found for a corner, the Northeast corner of the said Lot 49, lying at the intersection of the West right-of-way line of the said Bradley Avenue and the South right-of-way line of Greenview Drive;

THENCE North 87 degrees 23 minutes 03 seconds East a distance of 25.00 feet along the South right-of-way of the said Greenview Drive to a point for a corner, lying in the center of the said Bradley Avenue right-of-way;

THENCE South 02 degrees 33 minutes 43 seconds East a distance of 280.08 feet along the center of the said Bradly Avenue right-of-way to a point for a corner, lying in the North right-of-way of the said Pacific Avenue;

THENCE South 87 degrees 26 minutes 17 seconds West a distance of 25.00 feet along the North right-of-way line of the said Pacific Avenue to the point of beginning and containing 0.161 acres of land.

Attachment: 2021-117 ATTH 01 Memo To City Staff and Utility Companies (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of



Attachment: 2021-117 ATTH 01 Memo To City Staff and Utility Companies (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

CITY OF
TEXARKANA
TEXAS
Public Works Department

919 Elm Street
Texarkana, TX 75501
Phone (903) 798-3941
Fax (903) 792-6419

Date: November 30, 2021

To: File

From: Jonathan Wade, EIT, CFM, Associate City Engineer

Re: ROW Abandonment of 25' Unopened Street Right of Way of Bradley Street

Comments are as follows:

1. TWU – No comments
2. Fire – No comments
3. Centerpoint – No comments
4. Police – No comments
5. Public Works – No issues
6. Windstream Communications – No comments
7. Electric:
   - AEP/SWEPCO – Retain Easements
   - REA – No comments
   - Bowie Cass – No Comments
8. Sparklight – Retain Easement

Staff recommends for the approval of the abandonment of the right-of-way and retainment of utility easements.

Attachment: 2021-117 ATTH 02 Staff and Utility Comments and Approvals (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

TEX-Wade, Jonathan

From: Tod Corbin <todc@bcec.com>
Sent: Thursday, November 4, 2021 8:01 AM
To: TEX-Wade, Jonathan
Subject: RE: Proposed Bradley St Abandonment

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Wade,
Bowie-Cass Electric has no comment on the proposed abandonment of the unopened part of Bradley St.
Tod Corbin
Bowie-Cass Electric Cooperative, Inc.

From: TEX-Wade, Jonathan [mailto:Jonathan.Wade@txkusa.org]
Sent: Wednesday, November 03, 2021 3:19 PM
To: michael.a.latham@windstream.com; chris.jackson@windstream.com; joe.langley@sparklight.biz; Dusty Wiley; Zac Pianalto; diane.engelkes@centerpointenergy.com; Brooks, Brandon D; Ronnie.Watkins@centerpointenergy.com; rick.syphers@cableone.biz; mpollard@swrea.com; Greg D. Russell; Tod Corbin; rexa@bcec.com; TWU-Smith, Gary; TWU-Smith, Gary; TTPD-Schutte, Kevin; TTFD-Schlotter, Eric; Jeff Tollett (jtollett@swrea.com); David Plunk; Miller, William Jarrod
Subject: Proposed Bradley St Abandonment

All,

The City has received a request to abandon the unopened west-half right-of-way of Bradley Street east of Lots 49 and 56 of the Belmont Addition. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
Associate City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@txkusa.org

Attachment: 2021-117 ATTH 02 Staff and Utility Comments and Approvals (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

TEX-Wade, Jonathan

From: Brooks, Brandon D <Brandon.Brooks@centerpointenergy.com>
Sent: Wednesday, November 3, 2021 3:47 PM
To: TEX-Wade, Jonathan
Cc: Watkins, Ronnie M.
Subject: RE: [External Email] Proposed Bradley St Abandonment

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Wade, CenterPoint has no facilities on that easement.

CenterPoint Energy
Brandon Brooks
Operations Supervisor | Texarkana/Hope
870.779.6309 w. | 903.824.1304c.
CenterPointEnergy.com

our values

From: TEX-Wade, Jonathan <Jonathan.Wade@txkusa.org>
Sent: Wednesday, November 3, 2021 3:19 PM
To: michael.a.latham@windstream.com; chris.jackson@windstream.com; joe.langley@sparklight.biz; Dusty Wiley <dwwiley@aep.com>; Zac Pianalto <zspianalto@aep.com>; Engelkes, Linda D <diane.engelkes@centerpointenergy.com>; Brooks, Brandon D <Brandon.Brooks@centerpointenergy.com>; Watkins, Ronnie M <Ronnie.Watkins@centerpointenergy.com>; rick.syphers@cableone.biz; mpollard@swrea.com; gregr@bcec.com; todc@bcec.com; rexa@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Smith, Gary <gsmith@txkusa.org>; TTPD-Schutte, Kevin <Schutte@txkusa.org>; TTFD-Schlotter, Eric <schlottere@txkusa.org>; Jeff Tollett (jtollett@swrea.com) <jtollett@swrea.com>; David Plunk <dplunk@swrea.com>; Miller, William Jarrod <WJMiller@wm.com>
Subject: [External Email] Proposed Bradley St Abandonment

EXTERNAL EMAIL

CAUTION: This message originated from outside CenterPoint Energy. Do not click on links, open attachments, or enter data unless you recognize the sender, were expecting the content and know it to be safe.

All,

Attachment: 2021-117 ATTH 02 Staff and Utility Comments and Approvals (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

The City has received a request to abandon the unopened west-half right-of-way of Bradley Street east of Lots 49 and 56 of the Belmont Addition. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
Associate City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@txkusa.org

***** This email is from an external sender outside of the CenterPoint Energy network. Be cautious about clicking links or opening attachments from unknown sources. *****

Attachment: 2021-117 ATTH 02 Staff and Utility Comments and Approvals (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

TEX-Wade, Jonathan

From: Langley, Joe <Joe.Langley@sparklight.biz>
Sent: Wednesday, November 3, 2021 4:27 PM
To: TEX-Wade, Jonathan
Subject: RE: Proposed Bradley St Abandonment

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This abandonment will be fine as long as we have easement access to the pole line that run through that section. We do have an active aerial line that runs through that location.

From: TEX-Wade, Jonathan <Jonathan.Wade@txkusa.org>
Sent: Wednesday, November 3, 2021 3:19 PM
To: michael.a.latham@windstream.com; chris.jackson@windstream.com; Langley, Joe <Joe.Langley@sparklight.biz>; Dusty Wiley <dwwiley@aep.com>; Zac Pianalto <zspianalto@aep.com>; diane.engelkes@centerpointenergy.com; Brooks, Brandon D <Brandon.Brooks@centerpointenergy.com>; Ronnie.Watkins@centerpointenergy.com; rick.syphers@cableone.biz; mpollard@swrea.com; gregr@bcec.com; todc@bcec.com; rexa@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Smith, Gary <gsmith@txkusa.org>; TTPD-Schutte, Kevin <Schutte@txkusa.org>; TTFD-Schlotter, Eric <schlottere@txkusa.org>; Jeff Tollett (jtollett@swrea.com) <jtollett@swrea.com>; David Plunk <dplunk@swrea.com>; Miller, William Jarrod <WJMiller@wm.com>
Subject: Proposed Bradley St Abandonment

CAUTION: External source. THINK BEFORE YOU CLICK!

All,

The City has received a request to abandon the unopened west-half right-of-way of Bradley Street east of Lots 49 and 56 of the Belmont Addition. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
Associate City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@txkusa.org

Attachment: 2021-117 ATTH 02 Staff and Utility Comments and Approvals (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

TEX-Wade, Jonathan

From: Zac Pianalto <zspianalto@aep.com>
Sent: Wednesday, November 3, 2021 4:18 PM
To: TEX-Wade, Jonathan
Subject: RE: Proposed Bradley St Abandonment

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Jonathan. That's good to hear. Yes please retain a 30' wide utility easement.

From: TEX-Wade, Jonathan <Jonathan.Wade@txkusa.org>
Sent: Wednesday, November 3, 2021 4:04 PM
To: Zac Pianalto <zspianalto@aep.com>
Cc: Dusty Wiley <dwwiley@aep.com>
Subject: [EXTERNAL] RE: Proposed Bradley St Abandonment

This is an **EXTERNAL** email. **STOP**. **THINK** before you CLICK links or OPEN attachments. If suspicious please click the '**Report to Incidents**' button in Outlook or forward to incidents@aep.com from a mobile device.

Hey Zac,

No mention of a relocation was given to me, just the abandonment request for the unopened street. It appears they will be fine with retaining utility easements if needed.

Thank you,

Jonathan Wade, EIT, CFM
Associate City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@txkusa.org

From: Zac Pianalto <zspianalto@aep.com>
Sent: Wednesday, November 3, 2021 3:50 PM
To: TEX-Wade, Jonathan <Jonathan.Wade@txkusa.org>
Cc: Dusty Wiley <dwwiley@aep.com>
Subject: RE: Proposed Bradley St Abandonment

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jonathan,

Attachment: 2021-117 ATTH 02 Staff and Utility Comments and Approvals (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

SWEPCO has an existing power line through the unopened portion of Bradley Ave. Nantze Electric now owns all these lots and would like to expand their building. Tony Borrow and I discussed the complexity of the work involved to relocate the power line. A SWEPCO easement would still be required for the existing power lines. Is Nantze requesting a relocation?

Thank you,
Zac

SOUTHWESTERN ELECTRIC POWER COMPANY
ZAC PIANALTO | ENGINEER
ZSPIANALTO@AEP.COM | C: 903.826.5027
3708 W 7TH ST TEXARKANA, TX 75501-6324

From: TEX-Wade, Jonathan <Jonathan.Wade@txkusa.org>
Sent: Wednesday, November 3, 2021 3:19 PM
To: michael.a.latham@windstream.com; chris.jackson@windstream.com; joe.langley@sparklight.biz; Dusty Wiley <dwwiley@aep.com>; Zac Pianalto <zspianalto@aep.com>; diane.engelkes@centerpointenergy.com; Brooks, Brandon D <Brandon.Brooks@centerpointenergy.com>; Ronnie.Watkins@centerpointenergy.com; rick.syphers@cableone.biz; mpollard@swrea.com; gregr@bcec.com; todc@bcec.com; rexa@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Smith, Gary <gsmith@txkusa.org>; TTPD-Schutte, Kevin <Schutte@txkusa.org>; TTFD-Schlotter, Eric <schlottere@txkusa.org>; Jeff Tollett (jtollett@swrea.com) <jtollett@swrea.com>; David Plunk <dplunk@swrea.com>; Miller, William Jarrod <WJMiller@wm.com>
Subject: [EXTERNAL] Proposed Bradley St Abandonment

This is an **EXTERNAL** email. **STOP**. **THINK** before you CLICK links or OPEN attachments. If suspicious please click the '**Report to Incidents**' button in Outlook or forward to incidents@aep.com from a mobile device.

All,

The City has received a request to abandon the unopened west-half right-of-way of Bradley Street east of Lots 49 and 56 of the Belmont Addition. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
Associate City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@txkusa.org

Attachment: 2021-117 ATTH 02 Staff and Utility Comments and Approvals (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

TEX-Wade, Jonathan

From: TWU-Smith, Gary
Sent: Wednesday, November 3, 2021 3:59 PM
To: TEX-Wade, Jonathan
Cc: TWU-Icenhower, Kenny
Subject: RE: Proposed Bradley St Abandonment

Jonathan,

TWU does not have any water or sewer in this subdivision. This is all the City of Wake Village. Thanks

Gary

From: TEX-Wade, Jonathan <Jonathan.Wade@txkusa.org>
Sent: Wednesday, November 3, 2021 3:19 PM
To: michael.a.latham@windstream.com; chris.jackson@windstream.com; joe.langley@sparklight.biz; Dusty Wiley <dwwiley@aep.com>; Zac Pianalto <zspianalto@aep.com>; diane.engelkes@centerpointenergy.com; Brooks, Brandon D <Brandon.Brooks@centerpointenergy.com>; Ronnie.Watkins@centerpointenergy.com; rick.syphers@cableone.biz; mpollard@swrea.com; gregr@bcec.com; todc@bcec.com; rexa@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Smith, Gary <gsmith@txkusa.org>; TTPD-Schutte, Kevin <Schutte@txkusa.org>; TTFD-Schlotter, Eric <schlottere@txkusa.org>; Jeff Tollett (jtollett@swrea.com) <jtollett@swrea.com>; David Plunk <dplunk@swrea.com>; Miller, William Jarrod <WJMiller@wm.com>
Subject: Proposed Bradley St Abandonment

All,

The City has received a request to abandon the unopened west-half right-of-way of Bradley Street east of Lots 49 and 56 of the Belmont Addition. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
Associate City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@txkusa.org

Attachment: 2021-117 ATTH 02 Staff and Utility Comments and Approvals (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of

Property Description
0.161 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the M. E. P. & P. Railway Company Headright Survey, Abstract 435, Bowie County, Texas, being the West 25.00 feet of Bradley Street located East of Lots 49 and 57 of Belmont Addition to the City of Texarkana, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1 1/2 inch steel pipe (control monument), found for a corner, lying in the North right-of-way line of Pacific Avenue, lying in the West right-of-way line of the said Bradley Street, and being the Southeast corner of the said Lot 57;

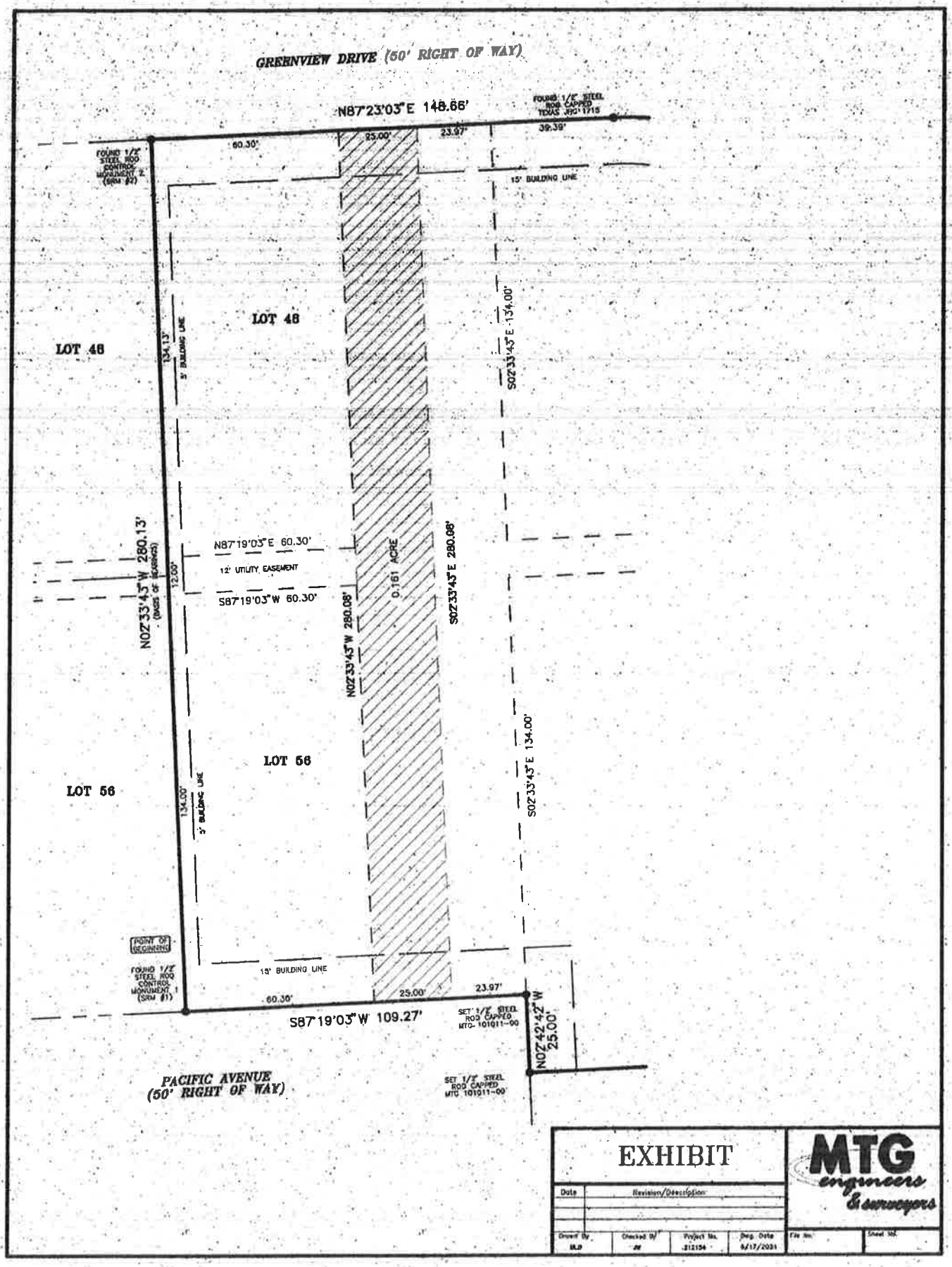
THENCE North 02 degrees 33 minutes 43 seconds West (basis of bearings) a distance of 280.06 feet along the West right-of-way line of the said Bradley Avenue and the East line of the said Lots 57 and 49 to a 1/2 inch steel rod, capped TX5080 AR1233, found for a corner, the Northeast corner of the said Lot 49, lying at the intersection of the West right-of-way line of the said Bradley Avenue and the South right-of-way line of Greenview Drive;

THENCE North 87 degrees 23 minutes 03 seconds East a distance of 25.00 feet along the South right-of-way of the said Greenview Drive to a point for a corner, lying in the center of the said Bradley Avenue right-of-way;

THENCE South 02 degrees 33 minutes 43 seconds East a distance of 280.08 feet along the center of the said Bradly Avenue right-of-way to a point for a corner, lying in the North right-of-way of the said Pacific Avenue;

THENCE South 87 degrees 26 minutes 17 seconds West a distance of 25.00 feet along the North right-of-way line of the said Pacific Avenue to the point of beginning and containing 0.161 acres of land.

Attachment: 2021-117 EXH 'A' - Property Description (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of Way of Bradley Street)



Attachment: 2021-117 EXH 'A' - Property Description (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of Way of Bradley Street)

Attachment: 2021-117 ORD ROW Abandonment for Bradley Street (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of Way of

ORDINANCE NO. 2021-117

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CLOSING AND ABANDONING AN UNOPENED TWENTY-FIVE FOOT (25') STREET RIGHT-OF-WAY OF BRADLEY STREET EAST OF LOTS 49 AND 57 OF THE BELMONT ADDITION NORTH OF PACIFIC AVENUE AND SOUTH OF GREENVIEW DRIVE AND LOCATED IN THE M.E.P. & P. RAILWAY COMPANY HEADRIGHT SURVEY ABSTRACT 435, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been received requesting that the City close and abandon an unopened Twenty-Five Foot (25') Street Right-Of-Way of Bradley Street East of Lots 49 and 57 of the Belmont Addition North of Pacific Avenue and South of Greenview Drive and located in the M.E.P. & P. Railway Company Headright Survey Abstract 435 in the City of Texarkana, Bowie County, Texas, as shown on the attached location map hereto and incorporated herein as **Exhibit "A";** and

WHEREAS, the City has notified all adjacent landowners, interested utilities and city departments and requested their comments; and

WHEREAS, based on the responses from all notified parties, the City finds it to be in the best interests of the City to close and abandon the unopened Twenty-Five Foot (25') Street Right-Of-Way of Bradley Street East of Lots 49 and 57 of the Belmont Addition North of Pacific Avenue and South of Greenview Drive as shown on the attached property description and incorporated herein as **Exhibit "A"**; and

WHEREAS, a utility easement will be retained throughout the entirety of the abandoned Twenty-Five Foot (25') Street Right-Of-Way; and

WHEREAS, the ownership of the Twenty-Five Foot (25') of Right-Of-Way will be transferred to the owners of Nantze Electric as shown on **Exhibit "A"**.

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

SECTION 1: A Twenty-Five Foot (25') Street Right-Of-Way of Bradley Street East of Lots 49 and 57 of the Belmont Addition North of Pacific Avenue and South of Greenview Drive and located in the M.E.P. & P. Railway Company Headright Survey Abstract 435 in the City of Texarkana, Bowie County, Texas, as shown on the map and described in the Street Abandonment Request attached 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.

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 **10th day of January, 2022.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2021-117 ORD ROW Abandonment for Bradley Street (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of Way of

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: 2021-117 Goals and Perspectives (3600 : 2021-117 ORD Closing and Abandoning 25' Street Right of Way of Bradley Street)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 12/27/2021 12:12 PM

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

Subject: Resolution No. 2021-118 authorizing the City Manager to enter into a Chapter 380 economic development agreement with WinCo Foods.

Briefing: 1/10/2022 **Public Hearing:** 1/10/2022 **Council Vote:** 1/10/2022

Item Schedule

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

In July of 2020, national grocery retailer WinCo. Foods approached City of Texarkana, Texas staff about a redevelopment project involving the formers Sears store at Central Mall, located at 2400 Richmond Rd. As this project has the potential to change the area significantly, provide a grocery retailer in a food desert area of our city, and provide significant value appreciation to an existing property, staff eagerly met with company representatives and involved regional economic development partner, ARTX REDI.

A potential incentive package was put together with cooperation from the City of Texarkana, Texas and ARTX REDI, and the company returned to begin submitting plans for development for city review after the height of the COVID-19 pandemic. The company has asked city staff to gain approval for incentives while they complete plans for construction and seek quotes for the renovation work to begin.

As the project stands today, the development will add approximately 90 jobs to begin, at least 30 of those full-time, and wages will average $15/hr with some management positions beginning at $18/hr. All jobs created will exceed Texarkana's current per capita income. Estimated payroll will total $2.5 million/annually.

The total project investment will exceed $21 million, and will redevelop 9 acres of land, with a new 84,000 square feet facility. Current timeline to complete the project subject to permitting and construction is Spring of 2023.

It is expected that this redevelopment project will increase property tax value and provide a catalyst for future re-development of other properties around Central Mall.

Similar Chapter 380 agreements have been signed by City Councils in McKinney, TX, North Richland Hills, TX, Denton, TX and Lewisville, TX. Links provided below, and documents attached:

McKinney: https://www.texasbusinessincentives.com/viewer/8bd12a6a83b3c7c7d0c0d588fc663a56/

North Richland Hills:
https://www.texasbusinessincentives.com/viewer/fcbfb67b3a88b597637f85bb2d6997a6/

Lewisville: https://www.texasbusinessincentives.com/viewer/c1809c2ebc5e33b3b8569ddc8e510714/

Potential Options:

- Approve
- Deny
- No Action

Fiscal Implications:

$350,000 from Economic Development Fund

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NOT APPLICABLE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2021-118 RES Economic Development Agreement with WinCo Foodsx (DOCX)
b. 2021-118 ATTH 01 WinCo Foods PowerPointx (PPT)
c. 2021-118 ATTH 02 Incentive Applicationx (PDF)
d. 2021-118 ATTH 03 Denton- 2021-039 Prop. Tax Abatements Summary (PDF)
e. 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (PDF)
f. 2021-118 Goals & Perspectives (DOCX)

Staff Coordination

Economic Development	Skipped	Jennifer Evans	Department Head Review	12/09/2021 8:44 AM
City Manager	David Orr	City Manager Review	Completed	12/09/2021 10:42 AM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

Attachment: 2021-118 RES Economic Development Agreement with WinCo Foodsx (3603 : 2021-118 RES Economic Development Agreement

RESOLUTION NO. 2021-188

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ECONOMIC DEVELOPMENT CHAPTER 380 AGREEMENT FUNDED BY THE CITY'S ECONOMIC DEVELOPMENT FUND WITH WINCO FOODS, LLC IN AN AMOUNT NOT TO EXCEED $350,000; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City is 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 not inconsistent with the Texas Constitution, Texas general laws, or the municipal charter, and is fully empowered to execute this Economic Development Agreement with WinCo Foods for the purpose of aiding in economic growth and other useful purposes permitted by law and upon such terms and for such time as the parties may agree; and

WHEREAS, the City has furthermore adopted an economic development program as authorized under Chapter 380 of the Texas Local Government Code (the "Program"); and

WHEREAS, WinCo Foods, a national grocery chain, has applied for incentives with the City for the redevelopment of the existing vacant Sears building and approximately nine acres of land in Texarkana, Texas, to create a WinCo Foods grocery store (the "Development"); and

WHEREAS, WinCo Foods' decision to construct the Development was aided by its expected receipt of economic development rebates and incentives from the City to help defray costs to be incurred by WinCo Foods in constructing the Development and in recruiting and training staff; and

WHEREAS, the City believes such an incentive agreement will help revitalize the entire commercial mall property, provide over 90 new jobs, and increase the tax base; and

WHEREAS, the Development is expected to benefit the citizens of the City, provide vital economic growth, and aid in the economic development of the Texarkana area by adding jobs, adding tax value, and stimulating business and commercial activity in Texarkana; and

WHEREAS, pursuant to Resolution No. 2018-068 (the "Resolution"), the City agreed to support and work with the mission of AR-TX REDI (Regional Economic Development Incorporation) to connect prospective national and international business and industry contracts to build a stronger economy for the area; and

WHEREAS, under this resolution, the City Council approved considering the creation of a restricted fund to be used in accordance with City policies and programs to attract new business and industry for economic development and such fund was created; and

WHEREAS, the City is working in conjunction with AR-TX REDI to provide an initiative incentive to WinCo Foods; and

WHEREAS, the Development meets the objectives of the City to attract new business and industry critical to the growth of the Texarkana area; and

WHEREAS, the parties want to set forth in this agreement the terms and conditions of the rebates to WinCo Foods of certain City funds provided by the City as an incentive for WinCo Foods to construct the Development (the "Rebates"); and

WHEREAS, the parties recognize that this agreement and all terms and provisions hereof are subject to the laws of the State of Texas and all rules, regulations and interpretations of any agency or subdivision thereof at any time governing the subject matters hereof.

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

SECTION 1: The City Council authorizes the City Manager to enter into an economic development Chapter 380 agreement funded by the City's Economic Development Fund with WinCo Foods, LLC in an amount not to exceed $350,000.

SECTION 2: This Resolution shall be effective immediately upon passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **10th day of January, 2022**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2021-118 RES Economic Development Agreement with WinCo Foodsx (3603 : 2021-118 RES Economic Development Agreement

WinCo Foods
Texarkana, TX



WinCo Foods
An Employee Owned Company!

2021-118 ATTH 01

"The Supermarket Low Price Leader!"

Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development

Who is WinCo Foods?

- Founded in 1967 in Boise, Idaho.
- Established an Employee Stock Ownership Plan (ESOP) in 1985
  - 100% owned by current and former employees
- Named one of 10 Best Supermarkets in 2020
- Operate 129 stores in 10 states – WA, OR, ID, MT, UT, NV, CA, AZ, TX, and OK.
- Self distributed/ full line distribution center in Denton, Texas.
- Operates 14 stores in OK & TX
  - 3 in OKC metro, 1 in Tulsa, OK, 2 in Fort Worth, McKinney, Duncanville, North Richland Hills, Lewisville, Garland, Denton, Carrollton, and Arlington.

Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development

Who is WinCo Foods?

- **“Supermarket Low Price Leader”**
- **One of highest sales per store supermarket chains in the U.S.**
- **Offer national and local brands**
- **Full-service supermarket with grocery, general merchandise, produce, bakery, deli, meat, seafood, variety departments and a large bulk foods offering.**
- **Open 24 hours a day, 7 days a week except Christmas and Thanksgiving.**

Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development



Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development



2021-118 ATTH 01

Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development



2021-118 ATTH 01

Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development



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Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development



2021-118 ATTH 01

Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development



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Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development



2021-118 ATTH 01



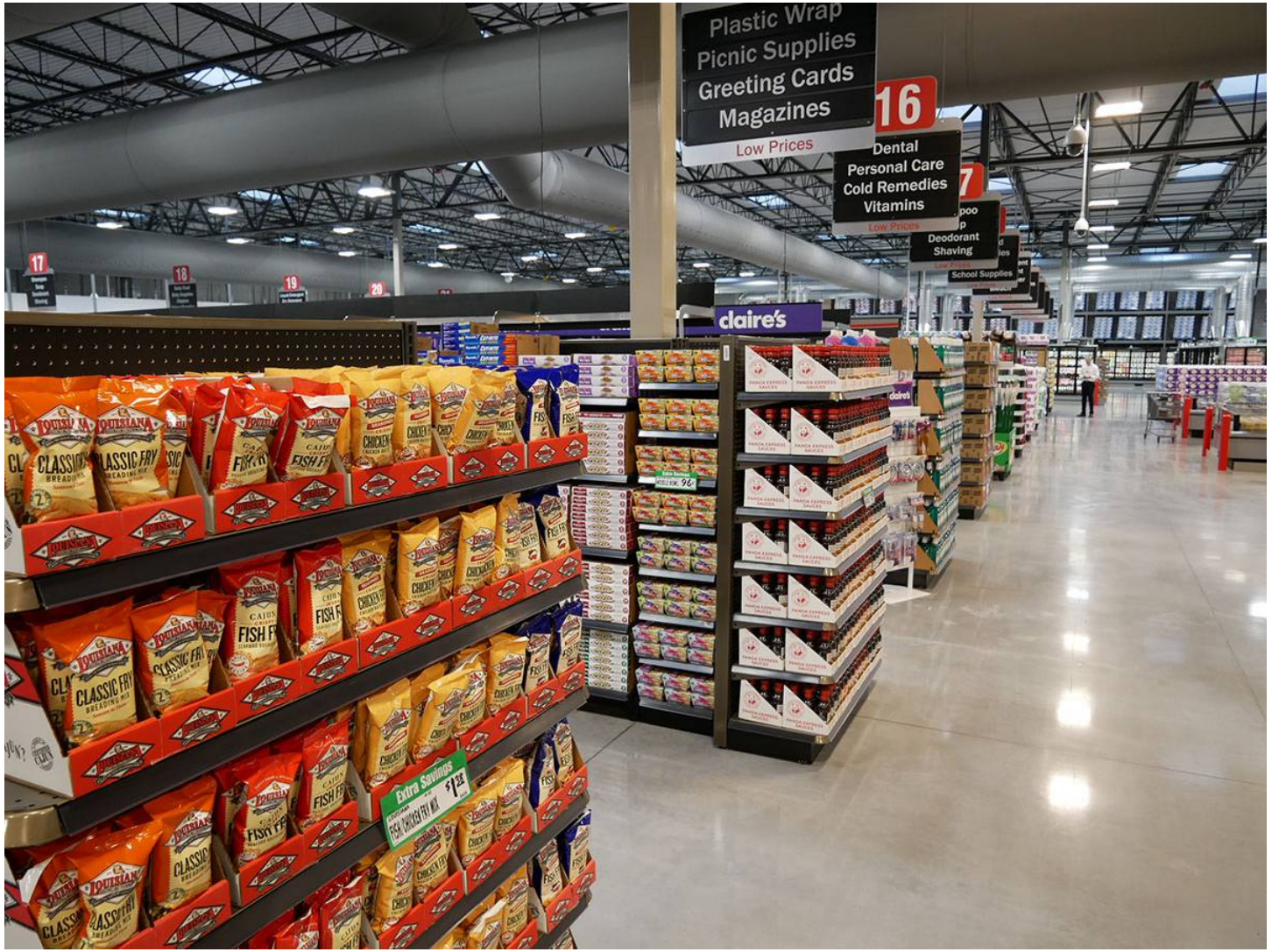
2021-118 ATTH 01

Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development



2021-118 ATTH 01

Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development



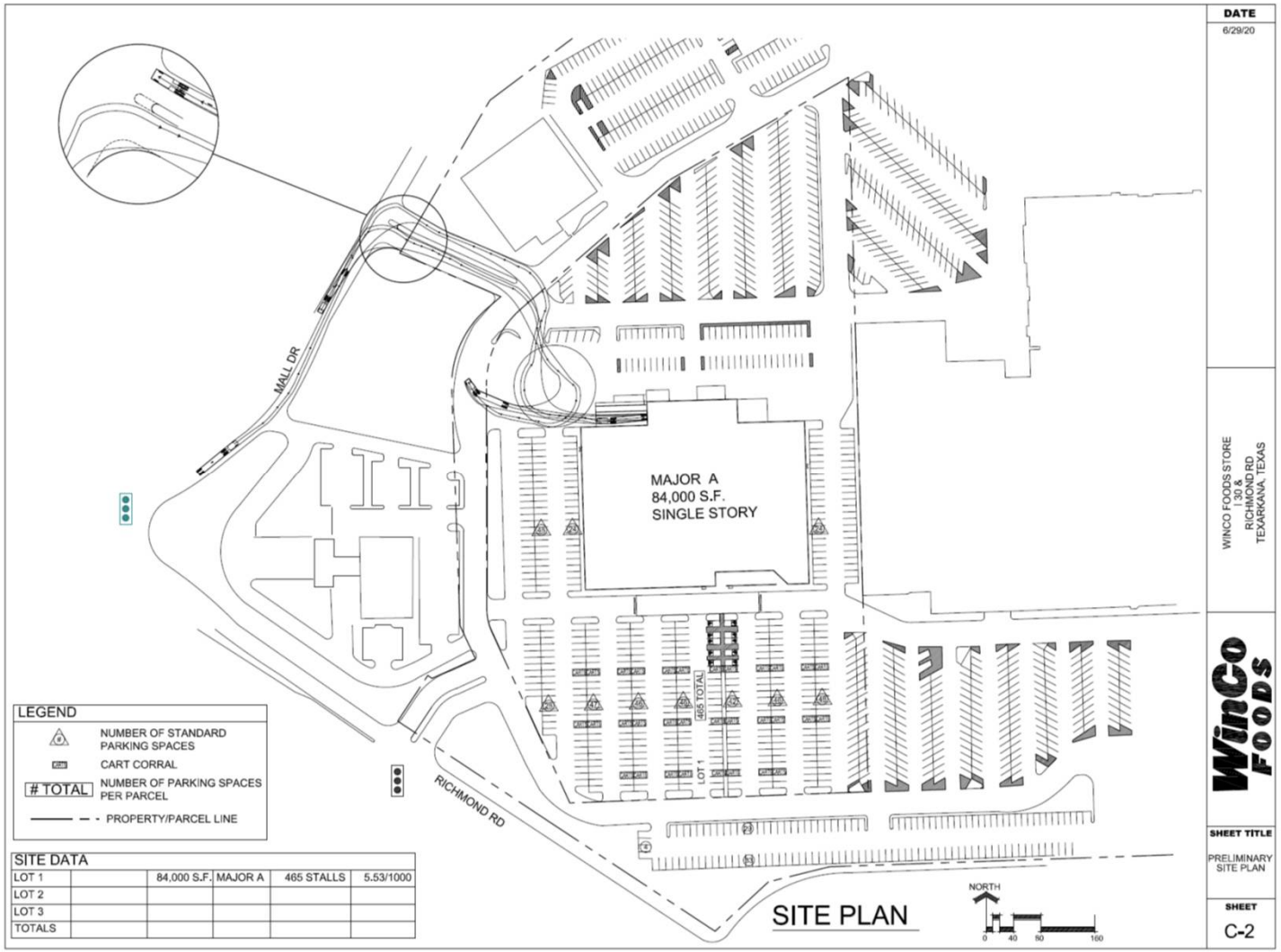
2021-118 ATTH 01

Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development

Economic Benefits

• employment	150 – 180 store employees – earn medical and dental benefits at 24 hours/week plus 80 – 100 construction jobs for +/- 9 months
• retail sales leakage	Fulfill customer grocery demand in City of Texarkana – low prices, high quality, national/local/house brands.
• outside Retail Sales	WinCo's regional draw brings additional sales to the community that might otherwise shop in surrounding communities
• Improve/Revitalize Existing Mall	Opportunity to help revitalize a major mall at a major hub of the city

Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development



Attachment: 2021-118 ATTH 01 WinCo Foods PowerPointx (3603 : 2021-118 RES Economic Development

CITY OF TEXARKANA TEXAS
P.O. Box 1967
Texarkana, TX 75504
Phone (903) 798-3900

Attachment: 2021-118 ATTH 02 Incentive Applicationx (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

Application for Business Incentive
Chapter 380 Program (Res. # 2015-120)

Business Incentive Prospect ("BIP")

BIP Name [see below if BIP is an entity]	WinCo Foods, LLC
Primary Contact	Greg Goins, Vice President of Real Estate
Address	650 N Armstrong Pl
City	Boise
State/Zip	ID
Phone	(208) 672-2072
Email	Greg.goins@wincofoods.com
Fax	none
Cell	(208) 860-8193
Source of referral: (Chamber, realtor, etc.)	
BIP's NAICS Code	

If BIP is an entity: Attach documentation that identifies the legal status, verifies the entity's right to transact business in the State of Texas, and discloses the entity's officers, directors, and owners. See attached emails from WinCo Legal.

Project Description

Describe your project with sufficient detail so that a determination may be made as to its eligibility for a business incentive according to the definition of "Eligible Project" in the program requirements.

The application must include a detailed map and property description together with a time schedule for undertaking and completing the project.

Project Description: WinCo is under contract to purchase and plans to "re-develop" approximately 9 acres of land which includes an existing vacant Sears building. Aging malls in markets such as Texarkana are experiencing significant tenant loss and WinCo's new store (and expected weekly customer traffic) will help to revitalize the entire commercial mall property. The existing Sears building will be demolished and replaced with a new 84,000 sq.ft. WinCo grocery store. The current zoning for this property is GR- General Retail. Current timeline to complete the project subject to permitting and construction is Feb/March of 2023.

Exclusions and Threshold Prerequisites

Answer "yes" or "no" the following:

1.	Has any proposed project activity (not including the BIP's planning and due diligence) occurred prior to the filing of this application?	☐ Yes X No
2.	Does the BIP, including any business or property owned or leased in whole or in part by the BIP, have an outstanding tax lien owing to any governmental entity?	☐ Yes X No
3.	Has the BIP, including any business or property owned or leased in whole or in part by the BIP, within the five-year period preceding the date of filing this application, been cited, noticed, or fined for noncompliance or violation of a federal law or regulation, a state law or regulation, or a Texarkana, Texas, city code, ordinance, or resolution?	X Yes No
4.	Is the BIP, including any business or property owned or leased in whole or in part by the BIP, a party to a claim or proceeding against the City of Texarkana, Texas, or is implicated in a claim or proceeding against a third party that may hinder or interfere with the efficacy of the Business Incentive requested?	☐ Yes X No

Answer "yes" or "no" for any item listed below that applies to your proposed project:

1.	The project value, including land, construction and fixed improvements, totals at least $10,000,000 for new Construction or at least $5,000,000 for an Existing Facility.	X Yes ☐ No
2.	The project contributes to the retention or expansion of employment.	X Yes ☐ No
3.	The project contributes substantially to redevelopment efforts as opposed to merely transferring employment from one business in the City to another.	X Yes ☐ No
4.	At least fifty (50) jobs will be created or retained that meet or exceed the per capita income level in the Texarkana MSA.	X Yes ☐ No
5.	At least $5,000,000 in annual payroll will be paid by the project.	X Yes ☐ No
6.	At least $400,000 in local sales taxes are to be directly generated by the project.	X Yes ☐ No

Attachment: 2021-118 ATTH 02 Incentive Applicationx (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

7. The project should be deemed an Exceptional Project (defined as a project that makes use of an underutilized asset, diversifies the local economic base, creates leverage with local economic interests, expands the local market for a good or service, or is located in a designated redevelopment or historical area or neighborhood).

X Yes ☐ No

(If you answered "yes" to no. 7, explain why the project should be deemed an Exceptional Project. Attach additional sheets if necessary.)

Describe how your proposed project conforms to the Comprehensive Zoning Ordinance of the City of Texarkana, Texas, and complies with all City ordinances and state and federal laws and regulations. Include in your response whether the project will require any zoning changes or special use permits. See above Project Description.

Attach additional sheets if necessary.

Business Incentive Requested

Describe the requested "Business Incentive" and "Business Incentive Period" as those terms are defined in the program requirements.

Business Incentive:

a) ARTX Regional Economic Development Initiative incentive = $100,000
b) City of Texarkana, Texas sales tax rebate based on 1.5% local City Sales tax on total project costs directly related to building materials costs = $100,000
c) City of Texarkana, Texas incentive of up to $150,000 over a 3 year period based on providing jobs higher than the average median income and meeting a minimum payroll base annually.

Attachment: 2021-118 ATTH 02 Incentive Applicationx (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

Business Incentive Period: Set forth above.

Disclose your efforts, if any, to request similar incentives from any other public or private entity, and the progress of those efforts.

No other incentives are known, available or have been applied for.

Specific Review Criteria

Provide responses to each of the criteria below, or explain why a particular criterion should not apply to your project.

1. Disclose the BIP's financial capacity and available resources to fund, develop, and complete the proposed project, excluding consideration of any Business Incentive. (*Note: disclosure of financial capacity and available resources typically involves providing business plans together with audited financial statements and tax returns from the preceding three years.*)

   WinCo will "self develop" the entire project out of cash. No financing is needed.

2. Disclose the assessed, taxable value of land and existing improvements, if any, associated with the project, separately stated for real and personal property, for the tax year immediately preceding the year of application.
   When WinCo purchases the Sears site, it will be a separate parcel from the balance of the mall. Today, the mall's assessed value includes the Sears property. According to current owner, 2021 real estate taxes for the mall were $252,914 of which Sears parcel prorated share is $54,358.00.

3. Disclose the type, value, and Productive Life of proposed project improvements.

   Project will consist of demolition of former Sears building and redevelopment of the property with new WinCo Grocery store building and refurbished parking lot. Expect Productive Life to be in excess of 50 years. Value of Building and Improvements = approx. $21Million

4. Identify the number of existing jobs that meet or exceed the per capita income level for the Texarkana MSA to be retained by the proposed project.

Attachment: 2021-118 ATTH 02 Incentive Applicationx (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

Based on 2023 projected PCI for Texarkana of $13.48 most all of the projected 90+ jobs will exceed the projected 2023 Texarkana PCI.

See chart below based on the profile of our other Texas stores as well as a look at Tulsa, the newest store in that region. Note that this is based on wages today, which could easily be higher by the time we would actually open a store. Also the employee counts could be higher if labor supply improves. While the numbers listed below are based on current TX stores, I think most of those stores would like to have more employees than they do right now, it's just hard to find them.

PT Emp	PT Avg Wage	FT Emp	FT Avg Wage	
60	$13.50	30	$18.00	
All employees averaging over 25 hours per week are eligible for full benefits				
We estimate around 50% of PT employees would average more than 25 hours a week				

5. Identify the number and type of new jobs that meet or exceed the per capita income level for the Texarkana MSA to be created by the proposed project, and whether the new jobs will be filled by persons residing or projected to reside within the Texarkana MSA.

Please see response to #4 above for number of jobs.

WinCo provides a wide variety of retail clerk and department manager positions including Grocery, Produce, Baker, Deli, Freight, Cashier, Bulk, Variety, etc. Additionally, each store employs three salaried managers.

It would be projected that the employee base would be filled from local Texarkana residents.

6. Disclose the amount of payroll within the territorial jurisdiction of the City of Texarkana, Texas, to be created or retained by the proposed project.
Estimated $2.5 Million Annually

7. Disclose the amount of payroll within the extraterritorial jurisdiction of the City of Texarkana, Texas, to be created or retained by the proposed project. None; project is in territorial jurisdiction (see immediately above)

Attachment: 2021-118 ATTH 02 Incentive Applicationx (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

8. Disclose the amount of local sales tax to be generated directly by the proposed project.

Local sales taxes generated:

- From construction of store –
  - $50,000 estimated from supplies/equipment purchased directly by WinCo
  - Unknown for supplies/equipment purchased by Contractor/Subs
    - Depends on a number of factors that I cannot anticipate
- $140,000 estimated (annually) from retail operations

9. Disclose the amount of property tax base valuation that will be increased during and after the Business Incentive Period.

Value of Building and Improvements once complete = approx. $21Million. This updated value should increase property taxes on the former Sears (now WinCo) parcel and provide a catalyst for future re-development of other properties around WinCo that also will help to increase future property values/taxes.

10. Identify or otherwise disclose costs to be incurred by the City of Texarkana, Texas, to provide facilities or services directly resulting from the proposed project.

None

11. Disclose the amount of ad valorem taxes to be paid to the City of Texarkana, Texas, during the Business Incentive Period, taking into consideration the pre-application values, the amount and type of the Business Incentive, the Business Incentive Period, and the value after expiration of the Business Incentive Period.

Attachment: 2021-118 ATTH 02 Incentive Applicationx (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

12. Disclose your projection of the population growth of the City of Texarkana, Texas, that will occur directly as a result of the proposed project.

No known measurable population growth is expected as a result of this project.

13. Identify the types and values of public improvements, if any, to be made by the BIP.

14. Disclose whether the proposed project restricts or enhances the business opportunities of existing businesses within the City of Texarkana, Texas. WinCo as a strong national anchor retailer believes we will indeed enhance surrounding business opportunities of existing businesses in Texarkana. WinCo generates a "regional draw" for the entire metro-plex and surrounding counties. This regional draw will bring additional customers/business to existing businesses in and around the mall.

15. Disclose whether the proposed project attracts other new business or new economic development to the area. Same comment as in #14 in that we not only help generate more business for existing retailers but new retailers who like our regional drawing power will look to place new facilities in the area around us.

16. Disclose whether the project is environmentally compatible with the City of Texarkana, Texas, as it exists prior to receipt of the application.

As we know it, yes.

17. Disclose whether the proposed project will generate a negative impact on the quality of life within the City of Texarkana, Texas, constitute a nuisance, or constitute a hazard to public safety, health, and welfare.

No it will not. In fact, this project should contribute to an improved quality of life for local residents, grocery consumers and the City.

18. Disclose whether and to what extent the proposed project makes a substantial contribution to redevelopment efforts or special area plans by enhancing either functional or visual characteristics (examples include historical structures, traffic circulation, parking, facades, signs, materials, and urban design).

Attachment: 2021-118 ATTH 02 Incentive Applicationx (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

As with many mid-market malls, the real estate assets are in decline and the property needs to undergo redevelopment to reinvigorate it's functionality and economic viability. The new WinCo project will promote new business development and ongoing redevelopment of the remaining mall property.

19. Disclose whether the location of the proposed project furthers the development goals of the City of Texarkana, Texas.

As I understand it, yes.

20. Disclose whether the proposed project or requested Business Incentive would result in an adverse effect on government services or the local tax base.

No adverse impact

21. Disclose whether the proposed project or requested Business Incentive would decrease or exclude the amount of the tax increment of any taxing unit or any deposit made by any taxing unit to the tax increment fund for the Tax Increment Reinvestment Zones of the City of Texarkana, Texas.

Not clear what the impact would be.

The City may contact the BIP for additional information specific to the proposed project and Business Incentive as deemed necessary by the City Manager and City Attorney (*see* § 4.1.15 of the Program Requirements).

Acknowledgement of Business Incentive Prospect

The undersigned, whether individually as the Business Incentive Prospect or in a representative capacity as authorized by the Business Incentive Prospect, acknowledges reading the Chapter 380 Program Requirements, including but not limited to the specific provisions pertaining to Confidential or Proprietary Information and required Agreement provisions in the event the City Council authorizes an Agreement for a Business Incentive. The undersigned affirms having full authority to submit this application, that the Business Incentive Prospect shall comply fully with all Program Requirements, and that the information attached to this application and answers provided herein are true and correct.

Signature: _____

Printed Name: R. Greg Goins, VP of Real Estate, WinCo Foods, LLC

Dated: 11/17/2021

Attachment: 2021-118 ATTH 02 Incentive Applicationx (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

Return completed application form and requested information to:

Jerry Sparks
Economic Developer
City of Texarkana, Texas
P. O. Box 1967– 220 Texas Blvd.
Texarkana Texas 75504-1967
Office 903.798.1715 Cell 903.278.0102

Attachment: 2021-118 ATTH 02 Incentive Applicationx (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

Required attachments:
Business Plan
Financial statements (corporate, partnership, or personal)
Project costs documentation

Attachment: 2021-118 ATTH 02 Incentive Applicationx (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

Date: June 25, 2021 Report No. 2021-039

INFORMAL STAFF REPORT
TO MAYOR AND CITY COUNCIL

SUBJECT:
Provide information on the 2020 City of Denton Economic Development property tax (ad valorem) incentive agreements including tax abatements and rebates.

EXECUTIVE SUMMARY:
In tax year 2020, the City of Denton had seven active property tax incentive agreements. This includes five Chapter 380 property tax rebate agreements and two property tax abatement agreements. In total, the value of the rebates and abatements for tax year 2020 is $1,009,472. The associated properties have a total valuation of more than $331 million and generate more than $1.2 million in net property tax revenue for the City.

BACKGROUND:
The City of Denton provides economic development incentives in accordance with the City's Tax Abatement and Incentive Policy to stimulate private development and redevelopment, expand the tax base, generate jobs, and enhance the local economy. The City currently has two active property tax abatement agreements and five active Chapter 380 property tax rebate agreements. The property tax rebates are paid annually based on the terms in the individual grants.

The City is authorized under various regulations and through its adopted policies to offer property tax abatements and property tax rebates.

- **Tax Abatements** allow local governments to exempt all or a portion of the valuation increase of real and personal property taxes from a new or expanded business development for a period of up to 10 years. The statutes regulating tax abatements can be found in Chapter 312 of the Texas Property Tax Code.
- **Tax Increment Reinvestment Zones (TIRZ)** allow local governments to finance improvements and infrastructure within a defined area in order to stimulate private development and redevelopment. A property tax valuation base is established in the first year, and the revenue from the increased valuation from subsequent years is allocated to development within the TIRZ. The statutes that regulate tax increment financing and the related zones are in Chapter 311 of the Texas Property Tax Code, also known as the Tax Increment Financing Act.
- **Chapter 380 of the Texas Local Government Code** states that a municipality may establish and provide for the administration of one or more programs for making loans and grants of public money and providing personnel and services of the municipality, to promote state or local economic development and to stimulate business and commercial activity in the municipality.
- **Freeport Exemptions** are an exemption from property tax on goods that have been held in the state for 175 days or less for the purpose of assembly, storage, manufacturing, processing or fabrication. The exemption applies throughout the entire taxing jurisdiction.

Attachment: 2021-118 ATTH 03 Denton- 2021-039 Prop. Tax Abatements Summary (3603 : 2021-118 RES Economic Development Agreement

A triple freeport exemption means that the three taxing jurisdictions, city, county and school district, participate.

The City uses these tools to facilitate performance-based property tax incentives, taking the form of either a property tax abatement (reduction in property tax payment) or property tax rebate (reimbursement of a portion of property taxes paid). Chapter 380 agreements may also include an expansion or relocation cash grant, TIRZ grant, or job-based grant that incentivizes high-wage or knowledge-based jobs.

Each year, once values are received and property tax payments are due, calculations are performed by the Denton Central Appraisal District (DCAD) and Economic Development staff. For abatements, DCAD determines the amount of an abatement for active agreements by applying the terms of the approved abatement. The corresponding company will then see a reduction in their tax bill. For property tax rebate agreements, Economic Development staff review property tax values and payments made, then calculate the amount of the rebate by applying the terms of the approved agreement. The corresponding company then receives a rebate directly from the City. For all agreements, specific valuation, job, and wage threshold requirements in the agreements are verified using a certificate of compliance, third party verification from the DCAD, and IRS documentation. The valuation, revenue, job, and incentive information is captured in the annual Net Revenue Report and tracked over time to determine the net benefits to Denton.

Summary memos of the 2020 active property tax abatement agreements and property tax Chapter 380 agreements are attached. The memos include breakdowns of property valuation, including taxable values that may be ineligible under the specific terms of the applicable agreement. Because the terms vary by agreement, each payment/abatement is calculated and reviewed individually.

ATTACHMENT(S): 2020 property tax abatement and rebate summary memos.

STAFF CONTACT:

Jessica Rogers
Director of Economic Development
Jessica.Rogers@cityofdenton.com
(940) 349-7531

Erica Sullivan
Economic Development Analyst
Erica.Sullivan@cityofdenton.com
(940) 349-7731

REQUESTOR: Staff initiated

PARTICIPTAING DEPARTMENTS: Economic Development

STAFF TIME TO COMPLETE REPORT: 2 hours

Attachment: 2021-118 ATTH 03 Denton- 2021-039 Prop. Tax Abatements Summary (3603 : 2021-118 RES Economic Development Agreement

Economic Development Department
401 N. Elm St., Denton, TX 76201 • (940) 349-7776

MEMORANDUM

DATE: June 4, 2021

TO: The Honorable Mayor Hudspeth and Council Members
Sara Hensley, Interim City Manager
David Gaines, Assistant City Manager/Chief Financial Officer
Cassandra Ogden, Director of Finance

FROM: Erica Sullivan, Economic Development Analyst

SUBJECT: Tax Year 2020 Mayday Manufacturing Chapter 380 Grant

This is the seventh year of the ten-year agreement with Mayday Manufacturing. Under the Chapter 380 Agreement, the company will pay 100% of the property taxes owed to the City and will receive a grant equal to 75% of the increase in valuation for the building and equipment resulting from the improvements to the facility located at 3100 Jim Christal. The difference between the property tax improvements over the taxes of the 2012 base year valuation is eligible for the incentive and is deducted from the total valuation. The grant payment calculation is based on the following:

Description	Valuation	Not Eligible	Eligible
Building/Improvements	$6,568,689	$1,579,926	$4,988,763
Land	$1,380,111	$1,380,111	$0
Equipment	$7,238,302	$3,047,908	$4,190,394
Inventory Less Freeport	$1,880,924	$1,880,924	$0
Totals	$17,068,026	$7,888,869	$9,179,157

Since Mayday Manufacturing and American Realty Capital Properties (ARCP) met the $5 million threshold of the grant agreement, once they have paid their property taxes, the City will issue a grant payment in the amount of $40,649. The net property tax payment to the City will equal $60,130.

If you have any questions, please do not hesitate to contact me at 349-7731.

cc: Jake Clerihew, Denton Central Appraisal District
Tom Shaw, Mayday Manufacturing
Torry Peoples, Mayday Manufacturing

Attachment: 2021-118 ATTH 03 Denton- 2021-039 Prop. Tax Abatements Summary (3603 : 2021-118 RES Economic Development Agreement

Economic Development Department
401 N. Elm St., Denton, TX 76201 • (940) 349-7776

MEMORANDUM

DATE: June 4, 2021

TO: The Honorable Mayor Hudspeth and Council Members
Sara Hensley, Interim City Manager
David Gaines, Assistant City Manager/Chief Financial Officer
Cassandra Ogden, Director of Finance

FROM: Erica Sullivan, Economic Development Analyst

SUBJECT: Tax Year 2020 West Gate Business Park Chapter 380 Grant

This is the fifth year of the City of Denton's ten-year Chapter 380 agreement with West Gate Business Park (WGBP). The Agreement provides a 70% rebate on the valuation of the real property improvements for building/Lot 1.

Description	Valuation	Not Eligible	Eligible
Building/Improvements	$8,723,336	$0	$8,723,336
Land	$838,094	$838,094	$0
Equipment	$0	$0	$0
Inventory less Freeport	$0	$0	$0
Totals	$9,561,430	$838,094	$8,723,336

Since WGBP met their $3 million threshold, they will receive the full 70% rebate in the amount of $36,055. Net City ad valorem taxes owed by WGBP (total less the rebate) is $20,401.

If you have any questions, please do not hesitate to contact me at 349-7731.

cc: Jake Clerihew, Denton Central Appraisal District
Brandon Martino, WGBP Investments, LTD.

Attachment: 2021-118 ATTH 03 Denton- 2021-039 Prop. Tax Abatements Summary (3603 : 2021-118 RES Economic Development Agreement

CITY OF DENTON

Economic Development Department
401 N. Elm St., Denton, TX 76201 • (940) 349-7776

MEMORANDUM

DATE: June 4, 2021

TO: The Honorable Mayor Hudspeth and Council Members
Sara Hensley, Interim City Manager
David Gaines, Assistant City Manager/Chief Financial Officer
Cassandra Ogden, Director of Finance

FROM: Erica Sullivan, Economic Development Analyst

SUBJECT: Tax Year 2020 WinCo Foods Chapter 380 Grant

This is the third year of the agreement for WinCo Foods. Under the Chapter 380 Agreement, WinCo Foods will pay 100% of City property taxes and will receive a grant equal to 60% of the building and equipment valuation of the distribution center (excluding inventory, vehicles and supplies).

WinCo will receive 60% of the ad valorem tax, 40% of the ad valorem contribution into Tax Increment Reinvestment Zone No. Two by the project until the construction costs for Phase I public improvements have been reimbursed. It is anticipated that full reimbursement will occur in approximately ten years, depending on how the zone develops. The first year after full reimbursement, the second term of the grant agreement shall commence, and will include a 60% rebate of the City's ad valorem revenue for a period of four years. The ad valorem grant payment calculation is based on the following:

Description	Valuation	Not Eligible	Eligible
Building/Improvements	$55,454,968	$0	$55,454,968
Land	$5,045,032	$5,045,032	$0
Equipment	$21,175,530	$725,640	$20,449,890
Inventory Less Freeport	$21,260,528	$21,260,528	$0
Totals	$102,936,058	$27,031,200	$75,904,858

The Agreement thresholds require a minimum valuation of $50 million in real property improvements and business personal property value. Since WinCo met their threshold requirements, they will receive an ad valorem grant payment equal to 60% of the eligible amount. The total project costs for Phase I amounted to $7,154,641.55. Once WinCo has paid their property taxes, the City will issue a payment in the amount of $268,910. WinCo Foods' net payment to the City less the rebate was $338,880.

If you have any questions, please do not hesitate to contact me at 349-7776.

cc: Jake Clerihew, Denton Central Appraisal District
Lori Gilbertson, WinCo Foods

Attachment: 2021-118 ATTH 03 Denton- 2021-039 Prop. Tax Abatements Summary (3603 : 2021-118 RES Economic Development Agreement

Economic Development Department
401 N. Elm St., Denton, TX 76201 • (940) 349-7776

MEMORANDUM

DATE: June 4, 2021

TO: The Honorable Mayor Hudspeth and Council Members
Sara Hensley, Interim City Manager
David Gaines, Assistant City Manager/Chief Financial Officer
Cassandra Ogden, Director of Finance

FROM: Erica Sullivan, Economic Development Analyst

SUBJECT: Tax Year 2020 WinCo Foods Chapter 380 TIRZ No. Two Grant

This is the third year of the agreement for WinCo Foods. Under the Chapter 380 Agreement, WinCo Foods will pay 100% of the property taxes owed to the City and County and will receive a grant equal to 40% of the contribution of the City and County into the Tax Increment Fund (land and improvements) from the distribution center. Both entities participate in Tax Increment Reinvestment Zone (TIRZ) at a rate of 40%. Business personal property (equipment) is not included in the TIRZ contribution.

WinCo will receive 40% of the ad valorem tax contribution (land and improvements) into the Tax Increment Fund from the City and County, 60% of the City's portion of the ad valorem by the project (excluding land, inventory, vehicles and supplies) until the construction costs for Phase I public improvements are reimbursed. The anticipated full reimbursement will occur in approximately ten years, depending on how the zone develops. The first year after full reimbursement, the second term of the grant agreement shall commence, and will include only the 60% rebate of the City's ad valorem revenue for a period of four years. The ad valorem TIRZ grant payment calculation is based on the following:

Description	Valuation	Not Eligible	Eligible
Building/Improvements	$55,454,968	$0	$55,454,968
Land	$5,045,032	$0	$5,045,032
Equipment	$21,175,530	$21,175,530	$0
Inventory Less Freeport	$21,260,528	$21,260,528	$0
Totals	$102,936,058	$42,436,058	$60,500,000

Attachment: 2021-118 ATTH 03 Denton- 2021-039 Prop. Tax Abatements Summary (3603 : 2021-118 RES Economic Development Agreement

The Agreement thresholds require a minimum valuation of $50 million in real property improvements and business personal property value. Since WinCo Foods met their threshold requirements, they will receive an ad valorem grant payment equal to 60% of the eligible amount. The total project costs for Phase I amounted to $7,154,641.55. Once WinCo has paid their City and County property taxes, the City will issue an incentive grant payment in the amount of $197,336. WinCo Foods' net property tax payment to the City less the rebate was $100,226.

If you have any questions, please do not hesitate to contact me at 349-7776.

cc: Jake Clerihew, Denton Central Appraisal District
Lori Gilbertson, WinCo Foods

Attachment: 2021-118 ATTH 03 Denton- 2021-039 Prop. Tax Abatements Summary (3603 : 2021-118 RES Economic Development Agreement

Economic Development Department
215 E. McKinney St., Denton, TX 76201 • (940) 349-7776

DATE: May 17, 2021

TO: Mayor and City Council Members
Sara Hensley, Interim City Manager
David Gaines, Assistant City Manager/Chief Financial Officer
Cassandra Ogden, Director of Finance

FROM: Erica Sullivan, Economic Development Analyst

SUBJECT: O'Reilly Hotel Partners Denton Chapter 380 Grant for 2020

This is the third year of the twenty-five year agreement for O'Reilly Hotel Partners Denton (OHPD). Under the Chapter 380 Agreement, OHPD will pay 100% of the property taxes owed to the City and will receive a grant equal to 100% of the building and equipment valuation of the hotel and convention center (excluding inventory, vehicles and supplies).

OHPD will receive 100% of the ad valorem tax, hotel occupancy tax, and sales tax generated by the project for a maximum of 25 years or until the combined principal amount of $28 million and interest payment of $26 million, for a total aggregate amount of $54 million, is reached, whichever comes first. The incentive is capped at $54 million.

The ad valorem grant payment calculation is based on the following:

Description	Valuation	Not Eligible	Eligible
Building/Improvements	$28,752,973	$0	$28,752,973
Land	$6,247,027	$6,247,027	$0
Equipment	$2,980,178	$31,000	$2,949,178
Totals	$37,980,178	$6,278,027	$31,702,151

Table does not include the valuation for the missing Houlihan's 2019 account with an eligible valuation of 501,024.

The Agreement thresholds require an investment of $80 and $20 million in real property improvements and business personal property value. Since OHPD met their threshold requirements, they will receive an ad valorem grant payment equal to 100% of the eligible amount plus a $2,958 adjustment for the Houlihan's 2019 account that was not captured. Once they have paid their property taxes, the City will issue an incentive grant payment in the amount of $190,145. OHPD's net property tax payment to the City less the rebate for 2020 is $37,069.

If you have any questions, please do not hesitate to contact me at 349-7776.

cc: Jake Clerihew, Denton Central Appraisal District
Courtney Brown, O'Reilly Hospitality Management

Attachment: 2021-118 ATTH 03 Denton- 2021-039 Prop. Tax Abatements Summary (3603 : 2021-118 RES Economic Development Agreement

Economic Development Department
401 N. Elm St., Denton, TX 76201 • (940) 349-7776

MEMORANDUM

DATE: June 4, 2021

TO: The Honorable Mayor Hudspeth and Council Members
Sara Hensley, Interim City Manager
David Gaines, Assistant City Manager/Chief Financial Officer
Cassandra Ogden, Director of Finance

FROM: Erica Sullivan, Economic Development Analyst

SUBJECT: Tax Year 2020 Peterbilt Tax Abatement

This is the fourth year in the City of Denton's eight-year tax abatement with Peterbilt Motors. The Agreement provides a 70% abatement on the valuation of the building and equipment resulting from the expansion improvements to the existing facility building, new stand alone building, and on eligible personal property. The difference between the property tax improvements over the taxes of the 2015 base year valuation is eligible for the incentive and is deducted from the total valuation. The grant payment calculation is based on the following:

Description	Valuation	Not Eligible	Eligible
Building/Improvements	$22,144,000	$15,644,000	$6,500,000
Land	$4,356,000	$4,356,000	$0
Equipment	114,477,526	$61,691,150	$52,786,376
Inventory Less Freeport	$11,911,283	$11,911,283	$0
Totals	$152,888,809	$93,602,433	$59,286,376

Since Peterbilt Motors met the $18.5 million threshold of the grant agreement, they received the full 70% abatement amount of $245,041 Net City ad valorem taxes owed by Peterbilt (total less abatement) is $657,697.

If you have any questions, please do not hesitate to contact me at 349-7731.

cc: Jake Clerihew, Denton Central Appraisal District
Brian Roberts, Peterbilt Motors

Attachment: 2021-118 ATTH 03 Denton- 2021-039 Prop. Tax Abatements Summary (3603 : 2021-118 RES Economic Development Agreement

Economic Development Department
401 N. Elm St., Denton, TX 76201 • (940) 349-7776

MEMORANDUM

DATE: June 4, 2021

TO: The Honorable Mayor Hudspeth and Council Members
Sara Hensley, Interim City Manager
David Gaines, Assistant City Manager/Chief Financial Officer
Cassandra Ogden, Director of Finance

FROM: Erica Sullivan, Economic Development Analyst

SUBJECT: Tax Year 2020 West Gate Business Park Tax Abatement

This is the second year of the City of Denton's ten-year tax abatement agreement with West Gate Business Park (WGBP). The Agreement provides a 60% abatement on the valuation of the real property improvements for buildings 2/Lot 2 and 3/Lot 3 in the business park. The agreement provides an additional 10% abatement for the location of a supplier to an existing primary industry and/or an additional 5% for the location of a national headquarters for a total abatement of up to 75%.

Description	Valuation	Not Eligible	Eligible
Building/Improvements	$8,845,272	$0	$8,845,272
Land	$1,119,492	$1,119,492	0
Equipment	0	0	0
Inventory less Freeport	0	0	0
Totals	$9,964,764	$1,119,492	$8,845,272

Since WGBP met their $3 million threshold and did not have a tenant that is a supplier to an existing primary industry and/or a national headquarters, they will receive a 60% abatement in the amount of $31,336. Net City ad valorem taxes owed by WGBP (total less the abatement) is $27,501.

If you have any questions, please do not hesitate to contact me at 349-7731.

cc: Jake Clerihew, Denton Central Appraisal District
Brandon Martino, WGBP Investments, LTD.

Attachment: 2021-118 ATTH 03 Denton- 2021-039 Prop. Tax Abatements Summary (3603 : 2021-118 RES Economic Development Agreement
2021-118 ATTH

RESOLUTION NO. 2013-02-025 (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF McKINNEY, TEXAS, APPROVING A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF McKINNEY AND WINCO FOODS, LLC , A DELAWARE LIMITED LIABILITY COMPANY, AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of McKinney, Texas, has determined the need to approve a Chapter 380 Economic Development Agreement to provide incentives to WinCo Foods, LLC , a Delaware limited liability company, and

WHEREAS, a Chapter 380 Economic Development Agreement is the binding, legal document governing the incentives and development of the site

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF McKINNEY, TEXAS, THAT

Section 1 The City Council of the City of McKinney, Texas hereby approves the Chapter 380 Economic Development Agreement between the City of McKinney and WinCo Foods, LLC , a Delaware limited liability company, and

Section 2 The City Manager is authorized to execute the Chapter 380 Economic Development Agreement between the City of McKinney and WinCo Foods, LLC , a Delaware limited liability company, and

Section 3 This Resolution shall take effect immediately from and after the date of passage and is so resolved

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF McKINNEY, TEXAS ON THE 19th DAY OF FEBRUARY, 2013.

CITY OF McKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

ATTEST

SANDY HART, TRMC, MMC
City Secretary
BLANCA I GARCIA
Assistant City Secretary

APPROVED AS TO FORM

MARK S HOUSER
City Attorney

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

THE CITY OF MCKINNEY, TEXAS
AND
WINCO FOODS, LLC.
CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT

WHEREAS, ***WINCO FOODS, LLC,,*** a Delaware limited liability company (hereinafter "WINCO"), is entering into this Chapter 380 Economic Development Agreement (this "Agreement") pursuant to a program initiated by the ***CITY OF MCKINNEY, TEXAS*** (hereinafter "CITY") pursuant to Chapter 380 of the Texas Local Government Code, for the primary purpose of constructing, staffing, and operating a retail grocery facility (the "Project") located wholly within the City of McKinney, Texas, and

WHEREAS, the CITY has agreed to a conditional economic development grant to WINCO based on the timely completion of the Project, including but not limited to the construction of certain building and site improvements and other economic development criteria, to be funded by the CITY upon the timely performance of WINCO under this Agreement, and

WHEREAS, the CITY has the authority under Chapter 380 of the Texas Local Government Code to make loans or grants of CITY funds for the purposes of promoting local economic development and stimulating business and commercial activity within the CITY, and

WHEREAS, the CITY has determined the Project to be an eligible project for a conditional grant to WINCO of its funds which grant will serve the public purpose of promoting local economic development and enhancing business and commercial activity in the City of McKinney, Texas, and

WHEREAS, the CITY has concluded and hereby finds that this Agreement clearly promotes economic development in the City of McKinney and, as such, meets the requisites under Chapter 380 of the Texas Local Government Code and further, is in the best interests of the CITY and WINCO, and

WHEREAS, the City Council has considered and approved this Agreement authorizing the CITY pursuant to applicable law, and

NOW, THEREFORE, for and in consideration of the agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CITY and WINCO agree as follows

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

SECTION 1. TERM

This Agreement shall be effective from the Effective Date until January 31, 2019, unless terminated sooner under the provisions herein.

SECTION 2. DEFINITIONS

The following words shall have the following meanings when used in this Agreement

a Agreement. The word "Agreement" means this Chapter 380 Economic Development Agreement, together with all exhibits and schedules attached to this Agreement and specifically incorporated herein

b CITY. The word "CITY" means the City of McKinney, Texas. For purposes of this Agreement, CITY's address is 222 N Tennessee, McKinney, Texas 75069

c Comptroller The word "Comptroller" means the Office of the Texas Comptroller of Public Accounts, or any successor agency

d WINCO The words "WINCO" mean WinCo Foods, LLC, a Delaware limited liability company, having its corporate headquarters at 650 N Armstrong Place, Boise, ID 83704

e Grant The word "Grant" means a payment or payments to WINCO under the terms of this Agreement, including the Initial Grant and subsequent payments computed with reference to Sales and Use Taxes generated by WINCO

f Grant Submittal Package The words "Grant Submittal Package" mean the documentation required to be supplied to CITY as a condition of receipt of any Grant The words "Grant Submittal Package" mean the documentation required to be supplied to City on a quarterly basis as a condition of receipt of any Grant.

g Initial Grant. The words "Initial Grant" mean an incentive payment of Three Hundred Forty and No/100 Dollars ($340,000 00) payable upon the receipt of a Certificate of Occupancy

h Project The word "Project" means the grocery facility known as "WinCo Foods--McKinney", owned and operated by WINCO, including but not limited to, the real property, 94,403 square feet of building improvements, equipment, fixtures, business personal property, employee staffing and horizontal site improvements, located on an approximately 11 82 acre parcel at 1800 N Graves, McKinney, TX, 75069 Notwithstanding the foregoing, the "Project" and the "Property" shall not include Parcels B and

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

C as generally depicted on **Exhibit B** attached hereto and by this reference incorporated herein.

l Sales and Use Tax Grant. The words "Sales and Use Tax Grant" mean an amount of the City's general funds equal to the Sales and Use Taxes charged on taxable sales at the Project during the Term of the Agreement, however not exceeding in aggregate One Hundred Ninety Thousand and No/100 Dollars ($190,000 00)

j. Sales and Use Taxes The words "Sales and Use Taxes" mean the state and local sales and use taxes charged on the taxable sales made by WINCO on or after the date WINCO first opens to business to the general public at the Project, as reported to City by the Comptroller

SECTION 3. GRANT FUNDING OBLIGATION OF CITY

a During the term of this Agreement, CITY shall fund the Initial Grant in the amount of Three Hundred Forty Thousand and No/100 Dollars ($340,000.00) payable to WINCO upon WINCO's receipt of a certificate of occupancy for the Project and provided the express terms and conditions described in Section 4 below are satisfied Subject to WINCO's continuous satisfaction of Section 4 below, the CITY agrees to process the Initial Grant within thirty (30) days after receipt of WINCO's Initial Grant Submittal Package

b Subject to WINCO's satisfaction of the requirements of Section 4 below, the City agrees to process any Sales and Use Tax Grant payments to WINCO within thirty (30) days after receipt of the later of

(1) Sales and Use Tax funds from the State Comptroller's office, and

(2) WINCO's Grant Submittal Package for the applicable quarter

For each calendar quarter during the term of this Agreement and beginning in the second full or partial calendar quarter after the date WINCO first opens to business to the general public at the Project, the City's one (1%) percent Sales and Use Tax revenue, generated by and attributed solely to WINCO's sales from the Project in the immediately prior calendar quarter and received from the Comptroller by City, shall be tendered as Sales and Use Tax Grant by the City to WINCO on a quarterly basis upon WINCO's satisfaction of the requirements of Section 4 below. For clarity, the City's one (1%) percent Sales and Use Tax revenue is separate and distinct from the one (1%) percent Sales and Use Tax revenue currently split between the McKinney Community Development Corporation (a Type B economic development corporation under Texas law) and the McKinney Economic Development Corporation (a Type A

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

economic development corporation under Texas law). No Type B or Type A sales tax shall be included in any grant hereunder

SECTION 4. OBLIGATIONS OF WINCO

While this Agreement is in effect, WINCO shall comply with the following terms and conditions to be eligible for any Grant(s), as such conditions are described or may apply:

a WINCO shall complete construction of the Project, consisting of approximately 94,403 square feet of improved, retail grocery space and receive a Certificate of Occupancy therefor on or before September 1, 2014

b The Project, including the real property, real property improvements and business personal property shall have an appraised value on January 1, 2015, as determined by the Collin County Appraisal District ("CCAD"), of not less than $11,200,000.00 WINCO may render the value of the property described in this subsection b to achieve compliance herewith

c. On or before the 28th day of the first calendar month after the month in which WINCO makes its final payment of Sales and Use Tax to Comptroller for its first full or partial calendar quarter of sales at the WINCO and continuing on or before the 28th day of the second calendar month after each successive calendar quarter thereafter, WINCO agrees to submit to the City a Sales and Use Tax Grant Submittal Package containing the following.

i WINCO's grant request letter (or email) stating the gross amount of the City's one (1%) percent Sales and Use Tax paid by WINCO for the applicable quarter,

ii. WINCO's certification of the documentation required by Section 4(c)(iii) below, evidencing the amount of Sales and Use Tax paid by WINCO to the Comptroller for the applicable quarter, and

iii WINCO's documentation identifying the taxable "sales and use tax-eligible" sales from the Project for the preceding quarter.

d Unless otherwise agreed by the City and WINCO, each Sales and Use Tax Grant Submittal Package shall be in the form attached hereto as **Exhibit A**. Unless determined otherwise by the Texas Attorney General in writing, the submitted documentation shall be considered confidential financial information contained in a public document (or other reproduction media) not subject to release to the public City shall seek a written opinion from the Texas Attorney General, raising any applicable exception to release, prior to any release to a third-party under the Texas

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

Public Information Act The parties agree that this Agreement, once consummated, shall not be considered confidential

e If WINCO shall fail to timely submit a Sales and Use Tax Grant Submittal Package for a particular quarter, then the City may give WINCO written notice of WINCO's failure to timely submit such Grant Submittal Package, and WINCO shall have thirty (30) calendar days calculated from the date on which such written notice is given in which to submit such Grant Submittal Package The City's determination of the amount of the Grant payment due to WINCO is final, provided, however WINCO may appeal to the City Manager within thirty (30) days of payment, the City Manager shall hear the appeal within thirty (30) days and the City Manager's determination of the amount of the Grant payment shall be final, provided, however, nothing herein shall limit (or be construed to limit) WINCO's rights and remedies as described in Section 6 below

f WINCO shall pay prior to delinquency (currently, by January 31st of each year) all the real and personal ad valorem taxes due for the previous tax year on the property subject of the Project WINCO shall have the right to contest the appraised value of the property subject of the Project as provided by law

g. WINCO shall submit an Initial Grant Submittal Package consisting of (i) a "Bills Paid Affidavit", as shown on **Exhibit C**, satisfactory to the CITY, covering all vendor/contractor payments and draws for the Project, and (ii) any other cost and payment documentation reasonably requested by CITY for the Project The CITY, or its designee, may verify that the expenditures were made in such amounts prior to the Initial Grant disbursement

h WINCO shall be in compliance with all applicable City of McKinney codes, state and federal laws, and local ordinances applicable to the Project

SECTION 5. EVENTS OF DEFAULT.

Each of the following shall constitute an event of default under this Agreement

a. CITY's failure to process a Grant payment to WINCO in accordance with Section 3 of this Agreement

b WINCO's violation or failure to perform any of the covenants contained in Section 4 hereinabove

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

c WINCO's sale or lease of the Property or Project to any third-party within three (3) years after its receipt of a Certificate of Occupancy, except to an approved affiliate

d WINCO's cessation of the Project as an ongoing use within three (3) years after its receipt of a Certificate of Occupancy

SECTION 6 EFFECT OF AN EVENT OF DEFAULT

In the event of default under Section 5, the non-defaulting party shall give written notice to the other party of any default, and the defaulting party shall have thirty (30) days to cure said default Should said default remain uncured and the non-defaulting party is not otherwise in default, the non-defaulting party shall have the right to immediately terminate this Agreement

As long as it shall not be in default, WINCO shall further have the power to enforce specific performance to collect amounts owing upon CITY's default without terminating this Agreement No action shall lie for punitive damages, and no special or consequential damages shall be recovered by either party If WINCO defaults after its receipt of the Initial Grant and such default is not otherwise cured, CITY may seek repayment of the Initial Grant through all legal means, including suit for breach of this Agreement No Grant payment shall be due or owing by CITY to WINCO after termination

SECTION 7. MISCELLANEOUS PROVISIONS

The following miscellaneous provisions are a part of this Agreement

a **Amendments** This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by all of the parties hereto

b **Use of Third Party Grant Funds** CITY and WINCO acknowledge and agree that the Initial Grant may be funded, in part, through the use of grant funds for which the City is eligible from HUD (Department of Housing and Urban Development) Notwithstanding the foregoing, City's obligations under this Agreement are not conditioned upon its eligibility therefor or the receipt of grant funds Upon its receipt under Section 3(a), WINCO agrees to apply the Initial Grant to its original acquisition costs for the Property

c **Applicable Law and Venue** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Collin County, Texas Venue for any action arising under this Agreement shall lie in the state district courts of Collin County, Texas

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

d **Binding Obligation Only on Effective Date.** This Agreement shall become a binding obligation on the parties on the Effective Date CITY warrants and represents that the individual executing this Agreement on behalf of CITY has full authority to execute this Agreement and bind CITY to the same WINCO warrants and represents that the individual executing this Agreement on its behalf has full authority to execute this Agreement and bind it to the same.

e **No Waiver of Sovereign Immunity** The CITY shall not have waived any statutory or common law right to sovereign immunity by virtue of its execution hereof

f **Execution of Agreement.** The CITY has authorized its City Manager to execute this Agreement on behalf of the CITY

g **Severability** In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof

h **Notices Whenever a Party to this Agreement is** required or permitted under this Agreement to provide the other Party with any notice, submittal, request, demand, consent, or approval ("Notice"), the Notice will be given in writing and will be delivered to the other Party at the address or facsimile number set forth below (a) personally, (b) by a reputable overnight courier service, (c) by certified mail, postage prepaid, return receipt requested, or (d) by e-mail or facsimile transmission Either Party may change its address for Notice by written notice to the other Party delivered in the manner set forth above Notice will be deemed to have been duly given (i) on the date personally delivered, (ii) one (1) business day after delivery to an overnight courier service with next-day service requested, (iii) on the third (3rd) business day after mailing, if mailed using certified mail, or (iv) on the date sent when delivered by facsimile or e-mail (so long as delivered on a business day and the sender receives electronic confirmation of delivery and a copy of the Notice is sent by one of the other means permitted hereunder on or before the next business day)

IF TO WINCO

WinCo Foods, LLC
Attn Mark Lavin
650 N Armstrong Place
Boise, ID 83704
Telephone (208) 672-2086
Fax (208) 672-2146
E-mail Mark.Lavin@wincofoods.com

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

With a copy at the same address to

WinCo Foods, LLC
Attn Tammy Zokan
Telephone (208) 672-2064
Fax (208) 672-2146
E-mail Tammy Zokan@wincofoods.com

REMAINDER OF PAGE LEFT BLANK

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

IF TO CITY

City of McKinney, Texas
Attn Jason Gray, City Manager
222 N Tennessee Street
McKinney, TX 75069
Phone (972) 547-7520
Fax (972) 547-2607
E-mail jgray@mckinneytexas.org

h **Effective Date** The effective date (the "Effective Date") of this Agreement shall be the latter of the dates on which the WINCO and CITY have each executed this Agreement

1 **Counterparts** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same document

WINCO FOODS, LLC,
a Delaware limited liability company

By _____, its CFO

Date Signed: 2/11/13

CITY OF MCKINNEY, TEXAS

By: _____
Name JASON GRAY

Title. CITY MANAGER
Date Signed: 2-20-13

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

ATTEST

2/20/13

SANDY HART, TRMC, MMC
City Secretary

APPROVED AS TO FORM

MARK S HOUSER
Attorney for City of McKinney

PREPARED IN THE OFFICES OF.
BROWN & HOFMEISTER, L.L.P
740 E Campbell Road, Suite 800
Richardson, Texas 75081
214/747 6100
214/747 6111 Fax

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

EXHIBIT A

Form of Sales and Use Tax Grant Submittal Package

[See Attached]

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

EXHIBIT A - GRANT SUBMITTAL

FROM
WINCO FOODS, LLC
650 N Armstrong Place
Boise, Idaho 83704
Telephone._____
Fax _____

TO
CITY OF McKINNEY
Attn Rodney Rhoads, Finance Director
222 N Tennessee Street
McKinney, Texas 75069
Telephone (972)547-7500
Fax (972)547-2612

Re Grant as provided in the Chapter 380 Economic Development Agreement effective the ___ day of _____, 2013 for the WinCo Foods - McKinney grocery facility, located at 1800 N Graves, McKinney, Texas 75069

Date _____

Quarter ended _____

Eligible Taxable sales $_____

State sales and use tax paid (6.25%) $_____

Combined local sales and use tax paid [**includes** City of McKinney 1 00% below] (2 00%)

$_____

City of McKinney sales and use tax paid (1 00%)

$ _____

Amount due WinCo (1 00%) $_____

Date paid to Comptroller _____
Copy of check attached □ Yes □ No
Copy of Sales and Use Tax Return attached □ Yes □ No
Confirmation from Comptroller for amount of Sales and Use Tax paid attached □ Yes □ No

I hereby certify that the information contained herein is accurate and complete and is within my knowledge in my capacity stated below

WINCO FOODS, LLC

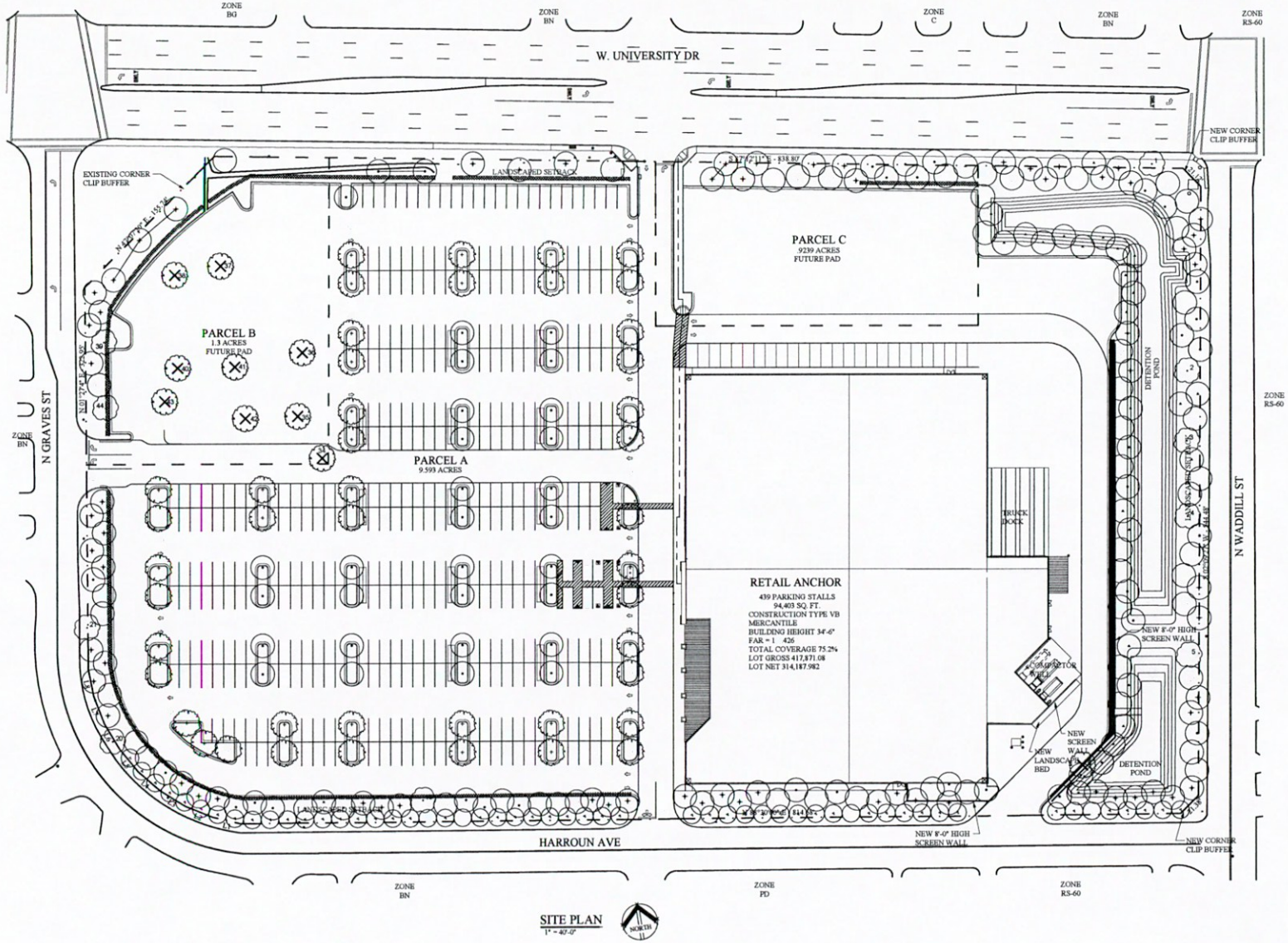
Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

EXHIBIT B

Depiction of Parcels B and C (NOT included in "Project" or "Property")

[See attached]

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with



SITE PLAN
1" = 40'-0"

PROPERTY LINE TABLE		
NO.	BEARING	DISTANCE
L1	N 74°52'40" W	25.00'
L2	N 65°58'26"	24.85'
L3	N 56°35'01" W	24.78'
L4	N 47°22'24" W	24.88'
L5	N 37°47'26" W	24.93'
L6	N 29°04'14" W	24.84'
L	N 19°21'33" W	25.04'

RECEIVED
By aglushko at 10:36 am, Dec 31, 2012

LEGAL DESCRIPTION
ABS A0837 BF STAPP SURVEY, TRACT 18, 11.817 ACRES

REVISIONS

11/26/12	12/04/12

WINCO FOODS STORE NO. 122
1800 NORTH GRAVES STREET
MCKINNEY TEXAS

WinCo FOODS

SHEET TITLE
RE-ZONE SITE PLAN

SHEET
SD1

2021-118 ATTH 04

9.9.e

Packet Pg. 228

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

EXHIBIT C

"Bills Paid Affidavit"

[See attached]

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

Exhibit C

BILLS-PAID AFFIDAVIT

Date: _____

Project Name _____

Owner Name. _____

Owner's Mailing Address

_____
_____
_____
_____

Contractor Name(s): _____
_____
_____

Contractor's Mailing Address(es):

_____
_____
_____
_____

_____
_____
_____
_____

Affiant's Name. _____

Affiant's Mailing Address.

_____
_____
_____
_____

Phase/Lots and Blocks. _____
_____
_____
_____

Improvements: _____
_____
_____
_____

THE STATE OF TEXAS §

COUNTY OF COLLIN §

Before me, the undersigned, on this day personally appeared _____, known to me to be a credible person and officer of _____, a _____ (hereinafter called "Affiant"), and who, being duly sworn, upon his oath declares and acknowledged that the following statements are true and within the personal knowledge of Affiant

1 Affiant has personal knowledge of the facts stated in this affidavit Affiant has full authority to make the agreements in this affidavit on behalf of Owner(s) _____
_____
_____
_____ (hereinafter referred to as "Owner" whether one or more)

2 Affiant understands that the City of McKinney, Texas ("City") has required this affidavit as a condition of its grant of incentives under an economic development agreement involving the Property identified above in the City of McKinney, Collin County, Texas (the "Project")

3 Owner has constructed and installed, or caused to be constructed and installed certain private building improvements, public improvements and infrastructure required by the City and necessary to serve the Project

4 Affiant has actual knowledge that all bills owed by Owner to others for materials supplied or labor performed in connection with the Project have been fully paid and satisfied

5 **Owner agrees to indemnify and hold City harmless from and against any loss or expense resulting from false or incorrect information in this affidavit.**

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

OWNER

[INSERT OWNER'S NAME]
a [Insert type of business entity]

By _____
Name _____
Title _____

SUBSCRIBED AND SWORN TO before me on this ____ day of _____, 2013, by _____, in his/her capacity as _____, of _____a _____ (hereinafter called "Affiant")

_____
Notary Public, State of Texas

Attachment: 2021-118 ATTH 04 McKinney- Winco Foods LLC - Chapter 380 Agrmt & Reso_1 (3603 : 2021-118 RES Economic Development Agreement with

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2021-118 Goals & Perspectives (3603 : 2021-118 RES Economic Development Agreement with WinCo Foods)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 1/4/2022 1:25 PM

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

Subject: Resolution No. 2021-119 authorizing the City Manager to amend the contract for exclusive ambulance service with Lifenet, Inc.

Briefing: 1/10/2022 **Public Hearing:** **Council Vote:** 1/10/2022

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

Updates/History of Briefing:

On 1/4/22 the attachment titled 2021-119 EXH 'A' Amended Contract for Exclusive Ambulance Service was updated. There was an inadvertent error in the first version wherein the cost for lift assistance and false calls was not included. I did mention these charges in my remarks to Council but they were not in the original version. Legal has corrected the error and the new version is now included.

Executive Summary and Background Information:

The resolution before you, if passed, would authorize the City Manager to amend the existing ambulance service contract that the City has with Lifenet, Inc.

There are two substantial changes to the existing contract, proposed by Lifenet. The first and most significant change is to the required level of care. Under the terms of the current contract, all ambulances must be licensed at the advanced "ALS" level of care, more simply stated they must all have a paramedic on board that is capable of delivering advanced medical care if needed. The proposed change would allow Lifenet to have some of their ambulances licensed as basic "BLS" level of care, meaning they would have only EMT's who can only provide basic life saving measures. The current contract requires that all calls regardless of severity have an ALS unit respond. The proposed changes would still require an ALS unit on serious/life-threatening calls, but would allow BLS units to handle non life-threatening calls.

The COVID-19 pandemic has caused direct and indirect issues that create the need for Lifenet to flexibility in how they provide staffing and respond to calls for service. Lifenet has seen a drastic reduction in the number of qualified applicants at the Paramedic level, caused by both course availability and a reduction in the number of interested individuals. Additionally, increased wall times at area hospitals has decreased the effectiveness of staffed ambulance units which then creates a need for additional units to cover the call load. The proposed changes are one of several ways Lifenet is trying to address the dynamic issues that are affecting the ambulance industry.

The second proposed change would allow Lifenet to charge a service fee to individuals who are deemed to be abusing or misusing the ambulance service. There are a significant number of calls for service wherein the individual is not suffering from a medical condition, but rather simply needs assistance with being picked up from a fall or help with moving around. These calls tie up valuable resources and create a liability for the crews involved, both of which create a cost for Lifenet.

There are a couple of added definitions to add clarity for the above mentioned changes and a few other wording changes that are not substantial, but are included in the proposed amendment to the contract.

It is important to note that while the impetus behind the proposed changes is the COVID-19 pandemic, if approved the changes to the contract would be permanent and would not end when the pandemic is over.

Potential Options:

- Approve resolution as presented
- Deny resolution and keep contract unchanged

Fiscal Implications:

There are no direct fiscal implications for the City in regard to the proposed changes, there is however a rate change proposed for customers that misuse/abuse the ambulance service.

Staff Recommendation:

Staff recommends approval as presented

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2021-119 RES Authorizing the CM to amend Ambulance Contract (DOCX)
b. 2021-119 EXH 'A' Amended Contract for Exclusive Ambulance Service (PDF)
c. 2021-119 Goals & Perspectives (DOCX)

Staff Coordination

Fire Department	Eric Schlotter	Department Head Review	Completed	12/08/2021 3:52 PM
Public Works Department	Amanda Freeland	Reviewer	Completed	12/09/2021 9:20 AM
City Manager	David Orr	City Manager Review	Completed	12/09/2021 2:50 PM
City Council	Jennifer Evans	Meeting	Completed	12/13/2021 6:00 PM

Meeting History

RESOLUTION NO. 2021 - 119

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AN AMENDMENT OF THE CONTRACT FOR EXCLUSIVE AMBULANCE SERVICE WITH LIFENET, INC.; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, ("City") has previously awarded the contract for Exclusive Ambulance Service to Lifenet, Inc.; and

WHEREAS, Lifenet, Inc., a party of the existing contract for Exclusive Ambulance Service, has requested certain changes to the existing contract for Exclusive Ambulance Service that will enhance their ability to provide an effective ambulance service; and

WHEREAS, staff and legal counsel have reviewed the proposed changes; and

WHEREAS, the City and Lifenet Inc. desire to amend the current contract for "Exclusive Ambulance Service" a copy of which is attached hereto 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 amend the Contract for Exclusive Ambulance Service between the City of Texarkana, Texas, and Lifenet, Inc. as set forth hereinabove and in the Contract for Exclusive Ambulance Service, a copy of which is attached hereto as **Exhibit "A".**

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

PASSED AND APPROVED in Regular Council Session on this the **10th day of January, 2022.**

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2021-119 RES Authorizing the CM to amend Ambulance Contract (3604 : 2021-119 RES Authorizing the CM to amend EMS contract

Attachment: 2021-119 EXH 'A' Amended Contract for Exclusive Ambulance Service [Revision 1] (3604 : 2021-119 RES Authorizing the CM to

Contract For Exclusive Ambulance Service

WHEREAS, LifeNet, Inc., an Arkansas corporation, acting by and through its Chief Executive Officer, hereinafter called "LifeNet," and the City of Texarkana, Texas, acting by and through the duly authorized City Manager of said City, hereinafter called the "City," desire to enter into an Exclusive Ambulance Service Contract (hereinafter called the "Contract"), and

WHEREAS, the City is granted the authority to enter into this exclusive contract pursuant to Texas Health & Safety Code, Chap.773, and

WHEREAS, in keeping with its desire for the highest possible standard of ambulance service for its inhabitants, it is the intent of the City not to license, permit or allow the operation of any ambulance service within the City other than the ambulance service operated by LifeNet, Inc.

NOW, THEREFORE, for and in consideration of the premises and contracts herein contained and other good and valuable consideration, including the award to LifeNet of exclusive market rights for Emergency Medical Services and Non-Emergency Ambulance Services, the receipt and adequacy of which are hereby forever acknowledged and confessed, the parties agree as follows:

Article I.
Definitions

For the purposes of the Contract, the following words and phrases shall have the meanings respectively ascribed to them by this section:

U.S. Consumer Price Index for all Urban Consumers (CPI-U) The Consumer Price Index for All Urban Consumers (CPI-U) is a monthly measure of the average change over time in the prices paid by consumers for a market basket of consumer goods and services.

Contract means this contract document.

ALS means Paramedic - Advanced Life Support as defined by the Texas Department of State Health Services EMS Bureau.

Ambulance Service Contract is a Contract between Contractor and the City of Texarkana incorporating clinical standards and financial provisions consistent with those set forth in this Contract.

Arrival At Incident Location ('at scene') means the time a fully equipped transport capable ambulance arrives at the location of the request for service or staging area.

BLS means EMT - Basic Life Support as defined by the Texas Department of State Health Services EMS Bureau

Contract Service Area means the corporate limits of the City as such limits now exist or may henceforth become.

Communications Center (aka Contractor's Communication Center) means a continuously staffed twenty-four hour per day emergency medical services ambulance communications center for the contracted service area, staffed by at least two persons and that maintains proper E-911 emergency response system equipment to receive both voice and data communication from the E-911 dispatcher.

Emergency Medical Services, as defined by Texas Health and Safety Code Chapter 773 Emergency Medical Services, means services used to respond to an individual's perceived need for immediate medical care and prevent death or aggravation or physiological or psychological illness or injury.

Emergency Response means those situations determined that, in accordance with the Medical Director, are likely to result in the loss of life and as such require a response using lights and sirens.

Attachment: 2021-119 EXH 'A' Amended Contract for Exclusive Ambulance Service [Revision 1] (3604 : 2021-119 RES Authorizing the CM to

Emergency Standby means any public safety event (e.g. SWAT, hazardous material containment) located within the City, for which the Mayor, City Manager, Texarkana Emergency Management Coordinator, or local pubic safety officials request ambulance services to standby.

Extraordinary Adjustment means a change in the Schedule of User Fees which is not a scheduled Annual Inflation Factor adjustment but is instead an adjustment resulting from an unusual increase in the cost of a factor of production when such increase in cost is industry wide or a decrease in Contractor's sources of revenue and the result of causes is beyond Contractor's reasonable control.

False Alarm means a deceptive or erroneous report of an emergency, causing the unnecessary bringing resources (such as Emergency Medical Services) to a place where they are not needed.

Immediate Response means those situations determined that, in accordance with the Medical Director, are not likely to result in the loss of life and as such do not require a response using lights and sirens.

In-Service means that a particular Service Unit is either immediately available for dispatch or is working a call pursuant to this Contract.

Lift Assist means a situation when an individual is assisted up to a more mobile position from the ground by Contractor’s personnel, but not treated or brought to hospital for further medical attention.

Life-threatening response means the designated incident types that constitute a Paramedic - Advanced Life Support response as determined by the Medical Director, as may be amended from time to time.

Medical Advisory Committee (MAC) means a committee, established by Contractor, whose purpose is to ensure high quality, consistent, and reliable medical supervision and direction for Contractor's Emergency Medical Services and Non-Emergency Ambulance Service.

Medical Director means a person, selected by Contractor, who shall be a physician, with experience in the care of emergency and trauma patients with staff privileges at one or more of the local hospitals.

Medical Priority Dispatch System® (MPDS) means dispatch protocols that contain Chief Complaint Protocols, Case Entry and Exit information, call termination scripts, and additional verbatim instruction protocols for AED support, cardiopulmonary resuscitation (CPR), childbirth assistance, tracheostomy airway and breathing, and the Heimlich maneuver.

Mutual Aid means paramedic ambulance service provided within the Contract Service Area by neighboring emergency medical service providers and Non-Emergency Ambulance Service providers other than Contractor when requested by Contractor, pursuant to a Contract governing the exchange of service assistance.

Non-Emergency Ambulance Services (aka Transfer ambulance) means the transport in a motor vehicle to or from medical facilities including, but not limited to, hospitals, nursing homes, physician's offices, and other health care facilities of persons who are infirm or injured and who are transported in a reclining position; however, not-for-hire on a fee-for-service basis transportation furnished by licensed hospitals and licensed nursing homes of their own admitted patients or residents and individual not-for-hire transportation shall be excluded.

Non- life-threatening response means the designated incident types that constitute either a Paramedic - Advanced Life Support response or an EMT - Basic Life Support response determined by the Medical Director, as may be amended from time to time.

Response Time is the interval between the moment that the callback number, location, and priority determination/chief complaint are first made known to Contractor's dispatch 's center (Clock Start) and the moment the first ambulance Arrival At Accident Incident Location (Clock End). All response times are measured in seconds, not whole minutes.

Service Unit (aka ambulance, service unit) means an emergency ambulance and all necessary equipment,

supplies and on-board crew personnel.

Special Event means any public event located within the Contract Service Area for which standby ambulance service is provided by Contractor pursuant to a Standby Ambulance Service Contract for Scheduled Events between Contractor and the sponsor of the event.

Unusual System Overload means periods of time during which simultaneous emergency calls originating from the Contract Service Area exceed the number of staffed Texarkana Fire Department engine companies.

Article II.
Consideration

The City agrees that for and in consideration of the services to be furnished by LifeNet, it is granted the exclusive market rights for Emergency Medical Service and Non-Emergency Ambulance Services within the Contract Service Area for the term of this Contract. For the duration of this Contract, the City will not contract with any other person or entity nor may any other person or entity be licensed, permitted, or allowed to provide Emergency Medical Service or Non-Emergency Ambulance Services of persons requiring such services when that transportation originates within the Contract Service Area.

Article III.
Term of Contract

Section 3.01 Terms of Contract

The terms and covenants contained in this Contract shall be in effect for a five-year term commencing February 1, 2008, and continuing until January 31, 2013 (Contract Term) unless terminated earlier in accordance with this Contract.

Section 3.02 Extension of Contract Term

Beginning after the first year of the Contract Term (January 31, 2009) and for each contract year thereafter (including previous Contract Term extensions), if Contractor is in compliance with the terms of the Contract or unless notified otherwise in writing by the City on or before February 1 of each year beginning February 1, 2009, the Contract Term shall be extended by one year.

Section 3.03 Contract Service Area

Should the City annex new area into the Contract Service Area, the Contractor shall participate in the development of the service plan for such new area. The Contractor shall provide Emergency Medical Services and Non-Emergency Ambulance Services to such area immediately upon annexation, but will have 60 (sixty) days to provide services commensurate with the performance required by this Contract.

Article IV.
Scope And Quality Of Services

Contractor, except as noted herein, shall comply with standards set by the Commission on Accreditation of Ambulance Services (CAAS). Accreditation of Contractor by CAAS shall be evidence of compliance with such standards.

Section 4.01 Basic Service

Contractor shall provide full and complete operations, maintenance and management services to efficiently and effectively provide Emergency Medical Services and Non-Emergency Ambulance Services within the Contract Service Area on a twenty-four hour per day, seven days per week basis.

Contractor shall furnish all equipment, facilities, and medical supplies required for the

Attachment: 2021-119 EXH 'A' Amended Contract for Exclusive Ambulance Service [Revision 1] (3604 : 2021-119 RES Authorizing the CM to

performance of this Contract at Contractor's own expense.

Contractor shall provide Emergency Medical Services for every patient requesting transport to a hospital within the Contract Service Area, without regard to ability to pay, without resorting .to hand-offs of patients to less capable crews, and without requesting or accepting payment at the time of service.

Section 4.02 Service Level and Units.

All Service Units shall either be licensed at the Paramedic – Advanced Life Support "Paramedic" or EMT – Basic Life Support “EMT” standard rating as designated and licensed by the Texas Department of State Health Services. The required standard equipment, supplies and certified on-board crew shall be maintained on all In-Service units at all times. Contractor shall maintain a current copy of the State license(s) and crew certifications on file. City has the right to review these files upon request. Every 9-1-1 Emergency Response by Contractor shall be made by a Paramedic ALS unit.

Section 4.03 Performance Standards

Contractor shall regularly maintain ambulances, accessory equipment and medical supplies so as to keep such items in good working order at all times. All Service Units shall be subject to inspection by any designated City official without notice. The City shall provide Contractor with a list of the designated City officials at the commencement of this Contract and thereafter as changes are made.

The City shall have access to every resource of Contractor, as dictated by fluctuations in consumer demand for service, weather conditions and disaster events. That is, all contracts entered into by Contractor for a jurisdiction contiguous to the Contract Service Area shall ensure the advantage of fully flexible vehicle deployment/redeployment using advanced systems status management (SSM) techniques to ensure the most reliable response time performance possible throughout Contractor's entire contract service area, and to ensure unrestricted disaster response capabilities. To ensure such flexibility in responding to shifting needs, Contractor, except as specifically provided herein, shall refrain from contractually committing any of its ambulances to the exclusive benefit of any other jurisdiction for which Contractor provides ambulance services.

Section 4.04 Personnel.

Contractor shall maintain personnel training and certification records. Such records shall be made available for review at the request of the City.

Section 4.05 Use Own Expertise And Judgment.

Contractor shall use its own best judgment in deciding upon the methods to be employed to achieve and maintain the levels of performance required hereunder. Such "methods" include compensation programs, shift schedules, personnel policies, supervisory structures, vehicle deployment techniques, and other internal matters which, taken together, comprise Contractor's own strategies and tactics for getting the job done. The City recognizes that different ambulance companies may employ different production methods, perhaps with equal success.

Section 4.06 Disaster Assistance.

During a declared disaster, locally or in a neighboring jurisdiction, the normal course of business under the Contract shall be interrupted from the moment the disaster occurs. Immediately upon such notification, Contractor shall commit such resources as are necessary and appropriate, given the nature of the disaster, and shall assist in accordance with disaster plans and protocols applicable in the locality where the disaster occurred. The disaster related provisions of this Contract are:

1. During such periods, Contractor shall be released from response time performance requirements until notified by the designated authority within the disaster area that disaster assistance may be terminated.

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2. When disaster assistance has been terminated, Contractor shall resume normal operations as rapidly as is practical considering exhaustion of personnel, need for restocking, and other relevant considerations.
3. During the course of the disaster, Contractor shall use its best efforts to provide emergency coverage throughout the Contract Service Area, and shall suspend non-emergency transport work as necessary, informing persons requesting such non-emergency service of the reason for the temporary suspension.

Contractor shall have an established plan for disaster preparedness and relief integrated with City's disaster preparedness committee and with the Texarkana Emergency Management Coordinator. Contractor shall engage in initial and continuing training and education in such preparedness planning.

Section 4.07 Emergency Standby Services

Contractor agrees to provide Emergency Standby services at no additional cost to the City. The City agrees to reimburse Contractor at the Special Event Rate set forth in the Schedule of User Fees attached hereto if an Emergency Standby exceeds 24 hours in length. In addition, Contractor will be allowed to bill any patient(s) transported or commercial entity as a result of the event or any government agency as a part of disaster recovery.

Section 4.08 Mutual Assistance Contracts.

Contractor may enter into mutual assistance Contracts with other paramedic level Emergency Medical Service ambulance providers to provide mutual aid to the Contract Service Area. The City reserves the right to engage in or activate mutual assistance Contracts with other governmental entities in the event of a calamity or disaster.

Section 4.09 Dispatch and Communications.

Contractor shall provide a continuously staffed twenty-four hour per day Communications Center for the Contract Service Area. Persons other than ambulance crewmembers will staff the Communications Center. Contractor shall provide personnel who are familiar with the streets and addressing system of the Contract Service Area. Contractor must ensure that the Communication Center has and maintains proper E-911 emergency response system equipment to receive both voice and data communication from the E-911 dispatcher. Contractor must provide two-way radio communications meeting or exceeding the standard for all Service Units and the Communications Center.

Contractor will ensure that each ambulance caller to the center, 9-1-1 or seven-digit, will be put in immediate contact with personnel trained in the use of Medical Priority Dispatch System protocols and related pre-arrival instructions.

1. Contractor will also ensure the following is true of all dispatch personnel:

2. All dispatchers will be nationally certified in Emergency Medical Dispatch (EMD) within 6 months of employment.

3. All dispatchers will have experience and/or training as an EMT at a minimum within 12 months of employment.

4. Two dispatchers will be available in the communications center at all times, with at least one being EMD or EMT certified.

5. Dispatchers' scheduled maximum shift length shall be no more than 12 hours long.

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Section 4.10 Vehicle Markings.

Each Service Unit shall be distinctly marked with the name and unit number of the provider and shall be equipped with emergency warning devices in compliance with Texas statutes and must also be marked with the emergency 911 telephone number.

Section 4.11 Medical Director / On-Line Medical Control

Contractor shall appoint a medical director(s) who will provide medical oversight and quality assurance of patient care. Contractor may also provide such other review committees or methodology it deems appropriate to ensure quality assurance. An emergency department physician on duty at the receiving hospital shall provide on-line medical control.

Section 4.12 Records.

Contractor shall maintain all records as may now or henceforth be required by the State of Texas for paramedic level emergency medical ambulance services including but not limited to ambulance trip forms and daily dispatcher's log. Patient medical records are the property of Contractor and shall remain confidential. Access to patient records can be gained only with permission of the patient or by court order.

Section 4.13 Hospital Destination

Emergency patients shall be transported to the nearest appropriate hospital, unless the patient's condition warrants a specific hospital, as determined by Contractor's Medical Advisory Committee, or the patient specifically requests otherwise. When the patient specifically expresses a hospital preference he/she shall be transported to the hospital of his/her choice.

Section 4.14 Independent Contractor

In performing this Contract, Contractor is acting as an independent contractor with respect to the City, and neither the Contractor nor any Contractor staff shall be considered employees of the City. It is agreed and acknowledged by the Parties that, as an independent contractor, Contractor retains the right to contract with and provide ambulance services to entities and individuals other than the City, and nothing in this Contract shall be interpreted as limiting or restricting in any way Contractor's right to do so. In no event shall this Contract be construed as establishing a partnership or joint venture or similar relationship between the Parties hereto, and nothing herein shall authorize either Party to act as an agent for the other, except to the extent herein provided. Each party shall be liable for its own debts, obligations, acts and omissions, including the payment of all. required withholding, social security and other taxes and benefits with respect to each party's personnel. Neither Contractor nor any Contractor staff shall be subject to any City policies solely applicable to the City employees.

Section 4.15 Quality Improvement Program

Contractor will maintain and support a Quality Improvement (QI) program that meets or exceeds Commission on Accreditation of Ambulance Service standards. The QI programs and heir subsequent reports, which are not of a proprietary or confidential nature, will be included in routine reports to the City Manager or designee.

Section 4.16 Reporting

Contractor will report to the City on a monthly basis the progress, status, and/or compliance of the following measurements: response time compliance, response times that exceed the response standards herein, run volumes, and patient types.

Section 4.17 Complaint Handling

Any complaints regarding patient care or billing will be considered to be of highest priority to the Contractor. Any complaints lodged with a City official concerning Contractor's performance will be

forwarded in writing to the Contractor. Contractor will thoroughly investigate the complaint and the findings and outcome reported to the City Manager or designee.

Any complaints regarding patient care or billing lodged directly with Contractor will be equally investigated.

Article V.
Use of Tiered Response

Section 5.01

Contractor shall strive to respond to each Life-Threatening Response with a "Paramedic-Advanced Life Support" unit and each Non-Life Threatening Response with either a "Paramedic-Advanced Life Support" unit or a EMT- Basic Life Support Level unit. The designation of an assignment is accomplished in accordance with Medical Priority Dispatch System protocols as approved by the Medical Director as may be amended from time to time.

Article VI.
Response Time Performance

Section 6.01 General

The City currently designates two response time classifications, with which Contractor must comply by meeting the specified response times.

The designation of an assignment is accomplished by presumptive prioritization in accordance with Medical Priority Dispatch System protocols. Contractor will be deemed to be in compliance if 90% or more of all responses measured monthly meet the specified response time criteria. Protocols are based on the recognition that the level of response (Emergency and Immediate) needed by the patient should be the determining factors in the level of response.

Emergencies are those where paramedic intervention within minutes can be crucial to the patient's outcome.

Immediate are those in which paramedic intervention is not immediately needed and time is not a critical factor in treatment; therefore, a delay of several minutes would make no difference.

The response time commitments set forth shall constitute contractually binding performance requirements under this Contract. As such the following definitions and protocols shall be employed for purposes of response time measurement and compliance:

Section 6.02 Emergency Call Classification

For purposes of response time measurement, the applicable standard will be based on each request's presumptive run code classification (i.e., Emergency Response or Immediate Response) as established at the time the call is dispatched by a person trained in the use of and correctly employing Medical Priority Dispatch Protocols proposed by the Medical Director. (Retrospective classification of priority code shall not affect measurement of response time compliance.)

Section 6.03 Response Time Standards

Contractor will maintain: an average response time on all calls under this Contract in accord with the following:

Emergency Response will have a response time of 90% or better of 8 minutes and 59 seconds; and

Immediate Response will have a response time of 90% or better of 20 minutes and 59 seconds

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Section 6.04 Response Time Calculations/Exceptions

Contractor will maintain mechanisms for reserve production capacity to increase production should temporary system overload persist. However, it is understood that from time to time, unusual factors beyond Contractor's reasonable control affect the achievement of the specified response time standards. For purposes of determining compliance with the response time standards every request for ambulance service originating within the Contract Service Area will be counted, except as follows:

The following will not, for purposes of reporting response times, be counted as a response or as an exception:

1. Responses not resulting in patient contact, unless the call was cancelled by the caller after expiration of the applicable response time standard, and

2. Responses occurring during a period of severe weather conditions, such that response time compliance is either impossible or could be achieved only at a greater risk to EMS personnel or the public than would result from delayed response; and

3. Excess runs occurring during periods of Unusual System Overload shall not be included in response time calculations, and

4. Requests during a disaster, locally or in a neighboring jurisdiction (in accordance with an approved mutual aid Contract), in which the City and/or Contractor are rendering assistance, in each case declared by the City Manager or his designee (either at or after the time of service).

Responses which may appear as late runs due to miscellaneous circumstances will be counted as a response, but not counted as an exception, if Contractor can fully document that the response time was achieved within the appropriate criteria.

No other causes of late response (e.g., equipment failures, traffic congestion, vehicular accident regardless of origin, ambulance failures, dispatch errors, or inability to staff units) will serve to justify exemption from response time requirement or late run penalties.

If Contractor believes that any response or group of responses should be excluded from the calculation of the response time standards because of severe weather or due to "unusual factors beyond Contractor's reasonable control," Contractor may provide detailed documentation to the City Manager requesting that the City exclude these runs from response time calculations. Any such request must be in writing and be received by the City Manager or his designee within fifteen (15) business days after the end of each month. The City Manager or his designee will review the request and issue a determination.

Section 6.05 Response Time Audit Trail

Contractor will develop and maintain a system to assure a complete audit trail for all response times which shall be incorporated into the software program operating Contractor's CAD System.

Section 6.06 Response Time Measurement - Clock Start

Response times shall be measured via the CAD System from the moment of receipt at Contractor Communications Center of the 911 data transmission (i.e., location, callback number and priority determination/chief complaint), or, in the case of 7-digit access, the receipt of location, callback number and priority determination/chief complaint. The CONTRACTOR shall be allowed a maximum of 2 minutes, from the time the call for service is received, to have an ambulance enroute to said call for service. Any time in excess of the 2 minutes allowed for dispatching an ambulance shall be applied towards the response time.

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As a general rule, for all types of calls the response time clock shall be stopped upon Arrival At Incident Location of the first arriving ambulance. In instances when the ambulance fails to report their Arrival At Incident Location, the time of the next communication with that ambulance will be used as the Arrival At Incident Location time. However, Contractor may appeal such instances when it can document the actual arrival time through another means, including First Responder reports or communications tapes.

Section 6.07 Upgrades, Downgrades, and Reassignments.

From time to time special circumstances may cause changes in priority determination. Response time calculations for determination of compliance will be as follows:

1. Upgrades, if a Response is upgraded prior to Arrival At Incident Location (e.g., from Immediate Response to Emergency Response), Contractor's compliance will be calculated based on the shorter of:

   (a) Time elapsed from call receipt to time of upgrade plus the higher Response time standard, or

   (b) The lower (i.e., Immediate Response) response time standard.

2. Downgrades. If a Response is downgraded prior to Arrival At Incident Location (e.g., from Emergency Response to Immediate Response), Contractor's compliance and penalties will be calculated based on the time of receipt of the downgrade as follows:

   (a) If the Response is downgraded after the original response time standard (i.e., Emergency Response) has elapsed, the Response will be recorded as a late Emergency Response, or

   (b) If the Response is downgraded before the original response time standard has elapsed, the lower priority Response time standard (i.e., Immediate Response) will be applicable.

All downgrades will be subject to protocols developed the Medical Director. No 911 emergency call may be downgraded to a priority lower than Immediate.

Section 6.08 Reassignment Enroute.

If an ambulance .is reassigned enroute prior to Arrival At Incident Location (e.g., to respond to a higher priority request), Contractor's compliance will be calculated based on the response time standard applicable to the assigned priority of the initial response. The response time clock will not stop until the arrival at incident location on the scene from which the ambulance was diverted.

Article VII.
Responsibility Of Contractor

Contractor will indemnify, and hold harmless the City and its officials and employees from and against all claims, demands, damages, punitive damages, and costs, including reasonable attorney's fees and expenses, arising out of the performance of this contract: provided such are:

1. Attributable to bodily injury or death to any person or damage to or destruction of tangible property (other than in performance of this contract); and

2. Is caused in whole by the negligent act or omission of Contractor, its agents, officers

and employees in the performance of this Contract.

The obligation of Contractor under this paragraph shall not extend to any claims, demands, punitive damages, and costs, including reasonable attorney's fees and expenses resulting from the negligence of the City, its agents, representatives, officials, and employees.

Article VIII.
Responsibility Of The City

City will indemnify, and hold harmless the Contractor and its officials and employees from and against all claims, demands, damages, punitive damages, and costs, including reasonable attorney's fees and expenses, arising out of the performance of this contract: provided such are:

Attributable to bodily injury or death to any person or damage to or destruction of tangible property (other than in performance of this contract); and

Is caused in whole by the negligent act or omission of City, its agents, officers and employees in the performance of this Contract.

The obligation of City under this paragraph shall not extend to any claims, demands, damages, punitive damages, and costs, including reasonable attorney's fees and expenses resulting from the negligence of the Contractor, its officers, directors, agents, and employees.

Article IX.
Insurance

Section 9.01 Insurance Standards

Contractor shall maintain in force during the Contract Term and extensions thereof general liability insurance of no less than $2,000,000 per occurrence and $4,000,000 aggregate.

LifeNet shall also provide workers' compensation coverage on all employees as required by law. A waiver of subrogation in favor of the City of Texarkana, Texas shall be contained in the workers compensation coverage.

The City shall maintain in its worker's compensation coverage a waiver of subrogation in favor of the Contractor.

Section 9.02 Policy Requirements

Each insurance policy shall include the following conditions by endorsement to the policy:

Each policy shall require that thirty (30) days prior to expiration, cancellation, non-renewal or any material change in coverage or limits, a notice thereof shall be given to the City by certified mail to: City Manager, P.O. Box 1967, Texarkana, Texas 75504. Contractor shall also notify the City in a like manner, within twenty-four (24) hours after receipt of any notices of expiration, cancellation, non-renewal or material change in coverage received by said Contractor from its insurer; and nothing contained herein shall absolve Contractor of this requirement to provide notice.

Companies issuing the insurance policy, or policies, shall have no recourse against the City for payment of premiums or assessments for any deductibles which all are the sole responsibility and risk of Contractor.

The City and its elected and/or appointed officials shall be endorsed to the required policy or policies and added as an "additional named insured."

Assignment

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Article X.
Assignment

This Contract is not intended nor shall it be construed to inure to the benefit of any third person or entity not a party hereto and no right, duty or obligation of the Contractor under this Contract shall be assigned to any person, private association or corporation, not-for-profit corporation or public body, without the prior written consent of the City, except pursuant to mutual aid Contracts, or as specifically provided for herein. Any change in Contractor's ownership shall, for purposes of this Contract, be considered a form of assignment. The City shall not unreasonably withhold its approval of a requested change in ownership so long as the transferee is of comparable experience to provide the services at the performance levels outlined in this Contract.

Article XI.
Compliance with Laws

All services furnished by the Contractor under this Contract shall be rendered in full compliance with all applicable federal, state and local laws, ordinances, rules and regulations. It shall be the Contractor's sole responsibility to determine which laws, rules, and regulations apply to the services under this Contract, and to maintain compliance with those applicable standards at all times.

Article XII.
Non-Discrimination

Contractor agrees to comply with all applicable provisions of federal, state, and local laws and regulations pertaining to prohibited discrimination.

Article XIII.
Default and Termination

Prior to the Contract Term and extensions thereof, neither party may terminate this Contract except as provided for in this Contract or in the event of Major Default by the other party.

Section 13.01 Major Default Defined

For purposes of this provision, "Major Default" by Contractor shall include the chronic failure to meet any of the various performance standards required under this Contract provided the nature of such performance deficiency is such that the public health and safety are endangered.

Condition and circumstances that shall constitute a Major Default by Contractor shall include but not be limited to the following:

a) Failure of the Contractor to operate the ambulance service system in a manner which enables the City and_ the Contractor to remain in substantial compliance with the requirements of the applicable federal, state, and local laws, rules and regulations. Minor infractions of such requirements shall not constitute a major breach of this Contract; rather, failure of the Contractor to substantially comply with such provisions can only be determined by the City after Contractor has been afforded reasonable written notification of the deficiency, and reasonable time to correct said deficiency as indicated hereto;
b) Willful falsification of information supplied by the Contractor;
c) Willful falsification of data supplied to the City during the course of operations, including by way of example but not by way of exclusion, dispatch data, patient report data, response time data, or willful downgrading of presumptive run code designations to enhance Contractor's apparent performance. or falsification of any other data required under this Agreement.
d) Chronic and persistent failure of Contractors employees to conduct themselves in a professional

and courteous manner, and to present a professional appearance, to the extent that City's reputation as a provider of high-quality emergency and non-emergency ambulance service suffers.

e) Chronic and persistent failure of the Contractor to meet established performance criteria such. as provision of twenty-four (24) hour a day Emergency Medical Services meeting established response time criteria, or maintaining proper telephone and radio communication.
f) Contractor's refusal to treat and/or transport patients due to their ability to pay for service.
g) Contractor's inability to maintain sufficient number of trained staff holding proper certificates and drivers licenses;
h) Contractor's inability to maintain sufficient number of vehicles in the City and to maintain those vehicles and their equipment in good working order;
i) Contractor's inability to maintain proper radio and phone communication;
j) Contractor's refusal to submit to audit or failure to provide the specified financial documentation as required by this Contract;
k) Contractor's inability to maintain a financially stable company;
l) Contractor's deliberate and unauthorized scaling down of operations to the detriment of performance during a “lame duck” period;
m) Contractor's failure to substantially and consistently meet or exceed response time standards, required within; or
n) Contractor's failure to meet any and all provisions of this Contract.

Section 13.02 Notice of Major Breach

If the City determines that a Major Default has occurred it will notify Contractor in writing of the specific conduct which it deems to constitute a Major Default by date, place, and time. If Contractor has not cured the default within sixty (60) days from receipt of the written notice of default or within that time initiated action to cure the default, the City by a vote of the City Council can terminate the Contract.

Section 13.03 Change in Laws

Notwithstanding any other provision of this Contract, if the governmental agencies or their representatives) which administer Medicare, any other payor, or any other federal, state or local government or agency passes, issues or promulgates any law, rules, regulation, standard or interpretation, or any court of competent jurisdiction renders any decision or issues any order at any time while this Contract is in effect, which prohibits, restricts, limits or in any way substantially changes the method or amount of reimbursement or payment for ambulance services rendered under this Contract, or which otherwise significantly affects either party's rights or ob1igations hereunder, either Party may give the other notice of intent to end this Contract to the satisfaction of both parties, to compensate for such prohibition, restriction, limitation or change. If this Contract is not so amended in writing within thirty days after said notice was given, this Contract shall terminate as of midnight on the thirtieth (30th) day after said notice was given.

Section 13.04 "Lame Duck" Provisions

Should Contractor fail to prevail in a future procurement cycle, the City may depend upon Contractor to continue provision of all services required under this Contract until the new contractor assumes service responsibilities. Under these circumstances Contractor will for a period ninety (90) days after the expiration of the current Contract, serve as a "lame duck" contractor. To ensure continued performance fully consistent with the requirements of the existing Contract throughout any such "lame duck" period, the following "lame duck" provisions apply:

Throughout such "lame duck" period, Contractor shall continue all ambulance operations and support services at substantially the same levels of effort and performance as were in effect prior to the award of the subsequent contract to a different firm;

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Contractor shall make. no changes in methods of operation which could reasonably be considered to be aimed at cutting Contractor's service and operating costs to maximize profits during the final stages of this Contract;

The City recognizes that, if a competing firm prevails in a future procurement cycle, Contractor may reasonably begin to prepare for transition of service to the new contractor during the "lame duck" period and the City shall not unreasonably withhold its approval of Contractor's request to begin an orderly transition process, including ·reasonable plans to relocate staff, scale down certain inventory items etc., so long as such transition activities do not impair Contractor's performance during the "lame duck" period and so long as such transition activities are prior approved by the City.

Article XIV.
Membership Services

Section 14.01 Basic Objects of Program.

LifeNet may offer to residents of the Contract Service Area, a system-wide ambulance membership program which will allow residents to prepay uninsured portions of Emergency Medical Service and medically necessary Non-emergency Ambulance Services for a period of one year. Upon renewal of a membership the annual fee may increase by the Ambulance Inflation Factor. Discounts may be offered for renewal.

Section 14.02 Additional Benefits

Contractor may, at its option, offer additional benefits to membership subscribers.

Section 14.03 Periodic Membership Drives

Membership subscriptions may be made available during a period specified by Contractor each calendar year.

Section 14.04 Beneficial Extension of Service

Every person requiring or requesting Emergency Medical Services or Non-Emergency Ambulance Services shall receive the quality of care and transportation required under this Contract without regard to membership status.

Article XV.
User Fees

Section 15.01 Authorization of User-Fee Charges

Contractor shall charge all Patients, users of Lift Assist and False Alarms according to a schedule of rates set forth in Schedule of User Fees attached hereto. Contractor shall guarantee the original schedule of rates for a one-year period beginning February l, 2008.

Contractor shall be solely responsible for all user-fee billings and collections for service provided pursuant to this Contract. The City, except in instances of Emergency Standby, shall not be responsible for any fees due as a result of 911 or City-initiated service calls.

Section 15.02 Annual Inflation Adjustments

The City shall allow annual inflation adjustments of Contractor's Schedule of User Fees. Increases will be based on, but not exceed, the U.S. Consumer Price Index for all Urban Consumers (CPI-U). To provide flexibility to maximize third party recovery while minimizing patient's out-of-pocket costs, Contractor may, at its option, accept all or a portion of the maximum allowable inflation adjustment, and may also apply the available adjustment in equal or variable percentages to all or a portion of charge items, so long as the combined increase does not exceed the U.S. Consumer Price Index for all Urban Consumers (CPI-

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U). The period for determining the CPI-U shall be the previous 12 months.

Article 15.03 Extraordinary Adjustment for Unusual Cost Increases

Contractor may, in writing, request of the City an adjustment to Contractor's base rate in the event changes in applicable federal, state, or local laws, rules or regulations require changes in Contractor's operations which may reasonably be expected to increase Contractor's cost of producing the services or decrease the provider's sources of revenue. The standard in question must actually constitute an increase in requirements and not merely a clarification of a previously existing standard or an application of the 'rule of reason" to interpret an existing standard. If an adjustment is not granted within thirty (30) days after the date of the written request, Contractor may terminate this Contract, without penalty, by giving written notice to the City.

Article XVI.
Notice

All notices required hereunder will be in writing and served personally or by certified mail, return receipt requested, postage prepaid, at the addresses shown below:

Notice to Contractor:

Chief Executive Officer
LifeNet, Inc.
6225 St Michael Drive
Texarkana, TX 75503

Notice to City:

Office of the City Manager - City of Texarkana, Texas
P.O. Box 1967
Texarkana, Texas 75504

Article XVII.
Miscellaneous Provisions

Section 17.1 Attorney's Fees

If either party commences an action against the other to enforce any of the terms herein or because of the breach by either party of any of the terms herein, the losing or defaulting party shall pay to the prevailing party reasonable attorneys' fees, costs and expenses incurred in connection with the prosecution or defense of such action.

Section 17.2 Entire Contract

This Contract constitutes the entire Contract between the Contractor and the City and there are no Contracts, understandings, warranties or representations between the parties except as provided for herein. This Contract cannot be amended except in writing executed by the parties.

Section 17.3 Applicable Law

The validity, construction, performance, and effect of this Contract will be governed by the laws of the State of Texas.

Section 17.4 Binding Effect

This Contract will inure to the benefit of and bind the respective parties, their successors, personal representatives and permitted assigns.

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Section 17.5 Headings

The headings in this Contract are inserted for convenience of reference only and are not to be used in construing or interpreting any provisions of this Contract.

Section 17.6 Counterparts

This Contract may be executed in any number of counterparts, any of which shall constitute the Contract between the parties.

Section 17.7 Invalidity

If any term, provision, covenant or condition of this Contract, or any application thereof, should be held by a court of competent jurisdiction to be invalid, void, or unenforceable, all terms, provisions, covenants, and conditions of this Contract, and a11 applications thereof, not held invalid, void, or unenforceable, shall continue in full force and effect and shall in no way be affected, impaired, or invalidated thereby.

Section 17.8 Waiver

Except as otherwise provided in this Contract, no waiver of any of the provisions of this Contract shall be deemed to be, or shall constitute a waiver of any other provision or similar occurrence, whether or not similar, nor shall any waiver be binding unless evidenced by an instrument in writing executed by the party making the waiver.

Section 17.9 Delay in Commencement.

If the delay in the commencement date is caused by events outside the direct and immediate control of the parties hereto, neither party shall be liable to the other for any loss caused by such delay.

Witness the execution hereof in duplicate, this _____ day of _____.

For City:	City of Texarkana, Texas
Signature	_____
Printed Name	_____
Title	City Manager

For Contractor:	LifeNet, Inc.
Signature	_____
Printed Name	David Baumgardner
Title	Chief Executive Officer

Schedule of User Fees

Throughout the first year of the Contract, LifeNet is hereby authorized to charge user fees for ground ambulance services as follows:

Emergency Base Rate	$589
Non-Emergency Base Rate	$417
Special Event	$100 per hour
Loaded Mileage	$15.95 per loaded mile
False Alarm	$417
Lift Assist	$417

In addition, LifeNet may bill itemized charges for disposable supplies, procedures (e.g. cardiac monitoring), subscription membership and durable medical equipment replacement. Establishment of such fees will be at LifeNet's discretion.

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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: 2021-119 Goals & Perspectives (3604 : 2021-119 RES Authorizing the CM to amend EMS contract with Lifenet)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 11/4/2021 4:01 PM

Lead Department: Planning and Community Development **Action Officer:** Vashil Fernandez, PCD Director

Subject: Resolution No. 2021-101 approving the Community Development Block Grant (CDBG) 2020 Comprehensive Assessment Performance Evaluation Report.

Briefing: 12/13/2021 **Public Hearing:** 12/13/2021 **Council Vote:** 12/13/2021

Item Schedule

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, 2021).

The City of Texarkana, Texas herby gives notice that the DRAFT of the Community Development Block Grant 2020 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 29 – December 13, 2021 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 <http://www.ci.texakana.tx.us>

The City will hold a regularly scheduled City Council Meeting, which is a Public Meeting, on November 8, 2021 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 13, 2021. The 15-day comment period will end on December 13, 2021. 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 13, 2021.

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. 2021-101 RES Approving 2020 CDBG CAPER (DOCX)
b. 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (DOCX)
c. 2021-101 ATTH 02 Council Presentation PY2020 CAPER 11.08 (PPTX)
d. 2021-101 Goals and Perspectives (DOCX)
e. 2021-101 RES CAPER signed (PDF)

Staff Coordination

Planning and Community Development		Vashil Fernandez	Department Head Review	Completed 11/04/2021 2:24 PM
Finance Department	Kristin Peeples	Finance Review	Completed	11/04/2021 2:50 PM
City Manager	David Orr	City Manager Review	Completed	11/05/2021 10:09 AM
City Council	Jennifer Evans	Meeting	Completed	11/08/2021 6:00 PM

Meeting History

City of Texarkana, Texas

11/08/21	City Council	MOVED FORWARD	Next: 12/13/21

RESOLUTION NO. 2021-101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT 2020 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 hereby gives notice that the DRAFT of the Community Development Block Grant 2020 Program Year 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 CDBG 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 2020 Program Year Consolidated Annual Performance Evaluation Report (CAPER).

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

SECTION 1: The Community Development Block Grant 2020 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 2020 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 **13th day of December, 2021.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Attachment: 2021-101 RES Approving 2020 CDBG CAPER (3579 : 2021-101 RES Approving CDBG CAPER)



City of Texarkana, Texas CAPER

Consolidated Annual Performance Evaluation Report

Community Development Block Grant Program
October 1, 2020 through September 30, 2021
Program Year 2020

DRAFT

Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

OMB Control No: 2506-0117 (exp. 06/30/2018)

Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving 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 2020 (October 1, 2020 – September 30, 2021 = PY20), the City of Texarkana had a total of $675,404 in CDBG resources to address various community needs. These funds included carryover resources in the amount of $134,585 from prior allocations, $168,675 in Program Income and $372,144 for the Program Year 2020 allocation. The City expended $579,723 leaving an unexpended balance at the beginning of the 2021 program year of $95,681.

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
Administer the CDBG Program	Administration	CDBG: $	Other	Other	1	1	100.00%	2	2	100.00%
CDBG Revolving Loan Fund	Non-Housing Community Development	CDBG: $	Facade treatment/business building rehabilitation	Business	5	0	0.00%			
CDBG Revolving Loan Fund	Non-Housing Community Development	CDBG: $	Jobs created/retained	Jobs	10	0	0.00%			

OMB Control No: 2506-0117 (exp. 06/30/2018)

CDBG Revolving Loan Fund	Non-Housing Community Development	CDBG: $	Businesses assisted	Businesses Assisted	5	0	0.00%			
First Time Home Buyer Down Payment Assistance	Affordable Housing	CDBG: $	Direct Financial Assistance to Homebuyers	Households Assisted	4	0	0.00%	0	0	0.00%
Housing Rehabilitation	Affordable Housing	CDBG: $	Homeowner Housing Rehabilitated	Household Housing Unit	20	8	40.00%	0	0	0.00%
Public Facilities and Parks	Non-Housing Community Development	CDBG: $767	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	100	100	100.00%	0	75	100%
Public Facilities and Parks	Non-Housing Community Development	CDBG: $	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit	Households Assisted	20	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						

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Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG

Public Improvements and Infrastructure	Non-Housing Community Development	CDBG: $	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit	Households Assisted	5	0	0.00%			
Section 108 Loan Program for Economic Development	Affordable Housing Non-Housing Community Development	CDBG: $462,528 /Section 108: $0	Rental units constructed	Household Housing Unit	1	1	100.00%			

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

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Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The City carried out the following activities during this reporting period:

Public Service – Vista $6,894 : Vista One Stop Shop providing coordinated services through THN for persons experiencing homelessness.

Public Service – Community Gardens $767 : Community Gardens installed/improved for LMI neighborhoods in Beverly and Rosehill.

Section 108 Loan $462,528 : Grim Lofts to create low/mod housing in Downtown began & will be ongoing through the next year.

Administration $41,017 : Administration of CDBG program to provide services to LMI &/or homeless individuals/families.

CV-Public Services $69,184 : 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 $6,226 : Administration of CDBG CV program to provide services to LMI &/or homeless individuals/families affected by Covid-19.

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Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

OMB Control No: 2506-0117 (exp. 06/30/2018)

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 form 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.

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Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

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	CDBG	675,404	579,723
HOME	HOME		
HOPWA	HOPWA		
ESG	ESG		
Section 108	Section 108	460,138	460,138
Other	Other		

Table 3 - Resources Made Available

Narrative

During CDBG Program Year 2020 (October 1, 2020 – September 30, 2021 = PY20), the City of Texarkana had a total of $675,404 in CDBG resources to address various community needs. These funds included carryover resources in the amount of $134,585 from prior allocations, $168,675 in Program Income, $372,144 for the Program Year 2020 allocation. The City expended $579,723 leaving an unexpended balance at the beginning of the 2021 program year of $95,681.

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Beverly Community Revitalization	41	10	Public Services : Vista Program, Community Gardens,
Downtown Area	39	49	108 Loan

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

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routes, prime real estate for commercial development.New multifamily & new single family housing will provide safe, secure, quality, affordable, housing for families.The economic development potential can bring jobs to sustain these LMI areas.

In PY2019, expenditures included:

Downtown area: tracking devices were purchased for bikes being used for homeless individuals who are searching for jobs or have obtained jobs but are in need of transportation. Grim Lofts to create low/mod housing in Downtown began & will be ongoing through the next years & will include 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 will be repaid using CDBG EN funds throughout the next 3 years.

Other LMI Areas:

Sidewalk crosswalk for ADA improvements installed in Liberty-Eylau area at the elementary school. Housing Rehabilitation Program was continued in PY2019 with construction being completed on 4 LMI households that were started in PY2018. Housing rehab locations were in Rosehill, Beverly and Highland Park which are all LMI neighborhoods.
Community Gardens were installed/improved in Rosehill and Beverly neighborhoods.

Public services implemented with Texarkana Homeless Coalition – Vista Program designed to provide a one-stop shop for homeless persons to receive needed services. Due to Covid-19 complications the PS program created at RSOS to provide life skills classes for homeless women & children (living at the shelter) as well as job training classes for all residents of RSOS was cancelled for PY2019 with hopes to resume in PY2020.

Leveraging

Explain how federal funds leveraged additional resources (private, state & 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.

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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

Note: Texarkana, Texas is not a HOME entitlement community.

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OMB Control No: 2506-0117 (exp. 06/30/2018)

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.

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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 & Home Rehabilitation Programs to increase affordable housing in LMI neighborhoods. In PY2020, no homes were completed with CDBG housing rehab 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 Assistance Grants Program in Program Year 2020 (October 1, 2020 – September 30, 2021) that require eligibility determination; however, no funds were expended during the year due to no applicants completing home purchase.

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2021-101 ATTH 01

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.

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Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

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 assistance is usually tied to state of residence. Mission Texarkana (formerly Texarkana Friendship

Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

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 2019 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 2020 Action Plan. Specifically, the City focused on assisting three (3) non-profits under Public Services. The City worked closely with RSOS, Texarkana Homeless

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Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

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 2020 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. Due to Covid-19 some of these activities were put on hold for PY2020 with hopes of continuing them in PY2021. Future Action Plans will also incorporate the use of CDBG funding to meet goals & objectives related to ending homelessness.

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Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

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

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Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

2021-101 ATTH 01

HATT is an exemplary public housing authority & is not designated as troubled.

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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)

An analysis of factors that affect the cost, production, or maintenance of housing affordable to extremely low-, & LMI families has aided the city in developing programs that reduce the adverse effects of these constraints. Policies concerning the public welfare, building codes & subdivision standards are required by law for the protection & general welfare of the community & are routinely reviewed. Development impact fees are recovered from the developer to assure that the public costs of new developments are paid by that development. While recognizing the needs to adjust public policies to adapt to changing conditions, the city will continue to review policies periodically to determine whether they have become excessive or represent an unnecessary constraint on the development or maintenance of affordable housing. Race & poverty concentrations can be barriers to affordable housing, so city will continue to develop new strategies to ameliorate these types of barriers. The city is implementing the following strategies to address them:

- Substantial down payments required to purchase new/existing homes–First time home buyer assistance program, lender education, work with Coalition partners on financial education classes; provide educational materials at community events
- Availability of credit to LMI persons w/credit problems–lender education, work with Coalition partners on financial education classes, provide educational materials at community events
- Availability of decent affordable single-family units/affordable rental properties–work with developers to redevelop troubled neighborhoods, actively marketing properties that would expand the stock of affordable single-family homes & rental properties

CDBG funds have been administered by the Planning & Community Development Department (PCD). In order to administer this program more effectively, several departments whose jurisdictions & expertise lend themselves to a more robust program were reorganized/combined. The PCD now incorporates planning, zoning, economic development, grants management & community development.

Consideration of affordable housing barriers such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees & charges, growth limitations, & policies affecting affordable housing is integral to the city's efforts to improve the livability of the city. The city considers the impacts of any changes of the above when projects are brought to the City Council for consideration. Each issue is evaluated by professional staff, applicable commissions, & no less than two briefings on every item occur before the Council votes on any issue. The city developed a new Ten-Year Comprehensive Plan that will guide the city's policies, taxes, fees, & codes for the next ten years. Any plan passed by the Council will address barriers to affordable housing. As part of that effort, the city will conduct a new Analysis of Impediments to Fair Housing.

DRAFT

Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The most significant actions Texarkana has taken to address obstacles to meeting underserved needs has been to reach out & engage residents, renters, & owners of businesses in Texarkana, especially those in the Downtown, Rosehill and Beverly Target areas & continue working closely with the Homeless Coalition.

Having a significant staff presence in troubled communities, working side-by-side to improve the livability of neighborhoods, residents, business owners & social service agency personnel continues to provide City staff with the background understanding of unfiltered real needs and desires of community members.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

The city emphasizes lead-based paint (LBP) counseling & awareness in all of its programs. The city informs interested persons of home buyers assistance & housing rehabilitation of lead paint hazards as well as identifying & abating lead-based paint hazards during the housing rehabilitation process. When lead-based paint is identified, the appropriate lead hazard control methods are incorporated into the rehabilitation project. The city has integrated lead hazard education, evaluation, & reduction activities into its existing housing programs. The City also maintains a continued focus on the hazards of lead-based paint & the need for lead-based paint testing of potential rehabilitation projects. City has continued to work with public service agencies caring for or providing services to children to reduce lead-based hazards in the community. Based on 2010 information from the Tx DSHS, 25 out of 1,123 Texarkana children under the age of 6 years tested for elevated blood lead levels were found to have elevated levels at 10mcg/dl or greater.

The following strategies related to the City's CDBG program are ongoing:

- Provide public information & education regarding lead-based paint via city's werbsite, publications & presentations
- Integration of lead hazard evaluation & reduction activities into any activities that would disturb the ground in potentially lead contaminated areas
- Provide training & certification opportunities for staff to manage lead-based paint impacted projects
- Collaboration with EPA Brownfields Region 6 Office to maintain current information for all staff involved in CDBG &/or housing projects

DRAFT

Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

Texarkana has taken direct action to help reduce poverty in the city. Key actions include:

- Identification of 2 Target Area in Qualified Census Tracts – Downtown & Beverly
- Emphasis on economic development in downtown & Beverly.
- Economic development services are now under PCD, ensuring seamless efforts between redevelopment, community development, & economic development
- Networking: HATT, Workforce Development, local banks & the Homeless Coalition to identify local service providers that offer education, job training services, material services, child care services, transportation & other services, the absence of which could prevent poverty level families from securing & keeping steady employment
- Collaboration: members of the THC, MT, local banks, ATCOG & RSOS - resulted in a robust program addressing root causes of poverty. These classes include domestic relationships, self-esteem, parenting, education classes (ESL & GED classes), & job search classes & support, including job referral service, a computer lab, resume service, & job interview preparation

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The city coordinates & administers CDBG programs, projects & activities including housing, homelessness prevention, & non-housing community development through its PCD department. PCD manages an average of 3 million dollars per year in federal state & local funds. The City has reorganized this department to incorporate the city's economic development, planning, zoning, & sustainability functions. In order to manage more effectively these functions & strengthen institutional structure, the city hired a new departmental director, new city planner & planner II, brought zoning into the department & instituted new grants management procedures for grants tracking & reporting. Current staff continue to obtain training through HUD's CPD office & new staff will also receive training.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The PCD department acts as a liaison with other city departments, community groups, public institutions, non-profit organizations & private industry to share information, identify resources & opportunities & coordinate activities to the greatest extent possible. Staff is represented in the local CoC actively participates on the Homeless Coalition & provides capacity building to at least two agencies on the Coalition.

DRAFT

Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

Identify actions taken to overcome the effects of any impediments identified in the jurisdiction's analysis of impediments to fair housing choice. 91.520(a)

The City identified the following strategies to overcome any obstacles impediments to affordable housing & is implementing subsequent strategies to address possible barriers:

- Substantial down payments required to purchase new/ existing homes–First time home buyer assistance program, lender education, work with Coalition partners on financial education classes; provide educational materials at community events;
- Availability of credit to LMI persons with credit problems–lender education, work with Coalition partners on financial education classes, provide educational materials at community events;
- Availability of decent affordable single-family units & affordable rental properties–work with developers to redevelop troubled neighborhoods, actively marketing properties that would expand the stock of decent affordable single-family homes & rental properties.

Funds are administered by the PCD department which incorporates planning, zoning, economic development, grants management & community development. The city developed a new Ten-Year Comprehensive Plan this year that will guide the City's policies, taxes, fees, & codes for the next ten years. Any plan passed by the City Council will address barriers to affordable housing. The city conducted a new Analysis of Impediments to Fair Housing during the creation of the 2018-2022 Consolidated Plan. The City will continue to:

- Maintain flexibility in zoning & building requirements when appropriate to allow for infill housing development & to provide technical assistance to developers of affordable housing;
- Display posters in city office buildings & provide information on website;
- Monitor city-sponsored projects for equal access & compliance of the Fair Housing Act & Building Department officials monitor code compliance to Fair Housing standards;
- Hold periodic Public Hearings providing information & requesting public comment on fair housing or related issues;
- Provide homebuyer & homeowner education, including fair housing information;
- Conduct outreach efforts to for-profit & non-profit builders & developers through funding & technical assistance to increase the supply of decent, affordable housing within low to moderate income neighborhoods;
- Meet with local lenders & home builders to encourage the use of non-traditional client loan-qualifying & loan products to better serve the needs of homebuyer households with challenges that preclude conventional qualification;
- Conduct public outreach regarding availability of housing & housing assistance including translation of housing application materials into Spanish, & maintains bi-lingual staff in order to assist applicants and clients who are not English-proficient;
- Support local Continuum of Care efforts for homeless populations; Work with local agencies that provide financial case management & credit counseling;
- Research the possibility of adopting a Fair Housing ordinance to ensure that fair housing options are available to its citizens.

DRAFT

Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

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: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

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 PY2020 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 29 – December 13, 2021 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 13th City Council Meeting. Attached are the minutes for that meeting.

DRAFT

Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

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: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

Notice of Public Comment

The City of Texarkana, Texas hereby gives notice that the DRAFT of the Community Development Block Grant 2020 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 29 to December 13, 2021:

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 8, 2021 & Public Hearing for the CAPER will occur on December 13, 2021. 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 13, 2021.

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.

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DRAFT

Attachment: 2021-101 ATTH 01 Caper PY2020 Draft 11.08.21 (3579 : 2021-101 RES Approving CDBG CAPER)

OMB Control No: 2506-0117 (exp. 06/30/2018)

CITY OF TEXARKANA TEXAS

CDBG CAPER Report

2021-101 ATTH02

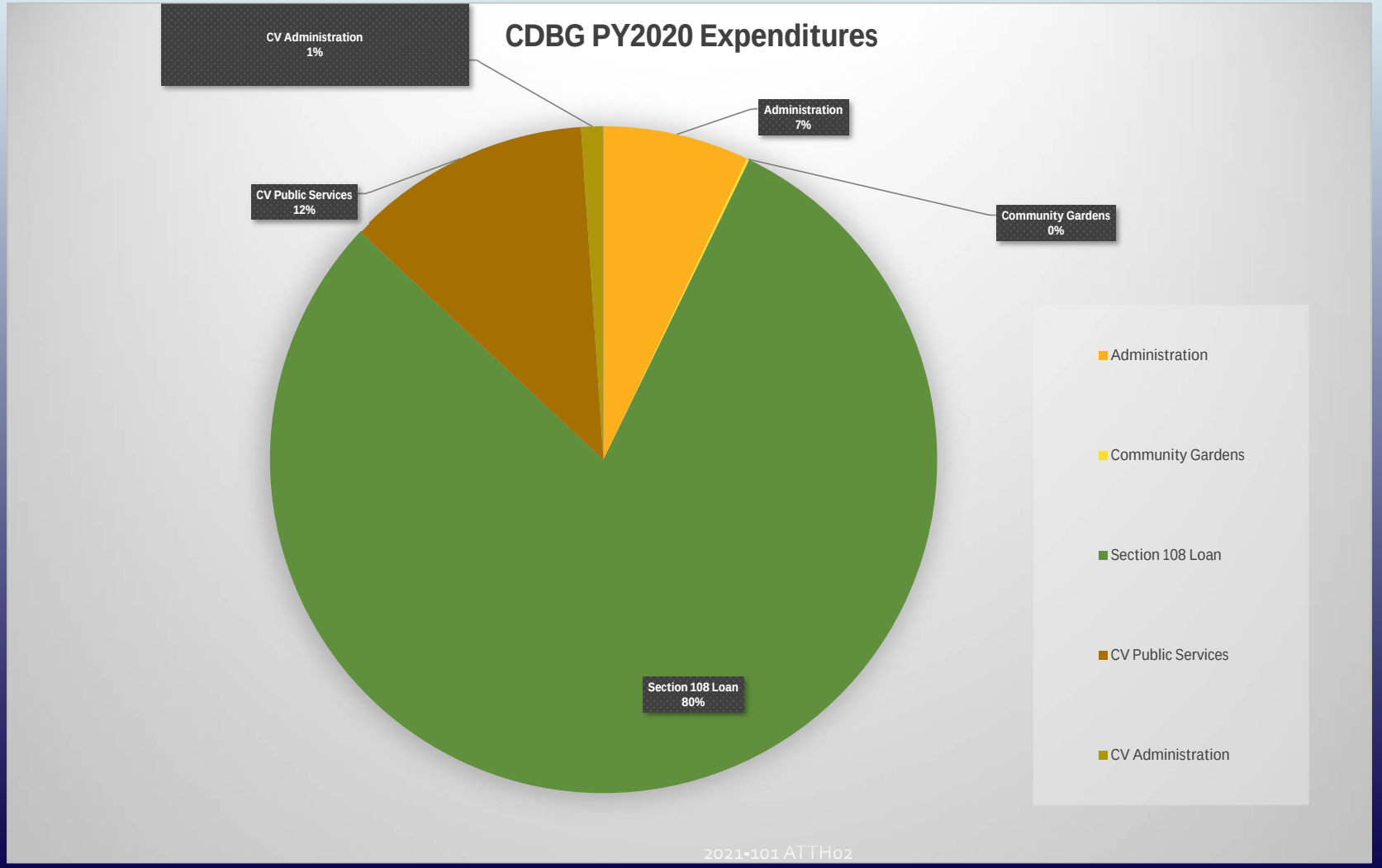
Attachment: 2021-101 ATTH 02 Council Presentation PY2020 CAPER 11.08 (3579 : 2021-101 RES

CDBG CAPER Report

- The annual report includes expenditures and accomplishments for the 2020 Community Development Block Grant (CDBG) Action Plan (October 1, 2020 -- September 30, 2021)
- Public Comment Period (November 29th – December 13th, 2021)
- Public Hearing on Monday, December 13th

2021-101 ATTH02

Attachment: 2021-101 ATTH 02 Council Presentation PY2020 CAPER 11.08 (3579 : 2021-101 RES



Attachment: 2021-101 ATTH 02 Council Presentation PY2020 CAPER 11.08 (3579 : 2021-101 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
CV-Public Service – RSOS Air filtration system	Completed	9%	$50,000.00	$50,000.00
CV-Public Service – Covid Strategy	Completed	3%	$15,000.00	$15,000.00
CV-Public Service – MT	Completed	1%	$4,184.00	$4,184.00
CV-Administration	Completed	1%	$6,226.00	$6,226.00
Community Gardens	Completed	0%	$767.00	$767.00
Section 108 Loan Repayment	Completed	80%	$462,528.00	$462,528.00
Administration	Completed	7%	$41,017.00	$41,017.00
TOTAL		100%	$579,723.00	$579,723.00

Attachment: 2021-101 ATTH 02 Council Presentation PY2020 CAPER 11.08 (3579 : 2021-101 RES

Citizens

Can 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 13, 2021

2021-101 ATTH02

Attachment: 2021-101 ATTH 02 Council Presentation PY2020 CAPER 11.08 (3579 : 2021-101 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:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

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

Other:

Attachment: 2021-101 Goals and Perspectives (3579 : 2021-101 RES Approving CDBG CAPER)

RESOLUTION NO. 2021-101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT 2020 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 hereby gives notice that the DRAFT of the Community Development Block Grant 2020 Program Year 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 CDBG 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 2020 Program Year Consolidated Annual Performance Evaluation Report (CAPER).

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

SECTION 1: The Community Development Block Grant 2020 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 2020 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 **13th day of December, 2021.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:04p.m.

Attachment: 2021-101 RES CAPER signed (3579 : 2021-101 RES Approving CDBG CAPER)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 11/4/2021 4:07 PM

Lead Department: Public Works Department **Action Officer:** Jonathan Wade,
Subject: Ordinance No. 2021-102 closing and abandoning an unopened forty-foot (40') street right-of-way for Ward Avenue, located north of Austin Street and east of Collier Street, between block 6 and block 9 of the Greater Texarkana Addition.

Briefing: 12/13/2021 **Public Hearing:** 12/13/2021 **Council Vote:** 12/13/2021

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

Updates/History of Briefing:
NOT APPLICABLE

Executive Summary and Background Information:
The City received a request from Mr. James Cannon for the abandonment of an unopened 40' Street Right Of Way for Ward Avenue. This section is in the Greater Texarkana Addition north of Austin Street and east of Collier Street. All associated lots adjacent to the abandonment area are owned by Mr. James Cannon.

If this street section is abandoned, then by policy the right-of-way will be delivered to Mr. Cannon.

The City sent out a memorandum to City Departments and Utility representatives. The City has no plans to ever using this right-of-way for future street purposes. No comments have been given by utility representatives and there are no issues with closing and abandoning this right-of-way. Attached in the packet is the memorandum and responses.

Potential Options:
- Approve closure and abandonment
- Not approve closure and abandonment

Fiscal Implications:
No fiscal implications

Staff Recommendation:
Staff recommends approval of closure and abandonment

Advisory Board/Committee Review:
NONE

Board/Committee Recommendation:
NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2021-102 ORD ROW Abandonment for Ward Street (DOCX)
b. 2021-102 EXH 'A' - Property Description (PDF)
c. 2021-102 ATTH 01 Memo To City Staff and Utility Companies (PDF)
d. 2021-102 ATTH 02 Staff and Utility Comments and Approvals (PDF)
e. 2021-102 Goals and Perspectives (DOCX)
f. 2021-102 ORD Cl&Ab 40ft ROW Ward St signed (PDF)

Staff Coordination

Public Works Department	Jonathan Wade	Review	Completed	10/27/2021 2:18 PM
Public Works Department	Dusty Henslee	Department Head Review	Completed	10/27/2021 2:32 PM
Fire Department	Eric Schlotter	Review	Completed	10/27/2021 2:47 PM
Police	Kevin Schutte	Review	Completed	10/27/2021 3:27 PM
City Manager	David Orr	City Manager Review	Completed	10/27/2021 4:15 PM
City Council	Jennifer Evans	Meeting	Completed	11/08/2021 6:00 PM

Meeting History

11/08/21	City Council	MOVED FORWARD	Next: 12/13/21

Attachment: 2021-102 ORD ROW Abandonment for Ward Street (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of Way of Ward

ORDINANCE NO. 2021-102

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CLOSING AND ABANDONING AN UNOPENED FORTY-FOOT (40') STREET RIGHT-OF-WAY FOR WARD AVENUE, LOCATED NORTH OF AUSTIN STREET AND EAST OF COLLIER STREET, BETWEEN BLOCK 6 AND BLOCK 9 OF THE GREATER TEXARKANA ADDITION IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been received requesting the City to close and abandon an unopened forty-foot (40') street right-of-way of Ward Avenue, located north of Austin Street and east of Collier Street, between Block 6 and Block 9 of the Greater Texarkana Addition in the City of Texarkana, Bowie County, Texas, as shown on the attached location map hereto and incorporated herein as **Exhibit 'A';** and

WHEREAS, the City has notified all adjacent landowners, interested utilities, and city departments requesting their comments; and

WHEREAS, based on the responses from all notified parties, the City finds it to be in the best interest of the City to close and abandon the unopened forty-foot (40') street right-of-way for Ward Avenue, located north of Austin Street and east of Collier Street, between Block 6 and Block 9 of the Greater Texarkana Addition, as shown on the attached property description and incorporated herein as **Exhibit 'A'**; and

WHEREAS, the ownership of the forty-foot (40') of right-of-way, as shown on **Exhibit 'A'**, will be transferred to James Mark Cannon

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

SECTION 1: The unopened forty-foot (40') street right-of-way for Ward Avenue, located north of Austin Street and east of Collier Street, between Block 6 and Block 9 of the Greater Texarkana Addition in the City of Texarkana, Bowie County, Texas, as shown on the map and described in the Street Abandonment Request (**ATTH 01**) 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.

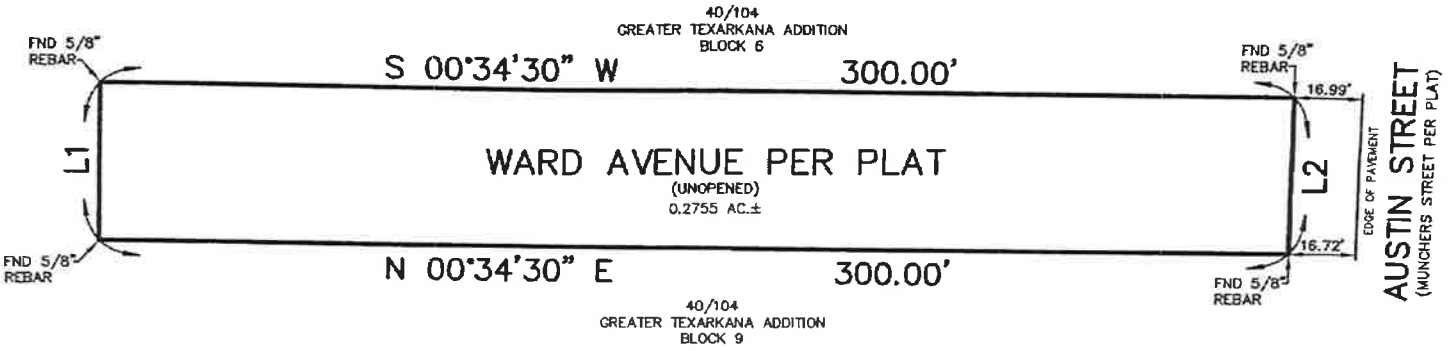
SECTION 5: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of December, 2021.**

ATTEST:

_____	_____
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

Attachment: 2021-102 ORD ROW Abandonment for Ward Street (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of Way of Ward



Property Description:

All that certain tract or parcel of land being a part of the Greater Texarkana Addition shown in the plat of record in Volume 40, Page 104 of the Plat Records of Bowie County, Texas, and being all of the unopened portion of a Ward Avenue of the Greater Texarkana Addition shown in the plat of record in Volume 40, Page 104 of the Plat Records of Bowie County, Texas, and being more particularly described as follows:

COMMENCING: from a found 1" pipe being the Southeast corner of Lot No. 13, Block No. 8 of the Greater Texarkana Addition;

THENCE: N 89°00'13" W, 140.00 feet to a found 5/8" rebar being the Southeast corner of an unopened Ward Avenue per plat, also being the Southwest corner of Lot No. 13, Block No 8 of the Greater Texarkana Addition, and being the POINT OF BEGINNING for the herein described unopened Ward Avenue;

THENCE: N 89°00'13" W, 40.00 feet to a found 5/8" rebar for the Southwest corner of said unopened Ward Avenue, and being the SouthEast corner of Lot No 1, Block No. 9 of the Greater Texarkana Addition;

THENCE: N 00°34'30" E, 300.00 feet along the East Boundary of Lots No. 1-12, Block No. 9 of the Greater Texarkana Addition to a found 5/8" rebar being the Northwest corner of said unopened Ward Avenue, and being the Northeast corner of Lot No. 12, Block No. 9 of the Geater Texarkana Addition;

THENCE: S 89°00'13 E, 40.00 feet to a found 5/8" rebar being the North East corner of said unopened Ward Avenue, and being the Northwest corner of Lot No. 24, Block No. 8 of the Greater Texarkana Addition;

THENCE : S 00°34'30" W, 300.00 feet along the West Boundary of Lots No. 13-24, Block 8 of the Greater Texarkana Addition to the POINT OF BEGINNING. Containg 0.2755 Acres of land, more or less.

BASIS OF BEARINGS: Bearings are based on Geodetic North as measured using GPS (Global Positioning System) on January 26, 2021 within the parameters of WGS-84.

L1	L2
S 89°00'13" E	N 89°00'13" W
40.00'	40.00'

COPYRIGHT LYNCH SURVEYING: ALL PLATS ARE COPYRIGHTED AS OF THE DATE OF ORIGINAL SIGNATURE ON PLAT. NO REPRODUCTION OF PLATS WITHOUT EXPRESS WRITTEN CONSENT. COPIES AVAILABLE FOR ORIGINAL CLIENT FOR ONE YEAR. LYNCH SURVEYING WILL NOT BE RESPONSIBLE FOR ANY USE OTHER THAN THAT FOR WHICH IT WAS ORIGINALLY CREATED.

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

THIS TRACT IS NOT WITHIN A DESIGNATED FLOOD PLAIN, ACCORDING TO FEDERAL INSURANCE ADMINISTRATION RATE MAP, MAP NUMBER 48037C0365E, EFFECTIVE DATE DECEMBER 21, 2017.

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS OF IMPROVEMENTS, VISIBLE EASEMENTS OR RIGHTS-OF-WAY (ALL EASEMENTS AND RIGHTS-OF-WAY ARE SHOWN IF TITLE COMMITMENT WAS PROVIDED PRIOR TO FIELD WORK), EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A PUBLIC ROADWAY.

STATE OF TEXAS
REGISTERED
JAMES L. KNOX, JR.
4214
PROFESSIONAL LAND SURVEYOR

REVISION	DATE	DESCRIPTION	BY

SHEET NO. 1

LYNCH SURVEYING
TEXAS FIRM NO. 1010550
3505 MAGNOLIA STREET
TEXARKANA, TEXAS 75503
BUSINESS (903) 791-1392 FAX (903) 791-1395

BOWIE COUNTY, TEXAS
GREATER TEXARKANA ADDITION
SURVEY OF UNOPENED STREET

Scale: 1"=30	Date: JUN, 2021	Job No. 8473
Dsn. By: JLK	Dwn. By: MWH	Ckd. By: JLK

Scanned by CamScanner

Attachment: 2021-102 EXH 'A' - Property Description (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of Way of Ward Avenue)

CITY OF
TEXARKANA
TEXAS
Public Works Department

919 Elm Street
Texarkana, TX 75501
Phone (903) 798-3948
Fax (903) 792-6419

March 19, 2021

City Departments and Utility Representatives

Re: Proposed Street Abandonment

The City of Texarkana, Texas has received a letter from James Cannon requesting the abandonment of an approximately 40' unopened section of Ward Street located between Blocks 6 & 9 of the Greater Texarkana Addition.

Please refer to the attachments and provide any comments to me by April 9th, 2021 if you are in favor of abandonment and if your office will need an easement for any existing utilities.

Your prompt response is appreciated. If you have any questions, please contact me at my office or through email.

Sincerely,

Jonathan Wade, EIT, CFM
Associate City Engineer
Office: (903) 798-3251
Cell: (903) 908-2725
Jonathan.wade@txkusa.org

Attachment: 2021-102 ATTH 01 Memo To City Staff and Utility Companies (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of

From: Mark Cannon
To: TEX-Wade, Jonathan
Subject: Re: Ward Street
Date: Sunday, March 14, 2021 5:10:56 PM

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,
I , James Cannon request the City of Texarkana Texas to abandon proposed Ward Street from intersection with Austin street through twelve lots in Block 6 and 12 lots in Block 9 of Greater Texarkana subdivision. I acquired the 12 lots on each side described at time of sale as 1.9 acres and simply want to develop an entrance to future home site.
Thanks for your consideration,
James Cannon
Sent from my iPhone

Attachment: 2021-102 ATTH 01 Memo To City Staff and Utility Companies (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of

AT&T LTE 3:15 PM 90%
3 Messages
Inbox
Ward Street

CITY OF
TEXARKANA
TEXAS

Application for Public R.O.W. Abandonment

Type: X Street ___ Alley ___ Other

Purpose of Abandonment: Develop property for home site/driveway

Applicant/Agent Information:

Name: James Cannon

Address: 12119 FM 381 Eola TX 76937

Phone: (903 506 8507 Fax: ( ) Work Email:

Required Documents needed to proceed with review:

- Letter requesting abandonment
- Electronic Copy of plat/deed/plot plan showing requested abandonment
- Letter/Petition from all adjacent property owners agreeing to abandonment

Required Documents needed prior to City Council Meeting:

- Abandonment release form signed by owner/applicant
- Abandonment release form signed by adjacent land owners
- Legal Exhibit and Property Description of property being abandoned
- Application Fee

Note: Partial abandonment requests will not be accepted.

James Cannon
Applicant's Printed Name

Applicant's Signature

9-28-2021
Date

Application Fee: $750

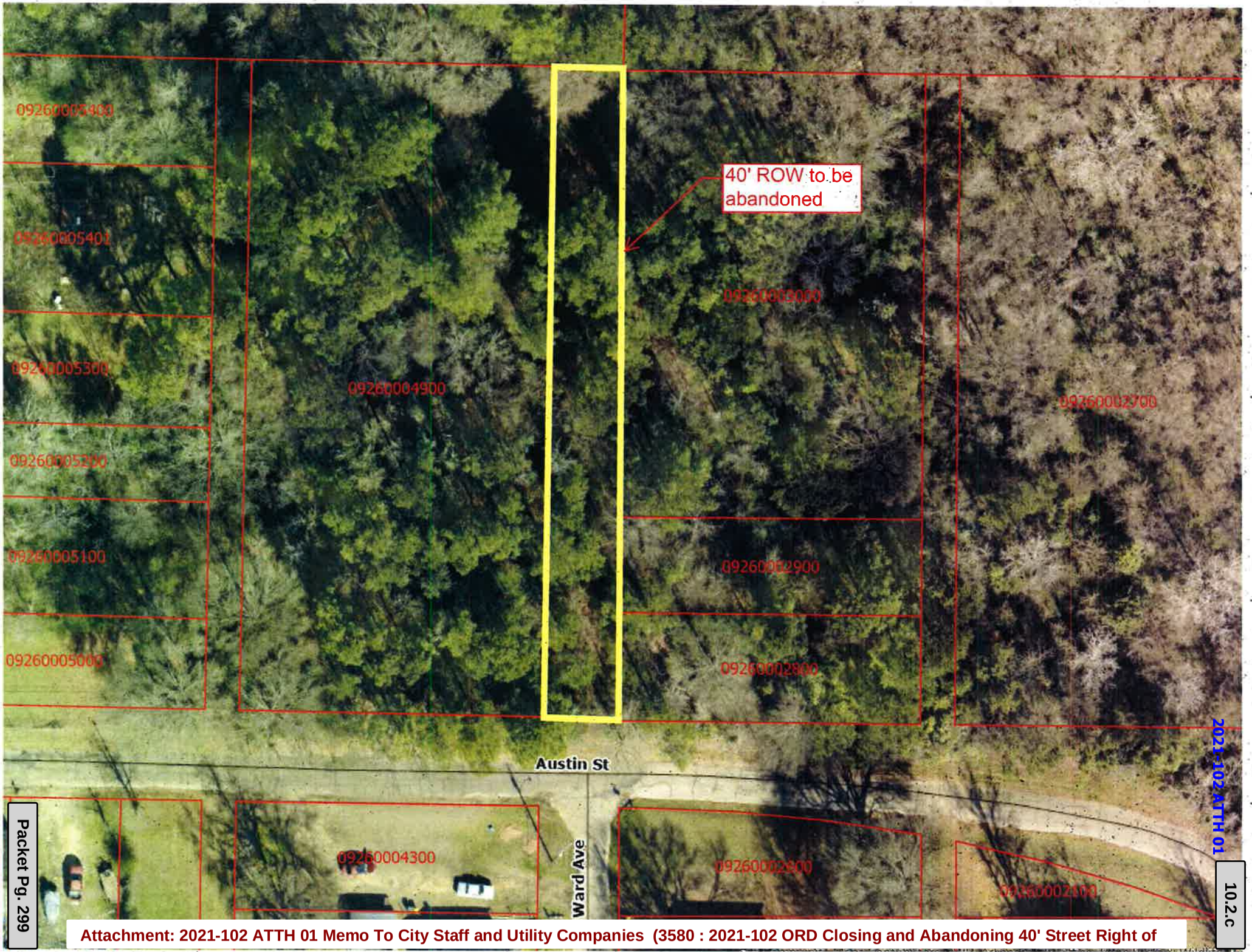
Application Fee Paid: ___

Received by: ___

Receipt No.: ___

See More

Attachment: 2021-102 ATTH 01 Memo To City Staff and Utility Companies (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of


09260005400
09260005401
09260005300
09260005200
09260005100
09260005000
09260004900
09260004300
09260003000
09260002900
09260002800
09260002700
09260002600
09260002100
40' ROW to be abandoned
Austin St
Ward Ave

CITY OF
TEXARKANA
TEXAS
Public Works Department
919 Elm Street
Texarkana, TX 75501
Phone (903) 798-394
Fax (903) 792-6419

Date: October 26, 2021

To: File

From: Jonathan Wade, EIT, CFM, Associate City Engineer

Re: ROW Abandonment of 40' Unopened Section of Ward Street

Comments are as follows:

1. TWU – No comments
2. Fire – No comments
3. Centerpoint – No comments
4. Police – No comments
5. Public Works – No issues
6. Windstream Communications – No comments
7. Electric:
   - AEP/SWEPCO – No comments
   - REA – No comments
   - Bowie Cass – No Comments
8. Sparklight – No comments

Staff recommends for the approval of the abandonment of the right-of-way and retainment of utility easements.

Attachment: 2021-102 ATTH 02 Staff and Utility Comments and Approvals (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of

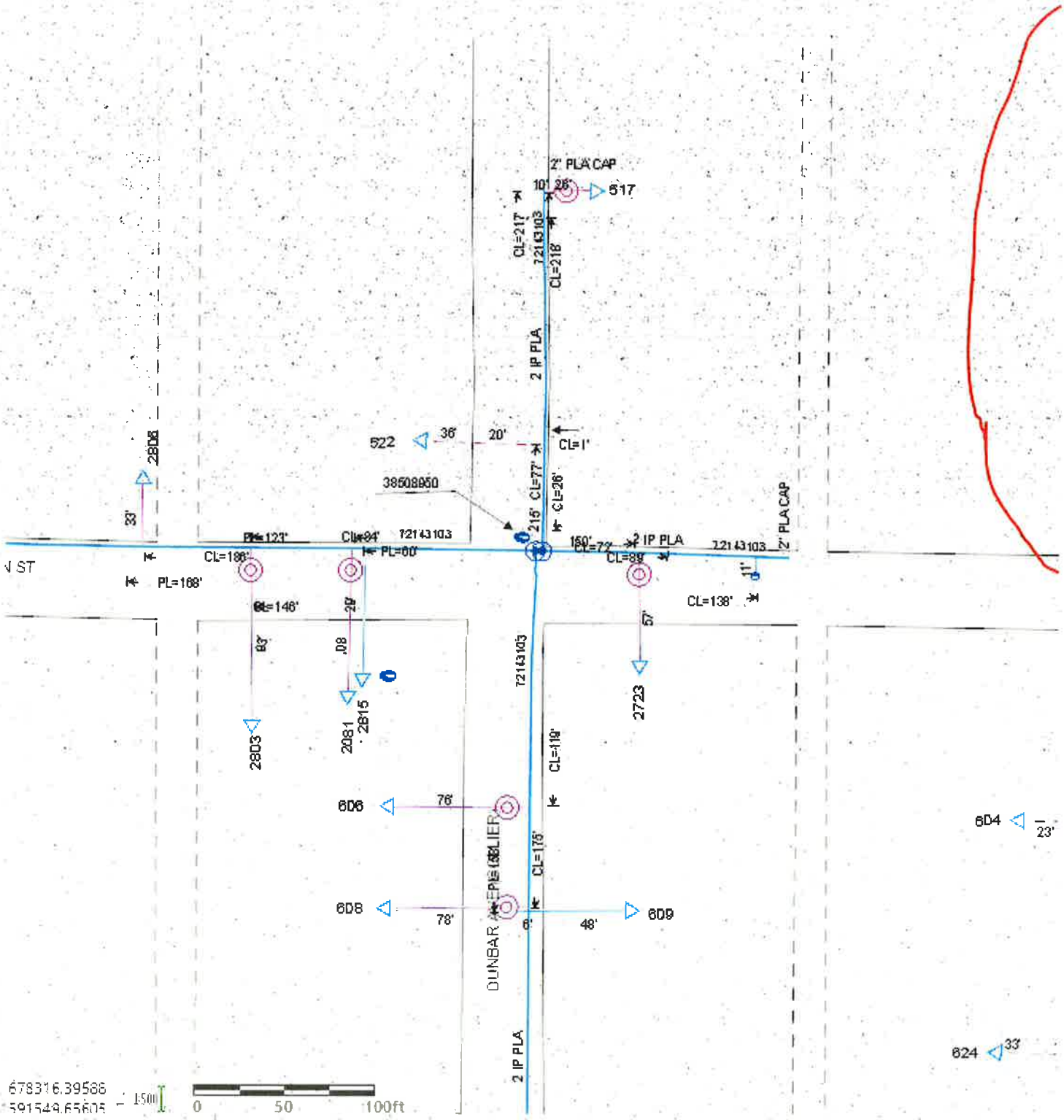
TEX-Wade, Jonathan

From: Brooks, Brandon D <Brandon.Brooks@centerpointenergy.com>
Sent: Friday, March 19, 2021 12:51 PM
To: TEX-Wade, Jonathan
Subject: RE: [External Email] Proposed Right-Of-Way Abandonment Ward Street Greater Texarkana Addition

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CenterPoint Energy has no facilities North of Austin on Ward.

Attachment: 2021-102 ATTH 02 Staff and Utility Comments and Approvals (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of



Brandon Brooks
Operations Supervisor | Texarkana/Hope
870.779.6309 w. | 903.824.1304c.
CenterPointEnergy.com

Attachment: 2021-102 ATTH 02 Staff and Utility Comments and Approvals (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of



From: TEX-Wade, Jonathan <Jonathan.Wade@txkusa.org>
Sent: Friday, March 19, 2021 12:24 PM
To: Jeffrey.Graham@windstream.com; steven.poplin@windstream.com; dwwiley@aep.com; Zac Pianalto <zspianalto@aep.com>; Engelkes, Linda D <diane.engelkes@centerpointenergy.com>; Brooks, Brandon D <Brandon.Brooks@centerpointenergy.com>; Watkins, Ronnie M <Ronnie.Watkins@centerpointenergy.com>; rick.syphers@cableone.biz; mpollard@swrea.com; gregr@bcec.com; todc@bcec.com; rexa@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Phillips, JD <phillips@txkusa.org>; TTPD-Schutte, Kevin <Schutte@txkusa.org>; TTFD-Schlotter, Eric <schlottere@txkusa.org>; Jeff Tollett (jtollett@swrea.com) <jtollett@swrea.com>; David Plunk <dplunk@swrea.com>
Cc: TEX-Henslee, Dustin <dustin.henslee@txkusa.org>
Subject: [External Email] Proposed Right-Of-Way Abandonment Ward Street Greater Texarkana Addition

EXTERNAL EMAIL

All,

The City has received a request to abandon the unopened 40' right-of-way of Ward Street located between Blocks 6 & 9 of the Greater Texarkana Addition. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
Associate City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@txkusa.org

***** This email is from an external sender outside of the CenterPoint Energy network. Be cautious about clicking links or opening attachments from unknown sources. *****

Attachment: 2021-102 ATTH 02 Staff and Utility Comments and Approvals (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of

TEX-Wade, Jonathan

From: Zac Pianalto <zspianalto@aep.com>
Sent: Friday, March 19, 2021 12:55 PM
To: TEX-Wade, Jonathan; Dusty Wiley
Cc: jamesmarkcannon@gmail.com
Subject: RE: Proposed Right-Of-Way Abandonment Ward Street Greater Texarkana Addition

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jonathan,

I am in favor of the abandonment. SWEPCO has no existing facilities in the unopened 40' right-of-way of Ward St. Once the future home site is determine a separate SWEPCO easement will be obtained to serve the new home.

Thank you,

SOUTHWESTERN ELECTRIC POWER COMPANY
ZAC PIANALTO | ENGINEER
ZSPIANALTO@AEP.COM | D:903.223.5731 | C:903.826.5027
3708 W 7TH ST, TEXARKANA, TX 75501-6324

From: TEX-Wade, Jonathan <Jonathan.Wade@txkusa.org>
Sent: Friday, March 19, 2021 12:24 PM
To: Jeffrey.Graham@windstream.com; steven.poplin@windstream.com; Dusty Wiley <dwwiley@aep.com>; Zac Pianalto <zspianalto@aep.com>; diane:engelkes@centerpointenergy.com; brandon.brooks@centerpointenergy.com; Ronnie.Watkins@centerpointenergy.com; rick.syphers@cableone.biz; mpollard@swrea.com; gregr@bcec.com; todc@bcec.com; rexa@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Phillips, JD <phillips@txkusa.org>; TTPD-Schutte, Kevin <Schutte@txkusa.org>; TTFD-Schlotter, Eric <schlottere@txkusa.org>; Jeff Tollett (jtollett@swrea.com) <jtollett@swrea.com>; David Plunk <dplunk@swrea.com>
Cc: TEX-Henslee, Dustin <dustin.henslee@txkusa.org>
Subject: [EXTERNAL] Proposed Right-Of-Way Abandonment Ward Street Greater Texarkana Addition

This is an **EXTERNAL** email. **STOP**. **THINK** before you CLICK links or OPEN attachments. If suspicious please click the '**Report to Incidents**' button in Outlook or forward to incidents@aep.com from a mobile device.

All,

The City has received a request to abandon the unopened 40' right-of-way of Ward Street located between Blocks 6 & 9 of the Greater Texarkana Addition. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
Associate City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725

Attachment: 2021-102 ATTH 02 Staff and Utility Comments and Approvals (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of

Email: Jonathan.Wade@txkusa.org

Attachment: 2021-102 ATTH 02 Staff and Utility Comments and Approvals (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of

TEX-Wade, Jonathan

From: Tod Corbin <todc@bcec.com>
Sent: Friday, March 19, 2021 1:21 PM
To: TEX-Wade, Jonathan
Subject: RE: Proposed Right-Of-Way Abandonment Ward Street Greater Texarkana Addition

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bowie-Cass Electric has no comment regarding the subject request.
Tod Corbin
Bowie-Cass Electric Cooperative, Inc.

From: TEX-Wade, Jonathan [mailto:Jonathan.Wade@txkusa.org]
Sent: Friday, March 19, 2021 12:24 PM
To: Jeffrey.Graham@windstream.com; steven.poplin@windstream.com; dwwiley@aep.com; Zac Pianalto; diane.engelkes@centerpointenergy.com; brandon.brooks@centerpointenergy.com; Ronnie.Watkins@centerpointenergy.com; rick.syphers@cableone.biz; mpollard@swrea.com; Greg D. Russell; Tod Corbin; rexa@bcec.com; TWU-Smith, Gary; TWU-Phillips, JD; TTPD-Schutte, Kevin; TTFD-Schlotter, Eric; Jeff Tollett (jtollett@swrea.com); David Plunk
Cc: TEX-Henslee, Dustin
Subject: Proposed Right-Of-Way Abandonment Ward Street Greater Texarkana Addition

All,

The City has received a request to abandon the unopened 40' right-of-way of Ward Street located between Blocks 6 & 9 of the Greater Texarkana Addition. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
Associate City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@txkusa.org

Attachment: 2021-102 ATTH 02 Staff and Utility Comments and Approvals (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of

TEX-Wade, Jonathan

From: Langley, Joe <Joe.Langley@sparklight.biz>
Sent: Friday, March 19, 2021 1:17 PM
To: TEX-Wade, Jonathan
Subject: RE: Proposed Right-Of-Way Abandonment Ward Street Greater Texarkana Addition

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This looks OK from what I see. We will just need to detach from the pole there at the entry of the ROW before the pole is removed.

From: TEX-Wade, Jonathan <Jonathan.Wade@txkusa.org>
Sent: Friday, March 19, 2021 12:37 PM
To: michael.a.latham@windstream.com; chris.jackson@windstream.com; Langley, Joe <Joe.Langley@sparklight.biz>
Subject: FW: Proposed Right-Of-Way Abandonment Ward Street Greater Texarkana Addition

CAUTION: External source. THINK BEFORE YOU CLICK!

From: TEX-Wade, Jonathan
Sent: Friday, March 19, 2021 12:24 PM
To: Jeffrey.Graham@windstream.com; steven.poplin@windstream.com; dwwiley@aep.com; Zac Pianalto <zspianalto@aep.com>; diane.engelkes@centerpointenergy.com; brandon.brooks@centerpointenergy.com; Ronnie.Watkins@centerpointenergy.com; rick.syphers@cableone.biz; mpollard@swrea.com; gregr@bcec.com; todc@bcec.com; rexa@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Phillips, JD <phillips@txkusa.org>; TTPD-Schutte, Kevin <Schutte@txkusa.org>; TTFD-Schlotter, Eric <schlottere@txkusa.org>; Jeff Tollett (jtollett@swrea.com) <jtollett@swrea.com>; David Plunk <dplunk@swrea.com>
Cc: TEX-Henslee, Dustin <dustin.henslee@txkusa.org>
Subject: Proposed Right-Of-Way Abandonment Ward Street Greater Texarkana Addition

All,

The City has received a request to abandon the unopened 40' right-of-way of Ward Street located between Blocks 6 & 9 of the Greater Texarkana Addition. Please review the attached documents and provide me with your comments. If you have any questions, feel free to contact me at any time.

Thank you,

Jonathan Wade, EIT, CFM
Associate City Engineer
City of Texarkana, Texas
Office: (903) 798-3251
Cell: (903) 908-2725
Email: Jonathan.Wade@txkusa.org

Attachment: 2021-102 ATTH 02 Staff and Utility Comments and Approvals (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of

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: 2021-102 Goals and Perspectives (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of Way of Ward Avenue)

ORDINANCE NO. 2021-102

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, CLOSING AND ABANDONING AN UNOPENED FORTY-FOOT (40') STREET RIGHT-OF-WAY FOR WARD AVENUE, LOCATED NORTH OF AUSTIN STREET AND EAST OF COLLIER STREET, BETWEEN BLOCK 6 AND BLOCK 9 OF THE GREATER TEXARKANA ADDITION IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been received requesting the City to close and abandon an unopened forty-foot (40') street right-of-way of Ward Avenue, located north of Austin Street and east of Collier Street, between Block 6 and Block 9 of the Greater Texarkana Addition in the City of Texarkana, Bowie County, Texas, as shown on the attached location map hereto and incorporated herein as **Exhibit 'A';** and

WHEREAS, the City has notified all adjacent landowners, interested utilities, and city departments requesting their comments; and

WHEREAS, based on the responses from all notified parties, the City finds it to be in the best interest of the City to close and abandon the unopened forty-foot (40') street right-of-way for Ward Avenue, located north of Austin Street and east of Collier Street, between Block 6 and Block 9 of the Greater Texarkana Addition, as shown on the attached property description and incorporated herein as **Exhibit 'A'**; and

WHEREAS, the ownership of the forty-foot (40') of right-of-way, as shown on **Exhibit 'A'**, will be transferred to James Mark Cannon

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

SECTION 1: The unopened forty-foot (40') street right-of-way for Ward Avenue, located north of Austin Street and east of Collier Street, between Block 6 and Block 9 of the Greater Texarkana Addition in the City of Texarkana, Bowie County, Texas, as shown on the map and described in the Street Abandonment Request (**ATTH 01**) 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.

Attachment: 2021-102 ORD Cl&Ab 40ft ROW Ward St signed (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of Way of Ward

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby 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 **13th day of December, 2021.**

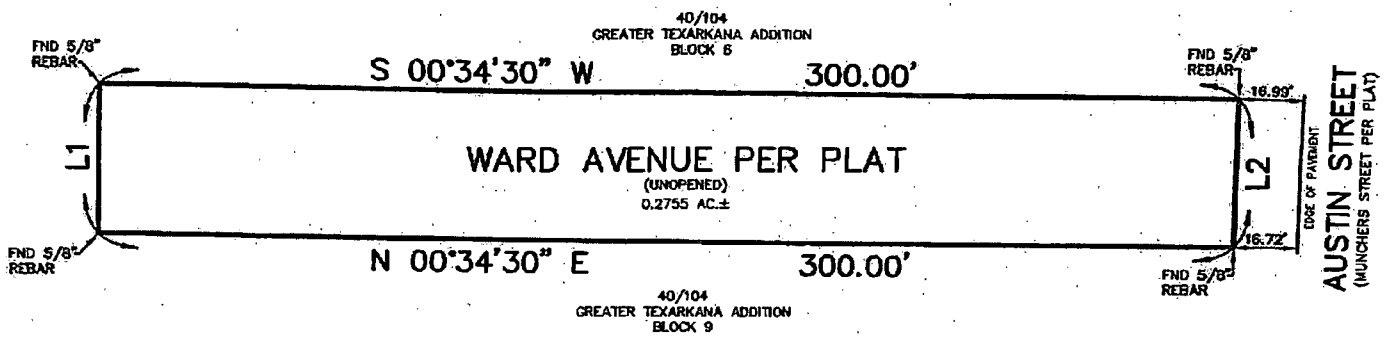
ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:06p.m.

Attachment: 2021-102 ORD CI&Ab 40ft ROW Ward St signed (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of Way of Ward



Property Description:

All that certain tract or parcel of land being a part of the Greater Texarkana Addition shown in the plat of record in Volume 40, Page 104 of the Plat Records of Bowie County, Texas, and being all of the unopened portion of a Ward Avenue of the Greater Texarkana Addition shown in the plat of record in Volume 40, Page 104 of the Plat Records of Bowie County, Texas, and being more particularly described as follows:

COMMENCING: from a found 1" pipe being the Southeast corner of Lot No. 13, Block No. 8 of the Greater Texarkana Addition;

THENCE: N 89°00'13" W, 140.00 feet to a found 5/8" rebar being the Southeast corner of an unopened Ward Avenue per plat, also being the Southwest corner of Lot No. 13, Block No 8 of the Greater Texarkana Addition, and being the POINT OF BEGINNING for the herein described unopened Ward Avenue;

THENCE: N 89°00'13" W, 40.00 feet to a found 5/8" rebar for the Southeast corner of said Unopened Ward Avenue, and being the SouthEast corner of Lot No 1, Block No. 9 of the Greater Texarkana Addition;

THENCE: N 00°34'30" E, 300.00 feet along the East Boundary of Lots No. 1-12, Block No. 9 of the Greater Texarkana Addition to a found 5/8" rebar being the Northwest corner of said unopened Ward Avenue, and being the Northeast corner of Lot No. 12, Block No. 9 of the Geater Texarkana Addition;

THENCE: S 89°00'13 E, 40.00 feet to a found 5/8" rebar being the North East corner of said unopened Ward Avenue, and being the Northwest corner of Lot No. 24, Block No. 8 of the Greater Texarkana Addition;

THENCE: S 00°34'30" W, 300.00 feet along the West Boundary of Lots No. 13-24, Block 8 of the Greater Texarkana Addition to the POINT OF BEGINNING. Containg 0.2755 Acres of land, more or less.

BASIS OF BEARINGS: Bearings are based on Geodetic North as measured using GPS (Data Positioning System) on January 26, 2021 within the parameters of WGS-84.

L1	L2
S 89°00'13" E	N 89°00'13" W
40.00'	40.00'

COPYRIGHT LYNCH SURVEYING: ALL PLATS ARE COPYRIGHTED AS OF THE DATE OF ORIGINAL SIGNATURE ON PLAT. NO REPRODUCTION OF PLATS WITHOUT EXPRESS WRITTEN CONSENT. COPIES AVAILABLE FOR ORIGINAL CLIENT FOR ONE YEAR. LYNCH SURVEYING WILL NOT BE RESPONSIBLE FOR ANY USE OTHER THAN THAT FOR WHICH IT WAS ORIGINALLY CREATED.

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

THIS TRACT IS NOT WITHIN A DESIGNATED FLOOD PLAIN, ACCORDING TO FEDERAL INSURANCE ADMINISTRATION RATE MAP, MAP NUMBER 48037C0365E, EFFECTIVE DATE DECEMBER 21, 2017.

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS OF IMPROVEMENTS, VISIBLE EASEMENTS OR RIGHTS-OF-WAY (ALL EASEMENTS AND RIGHTS-OF-WAY ARE SHOWN IF TITLE COMMITMENT WAS PROVIDED PRIOR TO FIELD WORK), EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A PUBLIC ROADWAY.

STATE OF TEXAS
REGISTERED
JAMES L. KNOX, JR.
4214
PROFESSIONAL
SURVEYOR

REVISION	DATE	DESCRIPTION	BY	SHEET NO.
				1

LYNCH SURVEYING
TEXAS FIRM NO. 1010550
3506 MAGNOLIA STREET
TEXARKANA, TEXAS 75503
BUSINESS (903) 791-1392 FAX (903) 791-1395

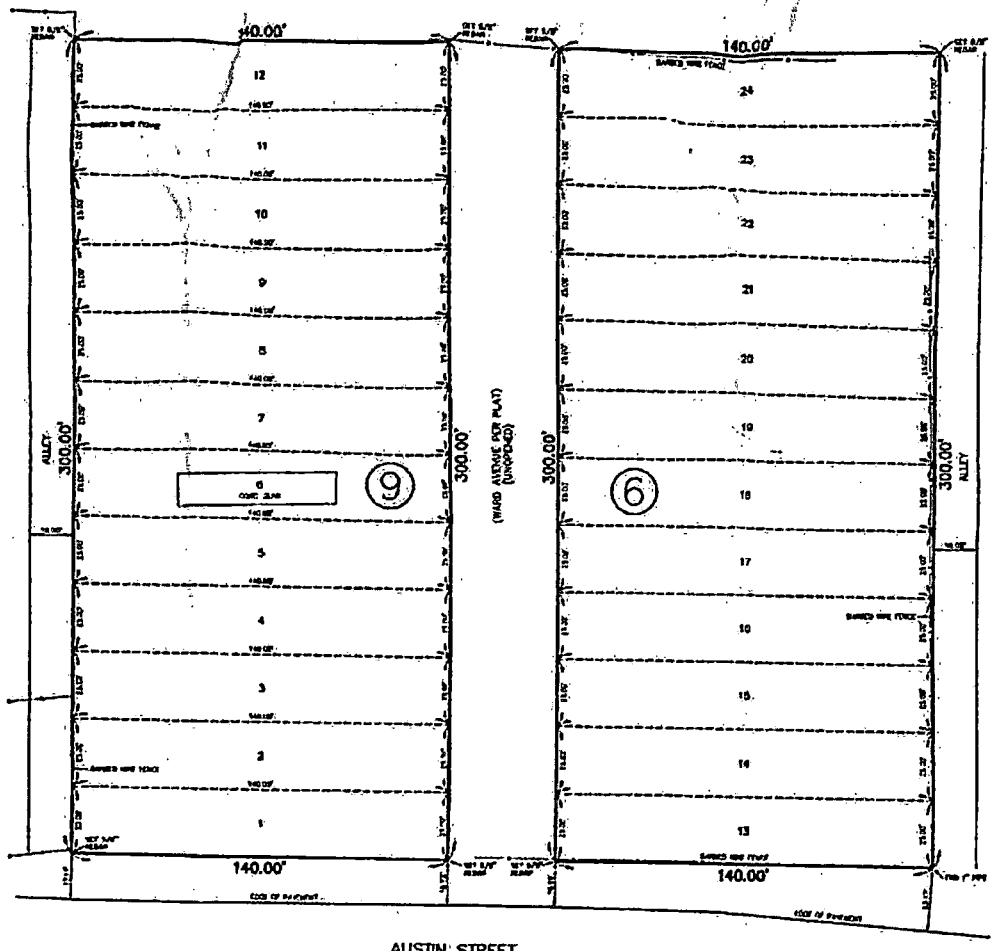
BOWIE COUNTY, TEXAS
GREATER TEXARKANA ADDITION
SURVEY OF UNOPENED STREET

Scale: 1"=30	Date: JUN, 2021	Job No. B473
Dsn. By: JLK	Dwn. By: MWH	Ckd. By: JLK

2021-102 EXH 'A'

Scanned by CamScanner
Attachment: 2021-102 ORD Cl&Ab 40ft ROW Ward St signed (3580 : 2021-102 ORD Closing and

2021-102 EXH 'A'



PROPERTY DESCRIPTION

ALL OF LOTS NUMBERED SEVENTEEN (17) THROUGH TWENTY-FOUR (24) IN BLOCK NUMBERED SIX (6) OF GREATER TEXARKANA ADDITION, AN ADDITION TO THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS AND LOTS NUMBERED ONE (1) THROUGH FIVE (5) IN BLOCK NUMBERED NINE (9) OF GREATER TEXARKANA, BOWIE COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 'AA', PAGE 104, PLAT RECORDS OF BOWIE COUNTY, TEXAS.

THESE LOTS ARE NOT WITHIN A DESIGNATED FLOOD PLAIN, ACCORDING TO FEDERAL INSURANCE ADMINISTRATION RATE MAP, MAP NUMBER 480030 0004 A, EFFECTIVE DATE DECEMBER 31, 1979

GRAPHIC SCALE

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS OF IMPROVEMENTS, VISIBLE EASEMENTS OR RIGHTS-OF-WAY (ALL EASEMENTS AND RIGHTS-OF-WAY ARE SHOWN IF TITLE COMMITMENT WAS PROVIDED PRIOR TO FIELD WORK) EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A PUBLIC ROADWAY.

				SHEET NO. 1

LYNCH SURVEYING
3608 MAGNOLIA STREET
TEXARKANA, TEXAS 75503

TEXARKANA, TEXAS
GREATER TEXARKANA ADDITION
SURVEY OF LOTS 1-24, BLOCK 6 & 9

Scale 1" = 20' | Date 11-8, 2021 | Job No. 8473

Attachment: 2021-102 ORD Cl&Ab 40ft ROW Ward St signed (3580 : 2021-102 ORD Closing and

2021-102 ATTH 01

CITY OF
TEXARKANA
TEXAS
Public Works Department
919 Elm Street
Texarkana, TX 75501
Phone (903) 798-3948
Fax (903) 792-6419

March 19, 2021

City Departments and Utility Representatives

Re: Proposed Street Abandonment

The City of Texarkana, Texas has received a letter from James Cannon requesting the abandonment of an approximately 40' unopened section of Ward Street located between Blocks 6 & 9 of the Greater Texarkana Addition.

Please refer to the attachments and provide any comments to me by April 9th, 2021 if you are in favor of abandonment and if your office will need an easement for any existing utilities.

Your prompt response is appreciated. If you have any questions, please contact me at my office or through email.

Sincerely,

Jonathan Wade, EIT, CFM
Associate City Engineer
Office: (903) 798-3251
Cell: (903) 908-2725
Jonathan.wade@txkusa.org

Attachment: 2021-102 ORD CI&Ab 40ft ROW Ward St signed (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of Way of Ward

From: Mark Cannon
To: TEX-Wade, Jonathan
Subject: Re: Ward Street
Date: Sunday, March 14, 2021 5:10:56 PM

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may-concern,
I , James Cannon request the City of Texarkana Texas to abandon proposed Ward Street from intersection with Austin street through twelve lots in Block 6 and 12 lots in Block 9 of Greater Texarkana subdivision. I acquired the 12 lots on each side described at time of sale as 1.9 acres and simply want to develop an entrance to future home site.
Thanks for your consideration,
James Cannon
Sent from my iPhone

Attachment: 2021-102 ORD CI&Ab 40ft ROW Ward St signed (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of Way of Ward

AT&T LTE 5:15 PM 90%
3 Messages
Inbox
Ward Street

CITY OF
TEXARKANA
TEXAS

Application for Public R.O.W. Abandonment

Type: X Street ___ Alley ___ Other

Purpose of Abandonment: Develop property for home site/driveway

Applicant/Agent Information:

Name: James Cannon

Address: 12119 FM 381 Eola TX 76937

Phone: (903 506 8507) Fax: ( ) Work Email:

Required Documents needed to proceed with review:

- Letter requesting abandonment
- Electronic Copy of plat/deed/plot plan showing requested abandonment
- Letter/Petition from all adjacent property owners agreeing to abandonment

Required Documents needed prior to City Council Meeting:

- Abandonment release form signed by owner/applicant
- Abandonment release form signed by adjacent land owners
- Legal Exhibit and Property Description of property being abandoned
- Application Fee

Note: Partial abandonment requests will not be accepted.

James Cannon
Applicant's Printed Name

Jas Cannon
Applicant's Signature

9-28-2021
Date

Application Fee: $250

Received by:

Application Fee Paid:

Receipt No.:

See More

Attachment: 2021-102 ORD CI&Ab 40ft ROW Ward St signed (3580 : 2021-102 ORD Closing and Abandoning 40' Street Right of Way of Ward

Attachment: 2021-102 ORD Cl&Ab 40ft ROW Ward St signed (3580 : 2021-102 ORD Closing and

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 12/7/2021 3:38 PM

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

Subject: Resolution No. 2021-105 approving the City's mission, vision, and values statements.

Briefing: 12/13/2021 **Public Hearing:** 12/13/2021 **Council Vote:** 12/13/2021

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

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The following organizational mission, vision and values statements are guided by the City's Comprehensive Plan, Leadership Texarkana community vision statements and input from Councilmembers as well as staff.

The following statements if approved will be reviewed annually as part of the city's budget process and used extensively throughout the organization to guide and direct operations of the City of Texarkana, Texas.

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

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

Core Values: Teamwork, Integrity, Accountability, Innovation, Leadership, Professionalism, Communication, & Character.

Teamwork
Supports a positive work environment between supervisors and co-workers by collectively and cooperatively working together, either within one's own department or across departments, to achieve a common goal or task completion in the most effective and efficient manner.

Examples:

- solicits ideas from team members and gains support before decision implementation
- interacts comfortably and effectively with team members

- welcomes and entertains other viewpoints or disagreement as a means to ensure a complete understanding of information
- listens effectively
- resolves conflicts
- coaches and mentors co-workers
- takes initiative to encourage and help the team and individual team members
- helps and supports co-workers to contribute to overall organization success
- looks beyond the requirements of one's own job
- praises the success of others

Integrity

Conducts oneself in an honest, transparent, and trustworthy manner; doing what is best for the greater and common good and for the benefit of others.

Examples:

- consistently acts with the utmost of ethical standards
- recognizes the propriety of maintaining the confidentiality of proprietary or personally-identifiable information
- appropriately and consistently complies with policies and procedures
- when making decisions, always considers what is best for the City and the citizens

Accountability

Demonstrates a high level of dependability in varying aspects of one's job.

Examples:

- completes assigned tasks on time
- consistently punctual
- maintains attendance at a level where individual performance is not negatively impacted
- fulfills commitments
- manages assigned tasks at a high level
- takes responsibility for decisions within the workplace and acknowledges self-errors
- takes personal ownership in the success of the organization

Innovation

Aides in developing and implementing new and more effective and efficient means and methods to reach desired goals and objectives.

Examples:

- suggests alternative ways to more efficiently complete a task
- open-minded to new processes or ideas presented
- promotes acceptance of new ideas and positively reinforces efforts to make such ideas successful (rather than negatively critiquing new ideas as inadequate)
- willingly accepts and shows flexibility in adapting to changes in both daily procedures and one's own job responsibilities and expectations
- changes behavioral style or method of approach when necessary to achieve a goal
- identifies the need for new procedures and prepares an implementation plan that includes personnel training
- maintains positive verbal communication regarding changes

City of Texarkana, Texas

Leadership
Influences or guides others positively towards a desired goal or objective.

Examples:
- coaches or mentors new co-workers or co-workers needing assistance
- helps co-workers when needed on assigned tasks
- volunteers for new projects or tasks when presented with the opportunity
- takes responsibility for a group's actions in both favorable and unfavorable outcomes

Professionalism
Uses skill, good judgment, and polite behavior in order to adhere to a collection of expected social qualities for those employed with the City.

Examples:
- creates an environment of respect and positive rapport with City employees as well as community members
- demonstrates respect of other's cultural and developmental differences
- maintains a professional appearance appropriate for one's job functions

Communication
Utilizes written, verbal, and listening skills to communicate effectively with City staff, the public, and all appropriate audiences.

Examples:
- delivers verbal and written information tailored to intended audiences to ensure both understanding and import of the information
- develops methods to ensure that intended audiences clearly understand information presented
- prepares and proofreads written information to be free from errors
- practices delivery of verbal information and multimedia presentations before presentment to others
- ensures the presentment of clear, accurate, and fact-based information
- speaks and writes with deliberate thought, communicating in a respectful, accurate, and professional manner
- provides adequate and sufficient information to express needs to others, or to explain changes to others

Character
Possesses and demonstrates traits or qualities that represent a high moral code of socially acceptable behavior and citizenship.

Examples:
- respectful, compassionate, and empathetic for all persons, conscientious of both positive and negative impacts that one's works, words, and behaviors may and do have on others
- fair, tactful, diplomatic, and self-disciplined, especially when faced with opposition, pressure, hostility, or stressful situations
- thankful, forgiving, and accepting of differences

- demonstrates Teamwork, Integrity, Accountability, Innovation, Leadership, and Communication

Potential Options:

- Approve
- Deny

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2021-105 RES Adopting Mission, Vision, Values (DOC)
b. 2021-105 Goals & Perspectives (DOCX)
c. 2021-105 RES Mission, Vision, Values signed (PDF)

Staff Coordination

City Manager	David Orr	Department Head Review	Completed	11/05/2021 8:35 AM
City Manager	David Orr	City Manager Review	Completed	11/05/2021 8:35 AM
City Council	Jennifer Evans	Meeting	Completed	11/08/2021 6:00 PM

Meeting History

11/08/21	City Council	MOVED FORWARD	Next: 12/13/21

RESOLUTION NO. 2021-105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE CITY'S MISSION, VISION AND VALUES STATEMENTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the following organizational mission, vision and values statements are guided by the City's Comprehensive Plan, Leadership Texarkana community vision statements and input from Councilmembers as well as staff; and

WHEREAS, the following statements, if approved, will be reviewed annually as part of the city's budget process, and used extensively throughout the organization to guide and direct operations of the City of Texarkana, Texas.

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

SECTION 1: That the following organizational mission, vision, and values statements are hereby approved:

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

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

Core Values: Teamwork, Integrity, Accountability, Innovation, Leadership, Professionalism, Communication, & Character.

SECTION 2: That the statements be included in the city's operations to the fullest extent possible and be included as a part of the City's official budget document to be reviewed annually as a part of the budgeting process.

PASSED AND APPROVED in Regular Council Session on this the **13th day of December, 2021**.

ATTEST:

_____ _____

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

Attachment: 2021-105 RES Adopting Mission, Vision, Values (3592 : 2021-105 RES Mission, Vision, Values)

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: 2021-105 Goals & Perspectives (3592 : 2021-105 RES Mission, Vision, Values)

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ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

7:06p.m.

Attachment: 2021-105 RES Mission, Vision, Values signed (3592 : 2021-105 RES Mission, Vision, Values)