



CITY OF TEXARKANA

CITY COUNCIL

AGENDA • MARCH 9, 2026

Council Chambers

Regular Meeting

6:00 PM

220 TEXAS BLVD., TEXARKANA, TX 75501

Mayor

Bob Bruggeman

Ward 1

Jean H. Matlock

Ward 2

Mary Hart

Ward 3

Steve Thompson

Ward 4

Christie Page

Ward 5

Cole Meador

Ward 6

Jay Davis



Vision

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

Mission

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

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

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

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER JAY DAVIS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings

Monday, April 13, 2026, at 6:00 p.m.

Monday, May 11, 2026, at 6:00 p.m.

Parks & Recreation Activities

Mar 14 th - 15 th	NCS Softball Tournament	Grady T. Wallace Complex
Mar 14 th - 15 th	BATT 44 Pro Glove Tournament	Swanger Baseball Complex
Mar 19 th - 21 st	BATT Terry Huggins Memorial Tournament	Swanger Baseball Complex
Mar 21 st	Texarkana Soccer Assc. - Opening Day	Grady T. Wallace Soccer Complex
Mar 23 rd	Adult Softball - Opening Day	Grady T. Wallace Softball Complex
Mar 26 th	BATT Baseball - Opening Day	Swanger Baseball Complex
Mar 28 th - 29 th	2D Sports Tournament	Swanger Baseball Complex
Apr 4 th - 5 th	BASE Softball Tournament	Swanger Baseball Complex
Apr 11 th - 12 th	USSSA Baseball Tournament	Swanger Baseball Complex

Additional Parks & Recreation information can be found on the city's website at <https://www.texarkanatexas.gov>

Perot Theatre Upcoming Shows

The Classical Arts Entertainment will present "**The Sleeping Beauty by International Ballet Stars**" on March 27th at 7:00 p.m.

The **More Life Tour Starring Randy Travis** and the original Randy Travis Band with guest vocalist James Dupre' will be in concert on March 28th at 7:30 p.m.

The 49th Place Production presents **The Ultimate Elvis Concert** on April 11th at 7:30 p.m.

Tickets for Perot Theatre shows are available at <https://perottheatre.org>

IV. OPEN FORUM: COMMENTS FROM THE PUBLIC

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

V. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

VI. ITEMS FOR CONSIDERATION

Consent Items

1. Consider approval of the minutes of the Regular Meeting of the City Council held on February 9, 2026.
2. Resolution No. 2026-027 authorizing a memorandum of understanding between Bowie County and the City of Texarkana, Texas/Texarkana Texas Fire Department for placement of a tower and warning siren on county-owned property.
3. Resolution No. 2026-028 authorizing the City Manager to execute a pickleball court development agreement with the Texarkana Pickleball Club.
4. Resolution No. 2026-029 acknowledging receipt of the Police Department's 2025 Racial Profiling Report as statutorily required.
5. Resolution No. 2026-031 approving the Fiscal Year 2027 budget calendar.
6. Resolution No. 2026-032 approving various technology purchases from Tier4 Technologies of Texarkana, Texas, with budgeted funds in an amount not to exceed \$485,000.
7. Resolution No. 2026-034 authorizing the City Manager to execute a contract with Plummer Associates, Inc. of Fort Worth, Texas, for the Stateline Corridor – Field Investigation and Coordination Project, in an amount not to exceed \$391,035.00, (City of Texarkana, Texas, portion in an amount not to exceed \$237,866.60), with budgeted funds in the TWU 2024-2025 Bond Construction Fund in the amount of \$237,866.60.

Action Items

1. Resolution No. 2026-026 authorizing the City Manager to execute a contract with Holistic Utility Solutions of Grapevine, Texas, for the Non-Revenue Water Reduction Phase II - Dashboard and Analytics Project, in an amount not to exceed \$427,500.00, (City of Texarkana, Texas, portion in an amount not to exceed \$260,048.25), with budgeted funds in the FY 2025-2026 TWU Texas Capital Improvement Fund.
2. Resolution No. 2026-033 authorizing the City Manager to execute a contract with Kampco, Inc. of Texarkana, Arkansas, for the Water Looping Phase II – Twenty-Four-

Inch (24”) Water Railyard Crossing Project in an amount not to exceed \$2,132,015.78. Funds are available in the Utility's 2025-2026 budget in the Texas Capital Improvement Fund at \$2,132,015.78.

VII. FIRST BRIEFINGS

1. Ordinance No. 2026-009 adopting the 2024 International Building Codes including certain amendments, modifications, deletions and appendices.

Public Hearing: 4/13/2026

Council Vote: 4/13/2026

2. Ordinance No. 2026-010 adopting the 2024 International Residential Code including certain amendments, modifications, deletions and appendices.

Public Hearing: 4/13/2026

Council Vote: 4/13/2026

3. Ordinance No. 2026-011 adopting the 2024 International Energy Conservation Code including certain amendments, modifications, deletions and appendices.

Public Hearing: 4/13/2026

Council Vote: 4/13/2026

4. Ordinance No. 2026-012 adopting the 2023 National Electrical Code including certain amendments, modifications, deletions, and appendices.

Public Hearing: 4/13/2026

Council Vote: 4/13/2026

5. Ordinance No. 2026-013 adopting the 2024 International Plumbing Code, International Fuel Gas Code, and International Mechanical Code including certain amendments, modifications, deletions and appendices.

Public Hearing: 4/13/2026

Council Vote: 4/13/2026

6. Ordinance No. 2026-023 amending the Code of Ordinances, Chapter 140 - Zoning, Article VII, Supplemental Regulations, Sections 140-179, and adding Section 140-183, "Storage shipping containers," and Section 140-184, "Shipping container homes and tiny homes," and amending Chapter 105, Buildings and Construction, Article II, Division 3 - Residential Code by adding section 105-101, "Construction with Certain Zoning Regulations."

Public Hearing: 4/13/2026

Council Vote: 4/13/2026

7. Ordinance 2026-030 amending Chapter 130 of the Code of Ordinances by adding Article VI-Right of Way Work and the Master Fee List to include a Right-of-Way

Construction Permit Fee.

Public Hearing: 4/13/2026

Council Vote: 4/13/2026

8. Ordinance No. 2026-035 granting a Specific Use Permit to allow the one additional use of a daycare on Lot 4, Block 9, Sherwood Addition, located at 2907 Sunset Road (Ward 4). Bobby Collins, owner, and Kayla Gails, agent. (A 3/4 vote of the council is required to approve this request.)

Public Hearing: 4/13/2026

Council Vote: 4/13/2026

9. Ordinance No. 2026-036 rezoning on an approximate 0.62-acre tract of land (being Tract 65), J.W. Johnson HRS, A-308, located at 2610 Page Street (Ward 1) from Single Family-2 to Single Family-3. Sharita Young and Trishae Hoskins, owners, and Connie Young, agent.

Public Hearing: 4/13/2026

Council Vote: 4/13/2026

10. Ordinance No. 2026-037 granting a Specific Use Permit to allow the location of a HUD code manufactured home on an approximate 0.62-acre tract of land (being Tract 65), J.W. Johnson HRS, A-308, located at 2610 Page Street (Ward 1). Sharita Young and Trishae Hoskins, owners, and Connie Young, agent.

Public Hearing: 4/13/2026

Council Vote: 4/13/2026

11. Ordinance No. 2026-038 rezoning on Lot 2, (H&T Minor Plat), Block 111, George Brinlee HRS, A-18, located in the 4900 block of McKnight Road (Ward 4) from Single Family-1 to Office. Jasper Howard, owner, and Richard Reynolds, Jr., agent. (A 3/4 vote of the council is required to approve this request.)

Public Hearing: 4/13/2026

Council Vote: 4/13/2026

VIII. PUBLIC HEARINGS

1. Ordinance No. 2026-021 rezoning the east 50' X 66' of Lot 12, Block 17, Rochelle Heights, located at 507 W 38th Street (Ward 3) from Single Family-2 to Two Family-2. Jameson Titus, owner.

Public Hearing: 3/9/2026

Council Vote: 3/9/2026

IX. CITY MANAGER'S REPORT

X. ADMINISTRATIVE COMMENTS

1. City Council
2. City Staff

XI. CLOSED SESSION

The City Council will convene into closed session pursuant to the following sections of the Texas Government Code:

A. Section 551.071 (Consultation with Attorney)

B. Section 551.072 (Real Property)

C. Section 551.087 (Economic Development Negotiations) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to said business prospect: Project Prime Corner.

XII. RECONVENE INTO OPEN SESSION

XIII. ADJOURNMENT



Jennifer Evans
City Secretary

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

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

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

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

as required by that chapter.

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



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • FEBRUARY 9, 2026

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	
Steve Thompson	Ward 3	Present	
Christie Page	Ward 4	Present	
Cole Meador	Ward 5	Present	
Jay Davis	Ward 6	Absent	

Staff Present: City Manager David Orr, Jennifer Evans, Kristin Peoples, Billy McAnally, Garrett Baker, Dakota Weeks, Chris Black, J.W. Bramlett, Laura Puckett, Matt Solomon, Chiquita Burks, Jessica Plant, Brooke Stone, and Jonathan Wade.

Municipal Court: Judge Sherry Jackson Hawkins.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE LED BY COUNCIL MEMBER COLE MEADOR

III. SPECIAL PRESENTATIONS

1. LifeNet 2025 Annual Report

Chief Executive Officer, Alyssa Moore, shared a variety of information from the 2025 ambulance service report that featured outcomes, enhancements, response times, dispatch performance, and customer satisfaction. The average customer survey score was 90.4.

Also, during 2025, LifeNet provided community education and outreach at several area schools, childcare centers, and general community events across Texarkana, USA.

2. Texarkana Youth Advisory Council - 2026 YAC Summit

Trinity Chase (President/PGISD), Brandi Bradley (TISD), and Briana Lo (PGISD) attended this year’s Youth Advisory Council in Cedar Hill, Texas. Keynote speaker Wes Woodson talked about the importance of mental health and his personal teenage experiences. He also encouraged the youth to invest in mental health now.

They participated in different breakout sessions, which included discussions about healthy relationships and setting boundaries.

The students also had the opportunity to enjoy some fun recreational activities during the summit with the other youths.

Council Member Matlock said the Texarkana group made such a great impression last time, that this year, other youth councils were looking for Texarkana at the summit!

Also, in the audience were the other TYAC members: Tucker Keeney (PGISD), J'Lynn Dowden (TISD), and Jacqueline O'Shaughnessy (Trinity Christian School).

IV. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings

Monday, March 9, 2026, at 6:00 p.m.
Monday, April 13, 2026, at 6:00 p.m.

Parks & Recreation Activities

Feb. 21 st – 22 nd	B.A.S.E. Softball Tournament	Swanger Complex
Feb. 26 th – 27 th	Parks & Recreation Fishing Derby	Spring Lake Park
Feb. 28 th -Mar 1 st	N.C.S. Softball Tournament	Swanger Complex
Mar. 7 th – 8 th	U.S.S.S.A. Baseball Tournament	Swanger Complex

Additional Parks & Recreation information can be found on the city’s website at <https://www.texarkanatexas.gov>

Perot Theatre Upcoming Shows

The Texarkana Symphony Orchestra will present "Country Jukebox" on March 7th at 7:00 p.m.

Tickets for Perot Theatre shows are available at perottheatre.org.

On Sunday, February 15th, the annual **Run the Line** event, hosted by Partnership for the Pathways, will kick off at 7:30 a.m. in downtown Texarkana at West Broad Street and Texas Boulevard.

The annual **Chamber of Commerce Banquet** was held on February 5th at the Northridge Country Club. Mayor Bruggeman and Texarkana Arkansas Mayor Brown were both asked to make a video about creating a legacy, based on raising children in the community who remain here in Texarkana and don’t move away.

Mayor Bruggeman enjoyed making the video along with his two daughters, Liz & Olivia, and Mayor Brown made his video with his three sons.

City Manager Orr received the Truman Trailblazer Award and former Mayor James Bramlett received the C. E. Palmer Award, which is the Chamber's most prestigious award. Congratulations to all!

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 it 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.

Shelia Howard asked why two water meters on her block were locked, one being hers, when the other six neighbors' water meters were not locked. She said it's never been locked before. She called the water company but could not get an answer.

Taylor Bradshaw, who spoke during Open Forum at the January 12, 2026, council meeting, said she was following up and concerned about her extreme increase in water usage which results in a high water bill.

The water company has been helpful to her since the last council meeting, but she wanted to know if there would be a formal TWU investigation into these issues, whether it will be completed by the city, and when the residents can expect answers regarding those findings.

VI. **APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

Council Member Page recommended the following council reappointments: Jean Matlock, Mary Hart, and Cole Meador to the Ark-Tex Council of Governments and Mayor Bruggeman to both the Bi-State IAC and Texarkana Urban Transit District.

Mayor Bruggeman reappointed Jason Thomson to the Airport Authority Board.

A motion was made to accept the recommendations to various boards and to confirm the Mayoral reappointment to the Airport Authority Board.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Jean Matlock, Ward 1
SECONDER: Mary Hart, Ward 2
AYES: Matlock, Hart, Thompson, Page, Meador, Bruggeman
ABSENT: Davis
 (6:38 p.m.)

VII. ITEMS FOR CONSIDERATION

Consent Items

1. Consider approval of the minutes of the Regular Meeting of the City Council held on January 12, 2026.
2. Resolution No. 2026-018 ratifying a contract with forvis Mazars, LLP, or Rogers, Arkansas, to perform the annual financial audit for the City of Texarkana, Texas, and Texarkana Water Utilities (TW), for the fiscal year ending September 30, 2025, in an amount not to exceed \$178,500, with funds budgeted in the General Fund (Fund 101) and the Texarkana Water Utilities funds (funds 61, 62, 71, 81, and 82).
3. Ordinance No. 2026-022 amending budgeted expenditures for the General Fund (Fund 101) and adding the amount of Four Million Four Hundred Two Thousand Five Hundred Sixty-eight Dollars and Fifty-eight Cents (\$4,402,568.58) for the fiscal year beginning October 1, 2025, and ending September 30, 2026, for one-time use of fund balance expenditures budgeted and unspent in the preceding fiscal year.
4. Ordinance No. 2026-024 amending the interlocal agreement with Texarkana College for the design and construction of the Assembly Line building located at 215 Pine Street, authorizing expenditures for the design and construction of the project in an amount not to exceed \$2,952,286.15 for Texarkana College, and \$73,069.08 for Bill Patton, and amending budgeted revenues and expenditures in the Assembly Line Fund (Fund 249) to add \$500,000 for unspent Temple Foundation grant funds.
5. Resolution No. 2026-025 authorizing the City Manager to execute a contract with Kofile Technologies, Inc., of Dallas, Texas, to perform services related to the imaging and indexing of records in the Vital Statistics Department, for an amount not to exceed, Three Hundred Four Thousand, Nine Hundred Forty-five Dollars and Eighty- five Cents (304,945.85), with funds budgeted in the General Fund (Fund 101).

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Christie Page, Ward 4

SECONDER: Steve Thompson, Ward 3

AYES: Matlock, Hart, Thompson, Page, Meador, Bruggeman

ABSENT: Davis

(6:42 p.m.)

Action Items

There were no actions items.

VIII. FIRST BRIEFINGS

1. Ordinance No. 2026-021 rezoning the east 50' X 66' of Lot 12, Block 17, Rochelle Heights, located at 507 W. 38th Street (Ward 3) from Single Family-2 to Two Family-2. Jameson Titus, owner.

Public Hearing: 3/9/2026

Council Vote: 3/9/2026

Laura Puckett briefed this agenda item.

RESULT:	ITEM MOVED FORWARD	Next: 3/9/2026 6:00 p.m.
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IX. PUBLIC HEARINGS

1. Ordinance No. 2026-001 rezoning on Lot 2, block 3, West Beverly, located at 1009 Blanton Street (Ward 2) from Single Family-2 to Single Family-3. Bernardino Gabriel, owner.

Public Hearing: 2/9/2026

Council Vote: 2/9/2026

There were no comments made at this hearing.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mary Hart, Ward 2
SECONDER: Jean Matlock, Ward 1
AYES: Matlock, Hart, Thompson, Page, Meador, Bruggeman
ABSENT: Davis
(6:45 p.m.)

2. Ordinance No. 2026-002 granting a Specific Use Permit to allow the location of a HUD code manufactured home on Lot 2, Block 3, West Beverly, located at 1009 Blanton Street (Ward 2). Bernardino Gabriel, owner.

Public Hearing: 2/9/2026

Council Vote: 2/9/2026

There were no comments made at this hearing.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mary Hart, Ward 2
SECONDER: Cole Meador, Ward 5
AYES: Matlock, Hart, Thompson, Page, Meador, Bruggeman
ABSENT: Davis
(6:46 p.m.)

3. Ordinance No. 2026-003 amending PD-02-13 for site plan approval on Lot 1, block 1, Healthcare Express Subdivision, located at 4302 Galleria Oaks Drive (Ward 5). Josh & Ashley Talley, owners, and Vance Liles, MTG Engineers and Surveyors, agent.

Public Hearing: 2/9/2026

Council Vote: 2/9/2026

Vance Liles presented himself for questions from the council.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Cole Meador, Ward 5
SECONDER: Christie Page, Ward 4
AYES: Matlock, Hart, Thompson, Page, Meador, Bruggeman
ABSENT: Davis
 (6:48 p.m.)

4. Ordinance No. 2026 -005 rezoning on an approximate 0.972-acre tract of land (being Tract 3), J.M. Goffe HRS, A-244, located at 3506 Moores Lane (Ward 6) from Agriculture to Planned Development-General Retail. Raymond Jordan, owner, and Jason Eppinette, agent.

Public Hearing: 2/9/2026
 Council Vote: 2/9/2026

There were no comments made at this hearing.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Steve Thompson, Ward 3
SECONDER: Mary Hart, Ward 2
AYES: Matlock, Hart, Thompson, Page, Meador, Bruggeman
ABSENT: Davis
 (6:50 p.m.)

5. Ordinance No. 2026-015 closing and abandoning four (4) right of way tracts of 0.271 acres, 0.086 acres, 0.334 acres, and 0.226 acres, located south of South 8th Street and east of South Lelia Avenue (Ward 1) in the Factory Heights Addition.

Public Hearing: 2/9/2026
 Council Vote: 2/9/2026

There were no comments made at this hearing.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Christie Page, Ward 4
SECONDER: Jean Matlock, Ward 1
AYES: Matlock, Hart, Thompson, Page, Meador, Bruggeman
ABSENT: Davis
 (6:51 p.m.)

6. Ordinance No. 2026-020 amending PD-26-01 for site plan approval on an approximate 0.972-acre tract of land (being Tract 3), J.M. Goffe HRS, A-244, located at 3506 Moores Lane (Ward 6). Raymond Jordan, owner, and Jason Eppinette, agent.

Public Hearing: 2/9/2026
 Council Vote: 2/9/2026

This agenda item was **withdrawn** by the applicant.

X. CITY MANAGER'S REPORT

City of Texarkana Q4 2025 Economic Development Report

The City of Texarkana Q4 2025 Economic Development Report is now available. This quarterly update highlights recent economic activity, including new businesses announced or opened, commercial and residential construction activity, and ongoing economic development initiatives.

This past quarter also marked continued progress with the reactivation of the Industrial Development Corporation, which is now fully compliant and positioned to support long-term industrial growth, strategic land acquisition, and job creation efforts. The city continued to see strong interest from prospective businesses in 2025, with 42 development-related activities over the past year spanning manufacturing, energy, pharmaceuticals, advanced technology, and construction. For more information about projects and ongoing economic development efforts, visit the City's Economic Development webpage. www.texarkanatexas.gov/255/Economic-Development

Community Water Forum Recap

The Community Water Forum held on Monday, Feb 2nd provided residents with an opportunity to ask questions and stay informed about current and future water initiatives in Texarkana. Topics included advanced metering infrastructure, system improvements, upcoming water and sewer projects, service line inventory efforts, and the Riverbend regional water infrastructure program.

Following the forum, a TWU Water Loss Response Team was formed to assist residents with locating and understanding their water loss. Because a significant number of cases involve individual circumstances, this team will provide direct support to help identify potential issues and guide customers toward solutions.

Staff updated the Texarkana Water FAQ document based on feedback and additional questions from residents. The updated FAQ covers a wide range of topics along with graphical representations to help clearly illustrate billing components, rate comparisons, usage patterns, and project timelines.

www.texarkanatexas.gov/DocumentCenter/View/11433/TWU-Riverbend_FAQ?bidId=

City Manager Orr said the city's Community, Planning & Health Director, Vashil Fernandez, is leaving and taking the next step in his career after six years of service. He will be missed as a trusted leader and great friend. The city wishes Vashil and his family all the best.

XI. ADMINISTRATIVE COMMENTS

1. City Council

Mayor Bruggeman thanked Vashil Fernandez for his many contributions to the city He was willing to take on any task or project for the betterment of the citizens in

Texarkana, Texas. He will be an asset to his new community. He wished Vashil and his family the best!

2. City Staff

Staff had no administrative comments for council.

XII. ADJOURNMENT

A motion was made to adjourn the meeting.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Christie Page, Ward 4
SECONDER: Mary Hart, Ward 2
AYES: Matlock, Hart, Thompson, Page, Meador, Bruggeman
ABSENT: Davis
(6:57 p.m.)

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Briefing Sheet

Department: Fire Department **Action Officer:** Chris Black, Fire Chief
Subject: Resolution No. 2026-027 authorizing a memorandum of understanding between Bowie County and the City of Texarkana, Texas/Texarkana Texas Fire Department for placement of a tower and warning siren on county-owned property.
Briefing: 3/9/2026 **Public Hearing:** **Council Vote:** 3/9/2026

Item Schedule:

Updates/History of Briefing:

Executive Summary and Background Information:

The proposed optimum siting of one of the warning sirens authorized by the Council (Res. Nos. 2025-022, 2025-025) was just outside the city limits; and for the mutual benefit of the City and Bowie County to ensure reliability of public safety, the County has granted an easement to the City for the placement of a tower and warning siren on County-owned property.

The proposed Memorandum of Understanding memorializes both the tower / siren placement and the respective responsibilities of the parties. Among other things, the MOU provides:

- TTFD, at no cost to the County, shall erect on the easement a tower suitable for an outdoor warning siren; and install, maintain, and operate an outdoor warning siren on the tower.
- TTFD will retain ownership of the siren and be responsible for all maintenance and operation.
- The County reaffirms that the easement grants TTFD access to the Easement situs at all times.
- The County shall promptly notify TTFD if access to the easement is needed, otherwise, the County shall not access the Easement nor disturb the tower or warning siren.
- Each party to this agreement will be responsible for its own performance of this MOU and shall not be civilly liable for the other party’s performance.

Potential Options:

Approve or decline to approve the proposed Memorandum of Understanding.

Fiscal Implications:

None

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.

RESOLUTION NO. 2026-027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF BOWIE AND THE CITY OF TEXARKANA, TEXAS/TEXARKANA TEXAS FIRE DEPARTMENT FOR PLACEMENT OF A TOWER AND WARNING SIREN ON COUNTY-OWNED PROPERTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, ensuring the reliability of public safety sirens is an absolute necessity and in the best interest of the safety, health and welfare of the citizens; and

WHEREAS, the proposed optimum site of one of the warning sirens authorized by the City Council (Res. Nos. 2025-022, 2025-025) was just outside the city limits; and

WHEREAS, for the mutual benefit of the City and Bowie County to ensure reliability of public safety, Bowie County has granted an easement to the City of Texarkana, Texas, for the placement of a tower and warning siren on county-owned property; and

WHEREAS, the proposed Memorandum of Understanding (“MOU”), attached hereto as **ATTH 01** and incorporated herein for all purposes, memorializes both the tower / siren placement and the respective responsibilities of the parties; and

WHEREAS, the City Council finds and determines that it is mutually beneficial for both parties agreeing to the MOU to render assistance to one another in accordance with its terms, and that approving and authorizing the execution of the MOU is in the best interests of the City.

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

SECTION 1: The City Council approves the “Memorandum of Understanding” for the “Warning Siren on County Property” attached hereto as **ATTH 01**. The City Manager is hereby authorized to execute said MOU on behalf of the City.

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2026.**

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Memorandum of Understanding

Bowie County, Texas, and Texarkana, Texas Fire Department

Warning Siren on County Property

This Memorandum of Understanding (MOU) is between the COUNTY of BOWIE and the CITY OF TEXARKANA, TEXAS / TEXARKANA, TEXAS FIRE DEPARTMENT (TTFD).

WHEREAS, this MOU is made under the authority of Chapter 791 of the Texas Government Code; and

WHEREAS, ensuring the reliability of public safety sirens is an absolute necessity and in the best interest of the safety, health and welfare of the citizens; and

WHEREAS, heretofore, Bowie County has granted an easement to the City of Texarkana, Texas, for the placement of a tower and warning siren on County-owned property ("the Easement"); and

WHEREAS, it is deemed mutually beneficial for both parties to this agreement to render assistance to one another in accordance with terms of this MOU.

NOW THEREFORE, the COUNTY and TTFD agree as follows:

Section 1.

TTFD, at no cost to County, shall erect on the Easement a tower suitable for an outdoor warning siren; and install, maintain, and operate an outdoor warning siren on the tower. TTFD will retain ownership of the siren and be responsible for all maintenance and operation. County understands, and hereby reaffirms, that the Easement grants TTFD access to the Easement situs at all times.

Section 2.

The County shall promptly notify TTFD if access to the Easement is needed; otherwise, the County shall not access the Easement nor disturb the tower or warning siren.

Section 3.

Nothing in the performance of this MOU shall impose any liability for claims against the COUNTY other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against TTFD or the CITY OF TEXARKANA, TEXAS, other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 5.

Each party to this agreement will be responsible for its own performance of this MOU and shall not be civilly liable for the other party's performance.

Section 6.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.


Section 7.

By entering into this MOU, the parties do not intend to create any obligations, express or implied, other than those set out herein; further, this MOU shall not create any rights in any party not a signatory hereto.

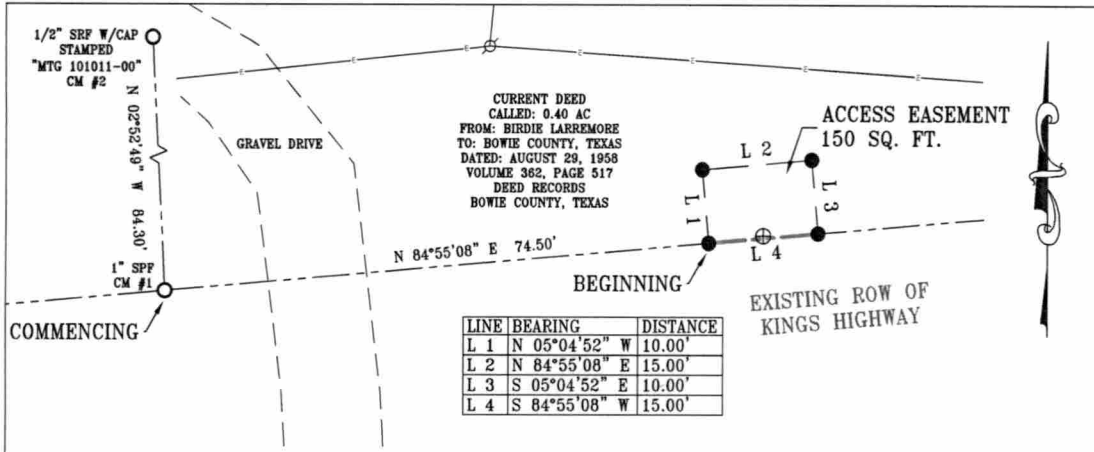
CITY OF TEXARKANA, TEXAS

City Manager

COUNTY OF BOWIE, TEXAS



County Judge



ACCESS EASEMENT
150 SQ. FT.
BOWIE COUNTY

All that certain lot, tract or parcel of land situated in the M H Janes Headright Survey, Abstract No. 305, being a part of that certain 0.40 acre tract of land described in the deed from Birdie Larremore to Bowie County, Texas, dated August 29, 1958, as recorded in Volume 362, page 517 of the Deed Records of Bowie County, Texas (hereinafter called Subject Tract) and being more particularly described by metes and bounds as follows:

COMMENCING at a 1' steel pipe found for a corner, an outside ell corner in the North Right-of-Way line of Kings Highway, and lying in the West line of the said Subject Tract, from which a 1/2" steel rod with cap stamped 'MTG 101011-00' found for the Northwest corner of the said Subject Tract bears N. 02 deg. 52 min. 49 sec. W. a distance of 84.30 feet;

THENCE N. 84 deg. 55 min. 08 sec. E. a distance of 74.50 feet along the North Right-of-Way line of the said Kings Highway to point for a corner at the POINT OF BEGINNING of the herein described tract of land;

THENCE N. 05 deg. 04 min. 52 sec. W. a distance of 10.00 feet across the said Subject Tract to a point for a corner;

THENCE N. 84 deg. 55 min. 08 sec. E. a distance of 15.00 feet across the said Subject tract to a point for a corner;

THENCE S. 05 deg. 04 min. 52 sec. E. a distance of 10.00 feet across and through the said Subject Tract to a point for a corner lying in the North Right-of-Way line of the said Kings Highway;

THENCE S. 84 deg. 55 min. 08 sec. W. a distance of 15.00 feet along the North Right-of-Way line of the said Kings Highway to the POINT OF BEGINNING and containing 150 square feet of land.

SURVEYOR CERTIFICATE:

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON DECEMBER 10, 2025, THAT THIS PLAT (MAP OR DRAWING) SUBSTANTIALLY COMPLIES WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY, THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAT.

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

Jeffrey Wood

JEFFREY A. WOOD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6220, STATE OF TEXAS
FIRM CERTIFICATE NO. 101011-00
DATE: DECEMBER 12, 2025

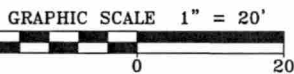


THE BEARINGS ARE BASED ON GRID NORTH WITHIN THE "TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE", NAD83 (CORS96, EPOCH 2002.0), GRID, WITH A BEARING OF NORTH 02 DEGREES 52 MINUTES 49 SECONDS WEST. THE FOLLOWING CONTROL MONUMENTS WERE USED TO ESTABLISH THE BASIS OF BEARINGS:

CONTROL MONUMENT #1 N=7249128.555 E=3296024.595	CONTROL MONUMENT #2 N=7249212.747 E=3296020.359
---	---

NOTE:

- 1) ALL STEEL RODS SET ARE CAPPED WITH PLASTIC CAPS STAMPED "MTG ENG"
- 2) SURVEY PREPARED WITHOUT THE BENEFIT OF TITLE COMMITMENT, SURVEYOR DID NOT RESEARCH EASEMENTS OF RECORDED OR NOT OF RECORDED.



LEGEND			BOUNDARY SURVEY			
SP STEEL PIPE	—x— FENCE	—E— ELEC LINE	M H JANES HEADRIGHT SURVEY ABSTRACT NO. 305 FOR: CITY OF TEXARKANA TEXAS FIRE DEPARTMENT			
Ⓢ FIBER OPTIC CABLE MARKER	○ FOUND MONUMENT	● POINT				
SR STEEL ROD	⊕ POWER POLE	▲ ELEC METER				
⊕ SIREN POLE	⊗ WATER METER	⊠ GAS METER				
Drawn By JB	Checked By JW	Project No. 252314			Dwg. Date 12/10/2025	File No.

City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision	Values
Be a Thriving Regional Center for Education, Business and Culture.	<input type="checkbox"/> Promote a Thriving Community through Innovation <input checked="" type="checkbox"/> Provide a Safe & Welcoming Community through Leadership <input type="checkbox"/> Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/> Provide Leadership through Regional Partnership Opportunities <input checked="" type="checkbox"/> Foster Proactive Communication to the Community <input type="checkbox"/> Provide Courteous & Professional Customer Service <input type="checkbox"/> Model a Positive City Image through Character <input type="checkbox"/> Deliver Efficient Services with Accountability <input type="checkbox"/> Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input type="checkbox"/> Maintain Fiscal Strength with Integrity <input type="checkbox"/> Maximize Accountability & Resource Utilization <input type="checkbox"/> Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/> Promote Teamwork through Cross Department Collaboration <input type="checkbox"/> Enhance Professionalism & Positive Work Culture

Additional Comments:

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

Public Information Plan:

<input type="checkbox"/> Newspaper Notice (Required by Statute)	<input type="checkbox"/> Public Hearing (Required by Statute)
<input type="checkbox"/> Public Forum/Workshop Session	<input type="checkbox"/> Press Release (Through Marketing & Communications)
<input type="checkbox"/> Weekly & Monthly Email Distribution (Send to CM Office)	<input type="checkbox"/> Website Notice (Through Marketing & Communications)
<input type="checkbox"/> Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/> Special Mailing
<input type="checkbox"/> Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/> Banners Posted
<input type="checkbox"/> Survey	<input type="checkbox"/> Automated Phone Call
<input checked="" type="checkbox"/> None Required	<input type="checkbox"/>

Other:

Briefing Sheet

Department: Parks **Action Officer:** Keith Beason, Parks Director
Subject: Resolution No. 2026-028 authorizing the City Manager to execute a pickleball court development agreement with the Texarkana Pickleball Club.
Briefing: 3/9/2026 **Public Hearing:** 3/9/2026 **Council Vote:** 3/9/2026

Item Schedule:

Updates/History of Briefing:

Executive Summary and Background Information:

The Parks and Recreation Staff requests approval of the Pickleball Court Development Agreement between the Texarkana Pickleball Club and the City of Texarkana, Texas for the development of the new Pickleball court Facilities at the Southwest Center, 3222 W. 7th Street, Texarkana, Texas 75501.

Potential Options:

- Approve
- Deny

Fiscal Implications:

The City will match up to \$120,000.00 from Hotel Motel funds for development of the facility.

Staff Recommendation:

Staff recommends approval of this request.

Advisory Board/Committee Review:

N/A

Board/Committee Recommendation:

N/A

Advisory Board/Committee Meeting Date and Minutes:

N/A

RESOLUTION NO. 2026-028

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXARKANA PICKLEBALL CLUB REGARDING DEVELOPMENT OF A NEW PICKLEBALL FACILITY LOCATED AT THE SOUTHWEST CENTER AT 3222 W. 7TH STREET; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, is executing an agreement with the Texarkana Pickleball Club to allow the Texarkana Pickleball Club to manage the construction of new pickleball courts at the Southwest Center at 3222 W. 7th Street in Texarkana, Texas; and

WHEREAS, the City has agreed to match up to **One Hundred Twenty Thousand Dollars (\$120,000)** for the development of those facilities as approved in Resolution No. 2025-144; and

WHEREAS, the Texarkana Pickleball Club and the City agree that the facility is owned and operated by the City of Texarkana, Texas; and

WHEREAS, the Pickleball Court Development agreement is attached as **Exhibit “A”**.

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

SECTION 1: The City Manager is hereby authorized to execute an agreement (**Exhibit “A”**) with the Texarkana Pickleball Club for development of new pickleball courts.

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2026**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

PICKLEBALL COURT DEVELOPMENT AGREEMENT

This Pickleball Court Development Agreement (this “**Agreement**”) is entered into as of the ____ day of February, 2026 (the “**Effective Date**”), by and between **the City of Texarkana, Texas**, a Texas home-rule municipality (the “**City**”), and **Texarkana Pickleball Club**, a Texas non-profit corporation (the “**Non-Profit**”).

The City and the Non-Profit may be referred to individually as a “**Party**” and collectively as the “**Parties.**”

RECITALS

WHEREAS, City is a Texas home-rule municipality and owns certain real property located at 3222 W 7th Street, Texarkana, Texas 75501 (the “**Property**”); and

WHEREAS, the Non-Profit desires to design, construct, and deliver pickleball courts and related improvements on the Property (the “**Project**”) for public recreational use and to enhance tourism and quality-of-life amenities within the City (see Exhibit “A” attached and made a part hereof); and

WHEREAS, the Non-Profit will procure, manage, and pay contractors, subcontractors, vendors, and suppliers necessary to complete the Project; and

WHEREAS, subject to and in compliance with applicable Texas law governing the use of municipal hotel occupancy tax revenues (the “**Funds**”), including Texas Tax Code Chapter 351, the City has determined that certain Project costs may be eligible for reimbursement using Funds to the extent the Project promotes tourism and the convention and hotel industry; and

WHEREAS, the Parties desire to set forth their respective rights and obligations related to construction of the Project and reimbursement of eligible costs.

NOW, THEREFORE, in consideration of the mutual covenants herein, the Parties agree as follows:

I.

PROJECT SCOPE

- 1.1 **Description.** The Project shall include the construction of pickleball courts and related site improvements, which may include fencing, lighting, surfacing, striping, seating, signage, drainage, landscaping, and other ancillary improvements approved by the City in writing.
- 1.2 **Plans and Standards.** The Project shall be constructed in accordance with plans and specifications approved by the City, applicable building codes, and all federal, state, and local laws.

II.

RESPONSIBILITIES OF THE NON-PROFIT

- 2.1 **Project Management.** The Non-Profit shall be responsible for overall Project management, including procurement and coordination of contractors, subcontractors, suppliers, and vendors.
- 2.2 **Donated Services and Materials.** Non-Profit may utilize contractors, subcontractors, suppliers, or other persons or entities who donate labor, professional services, materials, or equipment in connection with the Project (collectively, “Donated Services and Materials”). All such persons and entities shall be deemed to be acting on behalf of, and under the direction and control of, Non-Profit, and not the City. Non-Profit shall be solely responsible for the selection, coordination, supervision, performance, and payment (if any) of all contractors and suppliers providing Donated Services and Materials, and for ensuring that all such work and materials comply with applicable laws, ordinances, regulations, codes, and Project requirements. Non-Profit shall further be responsible for obtaining any required licenses, permits, approvals, warranties, and insurance coverage relating to Donated Services and Materials, and for any claims, liabilities, losses, or damages arising out of or related to the provision or use of such Donated Services and Materials.
- 2.3 **Construction Responsibility and Site Safety.** Nonprofit shall ensure that all construction activities are conducted in a safe manner and in compliance with all applicable federal, state, and local laws, ordinances, regulations, codes, and standards, including without limitation OSHA requirements and all City-adopted construction and safety standards. Nonprofit shall be responsible for maintaining a safe work site, including the installation and maintenance of appropriate fencing, barricades, signage, and other safety measures necessary to protect City personnel, the public, and adjacent property during construction. The City shall have the right, but not the obligation, to monitor construction activities and to require suspension of work in the event the City reasonably determines that unsafe conditions exist, provided that such monitoring or suspension shall not relieve Nonprofit of any responsibility or liability under this Agreement.
- 2.4 **Payment of Costs.** The Non-Profit shall initially pay all Project costs, subject to reimbursement by the City for Eligible Costs as defined herein.
- 2.5 **Permits and Approvals.** The Non-Profit shall obtain, or assist the City in obtaining, all required permits and approvals necessary for construction.
- 2.6 **Insurance Requirements; Waiver of Subrogation.** Prior to entering the Property and throughout the performance of the work, Nonprofit and its contractors shall procure and maintain, at their sole cost and expense, insurance

coverage with companies authorized to do business in the State of Texas and reasonably acceptable to the City. Such insurance shall include, at a minimum: (i) Commercial General Liability insurance with limits of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) aggregate; (ii) Workers' Compensation insurance in accordance with Texas statutory requirements and Employer's Liability insurance; and (iii) Automobile Liability insurance covering owned, hired, and non-owned vehicles, if applicable. The City shall be named as an Additional Insured on the Commercial General Liability policy for claims arising out of or related to the work performed under this Agreement. All policies shall be primary and non-contributory with respect to any insurance maintained by the City. To the extent permitted by law, Nonprofit hereby waives, and shall cause its insurers to waive, all rights of subrogation against the City, its elected officials, officers, employees, and agents for losses arising out of or related to the work or activities conducted under this Agreement. Certificates of insurance and required endorsements evidencing the required coverage and waiver of subrogation shall be provided to the City prior to commencement of any work on the Property and upon renewal. Nonprofit's failure to maintain the required insurance shall constitute a material breach of this Agreement.

The Non-Profit and its contractors shall maintain insurance coverage in commercially reasonable amounts, including general liability and workers' compensation, naming the City as an additional insured where appropriate.

- 2.7 **Compliance.** The Non-Profit shall ensure that all work is performed in compliance with applicable laws, including wage, safety, and non-discrimination requirements.

III.

RESPONSIBILITIES OF THE CITY

- 3.1 **Home-Rule Authority.** The City enters into this Agreement pursuant to its home-rule authority under the Texas Constitution and applicable state law.
- 3.2 **Reimbursement Using Hotel Occupancy Tax Funds.** Subject to City Council approval, budget availability, and compliance with Texas law, the City agrees to reimburse the Non-Profit for certain Eligible Costs as set forth in this Agreement subject.
- 3.3 **Oversight.** The City may monitor construction progress and inspect work for compliance with approved plans and applicable standards.

IV.

ACCESS AND RIGHT OF ENTRY

- 4.1 **Access and Right of Entry.** Subject to the terms and conditions of this Agreement, the City hereby grants to Nonprofit a temporary, non-exclusive right of entry onto the City-owned real property described herein (the “Property”) solely for the purpose of constructing the improvements contemplated by this Agreement. Nonprofit shall be solely responsible for the selection, engagement, supervision, and payment of all contractors, subcontractors, suppliers, consultants, and other persons performing work on the Property on its behalf. Such right of entry shall include reasonable access for Nonprofit and such parties to perform construction-related activities, staging, and delivery of materials. All work shall be performed in a good and workmanlike manner, in compliance with all applicable federal, state, and local laws, ordinances, codes, and permitting requirements. Nonprofit shall be responsible for any damage to the Property or adjacent City property arising out of or related to the activities of Nonprofit or its contractors, subcontractors, suppliers, or agents, and shall promptly repair or cause to be repaired, at its sole cost and expense, any such damage to the satisfaction of the City. Nothing herein shall be deemed to convey any leasehold, easement, or other real property interest to Nonprofit, and title to the Property and all improvements constructed thereon shall at all times remain vested in the City.

V.

ELIGIBLE COSTS AND REIMBURSEMENT

- 5.1 **Eligible Costs.** “Eligible Costs” mean those Project costs that: (a) are directly related to the Project; (b) are reasonable, necessary, and documented; (c) qualify for use of Hotel Occupancy Tax Funds under Texas Tax Code Chapter 351; and (d) have been approved in advance in writing by the City.
- 5.2 **Ineligible Costs.** Costs not qualifying under applicable law or not approved by the City shall not be reimbursable.
- 5.3 **Reimbursement Match and Cap.** City agrees to reimburse Nonprofit for eligible, documented costs incurred in the design and construction of the Project on a matching basis, not to exceed an aggregate reimbursement of One Hundred Twenty Thousand Dollars (\$120,000.00) (the “City Match”). Reimbursement shall be made at a rate of one dollar (\$1.00) of City funds for each one dollar (\$1.00) of Nonprofit-provided match actually contributed to the Project, up to the City Match cap. The Nonprofit’s match may consist of cash expenditures and the

fair market value of donated labor, professional services, materials, and supplies that are necessary for the Project, provided such in-kind contributions are verifiable, properly documented, and valued in accordance with generally accepted accounting principles and any applicable City policies. Nonprofit shall submit itemized requests for reimbursement with supporting invoices, receipts, contracts, lien waivers, and documentation substantiating the value of in-kind contributions. City shall have the right to review and approve the eligibility and valuation of all claimed costs and in-kind contributions prior to reimbursement. No reimbursement shall be made for costs incurred before the Effective Date of this Agreement or after Project completion and acceptance by the City, and total reimbursements shall not exceed the City Match.

- 5.4 **No Obligation Beyond Hotel Occupancy Tax Funds.** The City shall have no obligation to reimburse costs except to the extent Funds are lawfully available and appropriated.

VI.

MAINTENANCE, OWNERSHIP AND USE

- 6.1 **Inspection, Acceptance, and Maintenance.** Upon completion of the improvements, Nonprofit shall notify the City and request inspection. Following the City's inspection and written acceptance of the improvements as substantially complete and in compliance with this Agreement and applicable standards, the City shall assume responsibility for the operation and routine maintenance of the Property and the improvements constructed thereon. The City's acceptance shall not constitute a waiver of any rights or remedies with respect to latent defects, nonconforming work, or warranties expressly provided under this Agreement. Until such inspection and acceptance, Nonprofit shall remain responsible for the condition of the Property and the improvements.
- 6.2 **Ownership of Improvements.** The Parties acknowledge and agree that the Property is and shall remain at all times owned exclusively by the City. All permanent improvements, fixtures, and appurtenances constructed as part of the Project shall, upon installation or incorporation into the Property, become the sole property of the City without the necessity of further conveyance, free and clear of any liens, claims, or security interests.
- 6.3 **No Ownership Interest.** Nothing in this Agreement shall be construed to grant the Non-Profit any ownership, leasehold, easement, or other real property interest in the Property or the Project, except for a temporary, non-exclusive license to access the Property solely for purposes of constructing the Project.
- 6.4 **Public Use.** The pickleball courts shall be operated as a public recreational facility, and for use for tournaments in accordance with City policies, rules, and scheduling, as determined by the City in its sole discretion.

- 6.5 **No Liens.** The Non-Profit shall ensure that no mechanic's, materialman's, contractor's, or other liens or encumbrances are filed, asserted, or maintained against the Property or the Project in connection with the work performed under this Agreement. The Non-Profit shall promptly cause any such lien or claim to be released, bonded around, or discharged within ten (10) days after written notice from the City, at the Non-Profit's sole cost and expense. As a condition precedent to final reimbursement, the Non-Profit shall provide the City with lien waivers and affidavits of payment from all contractors and suppliers in a form acceptable to the City.

VII.

TERM AND TERMINATION

- 7.1 **Term.** This Agreement shall commence on the Effective Date and continue until completion of the Project and final reimbursement, unless earlier terminated.
- 7.2 **Default; Termination; Incomplete Work; Force Majeure.**
- 7.2.1 In the event Nonprofit fails to timely commence, diligently pursue, or complete the improvements in accordance with this Agreement, or otherwise materially breaches any provision of this Agreement, the City shall provide written notice of such default. Nonprofit shall have a reasonable period, not to exceed thirty (30) days, to cure the default, provided that if the default cannot reasonably be cured within such period, Nonprofit shall commence cure within the cure period and diligently pursue cure to completion. If Nonprofit fails to cure the default within the applicable period, the City may, at its option and without waiving any other rights or remedies available at law or in equity, terminate this Agreement.
- 7.2.2 Upon termination or abandonment of the project for any reason, all work completed and materials incorporated into the improvements shall become the property of the City without cost or obligation, and the City shall have the right, but not the obligation, to complete, repair, or remove the improvements in its discretion. Nonprofit shall be responsible for all costs incurred by the City arising from Nonprofit's default, including costs to secure the site or address unsafe or incomplete conditions.
- 7.2.3 Notwithstanding the foregoing, neither party shall be liable for delays or failures in performance resulting from causes beyond its reasonable control, including but not limited to acts of God, natural disasters, strikes, labor disputes, pandemics, governmental actions, supply chain disruptions, or other events commonly recognized as force majeure ("Force Majeure").

7.2.4 Nonprofit acknowledges and agrees that the City shall have no obligation to pay or reimburse Nonprofit for any work not completed, whether due to Nonprofit's default or a Force Majeure event.

7.3 Termination for Convenience. City may terminate this Agreement upon 30 days' written notice. The City shall reimburse the Non-Profit for approved Eligible Costs incurred prior to termination.

VIII.

INDEMNIFICATION

8.1 **Governmental Immunity.** Nothing in this Agreement shall be construed as a waiver of the City's governmental immunity or sovereign immunity under Texas law.

8.2 **Indemnification.** To the extent permitted by Texas law, the Non-Profit shall indemnify and hold harmless the City from claims arising from the Non-Profit's performance under this Agreement, except to the extent caused by the City's negligence or willful misconduct.

IX.

MISCELLANEOUS

9.1 **Independent Contractor.** The Non-Profit is an independent contractor and not an agent of the City.

9.2 **Assignment.** The Non-Profit may not assign this Agreement without the City's prior written consent.

9.3 **Notice.** Any notice, request, demand, approval, or other communication required or permitted under this Agreement (collectively, "Notice") must be in writing and shall be deemed given (a) upon personal delivery; (b) one (1) business day after deposit with a nationally recognized overnight courier, prepaid, for next-business-day delivery; (c) three (3) business days after deposit in the United States mail, certified or registered, postage prepaid, return receipt requested; or (d) on the date transmitted by email with delivery receipt attached. Notices shall be sent to the parties at the addresses and email addresses set forth below (or to such other address as a party may designate by Notice in accordance with this section).

For CITY by notice to: City of Texarkana, Texas
 Attn: City Manager
 220 Texas Blvd

Texarkana, TX 75501
Telephone: (903) 798-3930
Email:

Copy to: Jo Thomason
Atchley, Russell, Waldrop & Hlavinka, LLP
1730 Galleria Oaks
Texarkana, TX 75503
Telephone: (903) 792-8246
Email: jthomason@arwhlaw.com

For Non-Profit: Attn:
5502 Cowhorn Creek Rd, Ste. A
Texarkana, TX 75503
Telephone: (903)
Email:

Any party may change the address to which notices are to be sent by giving the other parties written notice in the manner provided in this paragraph.

- 9.4 **Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall constitute an original, but all of which the aggregate shall constitute one Agreement.
- 9.5 **Governing Law and Venue.** This Agreement shall be governed by the laws of the State of Texas, with venue in Bowie County.
- 9.6 **Entire Agreement; Council Approval.** This Agreement constitutes the entire agreement between the Parties and may be amended only by written instrument approved by the City Council, acting in accordance with the City's home-rule authority.
- 9.7 **No Third-Party Beneficiaries.** This Agreement creates no rights in any third party.

SIGNATURES

The City of Texarkana, Texas

By: _____
Dr. David Orr, City Manager

Date: _____

Attested to by:

Jennifer Evans, City Secretary

Texarkana Pickleball Club

By: _____

Date: _____

Name/Title: _____

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	<input type="checkbox"/> Promote an Environmentally Sensitive & Livable Community <input checked="" type="checkbox"/> Provide a Safe Community <input checked="" type="checkbox"/> Deliver Quality Services <input checked="" type="checkbox"/> Foster a Healthy Community
Run the Operations	<input type="checkbox"/> Enhance Community Preparedness & Responsiveness <input type="checkbox"/> Maximize Partnership Opportunities <input checked="" type="checkbox"/> Provide Courteous & Responsive Customer Service <input checked="" type="checkbox"/> Model a Positive City Image <input checked="" type="checkbox"/> Deliver Efficient Services <input checked="" type="checkbox"/> Cultivate Community Involvement & Access
Manage the Resources	<input type="checkbox"/> Maintain Fiscal Strength <input checked="" type="checkbox"/> Maximize Utilization & Resources <input checked="" type="checkbox"/> Invest in Infrastructure & Transportation
Develop Personnel	<input type="checkbox"/> Develop a Skilled & Diverse Workforce <input checked="" type="checkbox"/> 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:

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

Other:

Briefing Sheet

Department:	Police	Action Officer:	Shawn Fitzgerald, Asst. Police Chief
Subject:	Resolution No. 2026-029 acknowledging receipt of the Police Department's 2025 Racial Profiling Report as statutorily required.		
Briefing:	Public Hearing:	Council Vote:	3/9/2026

Item Schedule:

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Resolution is necessary to comply with statutory requirement for council to acknowledge receipt of the police department's Racial Profiling Report.

Potential Options:

NONE

Fiscal Implications:

NONE

Staff Recommendation:

Staff recommends acknowledging receipt of report.

Advisory Board/Committee Review:

NOT APPLICABLE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

RESOLUTION NO. 2026 – 029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, ACKNOWLEDGING RECEIPT OF THE 2025 POLICE DEPARTMENT RACIAL PROFILING REPORT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State of Texas requires the Police Department to collect certain statistical data on drivers stopped for traffic violations in the city limits of Texarkana, Texas, through statute found in the Texas Code of Criminal Procedure; and

WHEREAS, the State of Texas requires the collected data to be analyzed and compiled into a report, locally titled as the Texarkana Texas Police Department Racial Profiling Report, to be submitted annually to the Texas Commission on Law Enforcement; and

WHEREAS, the State of Texas requires the final racial profiling report to be submitted to the local governing body by March of each year.

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

SECTION 1: The City Council of the City of Texarkana, Texas, acknowledges receipt of the 2025 Police Department Racial Profiling Report titled as **ATTH 01**.

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

PASSED AND APPROVED in Regular Council Session on this **9th day of March, 2026**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



TEXARKANA, TEXAS POLICE DEPARTMENT

2025

RACIAL PROFILING ANALYSIS

PREPARED BY:

Eric J. Fritsch, Ph.D.

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Executive Summary

Article 2B.0053-2B.0055 of the Texas Code of Criminal Procedure (CCP) requires the annual reporting to the local governing body of data collected on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to data collection and reporting requirements. Article 2B.0055 of the CCP directs that “a comparative analysis of the information compiled under 2B.0054” be conducted, with specific attention to the below areas:

1. evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
2. examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;
3. evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and
4. information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

The analysis of material and data from the Texarkana, Texas Police Department revealed the following:

- **A COMPREHENSIVE REVIEW OF THE TEXARKANA, TEXAS POLICE DEPARTMENT’S RACIAL PROFILING POLICY SHOWS THAT THE TEXARKANA, TEXAS POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2B.0053 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.**
- **A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE TEXARKANA POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.**
- **A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT IN BOTH PRINT AND ELECTRONIC FORM REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.**
- **ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.**
- **THE TEXARKANA POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE REPORTING OF INFORMATION TO TCOLE.**
- **THE TEXARKANA POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW REGARDING CCP ARTICLES 2B.0053-2B.0055.**

Introduction

This report details an analysis of the Texarkana Police Department's policies, training, and statistical information on racial profiling for the year 2025. This report has been prepared to specifically comply with Article 2B.0053, 2B.0054, and 2B.0055 of the Texas Code of Criminal Procedure (CCP) regarding the compilation and analysis of traffic stop data. Specifically, the analysis will address Articles 2B.0052 – 2B.0055 of the CCP and make a determination of the level of compliance with those articles by the Texarkana Police Department in 2025. The full copies of the applicable laws pertaining to this report are contained in Appendix A.

This report is divided into six sections: (1) Texarkana Police Department's policy on racial profiling; (2) Texarkana Police Department's training and education on racial profiling; (3) Texarkana Police Department's complaint process and public education on racial profiling; (4) analysis of Texarkana Police Department's traffic stop data; (5) additional traffic stop data to be reported to TCOLE; and (6) Texarkana Police Department's compliance with applicable laws on racial profiling.

For the purposes of this report and analysis, the following definition of racial profiling is used: racial profiling means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity (Texas CCP Article 2B.0051(4)).

Texarkana, Texas Police Department Policy on Racial Profiling

A review of Texarkana, Texas Police Department's "Biased Based Policing and Racial Profiling Policy" contained in Directive 2.01.1 (see Appendix B) revealed that the department has adopted policies in compliance with Article 2B.0053 of the Texas CCP. There are seven specific requirements mandated by Article 2B.0053 that a law enforcement agency must address. All seven are clearly covered in the Texarkana, Texas Police Department racial profiling policy. Texarkana, Texas Police Department policies provide clear direction that any form of racial profiling is prohibited and that officers found engaging in inappropriate profiling shall be subject to corrective action including diversity, sensitivity, or other appropriate training, informal counseling, formal counseling, written reprimand, suspension from duty with or without pay, indefinite suspension, or other appropriate action as determined by the Chief of Police. The policies also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race, ethnicity, or national origin. Appendix C lists the applicable statute and corresponding Texarkana, Texas Police Department regulation.

A COMPREHENSIVE REVIEW OF TEXARKANA, TEXAS POLICE DEPARTMENT'S RACIAL PROFILING POLICY SHOWS THAT THE TEXARKANA, TEXAS POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2B.0053 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.

Texarkana, Texas Police Department Training and Education on Racial Profiling

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on racial profiling for all Texas peace officers. Information provided

by Texarkana, Texas Police Department reveals that racial profiling training and certification is current for all officers in 2025. Racial profiling training is specifically covered in Texarkana, Texas' Biased Based Policing and Racial Profiling Policy Section 4 (B). In addition, all personnel are trained on the department's racial profiling policy on a bi-annual basis.

A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE TEXARKANA, TEXAS POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.

Texarkana, Texas Police Department Complaint Process and Public Education on Racial Profiling

Article 2B.0053 §(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on racial profiling and that the agency provide public education on the complaint process. Texarkana, Texas Police Department's Biased Based Policing and Racial Profiling Policy Section 4 (A) covers this requirement. Information regarding how a citizen may file a complaint is available to the public at a variety of locations. In addition, the department has a website with numbers available for contacting the agency with concerns (<http://ci.texarkana.tx.us/393/Police-Department/>). Additionally, each printed citation includes instructions on how to file a complaint and/or compliment on an officer following an interaction.

A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.

Texarkana, Texas Police Department Statistical Data on Racial Profiling

Article 2B.0053(b) 6 and Article 2B.0054 requires that law enforcement agencies collect statistical information on motor vehicle stops in which a ticket, citation, or warning was issued and to arrests made as a result of those stops, in addition to other information noted previously. Texarkana Police Department submitted statistical information on all motor vehicle stops in 2025 and accompanying information on the race/ethnicity of the person stopped. Accompanying this data was the relevant information required to be collected and reported by law.

ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.

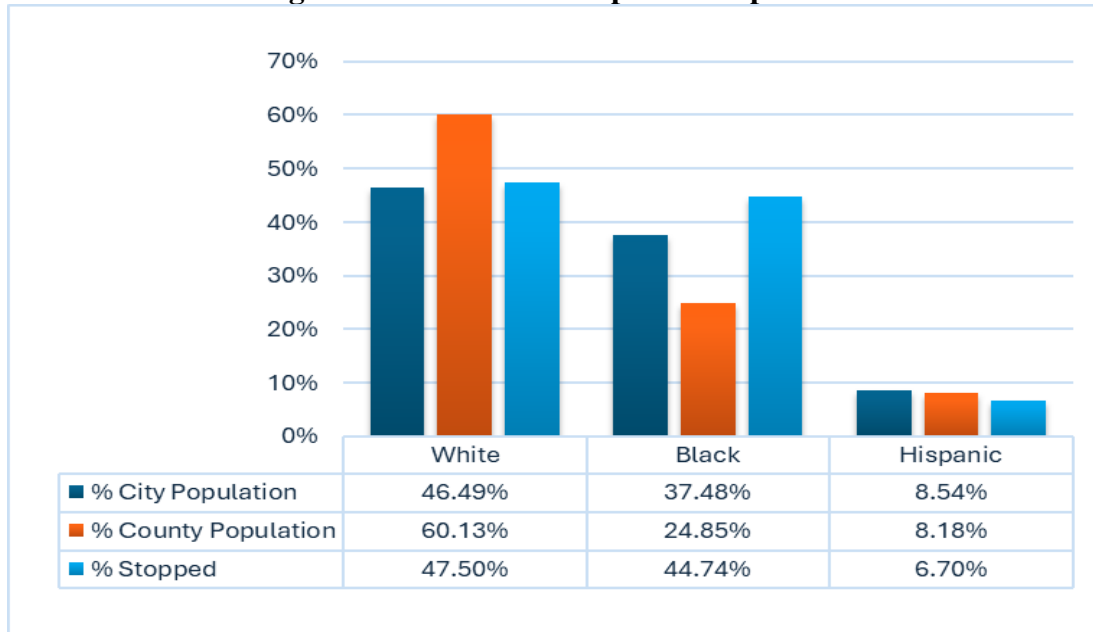
Analysis of the Data

Comparative Analysis #1:

Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities. Texas Code of Criminal Procedure Article 2B.0055(c)(1)(A)

The first chart depicts the percentages of people stopped by race/ethnicity among the total 17,037 motor vehicle stops in which a ticket, citation, or warning was issued, including arrests made, in 2025.¹

Chart 1: Percentage of Motor Vehicle Stops in Comparison to Benchmarks



White drivers constituted 47.50 percent of all drivers stopped, whereas Whites constitute 46.49 percent of the city population and 60.13 percent of the county population.²

Black drivers constituted 44.74 percent of all drivers stopped, whereas Blacks constitute 37.48 percent of the city population and 24.85 percent of the county population.

Hispanic drivers constituted 6.70 percent of all drivers stopped, whereas Hispanics constitute 8.54 percent of the city population and 8.18 percent of the county population.

The chart shows that White drivers are stopped at rates almost equal to the percentage of Whites found in the city population and lower than the percentage of Whites found in the county population. Black drivers are stopped at rates higher than the percentage of Blacks found in the city and county populations. Hispanic drivers are stopped at rates almost equal to the percentage of Hispanics found in the city and county populations.

¹ Due to a small number of stops relative to the population of Texarkana and the total number of motor vehicle stops among all drivers (17,037), information contained in the first chart excludes information pertaining to 180 stops of motorists of Asian/Pacific Islander descent and 2 stops of motorists of Alaska Native/American Indian descent.

² City and County populations were derived from 2020 Decennial Census Redistricting Data (DEC) of the U.S. Census Bureau. City and County populations by gender noted later in this report are based on 2019 American Community Survey estimates.

Methodological Issues

Upon examination of the data, it is important to note that differences in overall stop rates of a particular racial or ethnic group, compared to that racial or ethnic group's proportion of the population, cannot be used to make determinations that officers have or have not racially profiled any given individual motorist. Claims asserting racial profiling of an individual motorist from the aggregate data utilized in this report are erroneous.

For example, concluding that a particular driver of a specific race/ethnicity was racially profiled simply because members of that particular racial/ethnic group as a whole were stopped at a higher rate than their proportion of the population—are as erroneous as claims that a particular driver of a specific race/ethnicity could NOT have been racially profiled simply because the percentage of stops among members of a particular racial/ethnic group as a whole were stopped at a lower frequency than that group's proportion of the particular population base (e.g., city or county population). In short, aggregate data as required by law and presented in this report cannot be used to prove or disprove that a member of a particular racial/ethnic group was racially profiled. Next, we discuss the reasons why using aggregate data—as currently required by the state racial profiling law—are inappropriate to use in making claims that any individual motorist was racially profiled.

Issue #1: Using Group-Level Data to Explain Individual Officer Decisions

The law dictates that police agencies compile aggregate-level data regarding the *rates* at which agencies *collectively* stop motorists in terms of their race/ethnicity. These aggregated data are to be subsequently analyzed in order to determine whether or not *individual* officers are “racially profiling” motorists. This methodological error, commonly referred to as the “ecological fallacy,” defines the dangers involved in making assertions about individual officer decisions based on the examination of aggregate stop data. **In short, one cannot prove that an individual officer has racially profiled any individual motorist based on the rate at which a department stops any given group of motorists.** In sum, aggregate level data cannot be used to assess individual officer decisions, but the state racial profiling law requires this assessment.

Issue #2: Problems Associated with Population Base-Rates

There has been considerable debate as to what the most appropriate population “base-rate” is in determining whether or not racial/ethnic disparities exist. The base-rate serves as the benchmark for comparison purposes. The outcome of analyses designed to determine whether or not disparities exist is dependent on which base-rate is used. While this report utilized the 2020 Census as a population base-rate, this population measure can become quickly outdated, can be inaccurate, and may not keep pace with changes experienced in city and county population measures.

In addition, the validity of the benchmark base-rate becomes even more problematic if analyses fail to distinguish between residents and non-residents who are stopped. This is because the existence of significant proportions of non-resident stops will lead to invalid conclusions if racial/ethnic comparisons are made exclusively to resident population figures. **In sum, a valid measure of the driving population does not exist. As a proxy, census data is used which is problematic as an indicator of the driving population.** In addition, stopped motorists who are

not residents of the city or county where the motor vehicle stop occurred are not included in the benchmark base-rate.

Issue #3: Officers Do Not Know the Race/Ethnicity of the Motorist Prior to the Stop

As illustrated in Table 3 near the end of this report, of the 17,037 motor vehicle stops in 2025, the officer knew the race/ethnicity of the motorist prior to the stop in 9.4% of the stops (1,601/17,037). An analysis of all annual racial profiling reports submitted to the Texas Commission on Law Enforcement, as required by the Texas racial profiling law, found that in 2.9% of the traffic stops in Texas, the officer knew the race/ethnicity of the motorist prior to the stop.³ The analysis included 1,186 Texas law enforcement agencies and more than 3.25 million traffic stops.

As noted, the legal definition of racial profiling in the Texas Code of Criminal Procedure Article 2B.0051(4) is “a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.”

Most of the time, Texarkana PD officers do not know the race/ethnicity of the motorist prior to the stop. This factor further invalidates any conclusions drawn from the stop data presented in Chart 1. If an officer does not know the race/ethnicity of the motorist prior to the stop, then the officer cannot, by legal definition, be racial profiling. Racial profiling is a law-enforcement action based on the race/ethnicity of an individual. If the officer does not know the person's race/ethnicity before the action (in this case, stopping a vehicle), then racial profiling cannot occur.

Based on this factor, post-stop outcomes are more relevant for a racial profiling assessment, as presented later in this report, in comparison to initial motor vehicle stop data disaggregated by race/ethnicity. Once the officer has contacted the motorist after the stop, the officer has identified the person's race/ethnicity and all subsequent actions are more relevant to a racial profiling assessment than the initial stop data.

In short, the methodological problems outlined above point to the limited utility of using aggregate level comparisons of the rates at which different racial/ethnic groups are stopped in order to determine whether or not racial profiling exists within a given jurisdiction.

Table 1 reports the summaries for the total number of motor vehicle stops in which a ticket, citation, or warning was issued, and to arrests made as a result of those stops, by the Texarkana Police Department in 2025. Table 1 and associated analyses are utilized to satisfy the comparative analyses as required by Texas law, and in specific, Article 2B.0055 of the CCP.

Comparative Analysis #2:

Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of affected persons, as appropriate, including any

³ Winkler, Jordan M. (2016). *Racial Disparity in Traffic Stops: An Analysis of Racial Profiling Data in Texas*. Master's Thesis. University of North Texas.

searches resulting from stops within the applicable jurisdiction. Texas Code of Criminal Procedure Article 2B.0055(c)(1)(B)

As shown in Table 1, there were a total of 17,037 motor vehicle stops in 2025 in which a ticket, citation, or warning was issued. The table also shows arrests made as a result of those stops. Roughly 8 percent of stops resulted in a verbal warning (1,371/17,037), roughly 58 percent of stops resulted in a written warning, and roughly 32 percent resulted in a citation. These actions accounted for roughly 98 percent of all stop actions and will be the focus of the below discussion.

Specific to **verbal warnings**, White motorists received a verbal warning in roughly 7 percent of stops involving White motorists (594/8,092). Black motorists received a verbal warning in roughly 8 percent of stops involving Black motorists. Hispanic motorists received a verbal warning in roughly 11 percent of stops involving Hispanic motorists.

Specific to **written warnings**, White motorists received a written warning in roughly 62 percent of stops involving White motorists (5,054/8,092), Black motorists received a written warning in roughly 56 percent of stops of Black motorists, and Hispanic motorists received a written warning in roughly 44 percent of stops of Hispanic motorists.

White motorists received a **citation** in roughly 29 percent of stops involving White motorists (2,379/8,092), Black motorists received a citation in roughly 33 percent of stops of Black motorists, and Hispanic motorists received a citation in roughly 44 percent of stops of Hispanic motorists.

As illustrated in Table 1, of the 17,037 total stops, 294 **arrests** [written warning and arrest (88), citation and arrest (110) and sole arrests (96)] were made in 2025, and this accounts for 1.7 percent of all stops. White motorists were arrested in 0.8 percent of stops involving White motorists (65/8,092), Black motorists were arrested in 2.8 percent of stops involving Black motorists, and Hispanic motorists were arrested in 1.1 percent of stops involving Hispanic motorists.

Overall, arrests were most commonly based on an **outstanding warrant** (63.6%; 187/294) or a **violation of the penal code** (34.0%; 100/294) as illustrated in Table 1.

Finally, as presented in Table 1, **physical force resulting in bodily injury** occurred during one of the 17,037 motor vehicle stops in 2025.

Table 1: Traffic Stops and Outcomes by Race/Ethnicity

Stop Table	White	Black	Hispanic /Latino	Asian /Pacific Islander	Alaska Native /American Indian	Total
Number of Stops	8,092	7,623	1,140	180	2	17,037
Gender						
Female	3,770	3,609	368	65	0	7,812
Male	4,322	4,014	772	115	2	9,225
Reason for Stop						
Violation of Law	1,177	1,088	163	18	1	2,447
Preexisting Knowledge	33	52	3	3	0	91
Moving Traffic Violation	5,411	4,375	750	141	1	10,678
Vehicle Traffic Violation	1,471	2,108	224	18	0	3,821
Result of Stop						
Verbal Warning	594	645	121	11	0	1,371
Written Warning	5,054	4,266	502	125	2	9,949
Citation	2,379	2,496	505	43	0	5,423
Written Warning and Arrest	21	62	4	1	0	88
Citation and Arrest	21	86	3	0	0	110
Arrest	23	68	5	0	0	96
Arrest Based On						
Violation of Penal Code	26	66	8	0	0	100
Violation of Traffic Law	1	5	1	0	0	7
Violation of City Ordinance	0	0	0	0	0	0
Outstanding Warrant	38	145	3	1	0	187
Physical Force Resulting in Bodily Injury Used?						
No	8,092	7,622	1,140	180	2	17,036
Yes	0	1	0	0	0	1

Comparative Analysis #3:

Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches. Texas Code of Criminal Procedure Article 2B.0055(c)(1)(C)

In 2025, a total of 342 **searches** of motorists were conducted, or 2.0 percent of all stops resulted in a search (342/17,037). Among searches within each racial/ethnic group, White motorists were searched in 1.3 percent of all stops of White motorists (107/8,092), Black motorists were searched in 2.9 percent of all stops of Black motorists, and Hispanic motorists were searched in 1.3 percent of all stops of Hispanic motorists.

As illustrated in Table 2, the most common reasons for a search were searches based on probable cause (43.6%; 149/342) and based on consent (38.9%; 133/342). Among **searches based on probable cause** within each racial/ethnic group, White motorists were searched based on probable cause in roughly 29 percent of all searches of White motorists (31/107), Black motorists were searched based on probable cause in roughly 50 percent of all searches of Black motorists, and Hispanic motorists were searched based on probable cause in roughly 47 percent of all searches of Hispanic motorists (7 probable cause searches out of a total 15 searches of Hispanic motorists).

Consent searches are regarded as discretionary as opposed to non-discretionary searches. Relative to the total number of stops (17,037), discretionary consent searches occurred in 0.8 percent of stops (133 total consent searches). Among **consent searches** within each racial/ethnic group, White motorists were searched based on consent in roughly 50 percent of all searches of White motorists (54/107), Black motorists were searched based on consent in roughly 34 percent of all searches of Black motorists, and Hispanic motorists were searched based on consent in roughly 27 percent of all searches of Hispanic motorists (4 consent searches out of a total 15 searches of Hispanic motorists).

Of the searches that occurred in 2025, and as shown in Table 2, **contraband was discovered** in 170 or roughly 50 percent of all searches (170/342 total searches). Most commonly, the contraband discovered in searches was drugs; 80.0% of the contraband discovered (136/170 contraband discoveries). Finally, as illustrated in Table 2, when contraband was discovered, motorists were arrested roughly 49 percent of the time (83/170 contraband discoveries).

Table 2: Searches and Outcomes by Race/Ethnicity

Search Table	White	Black	Hispanic /Latino	Asian /Pacific Islander	Alaska Native /American Indian	Total
Search Conducted						
Yes	107	220	15	0	0	342
No	7,985	7,403	1,125	180	2	16,695
Reason for Search						
Consent	54	75	4	0	0	133
Contraband in Plain View	1	4	0	0	0	5
Probable Cause	31	111	7	0	0	149
Inventory	8	8	2	0	0	18
Incident to Arrest	13	22	2	0	0	37
Was Contraband Discovered						
Yes	46	117	7	0	0	170
No	61	103	8	0	0	172
Description of Contraband						
Drugs	38	95	3	0	0	136
Weapons	1	10	0	0	0	11
Currency	0	0	0	0	0	0
Alcohol	3	7	3	0	0	13
Stolen Property	0	1	0	0	0	1
Other	4	4	1	0	0	9
Did Discovery of Contraband Result in Arrest?						
Yes	20	59	4	0	0	83
No	26	58	3	0	0	87

Comparative Analysis #4:

Information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. Texas Code of Criminal Procedure Article 2B.0055(c)(2)

In 2025, internal records indicate that the Texarkana Police Department received no complaints alleging that a peace officer employed by the agency engaged in racial profiling.

Additional Analysis:

Statistical analysis of motor vehicle stops relative to the gender population of the agency's reporting area. This analysis is presented in the report based on a December 2020 email sent from TCOLE to law enforcement executives in Texas.

In 2025, 17,037 motor vehicle stops were made by the Texarkana Police Department. Of these stops, 7,812 or roughly 46 percent were female drivers (7,812/17,037), and roughly 54 percent were male drivers (see Table 1).

According to 2019 American Community Survey (ACS) city and county population estimates of the U.S. Census Bureau, the City of Texarkana was composed of 51.7 percent females and 48.3 percent males. County population 2019 ACS estimates indicate that females accounted for 50.7 percent of the county population and males accounted for 49.3 percent of the county population.

Overall, in 2025, males were stopped at rates higher than their proportion of the city and county populations.

Additional Information Required to be Reported to TCOLE

Table 3 below provides additional information relative to motor vehicle stops in 2025 by the Texarkana Police Department. The data are required to be collected by the Texarkana Police Department under the Texas Code of Criminal Procedure Article 2B.0054.

As previously noted, the Texarkana Police Department received no complaints alleging that a peace officer employed by the agency engaged in racial profiling in 2025. Furthermore, as previously discussed, of the 17,037 motor vehicle stops in 2025, the officer knew the race/ethnicity of the motorist prior to the stop in 9.4% of the stops (1,601/17,037).

Table 3: Additional Information

Additional Information	Total
Was Race/Ethnicity Known Prior to Stop	
Yes	1,601
No	15,436
Approximate Location of Stop	
City Street	14,559
US Highway	1,375
County Road	5
State Highway	975
Private Property/Other	123
Number of Complaints of Racial Profiling	
Resulted in Disciplinary Action	0
Did Not Result in Disciplinary Action	0

Analysis of Racial Profiling Compliance by Texarkana, Texas Police Department

The foregoing analysis shows that the Texarkana, Texas Police Department is fully in compliance with all relevant Texas laws concerning racial profiling, including the existence of a formal policy prohibiting racial profiling by its officers, officer training and educational programs, a formalized complaint process, and the collection of data in compliance with the law.

In addition to providing summary reports and analysis of the data collected by the Texarkana, Texas Police Department in 2025, this report also included an extensive presentation of some of the limitations involved in the level of data collection currently required by law and the methodological problems associated with analyzing such data for the Texarkana, Texas Police Department as well as police agencies across Texas.

Appendix A

Racial Profiling Statutes and Laws

TEXAS CODE OF CRIMINAL PROCEDURE
CHAPTER 2B. LAW ENFORCEMENT INTERACTIONS WITH PUBLIC

SUBCHAPTER A. GENERAL PROVISIONS

Art. 2B.0001. DEFINITIONS. In this chapter:

- (1) "Commission" means the Texas Commission on Law Enforcement.
- (2) "Department" means the Department of Public Safety of the State of Texas.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

SUBCHAPTER B. RACIAL PROFILING; MOTOR VEHICLE STOPS

Art. 2B.0051. DEFINITIONS. In this subchapter:

- (1) "Bodily injury" has the meaning assigned by Section 1.07, Penal Code.
- (2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.
- (3) "Race or ethnicity" means the following categories:
 - (A) Alaska native or American Indian;
 - (B) Asian or Pacific Islander;
 - (C) black;
 - (D) Hispanic or Latino; and
 - (E) white.
- (4) "Racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Art. 2B.0052. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Art. 2B.0053. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article, "law enforcement agency" means an agency of this state, or of a county, municipality, or other political subdivision of this state, that employs peace officers who make motor vehicle stops in the routine performance of the officers'

official duties.

(b) Each law enforcement agency shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;
- (5) require the agency employing a peace officer to take appropriate corrective action against the peace officer after an investigation shows that the peace officer has engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search;
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - (D) whether the peace officer used physical force that resulted in bodily injury during the stop;
 - (E) the location of the stop; and
 - (F) the reason for the stop; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - (A) the commission; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of this state.

(c) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b) (3) in which there is a video or audio recording of the occurrence that is the basis for the complaint, the agency shall promptly

provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer for a copy of the recording.

(d) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in the agency's practices and policies regarding motor vehicle stops.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information required by a policy under Subsection (b)(6).

(f) The commission shall begin disciplinary procedures against the chief administrator of a law enforcement agency if the commission finds that the chief administrator intentionally failed to submit a report required under Subsection (b)(7).

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Art. 2B.0054. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS. (a) A peace officer who makes a motor vehicle stop shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any individual operating the motor vehicle who is detained as a result of the stop, including:

(A) the individual's gender; and

(B) the individual's race or ethnicity, as stated by the individual or, if the individual does not state the individual's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so:

(A) whether the individual detained consented to the search;

(B) the reason for the search, including whether:

(i) any contraband or other evidence was in plain view;

(ii) any probable cause or reasonable suspicion

stops, within the applicable jurisdiction, of:

(i) individuals recognized as members of racial or ethnic minority groups; and

(ii) individuals not recognized as members of racial or ethnic minority groups;

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the individuals affected, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered during those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2B.0054(a) (1).

(e) The commission, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The commission shall begin disciplinary procedures against the chief administrator of a law enforcement agency if the commission finds that the chief administrator intentionally failed to submit a report required under Subsection (b).

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Art. 2B.0056. PRIMA FACIE EVIDENCE. The data collected as a result of the reporting requirements of Articles 2B.0053 and 2B.0055 does not constitute prima facie evidence of racial profiling.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Art. 2B.0057. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2B.0054 or under a policy adopted under Article 2B.0053.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Art. 2B.0058. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data required by Article 2B.0055, the agency is liable to the state for a civil penalty in an amount not to exceed \$5,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data required by Article 2B.0055 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Art. 2B.0059. RULES. The department may adopt rules to implement Articles 2B.0052, 2B.0053, 2B.0054, 2B.0055, 2B.0056, and 2B.0057.

Added by Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. 4504), Sec. 1.001, eff. January 1, 2025.

Appendix B

Texarkana, Texas Police Department Biased Based Policing and Racial Profiling Policy

TEXARKANA, TEXAS POLICE DEPARTMENT
GENERAL ORDERS MANUAL

<i>Effective Date</i> February 1, 2008		<i>Amended Date</i> September 1, 2017		<i>Directive</i> 2.01.1	
<i>Subject</i> Biased Based Policing and Racial Profiling					
<i>Reference</i> Code of Criminal Procedure 2.131 – 2.135					
<i>Distribution</i> All Personnel City Manager City Attorney		<i>TPCA Best Practices Recognition</i> Program Reference 2.01.1 Biased Based Profiling		<i>Review Date</i> August 1, 2019	
				<i>Pages</i> 6	

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this policy is to reaffirm the Department's commitment to unbiased policing in all of its encounters between officers and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictate of departmental policy and the law.

SECTION 2 POLICY

- A. It is the policy of the Department to protect the constitutional rights of all persons. Allegations of racial profiling or discriminatory practices, real or perceived, are detrimental to the relationship between police and the communities they protect and serve because they strike at the basic foundation of public trust. This trust is essential to effective community-based policing. Racial profiling is considered misuse of valuable police resources; such improper methods violate the civil rights of members of the public and may lead to increased exposure to liability for the officer and the department. This Department does not endorse, train, teach, support, or condone any type of bias, stereotyping, or racial profiling by its officers. While recognizing that most officers perform their duties in a professional, ethical, and impartial manner, this Department is committed to identifying and eliminating any instances of racial profiling.
- B. It is the policy of the Department to:
1. Provide all people within this community fair and impartial police services consistent with constitutional and statutory mandates;
 2. Assure the highest standard of integrity and ethics among all our members;
 3. Respect the diversity and the lawful cultural practices of all people;
 4. Take positive steps to identify, prevent, and eliminate any instances of racial profiling by our members; and
 5. Continue our commitment to community based policing and problem solving, including vigorous, lawful and nondiscriminatory traffic enforcement that promotes public safety and strengthens public trust, confidence, and awareness.

TEXARKANA, TEXAS POLICE DEPARTMENT
GENERAL ORDERS MANUAL

<i>Directive</i> 2.01.1	<i>Subject</i> Biased Based Policing and Racial Profiling
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- C. It is the policy of the Department to police in a proactive manner and to aggressively investigate suspected violations of law. Officers shall actively enforce local, state and federal laws in a responsible and professional manner without regard to an individual's race, gender, age, ethnicity, ethnic background, sexual orientation, religion, economic status, cultural group, national origin or any other identifiable group. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers, or pedestrians.
- D. Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. The Department will honor the right of all persons to be treated equally and to be free from unreasonable searches and seizures.

SECTION 3 DEFINITIONS

Racial Profiling is defined as a law enforcement-initiated action based on an individual's race, gender, age, ethnicity, ethnic background, sexual orientation, religion, economic status, cultural group, national origin or any other identifiable group rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. The term is not relevant as it pertains to witnesses, complainants, persons needing assistance, or other citizen contacts.

Examples of racial profiling include, but are not limited to, the following:

- a. Citing a driver because of the cited driver's race, ethnicity, or national origin, or
- b. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle.
- c. Detaining an individual based upon the determination that a person of that race, ethnicity, or national origin does not belong in a specific part of town or a specific place.

Gender Profiling is defined as a law enforcement-initiated action based on an individual's gender rather than on the individual's behavior or involvement in criminal activity.

Race or Ethnicity is defined as a particular descent and includes the following categories:

- a. Alaska native or American Indian;
- b. Asian or Pacific Islander
- c. Black
- d. White
- e. Hispanic or Latino.

Pedestrian Stop is defined as an interaction between a peace officer and an individual traveling on foot who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

Traffic Stop is defined as a vehicle stop where a peace officer stops a motor vehicle for an alleged violation of law or ordinance regulating traffic.

TEXARKANA, TEXAS POLICE DEPARTMENT
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<i>Directive</i> 2.01.1	<i>Subject</i> Biased Based Policing and Racial Profiling
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Probable Cause is defined as more than bare suspicion; it exists when the facts and circumstances within the officer's knowledge and of which they have reasonably trustworthy information are sufficient in themselves to warrant a person of reasonable caution to believe that an offense has been or is being committed.

Reasonable Suspicion is defined as specific, articulable facts leading a reasonable police officer to believe a crime might be occurring. Reasonable suspicion is less than probable cause, but more than a mere hunch. Reasonable grounds for suspicion depend on the circumstances in each case. There must be an objective basis for that suspicion based on facts, information, and/or intelligence.

Search is an examination or exploration of an individual's house, premises, vehicle or person to discover stolen property, contraband or other items that may be evidence of a crime.

Search incident to arrest is a full search of an arrested person and of the vicinity around him or her. The search is conducted for officer safety and to prevent the destruction of evidence.

Consent search is a search permitted by a person with apparent authority to allow the search. To be valid, consent must be voluntary and intelligent, based on a totality of circumstances. Voluntary means that the consent was not forced or coerced. Intelligent means the person giving consent must know what he or she is doing.

Frisk is defined as a limited search or patting down of a suspect's outer clothing for the purpose of officer safety. A frisk must be based on reasonable suspicion that the suspect is armed with a deadly weapon, and that if he is not searched and disarmed, harm will come to the officer or another person. A limited search or frisk of an automobile after a valid stop is permissible if the officer has reasonable suspicion the suspect is dangerous and might gain immediate control of a weapon. The search is limited to the areas in which a weapon may be placed or hidden.

Inventory is an administrative process by which items of property in an impounded vehicle are listed and secured. An inventory is not a search and should not be used as a substitute for a search. The specific objectives of an inventory are to protect the property of the defendant, to protect the police against any claim of lost property, and to protect police personnel and others from any dangerous instruments.

SECTION 4 PROCEDURES

A. COMPLAINTS

1. Any person may file a complaint with the Department if they believe they have been stopped or searched on the basis of their race, ethnicity, national origin, or gender. No person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.
2. A complaint from a citizen regarding racial profiling may be made to any Department supervisor or, if available, to the Office of Professional Responsibility. All complaints received shall be forwarded in writing through the chain of command to the Office of the Chief of Police.
3. In addition to the written complaint, the supervisor receiving the complaint shall obtain the video recording from the officer's vehicle and cause a copy to be made onto a recordable CD or DVD disc. The supervisor shall label the video disc, indicating the unit number and date and time the disc was made. The copy of the video recording will be forwarded through the chain of command to the Office of the Chief of Police. A copy of video of all incidents in which racial or gender profiling is alleged shall be retained with the investigative file. A copy of the video shall be

TEXARKANA, TEXAS POLICE DEPARTMENT
GENERAL ORDERS MANUAL

<i>Directive</i> 2.01.1	<i>Subject</i> Biased Based Policing and Racial Profiling
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supplied to the officer within five days of the date of the complaint. The Office of Professional Responsibility shall supply the video to the officer prior to taking any statements from the officer.

4. The Department shall provide education to the public concerning the complaint process. Written information regarding how a citizen may file a complaint or issue a commendation for an officer shall be made available to the public at a variety of locations, including public meetings, Central Records and Communications, City Hall, and the Police Department's office at the Bi-State Justice Building. This information shall also be available on the Department's Internet site.

B. RACIAL PROFILING TRAINING

1. Officers are responsible to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.
2. All officers shall complete a TCOLE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code, or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. At the discretion of the Chief of Police, additional diversity and sensitivity training may be required for officers with sustained racial profiling or other discrimination complaints filed against them.
3. The Chief of Police, as part of the initial training and continued education for such appointment, will be required to attend the LEMIT program on racial profiling.
4. Supervisors shall conduct periodic roll call training regarding racial profiling issues, including implementation and enforcement of this policy.

C. INTERNAL MONITORING

1. Random Reviews:

As mandated in Directive 7.36.1 Digital Mobile Video/Audio Recording Equipment, Field Supervisors shall conduct reviews of the video files recorded by officers under their supervision to:

- a. Assess performance and safety practices;
- b. Ensure compliance with departmental policy;
- c. Ensure proper use of DMVR equipment; and,
- d. Identify appropriate training video.

Supervisors shall conduct a review of video files randomly each month, ensuring that each officer is reviewed at least twice during each month. Supervisors will review one traffic stop and one other video of their choosing of each officer. As part of the review, supervisors will document the number of videos created by each officer. Each shift commander shall be responsible for ensuring the video reviews are conducted and documented. A report containing the dates each officer was reviewed and the supervisor that conducted each review shall be prepared and

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<i>Directive</i> 2.01.1	<i>Subject</i> Biased Based Policing and Racial Profiling
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submitted to the Operations Division Secretary, who shall maintain a log of the reviews. Supervisors will have the random review done by the 15th of the following month.

2. Reviews shall occur whenever:
 - a. An officer is involved in a pursuit;
 - b. An officer is involved in a use of force recorded by the system;
 - c. A complaint is lodged against an officer; or
 - d. A supervisor articulates a reason to suspect an officer is involved in activity contrary to the mandates of the General Orders.
3. Video events which may be evidentiary in nature should be reviewed and properly documented.

D. CORRECTIVE ACTION

1. Failure to report any observed or known violations of this policy by any Department employee shall result in corrective action being taken against the employee.
2. Officers found in violation of this policy or who have a sustained racial profiling complaint shall be subject to corrective action which may include: diversity, sensitivity, or other appropriate training, informal counseling, formal counselling, written reprimand, suspension from duty with or without pay, indefinite suspension, or other appropriate action as determined by the Chief of Police.

E. MANDATED DIGITAL MOBILE VIDEO RECORDER OPERATION

Unless the delivery of emergency police services would be prevented, an officer's personal safety would be jeopardized, or police strategy is being discussed, officers will ensure the operation of the digital mobile video recorder is conducted in accordance with directive 7.36.1.

F. CITATION DATA COLLECTION AND REPORTING

1. Each officer shall be required to collect certain information relating to all traffic stops, and shall record such information on either a citation, warning citation, field interview contact, or a Data Collection Form. In cases where no enforcement action was taken or where a custody arrest was made, it shall be necessary to complete a Data Collection Form to record the information required by the racial profiling statute. In the event that a citation is issued to an individual that is ultimately arrested, the citation will record the necessary data and eliminate the need to complete a Data Collection Form.
2. The officer will document the following on the citation, written warning or Data Collection Form:
 - a. The violator's race or ethnicity;
 - b. Whether a search was conducted;
 - c. Whether the search was consensual;
 - d. Whether the race or ethnicity of driver known prior to stop;

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- e. Whether physical force was used that resulted in bodily injury;
 - f. Location of the stop;
 - g. Reason for the stop; and
 - h. Reason for arrest, if any, resulting from the stop.
3. Any paper citation issued will be forwarded to the Operations Division Secretary for review prior to sending to the court. Administration for E-Citations will be the responsibility of the Traffic Section Supervisor with assistance from the Operations Secretary.
 4. By March of each year, the Department shall submit a written report to the City Council that includes the information gathered from the traffic stops in the preceding calendar year. The report will include: (1) A breakdown of traffic stops by race and ethnicity, (2) The number of traffic stops that resulted in a search and the basis for the searches, (3) The number of searches that resulted in contraband being discovered and, if so, the type of contraband; (4) The number of stops where physical force was used that resulted in bodily injury, and (5) The number of traffic stops that resulted in custodial arrests.
 5. The Crime Analyst shall be responsible for providing a report to the Chief of Police that contains this information. The Office of Professional Responsibility shall be responsible for reviewing this report to identify any improvements that can be made in the practices and policies regarding traffic stops.

G. RESPONSIBILITY

1. All members of the Department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.

Texarkana, Texas Police Department Policy on Racial Profiling

A review of Texarkana, Texas Police Department's "Biased Based Policing and Racial Profiling Policy" contained in Directive 2.01.1 (see Appendix B) revealed that the department has adopted policies in compliance with Article 2.132 of the Texas CCP. There are seven specific requirements mandated by Article 2.132 that a law enforcement agency must address. All seven are clearly covered in the Texarkana, Texas Police Department racial profiling policy. Texarkana, Texas Police Department policies provide clear direction that any form of racial profiling is prohibited and that officers found engaging in inappropriate profiling shall be subject to corrective action including diversity, sensitivity, or other appropriate training, informal counseling, formal counseling, written reprimand, suspension from duty with or without pay, indefinite suspension, or other appropriate action as determined by the Chief of Police. The policies also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race, ethnicity, or national origin. Appendix C lists the applicable statute and corresponding Texarkana, Texas Police Department regulation.

A COMPREHENSIVE REVIEW OF TEXARKANA, TEXAS POLICE DEPARTMENT'S RACIAL PROFILING POLICY SHOWS THAT THE TEXARKANA, TEXAS POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.

Texarkana, Texas Police Department Training and Education on Racial Profiling

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on racial profiling for all Texas peace officers. Information provided by Texarkana, Texas Police Department reveals that racial profiling training and certification is current for all officers in 2019. Racial profiling training is specifically covered in Texarkana, Texas' Biased Based Policing and Racial Profiling Policy Section 4 (B). In addition, all personnel are trained on the department's racial profiling policy on a bi-annual basis.

A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE TEXARKANA, TEXAS POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.

Texarkana, Texas Police Department Complaint Process and Public Education on Racial Profiling

Article 2.132 §(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on racial profiling and that the agency provide public education on the complaint process. Texarkana, Texas Police Department's Biased Based Policing and Racial Profiling Policy Section 4 (A) covers this requirement. Information regarding how a citizen may file a complaint is available to the public at a variety of locations. In addition, the department has a website with numbers available for contacting the agency with concerns (<http://ci.texarkana.tx.us/393/Police-Department/>). Additionally, each printed citation includes instructions on how to file a complaint and/or complement an officer following an interaction.

A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS AND PUBLIC EDUCATION ABOUT THE COMPLAINT PROCESS.

Appendix C

Racial Profiling Laws and Corresponding Department Policies

Texas CCP Article	TEXARKANA, TEXAS POLICE DEPARTMENT Racial Profiling Policy
2B.0053(b)1	Section 3
2B.0053(b)2	Section 2 (C)
2B.0053(b)3	Section 4 (A)
2B.0053(b)4	Section 4 (A) (4)
2B.0053(b)5	Section 4 (D)
2B.0053(b)6	Section 4 (F)
2B.0053(b)7	Section 4 (F) (4)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

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

Perspectives and Goals Additional Comments:

Resource Impact:

Staff time required if item is approved:

Other Potential Impacts:

Public Information Plan:

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

Other:

RESOLUTION NO. 2026-031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE BUDGET CALENDAR FOR FISCAL YEAR 2027; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Charter requires the City Council to approve the calendar that sets the schedule for preparing and adopting the City’s annual operating budget for the next fiscal cycle that will begin October 1, 2026, and ends September 30, 2027; and

WHEREAS, the budget calendar for the fiscal year ending September 30, 2027, is attached as “**Exhibit A**”.

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

SECTION 1: The budget calendar for the fiscal year ending September 30, 2027, is hereby approved.

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2026**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Budget Calendar

Fiscal Year 2027

Mon	March 9	6:00 PM	City Council approves budget calendar
	March/April		Departmental budget meetings
	May/June		Various meetings with Budget Advisory Committee and City Council
Tue	August 4		Budget filed with municipal clerk
Mon	August 10	6:00 PM	First briefing on proposed budget First briefing on proposed tax rate First briefing on ratifying a budget that raises more tax revenue than last year Record vote to publish notice of tax rate increase <i>(This is only to provide notice to the public and <u>not</u> to adopt the tax rate)</i>
Wed	August 12		Notice of public hearing on proposed budget
Mon	August 24	TBD	Public hearing on proposed budget <i>(Law requires action to be taken after the public hearing. Recommendation will be to postpone until the September 8th meeting)</i>
Wed	September 2		Notice of public hearing on proposed tax rate
Mon	September 14	6:00 PM	Public hearing on proposed tax rate Public hearing on ratifying a budget that raises more tax revenue than last year Record vote for adoption of budget Record vote for adoption of tax rate Record vote to ratify budget that raises more tax revenue than last year
Wed	October 1		Fiscal year begins Adopted budget implemented
Fri	December 4		Final budget document posted, distributed and submitted to Government Finance Officers Association (GFOA)

City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision	Values
Be a Thriving Regional Center for Education, Business and Culture.	<input type="checkbox"/> Promote a Thriving Community through Innovation <input type="checkbox"/> Provide a Safe & Welcoming Community through Leadership <input type="checkbox"/> Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/> Provide Leadership through Regional Partnership Opportunities <input type="checkbox"/> Foster Proactive Communication to the Community <input type="checkbox"/> Provide Courteous & Professional Customer Service <input type="checkbox"/> Model a Positive City Image through Character <input type="checkbox"/> Deliver Efficient Services with Accountability <input type="checkbox"/> Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input checked="" type="checkbox"/> Maintain Fiscal Strength with Integrity <input checked="" type="checkbox"/> Maximize Accountability & Resource Utilization <input type="checkbox"/> Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/> Promote Teamwork through Cross Department Collaboration <input type="checkbox"/> Enhance Professionalism & Positive Work Culture

Additional Comments:

Resource Impact:

Staff time required if item is approved: High

Other Potential Impacts:

Public Information Plan:

<input type="checkbox"/> Newspaper Notice (Required by Statute)	<input type="checkbox"/> Public Hearing (Required by Statute)
<input type="checkbox"/> Public Forum/Workshop Session	<input type="checkbox"/> Press Release (Through Marketing & Communications)
<input type="checkbox"/> Weekly & Monthly Email Distribution (Send to CM Office)	<input type="checkbox"/> Website Notice (Through Marketing & Communications)
<input type="checkbox"/> Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/> Special Mailing
<input type="checkbox"/> Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/> Banners Posted
<input type="checkbox"/> Survey	<input type="checkbox"/> Automated Phone Call
<input checked="" type="checkbox"/> None Required	<input type="checkbox"/>

Other:

Briefing Sheet

Department: Information Technology **Action Officer:** Brandon Uselton, Chief Information Officer

Subject: Resolution No. 2026-032 approving various technology purchases from Tier4 Technologies of Texarkana, Texas, with budgeted funds in an amount not to exceed \$485,000.

Briefing: 3/9/2026 **Public Hearing:** **Council Vote:** 3/9/2026

Item Schedule:

Updates/History of Briefing:

Executive Summary and Background Information:

The City currently purchases various enterprise level software subscriptions and cybersecurity consulting from a local to Texarkana service provider Tier4 Technologies. Tier4 Technologies is able to provide State of Texas contract services to the City at a lower cost than other, larger providers. The IT Department is requesting approval to purchase various technology and technology consulting services for an amount not to exceed \$485,000 as detailed in Exhibit A with funds budgeted in the IT Department budget (fund 801) and the City Technology fund (fund 115).

Potential Options:

Approval or Denial

Fiscal Implications:

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

N/A

Board/Committee Recommendation:

N/A

Advisory Board/Committee Meeting Date and Minutes:

N/A

RESOLUTION NO. 2026 - 032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE PURCHASE OF VARIOUS TECHNOLOGY SERVICES AND TECHNOLOGY CONSULTING SERVICES FROM TIER4 TECHNOLOGIES OF TEXARKANA, TEXAS, THROUGH THE TIPS COOPERATIVE PURCHASING PROGRAM AND STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES CONTRACTS IN AN AMOUNT NOT TO EXCEED \$485,000 WITH BUDGETED FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Texarkana, Texas, needs various technology services and software in order to operate, and the IT Department of the City of Texarkana, Texas, also provides IT services for the City of Texarkana, Arkansas, and the Texarkana Water Utilities; and

WHEREAS, the FY 2026 budget and appropriations make available sufficient funds in the Technology Fund (Fund 115) and the IT departmental budget for purchase of the necessary software and consulting services which are listed in detail with the service, amount, and state contract number in Exhibit 'A'; with certain appropriate portions being back billed to the City of Texarkana, Arkansas, and the Texarkana Water Utilities as appropriate for their utilizations; and

WHEREAS, the City Council, being informed of the nature and proposed use of funds, determines that the purchase of such an assessment will be in the best interest and will promote the safety and general welfare of the community.

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

SECTION 1: The City Council approves and authorizes the purchase of various technology services and technology consulting services from Tier4 Technologies of Texarkana, Texas, in an amount not to exceed \$485,000 with budgeted funds; and the City Manager is authorized to execute any and all documents necessary for this procurement and to effectuate the purpose of this resolution.

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

2026-032 EXH 'A'

Vendor	Service	Amount	Contract
Tier4 Technologies	Endpoint Security	70,000.00	TIPS Contract 250106
Tier4 Technologies	Arkansas Microsoft Licenses	74,000.00	TIPS Contract 250106
Tier4 Technologies	Microsoft Defender Licenses	25,000.00	TIPS Contract 250106
Tier4 Technologies	Perot Theatre Microsoft Licenses	2,500.00	TIPS Contract 250106
Tier4 Technologies	Microsoft EMS	80,000.00	TIPS Contract 250106
Tier4 Technologies	Microsoft P1 Security	50,000.00	TIPS Contract 250106
Tier4 Technologies	Intrusion Detection/Protection	33,000.00	TIPS Contract 24050301
Tier4 Technologies	Airport Microsoft 365 Licenses	6,000.00	TIPS Contract 250106
Tier4 Technologies	Security Retainer	18,000.00	TIPS Contract 250106
Tier4 Technologies	Enterprise Hyper-Converged Infrastructure	76,000.00	TIPS Contract 250106
Tier4 Technologies	CRC Hyper-Converged Infrastructure	26,000.00	TIPS Contract 250106
Tier4 Technologies	Microsoft Azure Storage	5,500.00	TIPS Contract 250106
Tier4 Technologies	Enterprise Switching Licenses	7,000.00	TIPS Contract 250106
Tier4 Technologies	Advanced Authentication Security	12,000.00	TIPS Contract 250106
		485,000.00	

City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision		Values
Be a Thriving Regional Center for Education, Business and Culture.	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Promote a Thriving Community through Innovation Provide a Safe & Welcoming Community through Leadership Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Provide Leadership through Regional Partnership Opportunities Foster Proactive Communication to the Community Provide Courteous & Professional Customer Service Model a Positive City Image through Character Deliver Efficient Services with Accountability Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Maintain Fiscal Strength with Integrity Maximize Accountability & Resource Utilization Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/> <input type="checkbox"/>	Promote Teamwork through Cross Department Collaboration Enhance Professionalism & Positive Work Culture

Additional Comments:

Vendor is a local to Texarkana Texas technology provider that offers state-contract pricing for technology services.

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

Public Information Plan:

<input type="checkbox"/> Newspaper Notice (Required by Statute)	<input type="checkbox"/> Public Hearing (Required by Statute)
<input type="checkbox"/> Public Forum/Workshop Session	<input type="checkbox"/> Press Release (Through Marketing & Communications)
<input type="checkbox"/> Weekly & Monthly Email Distribution (Send to CM Office)	<input type="checkbox"/> Website Notice (Through Marketing & Communications)
<input type="checkbox"/> Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/> Special Mailing
<input type="checkbox"/> Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/> Banners Posted
<input type="checkbox"/> Survey	<input type="checkbox"/> Automated Phone Call
<input checked="" type="checkbox"/> None Required	<input type="checkbox"/>

Other:

Briefing Sheet

Department: Texarkana Water Utilities **Action Officer:** Michelle Warren, Executive Assistant

Subject: Resolution No. 2026-034 authorizing the City Manager to execute a contract with Plummer Associates, Inc. of Fort Worth, Texas, for the Stateline Corridor – Field Investigation and Coordination Project, in an amount not to exceed \$391,035.00, (City of Texarkana, Texas, portion in an amount not to exceed \$237,866.60), with budgeted funds in the TWU 2024-2025 Bond Construction Fund in the amount of \$237,866.60.

Briefing: 3/9/2026 **Public Hearing:** **Council Vote:** 3/9/2026

Item Schedule:

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

ArDot and TxDot will be reconstructing Stateline from West 7th Street to Arkansas Boulevard. The Engineering fees will be separated into two phases. Phase I includes the field investigations, Coordination, Project Management, and a Technical Memorandum to determine what water and/or sewer mains require relocations due to the proposed construction. Phase II will be the Engineering required to prepare the plans and specifications for the required relocations. Phase II contract will be presented to the Council for approval after Phase I is completed.

The Utility Staff have determined that an outside engineering firm will be required to determine the required relocations. Texarkana Water Utilities annually advertises a request for Statements of Qualifications (SOQ) and performance data for engineering, architectural, lands surveying, geographic information system and related services and did so this fiscal year on January 27, 2026. Firms submitting in the prior year were given the chance to renew their statement of qualification from the previous year’s request and new firms were invited to submit. Eighteen (18) firms responded to the request for annual statements. Eleven (11) engineering, one (1) engineering/architectural, one (1) surveying, two (2) financial consultants, one (1) energy/water & sewer consultant, and two (2) geographic information system responded to this year’s annual request.

The Utility recommends Plummer Associates, Inc. for this project due to their expertise in this type of project and with the recent completion of the Water System Master Plan. The proposed contract is for \$391,035.00 with the Texas portion of the project not to exceed \$237,866.60. TWU Engineering staff has reviewed the engineering fees and has determined that they are within the acceptable engineering fee range for this type of project.

Potential Options:

None

Fiscal Implications:

The total contract amount is not to exceed \$391,035.00 with the Texas portion of the project not to exceed \$237,866.60. Funds are available in the Utility’s 2024-2025 Bond Construction Fund in the amount of \$237,866.60.

Staff Recommendation:

The Utility staff recommends approval.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

RESOLUTION NO. 2026-034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING A CONTRACT WITH PLUMMER ASSOCIATES, INC. OF FORT WORTH, TEXAS, FOR THE STATELINE CORRIDOR – FIELD INVESTIGATION AND COORDINATION PROJECT IN AN AMOUNT NOT TO EXCEED \$429,490.00 (CITY OF TEXARKANA, TEXAS, PORTION IN AN AMOUNT NOT TO EXCEED \$261,258.77) WITH BUDGETED FUNDS IN THE FY 2024-25 TWU BOND CONSTRUCTION FUND; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, ArDot and TxDot will be reconstructing Stateline Corridor from West 7th Street to Arkansas Boulevard. This proposed project will require some water and/or sewer main relocations; and

WHEREAS, The engineering fees will be separated into two phases. Phase I includes the Field Investigation, Coordination, Project Management, and a Technical Memorandum to determine what water and/or sewer mains require relocations due to the proposed construction. Phase II will be the engineering required to prepare the plans and specifications for the required relocations. Phase II contract will be presented to the Council for approval after Phase I is completed; and

WHEREAS, the procurement of engineering services needed for the Stateline Corridor – Field Investigation and Coordination Project is governed by the provisions of Texas Government Code Chapter 2254 “Professional and Consulting Services;” and

WHEREAS, in keeping with the engineering services selection requirements, the Texarkana Water Utilities Department published a request for statements of qualifications and demonstrated competence performance data for engineering services, in response to which twelve (12) engineering firms responded; and

WHEREAS, the Texarkana Water Utilities staff considered the qualifications of those responding in terms of exhibited skills, training and experience in dealing with projects of similar complexity and the demonstrated competence shown in having satisfactorily completed similar projects in terms of scope and difficulty and based on those considerations, found that Plummer Associates, Inc. of Fort Worth, Texas, is most highly qualified to provide the necessary engineering services for this project; and

WHEREAS, Plummer Associates, Inc. has proposed a fee of \$391,035.00 with the Texas portion of the project not to exceed \$237,866.60 for engineering services necessary for the Stateline Corridor – Field Investigation and Coordination Project; and

WHEREAS, funds in the amount of \$237,866.60 are currently available in the TWU 2025-26 Bond Construction Fund.

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

SECTION 1: The City Council approves the contract with Plummer Associates, Inc. of Fort Worth, Texas, attached hereto as **ATTH 01** and incorporated herein by reference for all purposes, to provide professional services in an amount not to exceed \$391,035.00 (City of Texarkana, Texas, portion not to exceed \$237,866.60) for the Stateline Corridor – Field Investigation and Coordination Project. The City Manager is hereby authorized to execute said contract on behalf of the City.

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

**SHORT FORM OF AGREEMENT
BETWEEN OWNER AND CONSULTANT
FOR PROFESSIONAL SERVICES**

THIS IS AN AGREEMENT effective as of _____, 2026 (“Effective Date”) between **Texarkana Water Utilities (TWU)** (“Owner”) and **Plummer Associates, Inc. (Plummer)** (“Consultant”).

Owner’s Project, of which Consultant’s services under this Agreement are a part, is generally identified as follows: **Texarkana State Line Water Line Replacement Project: Identification of Water Lines Less than 3-Feet in Depth for Arkansas Department of Transportation (ARDOT) Roadway Replacement** (“Project”).

Consultant’s services under this Agreement are generally identified as follows: **Field Investigation, Coordination, and Project Management activities for the identification of existing water lines less than 3-feet of depth along approximately 12,190 linear feet of State Line Road beginning at the intersection with Texas Blvd/Arkansas Blvd to the north and W 7th Street at the south extent of the project. Produce conceptual design plans for the adjustment of the Waterlines. The activities will take place on both Texas and Arkansas sides of State Line Drive within the public right-of-way.** (“Services”).

Owner and Consultant further agree as follows:

1.01 Basic Agreement and Period of Service

- A. Consultant shall provide or furnish the Services set forth in this Agreement. If authorized by Owner, or if required because of changes in the Project, Consultant shall furnish services in addition to those set forth above (“Additional Services”).
- B. Consultant shall complete its Services within the following specific time period: Anticipated 6 months from Notice to Proceed to Final Report. If no specific time period is indicated, Consultant shall complete its Services within a reasonable period of time.
- C. If, through no fault of Consultant, such periods of time or dates are changed, or the orderly and continuous progress of Consultant’s Services is impaired, or Consultant’s Services are delayed or suspended, then the time for completion of Consultant’s Services, and the rates and amounts of Consultant’s compensation, shall be adjusted equitably.

2.01 Payment Procedures

Invoices: Consultant shall prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Approved invoices are due and payable within 30 days of receipt. Parties agree to negotiate all disputes between them in good faith for a period of 30 days from the date of notice prior to invoking the procedures below.

If a dispute (“Disputes”) arises between the Parties relating to this Agreement, the Parties shall first attempt in good faith to resolve the dispute through informal discussions between their respective management representatives or organizational leaders who have authority to settle the controversy. Either Party may provide written notice to the other requesting such a meeting, which shall occur within a reasonable time not to exceed fifteen (15) days from the notice, unless otherwise agreed. If the dispute has not been resolved within thirty (30) days after the initial meeting, the Parties agree to submit the matter to non-binding mediation before a mutually agreed mediator. The mediation shall be conducted in good faith and shared equally in cost by the Parties, and either Party may pursue any other available remedies only after the mediation has concluded or if the other Party refuses to participate.

If the parties fail to resolve a Dispute through mediation, then, the parties may exercise their rights at law

- A. *Payment:* As compensation for Consultant providing or furnishing Services and Additional Services, Owner shall pay Consultant as set forth in Paragraphs 2.01, 2.02 (Services), and 2.03 (Additional Services). If Owner disputes an invoice, either as to amount or entitlement, then Owner shall promptly advise Consultant in writing of the specific basis for doing so, may withhold only that portion so disputed, and must pay the undisputed portion.

2.02 *Basis of Payment—Lump Sum*

- A. Owner shall pay Consultant for Services as follows:

A Lump Sum amount of **\$391,035.00** including labor, reimbursables (i.e reproduction and milage).

- B. The portion of the compensation amount billed monthly for Consultant’s Services will be based upon Consultant’s estimate of the percentage of the total Services actually completed during the billing period and the total Services completed to date.

2.03 *Additional Services:* For Additional Services, Exhibit B will be used. Owner shall pay Consultant an amount equal to the cumulative hours charged in providing the Additional Services by each class of Consultant’s employees, times standard hourly rates for each applicable billing class; plus reimbursement of expenses incurred in connection with providing the Additional Services and Consultant’s consultants’ charges, if any. Consultant’s standard hourly rates are attached as Appendix 1.

3.01 *Termination*

- A. The obligation to continue performance under this Agreement may be terminated:

For cause,

- a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement’s terms through no fault of the terminating party. Failure to pay Consultant for its services is a substantial failure to perform and a basis for termination.
- b. By Consultant:

- 1) upon seven days written notice if Owner demands that Consultant furnish or perform services contrary to Consultant's responsibilities as a licensed professional; or
 - 2) upon seven days written notice if the Consultant's Services are delayed for more than 90 days for reasons beyond Consultant's control, or as the result of the presence at the Site of undisclosed Constituents of Concern, as set forth in Paragraph 9.01.B.
- c. Consultant shall have no liability to Owner on account of a termination for cause.
- d. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under Paragraph 3.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its substantial failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

For convenience, by Owner effective upon Consultant's receipt of written notice from Owner.

- B. In the event of any termination under Paragraph 3.01, Consultant will be entitled to invoice Owner and to receive full payment for all Services and Additional Services performed or furnished in accordance with this Agreement, plus reimbursement of expenses incurred through the effective date of termination in connection with providing the Services and Additional Services, and Consultant's consultants' charges, if any.

4.01 *Successors, Assigns, and Beneficiaries*

- A. Owner and Consultant are hereby bound and the successors, executors, administrators, and legal representatives of Owner and Consultant (and to the extent permitted by Paragraph 4.01.B the assigns of Owner and Consultant) are hereby bound to the other party to this Agreement and to the successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
- B. Neither Owner nor Consultant may assign, sublet, or transfer any rights under or interest (including, but without limitation, money that is due or may become due) in this Agreement without the written consent of the other party, except to the extent that any assignment, subletting, or transfer is mandated by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.
- C. Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or Consultant to any Contractor, other third-party individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and Consultant and not for the benefit of any other party.

5.01 Insurance

- A. Consultant will procure and maintain the following insurance coverage for Workers' Compensation, General Liability, Professional Liability, and Automobile Liability and will provide certificates of insurance.

Coverage	Policy limits of not less than:
Workers' Compensation	
State	\$1,000,000
Employer's Liability	
Each accident	\$1,000,000
Each employee	\$1,000,000
Policy limit	\$1,000,000
Commercial General Liability	
General Aggregate	\$2,000,000
Personal and Advertising Injury	\$1,000,000
Bodily Injury and Property Damage—Each Occurrence	\$1,000,000
Automobile Liability	
Bodily Injury	
Each Person	\$1,000,000
Each Accident	\$1,000,000
Property Damage	
Each Accident	\$1,000,000
Or	
Combined Single Limit	
Combined Single Limit (Bodily Injury and Property Damage)	\$1,000,000
Excess or Umbrella Liability	
Each Occurrence	\$5,000,000
General Aggregate	\$5,000,000
Professional Liability	
Each Claim	\$3,000,000
Annual Aggregate	\$3,000,000

Indemnification:

- A. *Indemnification by Owner:* To the fullest extent permitted by Laws and Regulations, Owner shall indemnify and hold harmless Consultant and its officers, directors, members, partners, employees, and subconsultants from losses, damages, and judgments (including reasonable consultants' and attorneys' fees and expenses) arising from third-party claims, or actions relating to this Agreement, any Task Order, or any Specific Project, provided that any such claim, action, loss, damages or judgment is attributable to bodily injury, sickness, disease, or death or to injury to or destruction of tangible property (other than the Work itself), including the loss of use resulting therefrom, but only to the extent caused by any negligent act or omission of Owner or Owner's officers, directors, members, partners, agents, employees, consultants, or others retained by or under contract to the Owner with respect to this Agreement or to the Specific Project. Nothing in this Agreement shall be construed as a waiver of the

City's sovereign or governmental immunity, which immunity is expressly retained to the fullest extent permitted by applicable law. The Parties agree that no provision of this Agreement, nor any action or inaction by the City, shall be deemed or interpreted as a waiver of any immunities, defenses, or limitations of liability available to the City under state or federal law, and all such immunities, defenses, and limitations are hereby expressly preserved.

- B. *Indemnification by Consultant:* To the fullest extent permitted by Laws and Regulations, Consultant shall indemnify and hold harmless Owner, and Owner's officers, directors, members, partners, and employees from losses, damages, and judgments (including reasonable consultants' and attorneys' fees and expenses) arising from third-party claims or actions relating to this Agreement, any Task Order, or any Specific Project, provided that any such claim, action, loss, damages, or judgment is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than the Work itself), including the loss of use resulting therefrom, but only to the extent caused by any negligent act or omission of Consultant or Consultant's officers, directors, members, partners, agents, employees, or other Consultants.

6.01 *General Considerations*

- A. The standard of care for all professional engineering and related services performed or furnished by Consultant under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Consultant makes no warranties, express or implied, under this Agreement or otherwise, in connection with any services performed or furnished by Consultant. Subject to the foregoing standard of care, Consultant and its consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.
- B. Consultant shall not at any time supervise, direct, control, or have authority over any Contractor's work, nor shall Consultant have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any Contractor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a Contractor to comply with laws and regulations applicable to such Contractor's furnishing and performing of its work. Consultant shall not be responsible for the acts or omissions of any Contractor.
- C. Consultant neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work.
- D. Consultant's opinions (if any) of probable construction cost are to be made on the basis of Consultant's experience, qualifications, and general familiarity with the construction industry. However, because Consultant has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Consultant cannot and does not guarantee that proposals, bids, or actual construction cost will not vary from OPCC(s) prepared by Consultant. If Owner requires greater assurance as to probable construction cost, then Owner agrees to obtain an independent cost estimate.

- E. Consultant shall not be responsible for any decision made regarding the construction contract requirements, or any application, interpretation, clarification, or modification of the construction contract documents other than those made by Consultant or its consultants.
- F. All documents prepared or furnished by Consultant are instruments of service, and Consultant retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Owner shall have a limited license to use the documents on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by Consultant of full payment due and owing for all Services and Additional Services relating to preparation of the documents and subject to the following limitations:

Owner acknowledges that such documents are not intended or represented to be suitable for use on the Project unless completed by Consultant, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by Consultant;

any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by Consultant, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to Consultant or to its officers, directors, members, partners, employees, and consultants;

Owner shall indemnify and hold harmless Consultant and its officers, directors, members, partners, employees, and consultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from Owner's use, reuse, or modification of the documents without written verification, completion, or adaptation by Consultant; and such limited license to Owner shall not create any rights in third parties.

- G. Owner and Consultant may transmit, and shall accept, Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, in accordance with a mutually agreeable protocol.
- H. To the fullest extent permitted by law, Owner and Consultant (1) waive against each other, and the other's employees, officers, directors, members, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this Agreement or the Project, and (2) agree that Consultant's total liability to Owner under this Agreement shall be limited to the total amount of compensation received by Consultant, regardless of which state or states in which damages arise from.
- I. The parties acknowledge that Consultant's Services do not include any services related to unknown or undisclosed Constituents of Concern. If Consultant or any other party encounters, uncovers, or reveals an unknown or undisclosed Constituent of Concern, then Consultant may, at its option and without liability for consequential or any other damages, suspend performance of Services on the portion of the Project affected thereby until such portion of the Project is no longer affected, or terminate this Agreement for cause if it is not practical to continue providing Services.
- J. Owner and Consultant agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If negotiations are unsuccessful in resolving the dispute, then the dispute shall be mediated. If mediation is unsuccessful, then the parties may exercise their rights at law.

- K. This Agreement is to be governed by the law of the state in which the Project is located. ***Portions of the project in the State of Texas will be under State of Texas laws, and portions in the State of Arkansas will be under State of Arkansas Laws.***
- L. Consultant's Services and Additional Services do not include: (1) serving as a "municipal advisor" for purposes of the registration requirements of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) or the municipal advisor registration rules issued by the Securities and Exchange Commission; (2) advising Owner, or any municipal entity or other person or entity, regarding municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, or other similar matters concerning such products or issuances; (3) providing surety bonding or insurance-related advice, recommendations, counseling, or research, or enforcement of construction insurance or surety bonding requirements; or (4) providing legal advice or representation.
- M. If an event or circumstance beyond the Consultant's reasonable control occurs, including without limitation an act of God, fire, flood, hurricane, wind event, storm, weather disturbance, earthquake, or other causes that are beyond the reasonable control of the Consultant, whether similar or dissimilar to any of the foregoing, that cause the Consultant delay or additional expense ("*Force Majeure* Event"), then the Consultant is entitled to an equitable adjustment in the contract price or time for performance, or both. If any Force Majeure Event renders Consultant's performance impossible or impracticable, Consultant has the right to terminate performance under this Agreement consistent with any termination requirements that might exist in this Agreement. Upon occurrence of a **Force Majeure** Event, Consultant will notify Owner within a reasonable time that a Force Majeure Event has occurred and its anticipated impact on the Consultant's performance, including its expected duration. Consultant will use reasonable good-faith efforts to mitigate the impact of any *Force Majeure* Event on Consultant's ability to perform under this Agreement.

7.01 *Total Agreement*

- A. This Agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and Consultant and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument. Exhibit B will be used for Amendments to this Agreement.

8.01 *Definitions*

- A. *Contractor*—Any person or entity (not including the Consultant, its employees, agents, representatives, and consultants), performing or supporting construction activities relating to the Project, including but not limited to contractors, subcontractors, suppliers, Owner's work forces, utility companies, construction managers, testing firms, shippers, and truckers, and the employees, agents, and representatives of any or all of them.
- B. *Constituent of Concern*—Asbestos, petroleum, radioactive material, polychlorinated biphenyls (PCBs), hazardous waste, and any substance, product, waste, or other material of any nature whatsoever that is or becomes listed, regulated, or addressed pursuant to (a) the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§9601 et seq. ("*CERCLA*"); (b) the Hazardous Materials Transportation Act, 49 U.S.C. §§5101 et seq.; (c) the Resource Conservation and Recovery Act, 42 U.S.C. §§6901 et seq. ("*RCRA*"); (d) the Toxic Substances Control Act, 15 U.S.C. §§2601 et seq.; (e) the Clean Water Act, 33 U.S.C. §§1251 et seq.; (f) the Clean Air Act, 42 U.S.C. §§7401 et seq.; or (g) any other federal, State,

or local statute, law, rule, regulation, ordinance, resolution, code, order, or decree regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic, or dangerous waste, substance, or material.

9.01 Appendix to Agreement

A. Appendix 1, Consultant’s Standard Hourly Rates

10.01 Exhibits to Agreement

- Exhibit A – Scope of Services
- Exhibit B – Sample Amendment Form to Owner-Consultant Agreement
- Exhibit C – Location of Investigative Study
- Exhibit D – Estimated Schedule of Investigative Study

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

This Agreement’s Effective Date is _____.

<p>Owner: _____ <u>Texarkana Water Utilities</u> _____ (name of organization)</p>	<p>Consultant: _____ <u>Plummer Associates, Inc</u> _____ (name of organization)</p> <p>By: _____ <i>George I. Farah</i> _____ (individual’s signature)</p> <p>Date: <u>02/25/2026</u> _____ (date signed)</p> <p>Name: <u>George Farah, P.E.</u> _____ (typed or printed)</p> <p>Title: <u>Principal</u> _____ (typed or printed)</p>
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<p>Address for giving notices: <u>801 Wood St</u> _____ <u>Texarkana, TX 75501</u> _____</p> <p>Designated Representative: Name: <u>Gary Smith, P.E.</u> _____ (typed or printed)</p> <p>Title: <u>Executive Director</u> _____ (typed or printed)</p> <p>Address: <u>801 Wood St</u> _____ <u>Texarkana, TX 75501</u> _____</p>	<p>Address for giving notices: <u>1320 S University Dr</u> _____ <u>Suite 300</u> _____ <u>Fort Worth, TX 76107</u> _____</p> <p>Designated Representative: Name: <u>Alan Davis, P.E.</u> _____ (typed or printed)</p> <p>Title: <u>Principal</u> _____ (typed or printed)</p> <p>Address: <u>1320 S University Dr.</u> _____ <u>Suite 300</u> _____</p>
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Phone: 903-798-3821
Email: gsmith@txkusa.org

Fort Worth, TX 76107

Phone: 817-806-1734
Email: adavis@plummer.com

By: _____
Name: Dr. David Orr
Title: City Manager
Date: _____
Address: 220 Texas Boulevard
Texarkana, TX 75501
Phone: 903-798-3900
Email: David.Orr@txkusa.org

By: _____
Name: Tyler Richards
Title: City Manager
Date: _____
Address: 216 Walnut St.
Texarkana, AR 71854
Phone: 870-779-4952
Email: Tyler.Richards@txkusa.org

By: _____
Name: Gary Smith, P.E.
Title: Executive Director
Date: _____

APPENDIX 1
Consultant's Standard Hourly Rates

Consultant's Standard Hourly Rates

A. *Standard Hourly Rates:*

1. Standard Hourly Rates are set forth in this Appendix 1 and include salaries and wages paid to personnel in each billing class plus the cost of customary and statutory benefits, general and administrative overhead, non-project operating costs, and operating margin or profit.
2. The Standard Hourly Rates apply only as specified in Paragraphs 2.01, 2.02, and 2.03, and are subject to annual review and adjustment.

Schedule of Rates: **(See Next Page)**

- A multiplier of 1.15 will be applied to all direct expenses.
- Fleet Vehicles charge at \$1,500 per month, \$150 per day.
- A technology charge will be billed at \$5 per labor hour.

**ATTACHMENT A
PLUMMER ASSOCIATES, INC
HOURLY FEE SCHEDULE
2026**

Category	Rate
Administration	
A1	\$ 100.00
A2	\$ 110.00
A3	\$ 125.00
A4	\$ 145.00

Category	Rate
CAD Designers	
C1	\$ 130.00
C2	\$ 140.00
C3	\$ 165.00
C4	\$ 185.00
C5	\$ 210.00

Category	Rate
Resident Project Representatives	
RR1	\$ 140.00
RR2	\$ 150.00
RR3	\$ 160.00
RR4	\$ 180.00

Category	Rate
Construction Managers	
CM1	\$ 160.00
CM2	\$ 170.00
CM3	\$ 185.00
CM4	\$ 210.00
CM5	\$ 230.00
CM6	\$ 270.00
CM7	\$ 320.00
CM8	\$ 340.00

Category	Rate
Electrical Engineers and Specialists	
EE1	\$ 155.00
EE2	\$ 170.00
EE3	\$ 195.00
EE4	\$ 230.00
EE5	\$ 260.00
EE6	\$ 300.00
EE7	\$ 350.00
EE8	\$ 370.00
EE9	\$ 390.00

Category	Rate
Engineers/Scientists	
ES0	\$ 95.00
ES1	\$ 155.00
ES2	\$ 170.00
ES3	\$ 190.00
ES4	\$ 220.00
ES5	\$ 250.00
ES6	\$ 270.00
ES7	\$ 325.00
ES8	\$ 360.00
ES9	\$ 390.00

Category	Rate
Geospatial	
LS1	\$ 130.00
LS2	\$ 135.00
LS3	\$ 150.00
LS4	\$ 175.00
LS5	\$ 220.00
LS6	\$ 265.00
LS7	\$ 280.00

Category	Rate
Telecommunication Designers	
TD1	\$ 130.00
TD2	\$ 140.00
TD3	\$ 160.00
TD4	\$ 175.00

Category	Rate
Professional	
P1	\$ 140.00
P2	\$ 160.00
P3	\$ 220.00
P4	\$ 300.00
P5	\$ 375.00

Billing rates may be adjusted up to 5 percent annually (at the beginning of each calendar year) during the term of the agreement.

A multiplier of 1.15 will be applied to all direct expenses.

Fleet vehicles charge at \$1,500 per month, \$150 per day.

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This is **Exhibit A**, Scope of Services, referred to in and part of the Agreement between Owner and Engineer for Professional Services.

**EXHIBIT A
SCOPE OF SERVICES**

This is **Exhibit A**, Scope of Services, referred to in and part of the Agreement between Owner and Engineer for Professional Services.

dated October 2025 and Job ID 030477. Plans are from ARDOT and designed by Bridgefarmer & Associates, Inc.

- Current Project Budget: Construction Budget of approximately \$6,000,000
- Funding Sources: Texarkana Water Utilities
- Known Design Standards: Consultant Design Standards, Texas Commission on Environmental Quality (TCEQ), and Arkansas Department of Health (ADH), ARDOT Utility Accommodation Policy
- Known Project Limitations: Arkansas Department of Transportation (ARDOT) & Texas Department of Transportation (TXDOT) Roadway Redesign at 60% from ARDOT for State Highway as of October, 2025.
- Project Assumptions:
- 1.) Survey existing water line top of valve nut will be performed for determining the depth of existing water lines based on surface of roadway, depth of top of nut, and approximate depth of existing water line.
 - A.) OWNER to provide any records of existing water line valves.
 - B.) Engineer and Owner to agree upon method for estimating depth of water line.
 - C.) Up to 18 (eighteen) SUE level A pot holes are included for either or combination of
 - a. Verifying identified water line depth.
 - b. Verify water lines that are near minimum depth
 - c. Verify results of survey estimated depths.
 - 2.) Water line replacement will be performed via detailed designed under a future, separate contract. Water lines will be designed for construction between back of curb and existing public Right of Way (ROW) via open cut construction, in addition to 4 identified perpendicular interconnections from the "Texarkana Water Utilities Water Master Plan Update" Dated March 2025, Project #: 1565-009-01, by Consultant. Interconnections (IC) to remain: IC 5, IC 6, IC 7, and IC 8 perpendicular to N State Line Avenue via by other than open cut construction methods within existing public right of way.
 - 3.) Interconnecting water lines crossing the State Line Drive identified in the Draft Water Master Plan will be installed By Other Than Open Cut (BOTO). Additional survey and SUE may be required under separate detailed design contract following this scope of work.

This is **Exhibit A**, Scope of Services, referred to in and part of the Agreement between Owner and Engineer for Professional Services.

- 4.) Existing meters locations will be reviewed to determine if they are in conflict of any roadway work. Recommendation for relocation of those meters will be in the future design phase. No meters will be installed at interconnections.
- 5.) Service lines will be replaced from new water lines to existing water meters. If meter boxes are not at the ROW line, the City will provide Right of Entry letters from private owners to allow the Contractor to access the property and install the service line to the existing meter.
- 6.) Changes in costs due to tariffs, policy or government updates, pandemics, etc. may cause fluctuations in actual construction costs versus the Opinions of Probable Construction Costs (OPCC's) that are outside the control of the Engineer's judgement at the time cost estimates are developed.
- 7.) Services not included with scope: Water line detailed design (30%, 60%, 90%, or 100% plans nor specifications). Replacement locations are within improved areas and no environmental, cultural, floodplain, stormwater, historical nor antique services will not be required. No studies, reports, design, nor permits are included for these services. No traffic control is required for initial investigations.

Other Pertinent Information:

No M/WBE percent contract requirements are required for the Identification of Water Lines in Conflict with ARDOT Roadway Replacement.

Consultant shall provide Basic and Additional Services as set forth below.

Work to be Performed

Task 100: Project Setup, Management, and Meetings

General Project Management of the course of six (6) months. Includes management of subconsultants, one (1) internal and one (1) client kickoff meeting, six (6) virtual monthly coordination meetings, one (1) preliminary design meeting, three (3) virtual coordination meetings with ARDOT and/or TXDOT. No additional coordination meetings with other agencies or stakeholders are included.

Task 200: Water Line Analysis

Survey:

This is **Exhibit A**, Scope of Services, referred to in and part of the Agreement between Owner and Engineer for Professional Services.

1. Right-of-way Retracement for Preliminary Design – Field and office surveying services necessary to perform a right-of-way retracement of the existing street right-of-way lines along the route shown in Exhibit “C”. Right-of-way retracement will be performed based on available right-of-way maps and deed or plat information provided by client. Does not include any abstracts of title or official title searches. Traffic control will be facilitated by blocking traffic with field crew vehicles equipped with flashing Light Emitting Diode’s (LED’s).

2. Right-of-way Topographic Survey for Preliminary Design – Field and office surveying services necessary to prepare a topographic survey of the subject segments plus 10’ on each side of the right-of-way lines. Topographic survey will include observed permanent improvements, one-foot contours, breaklines, surface features, paving, trees 6” Diameter Breast Height (DBH) and larger with common name and trunk size. Additionally, to provide field data for the assessment of water lines with less than 3-feet of cover performed by Consultant, Topographic will obtain the horizontal and vertical locations of the top of valve nut located on water main line valves and fire hydrant valves within the Topographic Survey limits to support efforts in estimating existing water line elevations in relation to pavement elevation. Deliverable will be a Civil3D CAD file in utilizing Consultant Civil3D template. Traffic control will be facilitated by blocking traffic with field crew vehicles equipped with flashing LED’s.

Work will be coordinated to the control points listed in the construction plans for Hwy 67 – Arkansas Blvd dated March 2025 which are stated as correlated to Arkansas State Plane, South Zone, NAD 83 as converted to surface for horizontal datum and NAVD88 for vertical datum.

Task 201: Water Line Depth Analysis

Consultant to analyze survey data gathered from the field and develop overview and profile sheets of water lines. Engineer to provide an estimated 26 design sheets of 11x17 drawings 1:40 scale for the overview and profiles of water lines with the identification of water lines less than 3-feet of depth, close to 3-feet of depth. Profiles of the estimated water line depths will be shown in relation to top of roadway.

Consultant shall develop an Opinion of Probable Construction Costs (OPCC) for the Association of the Advancement of Cost Engineering (AACE) Class 4 range of design estimate based upon linear footage, size, and general location of pipe to be replaced. One (1) draft and one (1) final Class 4 OPCC of pipelines identified for replacement are included in scope.

Consultant shall perform internal Quality Control activities of the OPCC for the draft and Final versions.

Services do not include affixing engineer seal of individual sheets.

Task 202: Field Review of Survey and SUE Level A

Consultant to review field conditions corresponding to survey and identification of Subsurface Utility Engineering (SUE) – quality level A locations to verify pipe depth. Consultant to walk the site at select locations to review field conditions and updates to plan sheets as needed. American Society of Civil Engineers (ASCE) standard SUE A locations will be determined based upon findings in field, observations from survey, and water line depth analysis results. SUE – A to include the depth from roadway surface to top of pipe for identified pipes to verify survey findings. One (1) site visit for field review is included with the scope.

Services do not include verification of conflicts with other utilities. The review of survey information and SUE – A provides strategic confirmation at select existing water line locations to further support analysis findings from task 201.

Consultant shall seal final report for submission to Owner.

Task 204 Review of ARDOT Design Plans

The Consultant shall review 60% design updates from ARDOT provided in PDF format for identification of potential waterline conflicts based upon ARDOT improvements including drainage updates below grade. Potential conflicts from ARDOT 60% design drawings will be updated on drawing exhibits provided in Tasks listed above.

Task 205 Permit Identification

The Consultant shall coordinate with ARDOT, TXDOT, and identified utilities from survey to develop a listing of permits for coordination and acquisition during detailed design. Coordination shall be performed virtually and in field coordination may be added as an additional service, or provided in detailed design under separate contract. The Consultant will coordinate with other stakeholders to determine any other permits needed. The Consultant will prepare a list of the permit required for this project.

Task 300: Detailed Design (Not Included)

Task 400: Bid Services (Not Included)

Task 1000: Special Services (No special services have been identified at this time)

Work Identified to be Defined Under Separate Contract

Task 100: Project Administration

Task 200: Permit Applications, SUE level B, C, and D.

Task 300: Detailed Design (including 30%, 60%, 90%, and 100% drawing development)

Task 400: Bid Services

Task 500: Construction Phase Services

ARTICLE 1—BASIC SERVICES

1.01 Management of Engineering Services

- A. All phases of Consultant's services will include management of Consultant's Project-specific responsibilities, including but not limited to the following management tasks, whether separately tracked and itemized or included as being incidental to other phase and scope task items.
1. Develop and submit a Consulting Services Schedule. The Consulting Services Schedule will:
 - a. be consistent with and serve as a supplement to the Schedule of Deliverables set forth in Exhibit D.
 - b. be updated on a regular basis, and as required to reflect any programmatic decisions by Owner.
 - c. include, but not be limited to, an anticipated sequence of tasks; estimates of task duration; interrelationships among tasks; milestone meetings and submittals; anticipated schedule of construction; and other pertinent Project events.
 2. Develop and submit detailed study plans from Exhibit A tasks.
 3. Coordinate services within Consultant's internal team, and with Subconsultants and Consultant's Subcontractors.
 4. Prepare for and participate in meetings with consultants and contractors working on other parts of the Project that may affect, or be affected by, Consultant's services or resulting construction.
 5. Prepare and submit **monthly** engineering services progress reports to the Owner. Include summary of services performed in period, expected progress in next period, percent completion of current tasks, and a description of major issues or concerns.
 6. Special Invoicing: In addition to, or as a substitute for, Consultant's standard invoicing, provide the specified additional information or documentation, following the invoicing procedures indicated: **Not Applicable**.
 7. Conduct ongoing management tasks, including:
 - a. Maintaining communications records and files pertaining to or arising from Consultant's services;

This is **Exhibit A**, Scope of Services, referred to in and part of the Agreement between Owner and Engineer for Professional Services.

- b. With respect to Consultant's services and other directly relevant parts of the Project, prepare for and participate in periodic progress meetings with Owner to discuss progress, schedule, budget, issues, potential problems and their resolution; and
 - c. Preparing agendas prior to and minutes following all Consultant-led meetings.
- B. In all phases of Consultant's services, Consultant shall prepare exhibit Drawings in accordance with **Consultant's CAD standards**, using **Civil 3D** version **2025** software.
- C. The source documents for the draft and final Specifications in all phases of Consultant's services **will not be included for the investigative study**, unless otherwise mutually agreed upon by the parties.

1.02 Study and Report Phase

A. Consultant shall:

1. Consult with Owner to define and clarify Owner's requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility, and expandability, and any budgetary limitations, and identify available data, information, reports, facilities plans, and site evaluations.
 - a. If Owner has already identified one or more potential solutions to meet its Project requirements, then proceed with the study and evaluation of the Owner-identified potential solutions listed here:
 - 1) **Task 200: Water Line Analysis & Report.**
 - b. If Owner has not identified specific potential solutions for study and evaluation, then assist Owner in determining whether Owner's requirements, and available data, reports, plans, and evaluations, point to a single potential solution for Consultant's study and evaluation, or are such that it will be necessary for Consultant to identify, study, and evaluate multiple potential solutions.
 - c. **The investigative study does not include design.** If it is necessary for Consultant to identify, study, and evaluate multiple potential solutions, then identify solutions potentially available to Owner, unless Owner and Consultant mutually agree that some other specific number of alternatives should be identified, studied, and evaluated.
2. Identify potential solution(s) to meet Owner's Project requirements, as needed.
3. Study and evaluate the potential solution(s) to meet Owner's Project requirements.
4. Visit the Site, or potential Project sites, to review existing conditions and facilities, unless such visits are not necessary or applicable to meeting the objectives of the Study and Report Phase.
5. Assess initially available Project information and data, including the Baseline Information set forth at the beginning of this Exhibit A.
6. Advise Owner of any need for Owner to obtain, furnish, or otherwise make available to Consultant additional Project-related information and data, for Consultant's use in the

study and evaluation of potential solution(s) to Owner's Project requirements, and preparation of a related report.

7. After consultation with Owner, recommend the solution(s) which in Consultant's judgment meet Owner's requirements for the Project.
8. Identify, consult with, and analyze requirements of authorities having jurisdiction to permit or approve construction or operation of the portions of the Project to be designed or specified by Consultant, including but not limited to impacts and mitigating measures identified in previously prepared environmental assessments for the Project provided to the Consultant or being concurrently prepared for Owner by others.
9. Advise the Owner of any need for Owner to provide data or services, for use in Project design, or in preparation for Contractor selection and construction.
10. Assist Owner in evaluating the possible use of building information modeling; civil integrated management; geotechnical baselining of subsurface conditions at the Site; innovative design, contracting, or procurement strategies; project delivery method; or other strategies, technologies, or techniques for assisting in the design, construction, and operation of Owner's facilities. The subject matter of this paragraph will be referred to in Exhibit A as "Project Strategies, Technologies, and Techniques."
11. Assist Owner in identifying opportunities for enhancing the sustainability of the Project, and pursuant to Owner's instructions, plan for the inclusion of sustainable features in the design.
12. Review with Owner the thresholds established in applicable codes, standards, and design criteria specifically governing the ability of the proposed facilities or improvements to perform, and to absorb or avoid damage without suffering complete or substantial failure. As part of the review, identify additional risk assessment studies or tools that are available to evaluate the susceptibility of the facilities or improvements to natural and man-made events beyond the applicable established thresholds. Upon Owner request, as an additional service, perform additional risk assessment studies or tools to further evaluate system resiliency beyond the applicable established thresholds.
13. Utilities, including Underground Facilities
 - a. Review any utility mapping and surveys and other utilities documentation made available by Owner. Take note of observable utilities during Site visit.
 - b. Identify, in a preliminary manner and to the extent determinable by such mapping or other information provided by Owner, and by observations at the Site, those utilities (whether above-ground utilities of any type, or Underground Facilities) likely to be affected by the Project construction and additional utility facilities or extensions that will be needed to serve the Project.
 - c. If the impact on existing utilities or the need for additional utility facilities or extensions cannot reasonably be determined in a preliminary manner from mapping or other information provided by Owner, or such information was not available from Owner, then assist Owner in evaluating the need to either obtain additional utility mapping and utility documentation during the Study and Report

This is **Exhibit A**, Scope of Services, referred to in and part of the Agreement between Owner and Engineer for Professional Services.

Phase, or undertake other alternative approaches and contingencies to account for utility uncertainties in this phase.

- d. Advise Owner of additional utility documentation and coordination needed during the design and construction phases to adequately assess, mitigate, and manage the impact of the Project (including any additional utility facilities or extensions needed to serve the Project) on existing utilities.
 - e. Use ASCE 38, "Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data" as a means to advise the Owner regarding the extent and identification and mapping of existing Underground Facilities during the design and construction phases.
 - 1) If Owner has retained a land surveyor, utility engineer, or utility consultant, collaborate with such individuals or entities regarding the application of ASCE 38.
14. Inquire regarding survey methodologies and technologies that would aid in addressing Owner's Project requirements. Develop a scope of work and survey limits for any topographic and other surveys necessary for design. For recommended survey deliverables, specify a) required technical specifications; b) pertinent datum; c) survey limits, and d) formats of deliverables. Collaborate with land surveyor, when separately retained by Owner or third party, to develop such scope of work.
 15. Prepare a report (the "Report") which will, as appropriate, contain schematic layouts, sketches, and conceptual design criteria with appropriate exhibits to indicate the agreed-to requirements, considerations involved, and Consultant's recommended solution(s).
 - a. For each recommended solution, Consultant will separately tabulate Total Project Cost, itemizing those items and services included within the definition of Total Project Costs.
 - b. Consultant will meet with Owner to discuss the draft Report and receive Owner's comments.
 16. Perform or provide the following other Study and Report Phase tasks or deliverables:
 - a. **Task 100: Project Setup, Management, and Meetings**
 - a) **Meeting Notes within 7-days of meetings. PDF**
 - b) **Monthly Invoices with progress notes. Invoice**
 - b. **Task 200: Water Line Analysis**
 - a) **Draft the General Plan View Overview and Profiles including Survey of Water Lines PDF & three (3) physical copies**
 - b) **Final General Plan View Overview and Profiles including Survey of Water Lines PDF & four (4) physical copies**
 - c) **Survey: Copies of field survey data and notes signed and sealed by a licensed surveyor and Civil 3D CAD file.**

17. Furnish the Report and any other Study and Report Phase deliverables to Owner pursuant to the requirements of the Deliverables Schedule in Exhibit B, and review the deliverables with Owner.
 18. Revise the Report and any other Study and Report Phase deliverables in response to Owner's comments, as appropriate, and submit revised deliverables pursuant to the Deliverables Schedule.
- B. Consultant's services under the Study and Report Phase will be considered complete on the date when Consultant has delivered to Owner the final Report (as revised) and any other Study and Report Phase deliverables.
- 1.03 Preliminary Design Phase: **Not Included**
 - 1.04 Final Design Phase: **Not Included**
 - 1.05 Bidding/Proposal Phase: **Not Included**
 - 1.06 Construction Phase: **Not Included**
 - 1.07 Post-Construction Phase: **Not Included**

ARTICLE 2—ADDITIONAL SERVICES (NOT INCLUDED)

Additional Services not included in the existing Scope of Services – Owner and Consultant agree that the following services are beyond the Scope of Services described in the tasks above. However, Consultant can provide these services, if needed, upon the Owner written request. Any additional amounts paid to the Consultant as a result of any material change to the Scope of the Project shall be agreed upon in writing by both parties before the services are performed. These additional services include the following:

- Detailed Design services including plan sheets and profiles of proposed improvements are not included in this scope.
- Bid Phase, Construction phase services and record drawings are not included in the initial scope of work, but may be added via addendum or separate contract at the request of the Owner.
- Permissions to access the site will be provided by Texarkana Water Utilities or the City of Texarkana. No Right-of-Entry is required.
- SUE will be excluded on private property, proposed ROW, railroad ROW.
- Services related to development of the Owner project financing and/or budget.
- Specialty testing services not listed in Basic Services.
- No costs for geotechnical: exploratory, construction observations, testing or engineering consultation during construction, or additional work requested by reviewing authorities is included.
- Services related to damages caused by fire, flood, earthquake, or other acts of God.
- Services to support, prepare, document, bring, defend, or assist in litigation undertaken or defended by the Owner.
- Additional modeling.
- Corrosivity of soils investigation and stray current on metallic pipelines analysis.
- Cathodic protection system design.
- Summary of Findings in a technical memos.

This is **Exhibit A**, Scope of Services, referred to in and part of the Agreement between Owner and Engineer for Professional Services.

- FEMA permitting.
- Flood plain hydraulic modeling or deliverable.
- Storm drain, roadway, landscaping design.
- Flood impact analysis, Conditional letter of Map Revision, Letter of Map Revision.
- Geotechnical permits, traffic control, corrosion engineering services, decontamination of personnel or equipment from hazardous or toxic materials at site.
- Site development or Building permits.
- Route study and/or design of new water lines outside of the project boundary.
- Structural engineering services.
- Design of other utilities outside of the water line replacement.
- Irrigation design.
- Environmental Information Document (EID) for TWDB or other federal funding.
- Efforts related to THC requests for additional field services beyond what is outlined in Basic Services.
- ESA or Hazardous waste Investigation.
- Services related to permit submittals other than what is outlined in Basic Services.
- Permitting services.
- The following permits will be not considered for the Design:
 - Aquatic Resources Delineation.
 - Tree survey.
 - Threatened and Endangered Species Report.
 - Section 404 NWP 58 PCN and necessary supporting documents.
 - Sand and Gravel Permit Application (form PWD 0994-S1400).
 - Floodplain development permit application.
 - Aquatic Resource Recovery Plan and Permit to Introduce Species.
 - TPWD/USFWS report summarizing freshwater mussels/protected species surveys
 - Cultural Regulatory Coordination Letter.
 - Antiquities Permit application.
 - Archeological Resources Survey Report.
 - Electrical Distribution.
 - Electric Co Transmission.
 - Railroad reviews or permits.
 - Detailed Engineered Stormwater Pollution Prevention Plans, special details.
 - Detailed Engineered Traffic Control Plan and special details.
 - Easement closing, Easement M&C preparation, Easement Recording Services.

This is **Exhibit B**, Amendment, referred to in and part of the Agreement between Owner and Engineer for Professional Services.

**EXHIBIT B
SAMPLE AMENDMENT FORM**

This is **Exhibit B**, Amendment, referred to in and part of the Agreement between Owner and Engineer for Professional Services.

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This is **Exhibit B**, Amendment, referred to in and part of the Agreement between Owner and Engineer for Professional Services.

AMENDMENT TO OWNER-CONSULTANT AGREEMENT

Amendment No.

Owner: **Texarkana Water Utilities**
Consultant: **Plummer Associates, Inc**
Project: **Texarkana State Line Water Line Replacement Project: Identification of Water Lines Less than 3-Feet in Depth for Arkansas Department of Transportation (ARDOT) Roadway Replacement**

Effective Date of Owner-Consultant Agreement:

Nature of Amendment: (Check those that apply)

- Additional Services to be performed by Consultant
- Modifications to services of Consultant
- Modifications to responsibilities of Owner
- Modifications of payment to Consultant
- Modifications to time(s) for rendering services
- Modifications to other terms and conditions of the Agreement

Description of Modifications:

Agreement Summary:

Original agreement amount: \$
 Net change for prior amendments: \$
 This amendment amount: \$
 Adjusted Agreement amount: \$
 Change in time for services (days or date, as applicable):

Owner and Consultant hereby agree to modify the above-referenced Agreement as set forth in this Amendment. The Effective Date of the Amendment is **[Enter Effective Date of Amendment]**. The Engineer and Consultant acknowledge that this Agreement shall not become enforceable until approved by **Texarkana Water Utilities**.

Owner

Consultant

(typed or printed name of organization)

(typed or printed name of organization)

By: _____
(individual's signature)

By: _____
(individual's signature)

Date: _____
(date signed)

Date: _____
(date signed)

Name: _____
(typed or printed)

Name: _____
(typed or printed)

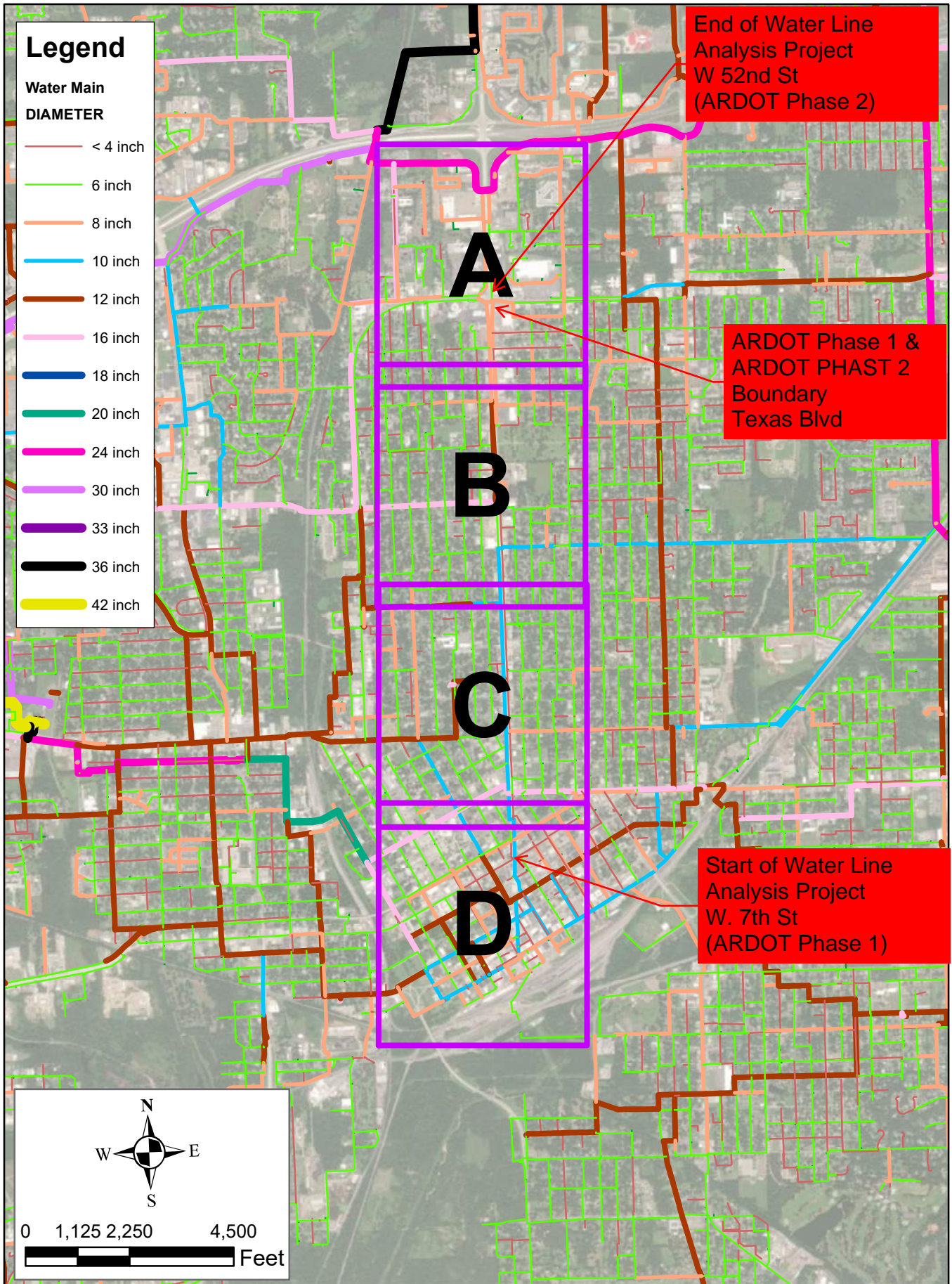
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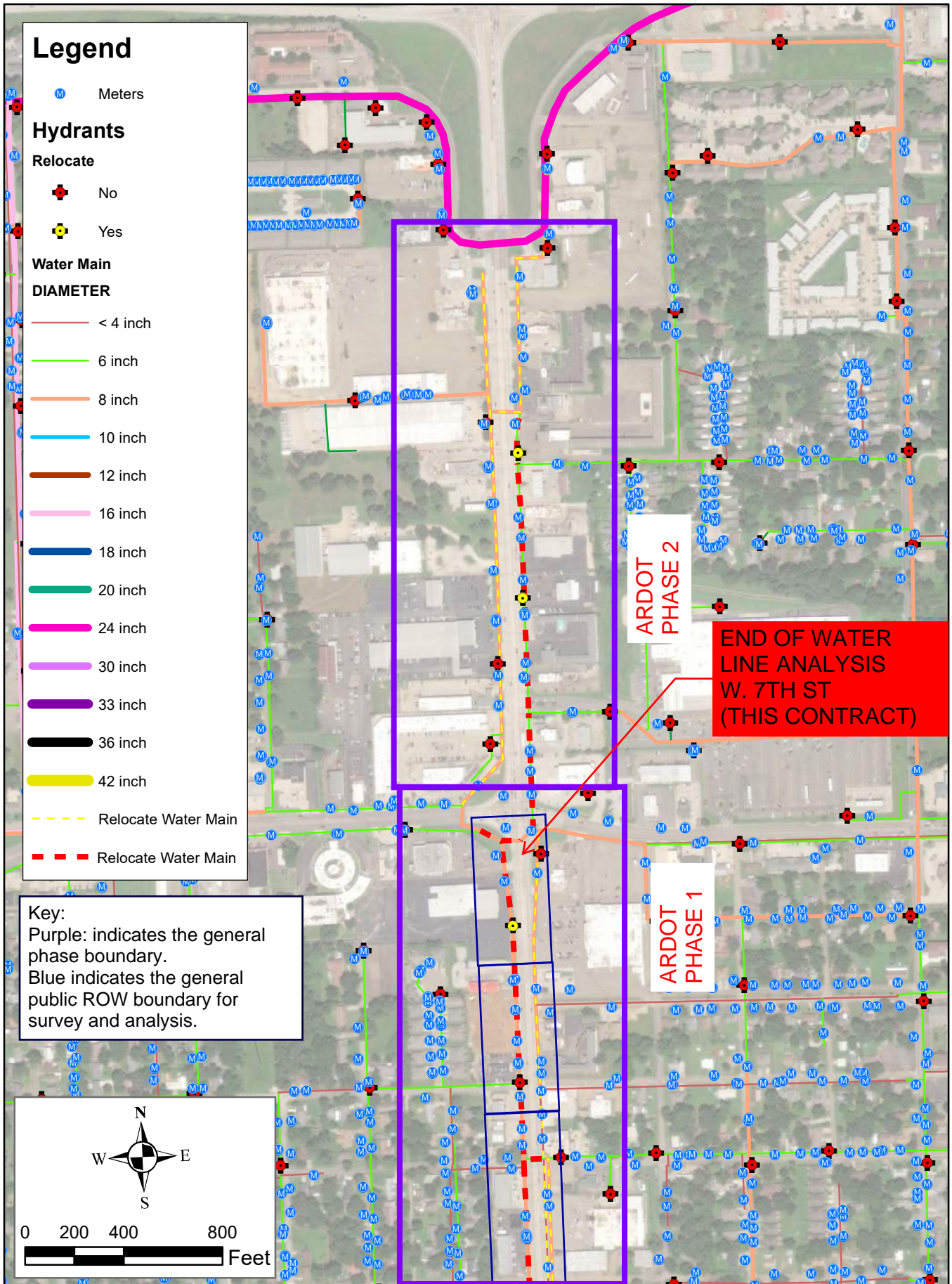
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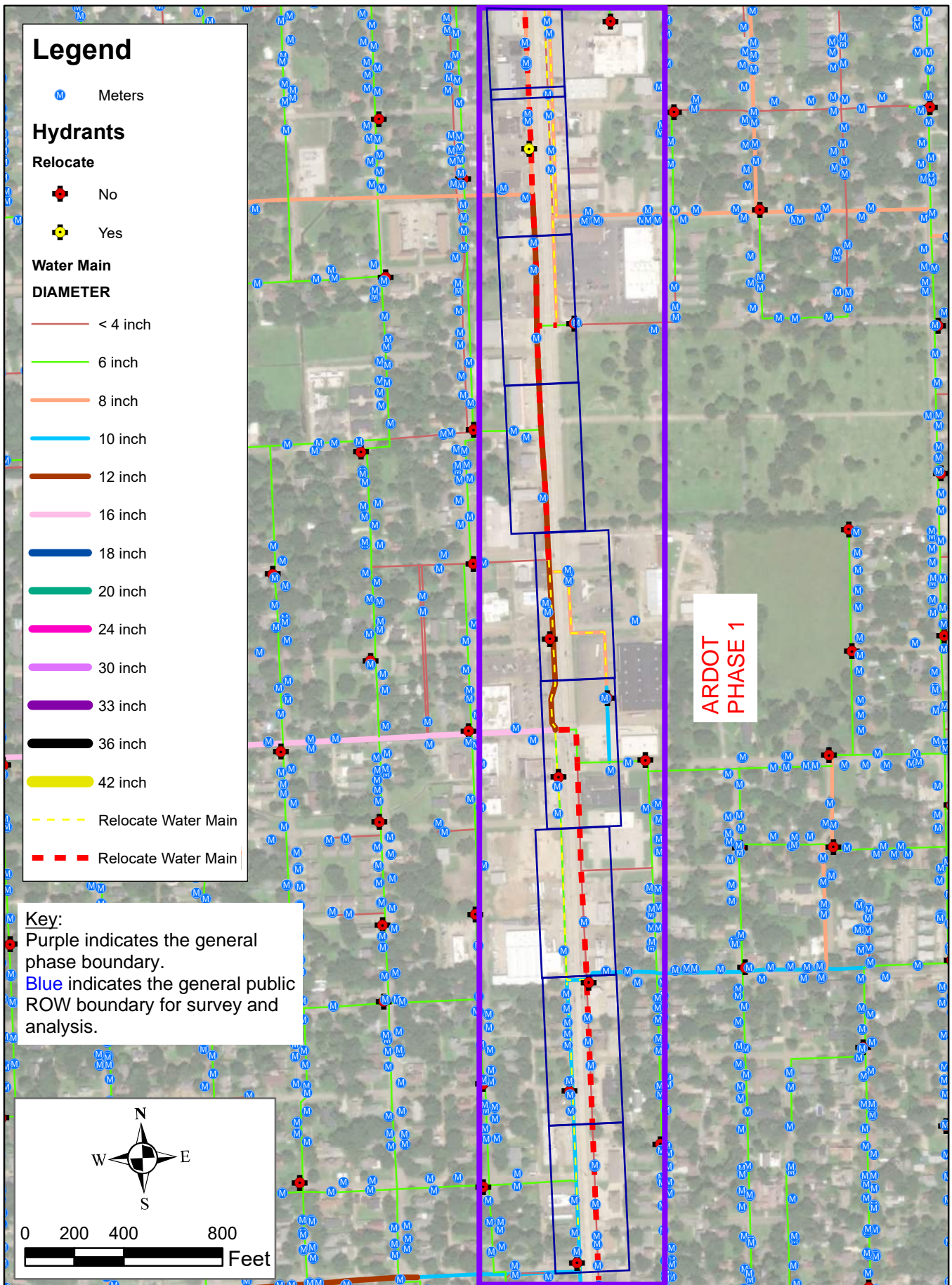
This is **Exhibit B**, Amendment, referred to in and part of the Agreement between Owner and Engineer for Professional Services.

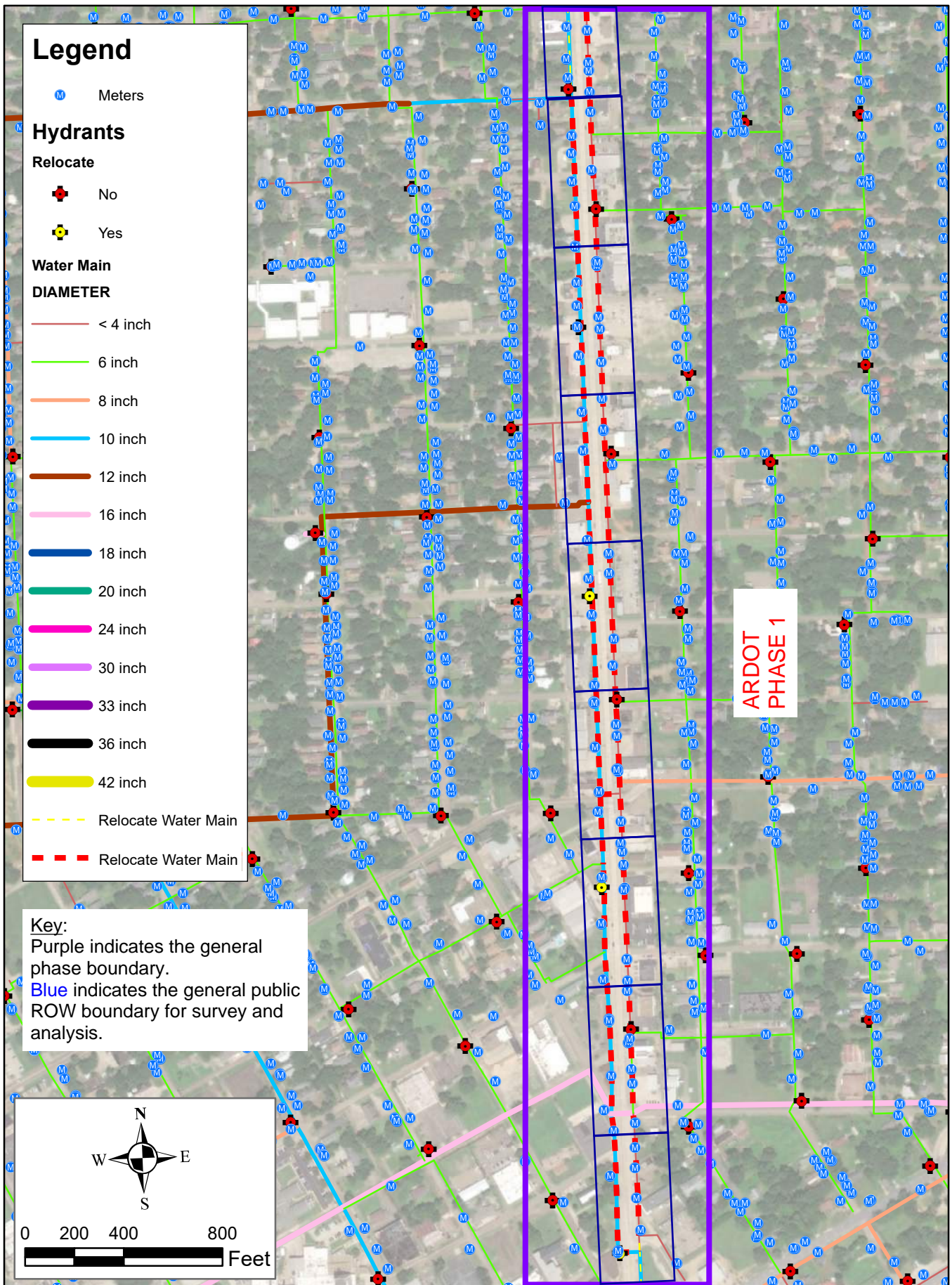
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**EXHIBIT C
LOCATION OF INVESTIGATIVE STUDY**



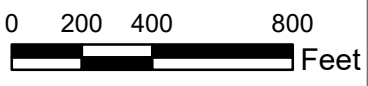


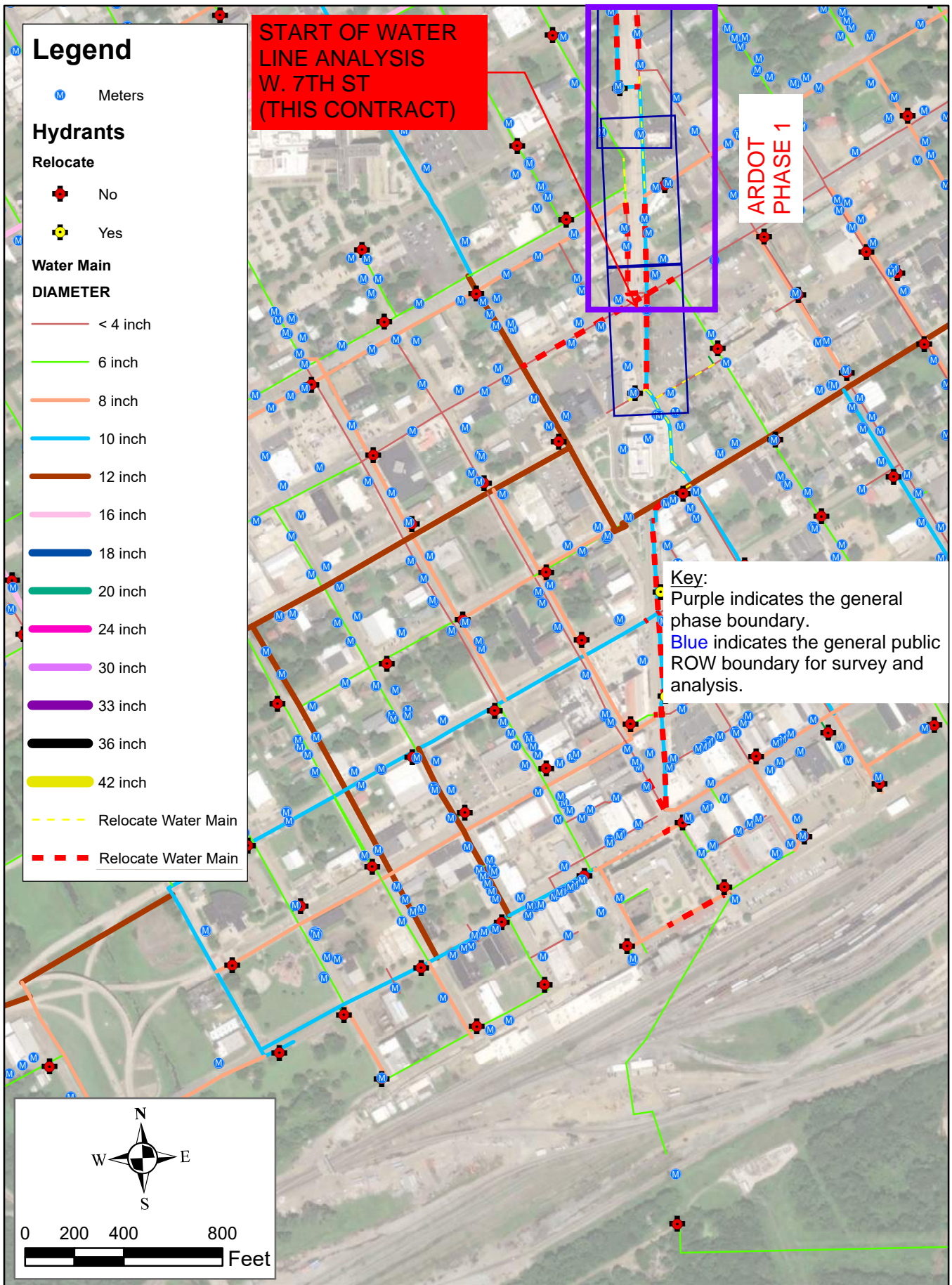




ARDOT
PHASE 1

Key:
Purple indicates the general phase boundary.
Blue indicates the general public ROW boundary for survey and analysis.





**EXHIBIT D
ESTIMATED SCHEDULE OF INVESTIGATIVE STUDY**

City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision		Values
Be a Thriving Regional Center for Education, Business and Culture.	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Promote a Thriving Community through Innovation Provide a Safe & Welcoming Community through Leadership Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Provide Leadership through Regional Partnership Opportunities Foster Proactive Communication to the Community Provide Courteous & Professional Customer Service Model a Positive City Image through Character Deliver Efficient Services with Accountability Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Maintain Fiscal Strength with Integrity Maximize Accountability & Resource Utilization Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/> <input type="checkbox"/>	Promote Teamwork through Cross Department Collaboration Enhance Professionalism & Positive Work Culture

Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

<input checked="" type="checkbox"/>	Newspaper Notice (Required by Statute)	<input type="checkbox"/>	Public Hearing (Required by Statute)
<input type="checkbox"/>	Public Forum/Workshop Session	<input type="checkbox"/>	Press Release (Through Marketing & Communications)
<input type="checkbox"/>	Weekly & Monthly Email Distribution (Send to CM Office)	<input checked="" type="checkbox"/>	Website Notice (Through Marketing & Communications)
<input type="checkbox"/>	Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/>	Special Mailing
<input type="checkbox"/>	Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/>	Banners Posted
<input type="checkbox"/>	Survey	<input type="checkbox"/>	Automated Phone Call
<input type="checkbox"/>	None Required	<input type="checkbox"/>	

Other:

Briefing Sheet

Department: Texarkana Water Utilities **Action Officer:** Michelle Warren, Executive Assistant

Subject: Resolution No. 2026-026 authorizing the City Manager to execute a contract with Holistic Utility Solutions of Grapevine, Texas, for the Non-Revenue Water Reduction Phase II - Dashboard and Analytics Project, in an amount not to exceed \$427,500.00, (City of Texarkana, Texas, portion in an amount not to exceed \$260,048.25), with budgeted funds in the FY 2025-2026 TWU Texas Capital Improvement Fund.

Briefing: 3/9/2026 **Public Hearing:** 3/9/2026 **Council Vote:** 3/9/2026

Item Schedule:

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

As authorized by Res. No. 2024-062 (June 10, 2024), Holistic Utility Services of Grapevine, Texas, conducted Phase I of the Review of Unbilled or Misbilled Utility Services and Water System Loss Audit project, consisting of an analysis and correction of TWU system under billings, miss-billings, and water system loss with the intent of improving accountability and rate payer equity.

This resolution proposes a Phase II contract with Holistic Utility Services. Implementing Phase II of the project would strengthen TWU’s ability and increase accuracy to understand pressure, water quality, flows, consumption, flushing, and water loss trends. The proposed scope of work includes system modeling (hydraulic and water quality) with associated field data collection and support for deployment of meters on flushers and pressure sensors; and system data, including SCADA system (pump data, tank levels, production meters, etc.) will be integrated with new AMI meter data to create a centralized dashboard that shows water loss and contributing factors across the system. The improved data visibility and accuracy will allow targeted deployment of additional measures as needed in future years to mitigate losses where economically viable, and reduction of Non-Revenue Water resulting from this and potential future initiatives will result in a more efficient system, which will help lower TWU input water cost and alleviate pressure on consumer water rates to account for losses in the system.

The competitive procurement of services from Holistic Utility Solutions is selected using its Contract 230601 with The Interlocal Purchasing System (TIPS) for the Non-Revenue Water Reduction Phase II – Dashboard and Analytics, as authorized by Chapter 271 of the Texas Local Government Code and City purchasing policy.

TWU Engineering staff has reviewed the engineering fees and has determined that they are within the acceptable engineering fee range for this type of project.

Potential Options:

None

Fiscal Implications:

The total contract amount is not to exceed \$427,500.00 with the Texas portion of the project not to exceed \$260,048.25. Funds are available in the Utility's 2025-2026 Budget in the Texas Capital Improvement Fund.

Staff Recommendation:

The Utility staff recommends approval.

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

RESOLUTION NO. 2026-026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING A CONTRACT WITH HOLISTIC UTILITY SOLUTIONS OF GRAPEVINE, TEXAS, FOR THE NON-REVENUE WATER REDUCTION PHASE II – DASHBOARD AND ANALYTICS PROJECT IN AN AMOUNT NOT TO EXCEED \$427,500.00 (CITY OF TEXARKANA, TEXAS, PORTION IN AN AMOUNT NOT TO EXCEED \$260,048.25 WITH BUDGETED FUNDS IN THE FY 2025-26 TWU TEXAS CAPITAL IMPROVEMENT FUND); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Holistic Utility Solutions of Grapevine, Texas, conducted Phase I of the Review of Unbilled or Misbilled Utility Services and Water System Loss Audit project, consisting of an analysis and correction of TWU system under billings, miss-billings, and water system loss with the intent of improving accountability and rate payer equity; and

WHEREAS, implementing Phase II of the project would strengthen TWU’s ability and increase accuracy to understand pressure, water quality, flows, consumption, flushing, and water loss trends; and

WHEREAS, the proposed scope of work includes system modeling (hydraulic and water quality) with associated field data collection and support for deployment of meters on flushers and pressure sensors; and system data, including SCADA system (pump data, tank levels, production meters, etc.) will be integrated with new AMI meter data to create a centralized dashboard that shows water loss and contributing factors across the system; and

WHEREAS, the improved data visibility and accuracy will allow targeted deployment of additional measures as needed in future years to mitigate losses where economically viable, and reduction of Non-Revenue Water resulting from this and potential future initiatives will result in a more efficient system, which will help lower TWU input water cost and alleviate pressure on consumer water rates to account for losses in the system; and

WHEREAS, the competitive procurement of services from Holistic Utility Solutions is selected using its Contract 230601 with The Interlocal Purchasing System (TIPS) for the Non-Revenue Water Reduction Phase II – Dashboard and Analytics, as authorized by Chapter 271 of the Texas Local Government Code and City purchasing policy; and

WHEREAS, considering the qualifications and experience and having completed Phase I of this project, and upon the recommendation of TWU, the City Council finds and determines that Holistic Utility Solutions of Grapevine, Texas, is most highly qualified to provide the necessary services for this project; and

WHEREAS, Holistic Utility Solutions has proposed a fee of \$427,500.00 with the Texas portion of the project not to exceed \$260,048.25 for services necessary for Non-Revenue Water Reduction Phase II – Dashboard and Analytics; and

WHEREAS, funds in the amount of \$260,048.25 are currently available in the Texas Capital Improvement Fund of the TWU fiscal year 2025-2026 budget.

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

SECTION 1: The City Council approves the contract with Holistic Utility Solutions of Grapevine, Texas, attached hereto as **ATTH 01** and incorporated herein by reference for all purposes, to provide professional services in an amount not to exceed \$427,500.00 (City of Texarkana, Texas, portion not to exceed \$260,048.25) for the “Non-Revenue Water Reduction Phase II – Dashboard and Analytics” project. The City Manager is hereby authorized to execute said contract on behalf of the City.

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

PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



Proposal #02092026-01

TIPS Contract 230601 – Consulting and Other Related Services
NRW Reduction Phase II – Dashboard & Analytics

Texarkana Water Utilities
801 Wood St,
Texarkana, TX 75501

February 11, 2026



HOLISTIC
Utility Solutions

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Proposal #02092026-01

TIPS Contract 230601 – Consulting and Other Related Services

From: Holistic Utility Solutions
129 S. Main St. Suite 260
Grapevine, TX 76051

Contact: Ira Nicodemus
Phone/Email: 214-384-3819/ ira@HolisticUS.com

To: Gary Smith, P.E.
Texarkana Water Utilities

Date: February 11, 2026
Project: NRW Reduction Phase II – Dashboards & Analytics

Scope Overview

As Texarkana Water Utility (TWU) continues its Water Loss Reduction Program with Phase 2, scope will focus on improving system visibility, data integration, and decision-making tools. This phase strengthens TWU’s ability to understand pressure, water quality, flows, consumption, flushing, and water loss trends, and provides a clear analytical foundation for future investments such as District Metered Areas (DMAs), pressure management, and advanced monitoring technologies.

Primary Objectives, Benefits, and Deliverables

Objectives

The primary objectives of Phase 2 are to:

- Improve the accuracy and reliability of system-wide and pressure-zone water balance calculations.
- Integrate operational, consumption, and modeling data into a unified dashboard.
- Provide actionable insights into non-revenue water (NRW), pressure performance, and operational drivers.
- Provide visibility into flushing by state
- Equip TWU with data-driven guidance to prioritize future capital and operational investments.

Anticipated Benefits

Upon completion of Phase 2, TWU will have improved system visibility, a reliable and repeatable understanding of water loss performance, and a modern dashboard to support daily operations and strategic planning. The results of this phase will clearly indicate where future investments will deliver the greatest value.

Key Deliverables

- Unified operational dashboard integrating consumption, SCADA, and model-based data.
- Ongoing system-wide and pressure-zone water balance results.
- Ongoing water audit summaries and NRW performance indicators.
- Analytical insights and recommendations to guide future phases and investments.

Summary of Services

Task 1 - Hydraulic & Water Quality Modeling

Create new hydraulic and water quality models to support system-wide analytics and dashboard visualizations. Model outputs will be aligned with operational data to improve understanding of pressure zones, tank operations, and system performance.

Water Quality Model will require water quality sampling throughout system. Scope includes 24-hour sampling of for 10 locations with a continuous sampling meter. Spot data collections will be collected daily for another 10-15 locations per day for 5 days.

Task 2 - Pressure Monitoring Support

Provide planning and technical support for pressure sensor deployments to improve system visibility and data quality (material and installation by others). Support includes location guidance, suggested equipment, procurement support, integration to SCADA and/or AMI system and associated dashboards and analytics.

Task 3 - Flusher Monitoring Support

Provide planning and technical support for flushing flow meter deployments to improve system visibility and data quality (material and installation by others). Support includes location guidance, suggested equipment, procurement support, integration to SCADA and/or AMI system and associated dashboards and analytics.

Task 4 - SCADA Data Integration

Support move of VT SCADA data to cloud server as needed for remote access of key data points as needed for model. Cost of server and advanced technical configuration by others (estimated at \$10-15k). Integrate key SCADA signals such as flows, pressures, tank levels, and system inputs into the dashboard to provide real-time and near-real-time operational context.

Task 5 – Dashboard Development & Integration

Design and deploy the following interactive SWITLink dashboard modules:

- Module 2 – Water Balance w/ AMI Data
 - This is the core module that integrates SCADA and AMI data into an ongoing water balance view
- Module 3 – Hydraulic Model Integration
 - This integrates the output of the hydraulic model into a data dashboard and GIS map view. Model can be updated and output pushed to dashboard on a recurring basis.
- Module 4 – Water Quality Model Integration
 - This integrates the output of the water quality model into a data dashboard and GIS map view. Model can be updated and output pushed to dashboard on a recurring basis.
- Module 5 – Manual Flushing Tracking
 - This integrates data from any manual flushing activities into the water balance and dashboard. Flushing data will be geocoded to show on a map view and rolup flushing by state.
- Module 6 – Known Leak Tracking
 - This allows input of leak data (leak size, pressure, and duration) to estimate real losses from known leaks and integrates into dashboard and map view
- Module 9 – Pressure Monitoring Integration
 - This integrates data from the deployed pressure sensors to show pressure data across the system on both dashboard and GIS map views
- Module 10 – Flushing Device/Meter Integration
 - This integrates data from the deployed flushing meters to show flushing data across the system on both dashboard and GIS map views

Task 6 - Advanced Analytics & Insights

Perform targeted analytics to identify relationships between pressure, operations, water loss, and water quality. These insights will help identify high-priority areas and inform future investments.

Task 7 – Commissioning & Training

Commission systems to ensure all interfaces work as intended. Document workflows and source files and train operators on how to utilize system to manage system.

Cost & Schedule

Cost of Services

Cost shall be delivered under a fixed price contract based on the time and materials calculated to deliver services.

Turnkey project cost is **\$427,500**

Schedule

Project is anticipated to take 9-12 months to complete. Preliminary schedule below:

ITEM	DESCRIPTION	TARGET START	TARGET END
TASK 1	Hydraulic & Water Quality Modeling	03/15/2026	06/15/2026
TASK 2	Pressure Monitoring Support	04/15/2026	06/15/2026
TASK 3	Flusher Monitoring Support	04/15/2026	06/15/2026
TASK 4	SCADA Data Integration	04/15/2026	07/15/2026
TASK 5	Dashboard Development & Integration	06/15/2026	12/15/2026
TASK 6	Advanced Analytics & Insights	10/15/2026	02/15/2027
TASK 7	Commissioning & Training	02/15/2026	03/15/2027

Items Not Included in Phase 2

Phase 2 focuses on analytics, integration, and planning. It does not include:

- Extensive data collection to correct errors or missing data in GIS system. Assumes clean GIS data set with pipe sizes, topographic data, and customer accounts.
- Physical construction or installation activities such as DMAs (Physical or Virtual), pressure reducing valves, automated flushing devices, or major SCADA hardware upgrades. This may be adopted in future Phases based on the results of the data from Phase II.
- Stamped engineering drawings (not anticipated)
- Environmental Review (not anticipated)
- Providing work outside what is listed
- Taxes/Titles/Bonds

Travel

Travel to support scope is included in fee.

Payment Terms

- Payment billed monthly based on percent completion per Task. Schedule of Values (SOV) to be provided within 30 days of contract award.

Ongoing Support Cost

The annual SWITLink License Fee is estimated at **\$35,000**. This would begin following implementation of Phase II and should be budgeted as a recurring annual cost for system.

In addition, a retainer to support ongoing updates to external inputs to the system, such as hydraulic and water quality models, added or removed sensors, etc. are recommended. This retainer is estimated at **\$15,000/yr** for a total annual system maintenance and licensing cost of **\$50,000/yr**.

Proposal Acceptance

Texarkana Water Utilities

Signature

Date

Printed Name

Title

City of Texarkana, TX

Signature

Date

Printed Name

Title

City of Texarkana, AR

Signature

Date

Printed Name

Title

Terms & Conditions

A. ENTIRE AGREEMENT. These Terms and Conditions, in combination with those documents incorporating them by reference, constitute the entire agreement (the "Agreement") between Holisus, LLC. d/b/a Holistic Utility Solutions ("Consultant") and Texarkana Water Utilities ("Client") to perform the described services (the "Services"), and all subsequent, mutually agreed change orders. This Agreement supersedes all prior proposals or negotiations between the parties with respect to the subject Services. These terms and conditions will also apply to any contract or purchase order document issued by the Client for future services, whether or not it is expressly incorporated. In the event of any conflict between these terms and conditions and the provisions of any purchase order or other document, these terms and conditions shall control unless the conflicting document expressly supersedes specific provisions hereof. This Agreement may not be modified except in a writing executed by both parties.

B. SERVICES. The Services will be performed in material compliance with the provisions of the Agreement. Client has reviewed the Agreement in detail and agrees that the Services are appropriate to meet Client's needs and requirements. Unless specified elsewhere in the Agreement, Consultant shall furnish all technical and professional services, including labor, material, supplies, equipment, transportation, accommodation, subsistence and supervision of Consultant personnel, to perform the Services. Client acknowledges that Consultant may utilize third-party service providers in the performance of its obligations hereunder. Consultant shall at all times be an independent contractor and no persons involved in connection herewith shall be considered employees of the Client for any purpose.

C. FEES, INVOICING AND PAYMENT. Charges for all services shall be invoiced and paid in accordance with the Schedule of Values to be provided within 30 days of contract execution as agreed upon between the Parties. Payment of all approved invoices is due upon receipt of the invoice and Client agrees that payments shall be made within thirty (30) days of presentation of the invoice. Amounts not paid within thirty (30) days shall be subject to a late payment charge equal to the lesser of one and one-half percent (1 1/2%) per month or the maximum amount allowed by applicable law. Should any invoice be in dispute, only that portion of the invoice in dispute may be held in abeyance until the dispute is resolved. Consultant may suspend or terminate further performance under this or other agreements with Client upon reasonable notice for the non-payment of invoices. Consultant shall have no responsibility or liability in connection with the Services, and Client shall have no right to rely on any report or other materials delivered, until all invoices have been paid in full. Consultant shall be entitled to all legal fees, including but not limited to attorney's fees associated with any attempt to collect on unpaid invoices associated with the Services.

D. CONFIDENTIALITY. Information which the Client identifies as confidential upon provision to Consultant and which is not publicly available will be treated as confidential in accordance with industry customs or standards. However, Consultant shall have no liability to Client or any third party for disclosure of confidential information in notifications or reports which reveal potential issues related to the health, safety or welfare of the general public; subject to court order or other mandate; and/or further subject to public policy considerations. Consultant shall have no liability to Client or any third party for notifications or reports made in accordance with such laws or orders and Client shall defend, indemnify and hold harmless Consultant from and against any and all claims, demands, liabilities, costs and expenses, including reasonable attorney's fees, incurred by Consultant in connection with such notifications or reports.

E. LIMITATION OF LIABILITY. NEITHER PARTY WILL BE LIABLE UNDER THIS AGREEMENT FOR ANY INDIRECT, INCIDENTAL, EXEMPLARY, PUNITIVE, SPECIAL OR CONSEQUENTIAL DAMAGES INCLUDING, WITHOUT LIMITATION, ANY LOSS OF INCOME, PROFITS OR DATA OR DIMINUTION OF VALUE, EVEN IF THE OTHER PARTY HAS BEEN ADVISED OF, OR HAD REASON TO KNOW OF, THE POSSIBILITY OF SUCH DAMAGES. CLIENT AND CONSULTANT AGREE THAT CONSULTANT'S AGGREGATE LIABILITY TO THE CLIENT AND ALL THIRD PARTIES IN CONNECTION WITH THE SERVICES SHALL BE LIMITED TO GENERAL MONEY DAMAGES NOT TO EXCEED THE TOTAL CONTRACT SUM OF FOUR HUNDRED AND TWENTY-SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS [\$427,500.00]. THIS LIMITATION SHALL APPLY REGARDLESS OF THE CAUSE OF ACTION OR LEGAL THEORY PLED OR ASSERTED. THE PARTIES ACKNOWLEDGE THAT THEY HAVE CONSIDERED THE ALLOCATION OF RISK PRESENTED BY THE PROVISIONS OF THIS PARAGRAPH AND THAT THE ALLOCATION IS REASONABLE UNDER ALL FACTS AND CIRCUMSTANCES SURROUNDING THE AGREEMENT.

F. WARRANTY. Consultant warrants that the Services will be performed in a good and workmanlike manner in accordance with prevailing standards and practices applicable to the Services. CONSULTANT EXPRESSLY DISCLAIMS ANY AND ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

G. TESTING. Client recognizes and agrees that Consultant is acting as a bailee and at no time assumes title to samples collected in completion of the work and acknowledges that the act of testing may affect, alter or damage the property, terrain, vegetation, and/or building, structures and improvements at, in or upon the site. Consultant will exercise reasonable efforts to limit such alteration or damage. Consultant shall repair or restore any damage caused by Consultant in the performance of such testing or work on this Project. Consultant may discard any and all samples immediately following analysis. Client may request, in writing, that any such samples be retained beyond such date, and in such case, Consultant will ship such samples to the location designated by Client, at Client's expense. Consultant may, upon written request, arrange for storage of samples at mutually agreed storage charges. This is the only notice of intention to discard samples that will be given.

H. RELIANCE. No party shall be allowed to use or rely on any report(s) or information generated in the completion of this project until payment in full is made to Consultant for any outstanding invoices related to the Services rendered. Client understands that Services governed by this Agreement are strictly for their sole use and benefit. The parties expressly agree that no third party, including, but not limited to, any heirs, devisees, representatives, successors, assigns, affiliates, and subsidiaries of the parties or any partnership, corporation or other entity controlled by the parties or which control the parties, may rely on or raise any claim relating to the Services or this Agreement.

I. No Waiver of Sovereign Immunity. Nothing in this Agreement, nor any act or omission of the Utility, City of Texarkana, Texas, City of Texarkana, Arkansas, (or other governmental entity), shall be deemed or construed as a waiver of its sovereign, governmental, or official immunity from suit or liability, which immunity is expressly reserved to the fullest extent permitted by applicable law. The parties acknowledge that no provision of this Agreement is intended to create any rights or remedies against the Utility, City of Texarkana, Texas or City of Texarkana, Arkansas beyond those expressly authorized by law, and any such rights or remedies are subject to all applicable immunities, defenses, and limitations.

J. Third-Party Reliance: Responsibility. [Client shall not permit any third party to rely upon this Agreement, the Services, or any reports or deliverables prepared by Consultant without Consultant's prior written consent. Any unauthorized reliance by a third party shall be at Client's sole risk. To the extent permitted by applicable law, Client shall be responsible for claims arising solely from Client's unauthorized provision of Consultant's work product to third parties for reliance purposes. Nothing herein shall be construed as a waiver of any governmental or sovereign immunity to which Client is entitled under applicable law.](#)

K. NON-SOLICITATION. Client shall not hire nor solicit for employment any of Consultant's employees for a period of one (1) year subsequent to any services rendered by Consultant for Client. In the event of Client's breach of this covenant, Consultant may seek any and all remedies including but not limited to an injunction; attorney fees and costs to enforce this provision; and monetary damages based upon the employee's previous annual salary and all costs related to training.

L. TERMINATION. This Agreement may only be terminated prior to substantial completion of the services by Consultant, by mutual consent, or by notice by either party in writing. In the event of termination prior to completion of the Services (i) by Client for any reason, or (ii) by Consultant due to the breach of this Agreement by Client, Consultant shall be paid for all services completed up to the date of termination.

M. RESOLUTION OF DISPUTES. This Agreement shall be governed by, subject to, and construed in accordance with the laws of the state of the location of the Project work being performed, without regard to its conflict of law provisions or the conflict of law provisions of any other jurisdiction. With the exception of disputes arising from failure to pay any invoices or fees for services rendered, any claim, controversy, or action arising out of, or related to, this Agreement or the alleged breach thereof, shall be submitted to mandatory non-

Proposal #02092026-01
NRW Reduction Phase II – Dashboards & Analytics

binding mediation through a third-party mediator to be agreed upon by the Consultant and the moving party. A "Notice of Mediation" shall be served by any party to commence the mediation process. The service of the Notice of Mediation shall stay the running of the limitations period ~~set forth in Paragraph M herein~~ for a period of 60 days unless a longer or shorter period of time is agreed to by the parties. In the event that the parties cannot reach a resolution through mediation, the parties may proceed to litigate their claims in Court. Any litigation so instituted shall be filed and litigated in the State where the project work in dispute was performed. With the exception of disputes arising from failure to pay invoices or fees for services rendered, each party shall pay the fees of its own attorneys, and the expenses of its witnesses and all other expenses connected with the presentation of its case.

N. CORPORATE PROTECTION. It is intended by the parties to this Agreement that Consultant's services in connection with the project shall not subject Consultant's employees, officers, or directors to any personal legal exposure for risks associated with this project. Therefore, the Client agrees that as Client's sole and exclusive remedy, any claim, demand or action shall be directed and/or asserted only against Consultant, a California corporation, and not against any of Consultant's employees, officers, or directors.

O. NO WAIVER. The failure of either party to exercise any right or remedy hereunder or to take any action permitted on a breach by the other party shall not be deemed a waiver of such right or remedy or of any other rights or subsequent breach of a like or different nature.

P. SEVERABILITY. The provisions of this Agreement are severable. The invalidity of any part of this Agreement shall not invalidate the remainder of the Agreement or the remainder of any portion hereof.

Q. OWNERSHIP. All work performed by Consultant and paid for by Client, including, without limitation, historical research, field data, field notes, laboratory test data, calculations and analyses prepared as instruments of service shall be the property of Client. Consultant may retain a copy of all pertinent records relating to the services performed. Notwithstanding the foregoing, Consultant shall retain all right, title, and interest in and to any pre-existing materials, intellectual property, methodologies, processes, systems, software tools, templates, models, calculations, spreadsheets, workflows, dashboards, analytical platforms, know-how, and other proprietary materials developed by Consultant prior to or independently of this Agreement ("Consultant Materials"). To the extent that any Consultant Materials are incorporated into or required to utilize the work performed under this Agreement, Client's right to access or use such Consultant Materials shall be governed by a separate written license agreement between the parties. No ownership of Consultant Materials is transferred to Client under this Agreement. Consultant shall retain the unrestricted right to use, reuse, and modify its general knowledge, experience, methodologies, processes, and know-how acquired during the performance of the Services for other clients and projects, provided that Consultant does not disclose Client's confidential information. Nothing herein shall be construed to transfer ownership of Consultant's proprietary software systems, analytical platforms, dashboards, or derivative improvements thereto.

R. NO ASSIGNMENT. Neither party shall assign their rights under this Agreement to any third party, including, but not limited to, any heirs, devisees, representatives, successors, assigns, affiliates, and subsidiaries of the parties or any partnership, corporation or other entity controlled by the parties or which control the parties without the prior written consent of the other, which consent shall not be unreasonably withheld or delayed. Each party, and the person executing on behalf of such party, represent and warrant that such person has the full power and authority to bind the party represented.

S. SUBCONTRACTORS. Consultant may subcontract any part of its performance under this Contract. Any subcontractor shall be treated under the Contract as if they were employees of Consultant, except in regard to fees

City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision		Values
Be a Thriving Regional Center for Education, Business and Culture.	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Promote a Thriving Community through Innovation Provide a Safe & Welcoming Community through Leadership Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Provide Leadership through Regional Partnership Opportunities Foster Proactive Communication to the Community Provide Courteous & Professional Customer Service Model a Positive City Image through Character Deliver Efficient Services with Accountability Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Maintain Fiscal Strength with Integrity Maximize Accountability & Resource Utilization Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/> <input type="checkbox"/>	Promote Teamwork through Cross Department Collaboration Enhance Professionalism & Positive Work Culture

Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

<input checked="" type="checkbox"/>	Newspaper Notice (Required by Statute)	<input type="checkbox"/>	Public Hearing (Required by Statute)
<input type="checkbox"/>	Public Forum/Workshop Session	<input type="checkbox"/>	Press Release (Through Marketing & Communications)
<input type="checkbox"/>	Weekly & Monthly Email Distribution (Send to CM Office)	<input checked="" type="checkbox"/>	Website Notice (Through Marketing & Communications)
<input type="checkbox"/>	Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/>	Special Mailing
<input type="checkbox"/>	Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/>	Banners Posted
<input type="checkbox"/>	Survey	<input type="checkbox"/>	Automated Phone Call
<input type="checkbox"/>	None Required	<input type="checkbox"/>	

Other:

Briefing Sheet

Department: Texarkana Water Utilities **Action Officer:** Michelle Warren, Executive Assistant

Subject: Resolution No. 2026-033 authorizing the City Manager to execute a contract with Kampco, Inc. of Texarkana, Arkansas, for the Water Looping Phase II – Twenty-Four-Inch (24”) Water Railyard Crossing Project in an amount not to exceed \$2,132,015.78. Funds are available in the Utility's 2025-2026 budget in the Texas Capital Improvement Fund at \$2,132,015.78.

Briefing: 3/9/2026 **Public Hearing:** **Council Vote:** 3/9/2026

Item Schedule:

Schedule 3: No briefing required (one week)

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

Bids were received Tuesday, February 17, 2026, for the Water Looping Phase II – Twenty-Four-Inch (24”) Water Railyard Crossing Project Project. Two (2) contractors bid on the project. Kampco, Inc. of Texarkana, Arkansas was the apparent low bidder with a low Base Bid of \$2,132,015.78. This project consists of installing approximately 3,557 feet of twenty-four-inch (24”) water pipe, 660 feet of thirty-six-inch (36”) steel casing by bore, one fire hydrant assembly, and all associated appurtenances.

Potential Options:

None

Fiscal Implications:

Funds are available in the Utility’s 2025-2026 Budget in the Texas Capital Improvement Fund at \$2,132,015.78.

Staff Recommendation:

Utility staff recommends approval

Advisory Board/Committee Review:

None

Board/Committee Recommendation:

Not Applicable

Advisory Board/Committee Meeting Date and Minutes:

Not Applicable

RESOLUTION NO. 2026-033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND EXECUTE A CONTRACT WITH KAMPCO, INC. OF TEXARKANA, ARKANSAS, IN AN AMOUNT NOT TO EXCEED \$2,132,015.78 FOR THE WATER LOOPING PHASE II – TWENTY-FOUR-INCH (24”) WATER RAILYARD CROSSING PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on February 17, 2026, two (2) bids were received, a copy of which is attached hereto as **ATTH 02**, by Texarkana Water Utilities for the Water Looping Phase II – Twenty-Four-Inch (24”) Water Railyard Crossing Project; and

WHEREAS, the project will consist of installing 3,557 feet of twenty-four-inch (24”) water pipe, 660 feet of thirty-six-inch (36”) steel casing by bore, one fire hydrant assembly, and related appurtenances; and

WHEREAS, the lowest and best bid by a responsible vendor for this project was submitted by Kampco, Inc. of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH 02** in an amount not to exceed \$2,132,015.78; and

WHEREAS, funds are available in the Texarkana Water Utilities 2025-2026 budget in the Texas Capital Improvement Fund in the amount of \$2,132,015.78.

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

SECTION 1: The lowest and best bid by a responsible vendor, submitted by Kampco, Inc. of Texarkana, Arkansas, a copy of which is attached hereto as **ATTH 02** be and is hereby approved in an amount not to exceed \$2,132,015.78 for the installation of 3,557 feet of twenty-four-inch (24”) water pipe, 660 feet of thirty-six-inch (36”) steel casing by bore, one fire hydrant assembly, and related appurtenances for the Water Looping Phase II – twenty-four-inch (24”) Water Railyard Crossing Project.

SECTION 2: The City Manager be and is authorized to contract with Kampco, Inc. of Texarkana, Arkansas 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 **9th day of March, 2026**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Bid Summary

Water Looping Phase II
24" Water Railyard Crossing

Tuesday, February 17, 2026, 2:00 P.M.

	<u>Base Bid</u>
1. Kampco, Inc. Texarkana, Arkansas	\$2,132,015.78
2. RBIS, LLC Texarkana, Texas	\$2,428,331.20

Time First Bid Opened: 2:00 P.M
Number of Bidders: 2
Apparent Low Bidder: Kampco, Inc.

BID TABULATION

WATER LOOPING PHASE II

24" WATER RAILYARD CROSSING

TWU Project No. 62-000-135111-T122427

February 17, 2026

2:00 PM

BASE BID:							
Item	Quantity	Unit	Description	Kampco, Inc.		RBIS, LLC	
				Unit Price	Total Bid	Unit Price	Total Price
				Texarkana, AR		Texarkana, TX	
1	1	LS	Mobilization, Bonds, & Submittals	\$92,500.00	\$92,500.00	\$131,000.00	\$131,000.00
2	35.57	STA	ROW Prep	\$1,447.96	\$51,503.94	\$1,600.00	\$56,912.00
3	30	LF	Furnish & Install 24" D.I.P. Water Pipe by Open Cut	\$702.18	\$21,065.40	\$400.00	\$12,000.00
4	660	LF	Furnish & Install 24" HDPE DR-11 Water Pipe Inside Casing	\$174.22	\$114,985.20	\$160.00	\$105,600.00
5	660	LF	Furnish & Install 36" Steel Encasement by Dry Bore	\$982.27	\$648,298.20	\$1,555.00	\$1,026,300.00
6	250.63	LF	Furnish & Install 24" HDPE DR-11 Water Main by Bore	\$513.62	\$128,728.58	\$400.00	\$100,252.00
7	2616.37	LF	Furnish & Install 24" HDPE DR-11 Water main by Open Cut	\$218.58	\$571,886.15	\$160.00	\$418,619.20
8	1	EA	Furnish & Install 8"x8" Tapping Sleeve & Valve	\$12,299.80	\$12,299.80	\$14,200.00	\$14,200.00
9	1	EA	Furnish & Install 6"x6" Tapping Sleeve & Valve	\$9,959.48	\$9,959.48	\$12,925.00	\$12,925.00
10	1	LS	Allowance for Railroad Insurance, Inspection, Flagging, Ground & Track Monitoring, and Testing	\$80,000.00	\$80,000.00	\$80,000.00	\$80,000.00
11	4	EA	Furnish & Install 24" Gate Valve	\$38,888.12	\$155,552.48	\$38,300.00	\$153,200.00
12	30	SY	Cut & Replace Existing Asphalt	\$79.34	\$2,380.20	\$175.00	\$5,250.00
13	16.5	SY	Cut & Replace Existing Concrete	\$137.13	\$2,262.65	\$120.00	\$1,980.00
14	20	LF	Remove & Replace Concrete Curb & Gutter	\$140.81	\$2,816.20	\$120.00	\$2,400.00
15	1	EA	Furnish & Install Fire Hydrant and Valve Assembly	\$15,181.84	\$15,181.84	\$14,600.00	\$14,600.00
16	50	LF	Furnish & Install Erosion Control Logs	\$289.59	\$14,479.50	\$18.00	\$900.00
17	1588	LF	Furnish & Install Silt Fence	\$14.48	\$22,994.24	\$11.00	\$17,468.00
18	1	LS	Furnish & Install Traffic Control, Signage, and Barricades	\$2,895.92	\$2,895.92	\$1,170.00	\$1,170.00
19	1	LS	Furnish & Install all Labor & Materials to Clean and Test Water Mains	\$5,791.84	\$5,791.84	\$17,850.00	\$17,850.00
20	5400	SY	Furnish & Install Straw Hay Mulch Seeding to Affected areas	\$2.89	\$15,606.00	\$2.00	\$10,800.00
21	1	LS	Furnish & Install Trench Protection	\$54,479.59	\$54,479.59	\$81,900.00	\$81,900.00
22	1	LS	Furnish & Install All Labor and Materials to Maintain All Erosion Control Measures	\$15,239.80	\$15,239.80	\$3,400.00	\$3,400.00
23	1	LS	Furnish & Install Low Water Crossing Across Swampoodle Creek	\$60,955.28	\$60,955.28	\$99,450.00	\$99,450.00
24	1600	LF	Furnish & Install Well-Points for Dewatering	\$15.79	\$25,264.00	\$35.00	\$56,000.00

BID TABULATION

WATER LOOPING PHASE II
 24" WATER RAILYARD CROSSING
 TWU Project No. 62-000-135111-T122427
 Feburary 17, 2026
 2:00 PM

25	1	EA	Furnish & Install ARV 200A T1 2" R14 Air Release Valve	\$2,812.09	\$2,812.09	\$2,400.00	\$2,400.00
26	1	EA	Furnish & Install 1" Meter Box with Locking Lid for Air Valve	\$2,077.40	\$2,077.40	\$1,755.00	\$1,755.00
			TOTAL BASE BID		\$2,132,015.78		\$2,428,331.20

Prepared by Len McBride, E.I.T.

Certified Correct



Len McBride, Design Engineer, TWU

City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision	Values
Be a Thriving Regional Center for Education, Business and Culture.	<input type="checkbox"/> Promote a Thriving Community through Innovation <input type="checkbox"/> Provide a Safe & Welcoming Community through Leadership <input checked="" type="checkbox"/> Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/> Provide Leadership through Regional Partnership Opportunities <input type="checkbox"/> Foster Proactive Communication to the Community <input type="checkbox"/> Provide Courteous & Professional Customer Service <input type="checkbox"/> Model a Positive City Image through Character <input checked="" type="checkbox"/> Deliver Efficient Services with Accountability <input type="checkbox"/> Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input type="checkbox"/> Maintain Fiscal Strength with Integrity <input type="checkbox"/> Maximize Accountability & Resource Utilization <input checked="" type="checkbox"/> Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/> Promote Teamwork through Cross Department Collaboration <input type="checkbox"/> Enhance Professionalism & Positive Work Culture

Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

<input checked="" type="checkbox"/>	Newspaper Notice (Required by Statute)	<input type="checkbox"/>	Public Hearing (Required by Statute)
<input type="checkbox"/>	Public Forum/Workshop Session	<input type="checkbox"/>	Press Release (Through Marketing & Communications)
<input type="checkbox"/>	Weekly & Monthly Email Distribution (Send to CM Office)	<input checked="" type="checkbox"/>	Website Notice (Through Marketing & Communications)
<input type="checkbox"/>	Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/>	Special Mailing
<input type="checkbox"/>	Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/>	Banners Posted
<input type="checkbox"/>	Survey	<input type="checkbox"/>	Automated Phone Call
<input type="checkbox"/>	None Required	<input type="checkbox"/>	

Other:

Briefing Sheet

Department: Development Services **Action Officer:** Mashell Daniel, Director of Development Services

Subject: Ordinance No. 2026-009 adopting the 2024 International Building Codes including certain amendments, modifications, deletions and appendices.

Briefing: 2/9/2026 **Public Hearing:** 4/13/2026 **Council Vote:** 4/13/2026

Item Schedule:

Brief once, public hearing and vote.

Updates/History of Briefing:

Executive Summary and Background Information:

The International Code Council revises and publishes the International Building Code on a three-year cycle to ensure public health and safety while integrating advancements in building practices, materials, and methods. The City of Texarkana, Texas last adopted an updated version of the building codes in 2015. The Building and Standards Commission has unanimously recommended adoption of the 2024 International Building Code.

In preparation for this update, city staff conducted a public meeting on June 18, 2025, at City Hall and extended invitations to local contractors and industry professionals. The meeting provided an opportunity for attendees to review the proposed changes, engage in discussion, and pose questions regarding the implementation of the updated codes. The Chief Building Official was present to address and respond to all questions and concerns raised during the meeting.

Potential Options:

- Approve changes.
- Not approve changes.

Fiscal Implications:

None.

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

Building and Standards Commission

Board/Committee Recommendation:

Unanimously approved.

Advisory Board/Committee Meeting Date and Minutes:

3/26/2024

ORDINANCE NO. 2026-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING AND UPDATING THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, CHAPTER 105 – BUILDINGS AND CONSTRUCTION, ARTICLE II, DIVISION 2, BUILDING CODE, SECTIONS 105-75 THRU 105-77, WITH THE 2024 EDITION OF THE INTERNATIONAL BUILDING CODE, INCLUDING CERTAIN MODIFICATIONS, DELETIONS, AND APPENDICES; PROVIDING FOR PUBLICATION; PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the International Building Code, developed by the International Code Council to protect life and safety, is updated periodically to integrate new building practices and methods, with the 2015 edition currently in effect for the City (Code secs. 105-75 – 105-77); and

WHEREAS, the Building & Standards Commission voted unanimously to recommend to the City Council the adoption of the 2024 Edition of the International Building Code with certain amendments, modifications, deletions, and appendices; and

WHEREAS, the International Building Code proposed for adoption provides that the code official shall have the authority to approve an alternative material, design, or method of construction upon the application of the owner or owner’s agent; and

WHEREAS, the City Council finds and determines that the adoption of said code is necessary to preserve the good government, order, and security of the municipality and its inhabitants, and is in the best interests of the citizens of the City of Texarkana, Texas.

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

SECTION 1: That Section 105-75 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Sec. 105-75. – International Building Code, 2024 edition adopted.

There is hereby adopted by the city, for the purpose of regulation and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and providing for permits and penalties, that certain building code known as the International Building Code, 2024 edition, save and except such portions as are hereinafter amended, modified, or deleted by this article, said code being incorporated herein as if fully set out herein; the provisions thereof shall be controlling in the condition and maintenance of all property, buildings, and structures contained within the corporate limits of the city.

SECTION 2: That Section 105-76, *Amendments; modifications; deletions*. of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Section 105-76. – Amendments, modifications, and deletions to the International Building Code.

The following amendments, modifications and deletions to and from the International Building Code adopted by section 105-75 are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the International Building Code:

Section 101.1 Title, of the said International Building Code adopted by section 105-75 is hereby amended to read in its entirety as follows: “These regulations shall be known as the Building Code of Texarkana, Texas.”

Section 103.1 Creation of enforcement agency, of the said International Building Code adopted by section 105-75 herein, is hereby amended to read in its entirety as follows: “The Inspections Department has heretofore been created and the official in charge thereof shall be known as the building official or code official. The function of the department shall be the implementation, administration, and enforcement of the provisions of this code.”

Section 105.5 Expiration, of the said International Building Code adopted by section 105-75 herein, is hereby amended to read in its entirety as follows: “Every permit issued shall become invalid if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the permit is issued. The building official is authorized to grant one or more extensions of time, for periods not more than 180 days each. If an extension is granted for a permit in which no work has commenced, the building official or designee may inspect the work to be done before the extension, or another permit is granted.”

Section 113 Means of Appeals of the said International Building Code adopted by section 105-75 herein, is hereby amended to read in its entirety as follows: “The board known as the Building and Standards Commission shall serve as the board to which appeals may be taken from decisions of the Building Official related to the International Building Code. All references elsewhere in this said International Building Code to the “Board of Appeals” or “Board” shall be construed to mean the Building and Standards Commission.”

SECTION 3: That Section 105-77, *Appendices* of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Section 105-77. – Appendices to the International Building Code.

(a) *Adoption in entirety*. Appendices C, D, F, G, H, I, and P to said International Building

Code adopted by section 105-75 herein are hereby adopted in their entirety and incorporated as if fully set out herein.

(b) *Deletion in entirety.* Appendices A, B, E, J, K, L, M, N, and O to said International Building Code adopted by section 105-75 are hereby deleted in their entirety.

SECTION 4: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 5: 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 6: That all ordinances or parts of ordinances in conflict herewith are specifically repealed.

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

SECTION 8: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of April, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

DIVISION 2. BUILDING CODE

Sec. 105-75. International Building Code, 2015 2024 edition adopted.

There is hereby adopted by the city, for the purpose of regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and providing for permits and penalties, that certain building code known as the International Building Code, 2015 2024 edition, save and except such portions as are hereinafter amended, modified or deleted by this article, said code being incorporated herein as if fully set out herein; the provisions thereof shall be controlling in the condition and maintenance of all property, buildings and structures contained within the corporate limits of the city.

(Code 1961, § 5-1; Ord. No. 001-06, § 1, 1-9-2006; Ord. No. 082-2012, § 1, 6-25-2012; Ord. No. 2015-112, § 1, 12-14-2015)

Sec. 105-76. Amendments; modifications; deletions to the International Building Code.

The following amendments, modifications and deletions to and from the International Building Code adopted by section 105-75, are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the International Building Code:

Section 101.1 Title, of the said International Building Code adopted by section 105-75 is hereby amended to read in its entirety as follows: "These regulations shall be known as the Building Code of Texarkana, Texas.

Section 101.4.1 Electrical, of the said International Building Code adopted by section 105-75 herein, is hereby amended to read in its entirety as follows: "The provisions of the National Electrical Code (NEC) shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto."

Section 103 Department of Building Safety, of the said International Building Code adopted by section 105-75 herein, is hereby amended to be entitled section 103 Inspection Department.

Section 103.1 Creation of enforcement agency, of the said International Building Code adopted by section 105-75 herein, is hereby amended to read in its entirety as follows: "The Inspection Department is hereby **has heretofore been** created and the official in charge thereof shall be known as the building official **or code official**. The function of the department shall be the implementation, administration and enforcement of the provisions of this code."

Section 105.5 Expiration, of the said International Building Code adopted by section 105-75 herein, is hereby amended to read in its entirety as follows: "Every permit issued shall become invalid if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the permit is issued. The building official is authorized to grant one or more extensions of time, for periods not more than 180 days each. If an extension is granted for a permit on which no work has commenced, the building official or designee may inspect the work to be done before the extension, or another permit is granted.

Section 106.3.3 Phased approval, of the said International Building Code adopted by section 105-75 herein, is hereby amended to read in its entirety as follows: "The building official is authorized to issue a permit for construction of a building shell prior to the receipt of finish out documents. The required documents would include site plans with existing and finished grade, drainage, parking, foundation, structural and exterior finish details. It should also include proposed location of plumbing and electrical services and service sizes."

Section 113 Board Means of Appeals, of the said International Building Code adopted by section 105-75 herein, is hereby amended to be entitled section 112 Building and Standards Commission to read in its entirety as follows: "The board known as the Building and Standards Commission, shall serve as the board to which appeals may be taken from decisions of the building official related to the International Building Code. All references elsewhere in this said International Building Code to the "Board of Appeals" or "Board" shall be construed to mean the Building and Standards Commission."

Section 113.1 General, of the said International Building Code adopted by section 105-75 herein, is hereby amended to read in its entirety as follows: "The board known as the Building and Standards Commission, shall serve as the board to which appeals may be taken from decisions of the Building Official related to the International Building Code. All references elsewhere in this said International Building Code to the "Board of Appeals" or "Board" shall be construed to mean the Building and Standards Commission."

Section 113.2 Limitations on authority, of the said International Building Code adopted by section 105-75 herein, is hereby deleted in its entirety.

Section 113.3 Qualifications, of the said International Building Code adopted by section 105-75 herein, is hereby deleted in its entirety.

Section 114 Violations, of the said International Building Code adopted by section 105-75 herein, is hereby deleted in its entirety.

Section 115 Stop Work Orders, of the said International Building Code adopted by section 105-75 herein, is hereby deleted in its entirety.

Section 116 Unsafe Structures and Equipment, of said International Building Code adopted by Section 105-75 herein, is hereby deleted in its entirety.

Section 116 Unsafe Structures and Equipment, of the said International Building Code adopted by section 105-75 herein, is hereby amended in its entirety to read as follows: "When in the code official's judgment any structure or existing equipment becomes so unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, so that demolition is necessary, the code official shall apply the provisions of Chapter 105, article VI. Unsafe Buildings and Structures of Code of Ordinances to said building or structure."

Chapter 11 Accessibility, of the said International Building Code as adopted by section 105-75 herein, is hereby deleted in its entirety and the *Texas Accessibility Standards (TAS)* are hereby adopted and incorporated in their entirety as if fully set out in the said International Building Code.

Section 1805.1 General, of the said International Building Code adopted by section 105-75 herein, is hereby amended by adding the following sentence: "In addition a minimum of four each No. 5 steel reinforcement bars are required in turned-down footings."

Chapter 27 Electrical, of the said International Building Code adopted by section 105-75 herein, is hereby deleted in its entirety. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the currently adopted National Electrical Code (NEC).

Section 3103.1.1 Permit required, of the said International Building Code adopted by section 105-75 herein, is hereby amended in its entirety to read as follows: "Temporary structures shall not be erected, operated, or

~~maintained for any commercial purpose without obtaining a permit from the building official. A permit is valid for a period of time not longer than 14 days. A permit may not be granted more than five times in each calendar year for any lot, premises, or location. Permits may not be granted for consecutive periods of time. The building official can approve a one-time seasonal permit for a period not to exceed 45 days, i.e., Christmas, Valentine's Day, Mother's Day, etc.~~

~~(Code 1961, § 5-1.1; Ord. No. 001-06, § 1, 1-9-2006; Ord. No. 173-08, § 1, 8-25-2008; Ord. No. 2014-033, § 1, 3-24-2014; Ord. No. 2015-112, § 2, 12-14-2015)~~

Sec. 105-77. Appendices to the International Building Code.

- (a) *Adoption in entirety.* Appendices A, C, D, F, G, H, I, J and P to said International Building Code adopted by section 105-75 are hereby adopted in their entirety and incorporated as if fully set out herein.
- (b) *Deletion in entirety.* Appendices A, B, E, J, K, L, M, N, and O to said International Building Code adopted by section 105-75 are hereby deleted in their entirety.

(Code 1961, § 5-1.2; Ord. No. 001-06, § 1, 1-9-2006)

Secs. 105-78—105-97. Reserved.

*You are cordially invited to attend a meeting to discuss
the adoption of the*

2024 International Building Codes

Wednesday, June 18, 2025

11:00 AM – 1:00 PM

**City Hall – 220 Texas Blvd, Texarkana,
Texas**

2nd floor Conference Room

Lunch Provided. Please RSVP to 903-798-3912.



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives	Goals
Serve the Community	<input checked="" type="checkbox"/> Promote an Environmentally Sensitive & Livable Community
	<input checked="" type="checkbox"/> Provide a Safe Community
	<input checked="" type="checkbox"/> Deliver Quality Services
	<input type="checkbox"/> Foster a Healthy Community
Run the Operations	<input type="checkbox"/> Enhance Community Preparedness & Responsiveness
	<input type="checkbox"/> Maximize Partnership Opportunities
	<input type="checkbox"/> Provide Courteous & Responsive Customer Service
	<input checked="" type="checkbox"/> Model a Positive City Image
	<input type="checkbox"/> Deliver Efficient Services
	<input type="checkbox"/> Cultivate Community Involvement & Access
Manage the Resources	<input type="checkbox"/> Maintain Fiscal Strength
	<input type="checkbox"/> Maximize Utilization & Resources
	<input type="checkbox"/> Invest in Infrastructure & Transportation
Develop Personnel	<input type="checkbox"/> Develop a Skilled & Diverse Workforce
	<input type="checkbox"/> 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:

Public Information Plan:

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

Other:

Briefing Sheet

Department: Development Services **Action Officer:** Mashell Daniel, Director of Development Services

Subject: Ordinance No. 2026-010 adopting the 2024 International Residential Code including certain amendments, modifications, deletions and appendices.

Briefing: 2/9/2026 **Public Hearing:** 4/13/2026 **Council Vote:** 4/13/2026

Item Schedule:

Brief Once.
Public Hearing and Vote.

Updates/History of Briefing:

Executive Summary and Background Information:

The International Code Council revises and publishes the International Residential Code on a three-year cycle to ensure public health and safety while integrating advancements in building practices, materials, and methods. The City of Texarkana, Texas last adopted an updated version of the International Residential Code in 2015. The Building and Standards Commission has unanimously recommended adoption of the 2024 International Residential Code.

In preparation for this update, city staff conducted a public meeting on June 18, 2025, at City Hall and extended invitations to local contractors and industry professionals. The meeting provided an opportunity for attendees to review the proposed changes, engage in discussion, and pose questions regarding the implementation of the updated codes. The Chief Building Official was present to address and respond to all questions and concerns raised during the meeting.

Potential Options:

Approve changes.
Not approve changes.

Fiscal Implications:

None.

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

Building and Standards Commission

Board/Committee Recommendation:

Unanimously approved.

Advisory Board/Committee Meeting Date and Minutes:

3/26/2024

ORDINANCE NO. 2026-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING AND UPDATING THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, CHAPTER 105 – BUILDINGS AND CONSTRUCTION, ARTICLE II, DIVISION 3, RESIDENTIAL CODE, SECTIONS 105-98 THRU 105-100, WITH THE 2024 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, INCLUDING CERTAIN MODIFICATIONS, DELETIONS, AND APPENDICES; PROVIDING FOR PUBLICATION; PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the International Residential Code (IRC), developed by the International Code Council to protect life and safety, is updated periodically to integrate new building practices and methods, with the 2015 edition currently in effect for the City (Code secs. 105-98 – 105-100); and

WHEREAS, the Building & Standards Commission voted unanimously to recommend to the City Council of the City of Texarkana, Texas, the adoption of the 2024 Edition of the International Residential Code, with certain amendments, modifications, deletions and appendices; and

WHEREAS, the International Residential Code proposed for adoption provides that the code official shall have the authority to approve an alternative material, design, or method of construction upon the application of the owner or owner's agent; and

WHEREAS, the City Council finds and determines that the adoption of said code is necessary to preserve the good government, order, and security of the municipality and its inhabitants, and is in the best interests of the citizens of the City of Texarkana, Texas.

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

SECTION 1: That Section 105-98 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Sec. 105-98. – International Residential Code, 2024 edition adopted.

There is hereby adopted by the city, for the purpose of regulation and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and providing for permits and penalties, that certain building code known as the International Residential Code, 2024 edition, save and except such portions as are hereinafter amended, modified, or deleted by this article, said code being incorporated herein as if fully set out herein; the provisions thereof shall be controlling in the condition and maintenance of all

property, buildings, and structures contained within the corporate limits of the city.

SECTION 2: That Section 105-99, *Amendments, modifications, and deletions* of the Code of Ordinances of the City of Texarkana, Texas is hereby amended in its entirety to read as follows:

Sec. 105-99 Amendments, modifications, and deletions to the International Residential Code.

The following amendments, modifications and deletions to and from the International Residential Code for one- and two-family dwellings adopted by Section 105-98, are hereby made and adopted, such amendments, modifications and deletions being set for the herein with reference to and prefaced by the section number or chapter number of the International Residential Code for one- and two-family dwellings:

Section R101.1 Title, of the said International Residential Code adopted by Section 105-98 herein, is hereby amended to read as follows: “These provisions shall be known as the International Residential Code for one- and two-family dwellings of the City of Texarkana, Texas, and shall be cited as such.”

Section R103.1: Creation of agency, of the said International Residential Code adopted by Section 105-98 herein, is hereby amended to read as follows: “The Inspections Department has heretofore been created and the official in charge thereof shall be known as the building official or code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.”

Section R110.2 Certificate issued, of the said International Residential Code adopted by Section 105-98 herein, is hereby deleted in its entirety.

Section R112 Means of Appeals, of the said International Residential Code adopted by Section 105-98 herein, is hereby amended to read as follows: “In order to hear and decide appeals of orders, decisions or determination made by the building official relative to the application and interpretation of this code shall be heard by the Building and Standards Commission.”

Chapter 11, Energy Efficiency, of the said International Residential Code adopted by Section 105-98 herein, is hereby deleted in its entirety.

SECTION 3: That Section 105-100, *Appendices* of the Code of Ordinances of the City of Texarkana, Texas is hereby amended in its entirety to read as follows:

Sec. 105-100. Appendices to the International Residential Code.

(a) *Adoption in entirety*. Appendices AA, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, CA, CB, CC, CD, CE, CF, CG, and CH, to said International Residential Code for one- and two-family dwellings, adopted by section 105-98 are hereby adopted in their entirety and incorporated as if fully set out herein.

(b) *Deletion in entirety.* Appendices AB, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, and NL to said International Residential Code adopted by section 105-98 are hereby deleted in their entirety.

SECTION 4: That the City Secretary be and is hereby directed to publish the caption of this ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 5: 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 6: That all ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 7: The recitals set out in this ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the city council for all purposes.

SECTION 8: That this ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of April, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

DIVISION 3. RESIDENTIAL CODE

Sec. 105-98. International Residential Code, 2015 2024 edition adopted.

There is hereby adopted by the city, for the purpose of regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and providing for permits and penalties, that certain building code known as the International Residential Code, 2015 2024 edition, save and except such portions as are hereinafter amended, modified or deleted by this article, said code being incorporated herein as if fully set out herein; the provisions thereof shall be controlling in the condition and maintenance of all property, buildings and structures contained within the corporate limits of the city.

(Code 1961, § 5-2; Ord. No. 001-06, § 2, 1-9-2006; Ord. No. 082-2012, § 2, 6-25-2012; Ord. No. 2015-115, § 1, 12-14-2015)

Sec. 105-99. Amendments, modifications and deletions.

The following amendments, modifications and deletions to and from the International Residential Code for One- and Two-Family Dwellings adopted by section 105-98, are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the International Residential Code for One- and Two-Family Dwellings:

Section R101.1 Title, of the said International Residential Code adopted by Section 105-98 herein, is hereby amended to read as follows: "These provisions shall be known as the International Residential Code for one- and two-family Dwellings of the City of Texarkana, Texas, and shall be cited as such."

Section R103.1: Creation of agency, of the said International Residential Code adopted by Section 105-98 herein, is hereby amended to read as follows: "The Inspections Department has heretofore been created and the official in charge thereof shall be known as the building official or code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code."

Section ~~R110.3~~ 110.2 Certificate issued, of the said International Residential Code adopted by Section 105-98 herein, is hereby deleted in its entirety.

Section ~~R112 Means of Appeals~~, of the said International Residential Code adopted by Section 105-98 herein, is hereby deleted in its entirety.

Section R112: Means of Appeals, of the said International Residential Code adopted by Section 105-98 herein, is hereby amended to read as follows: "The board known as the Building and Standards Commission, shall serve as the board to which appeals may be taken from decisions of the building official related to the International Residential Code. All references elsewhere in this said International Residential Code to the "Board of Appeals" or "Board" shall be construed to mean the Building and Standards Commission."

Section ~~R112.3 Qualifications~~, of the said International Residential Code adopted by Section 105-98 herein, is hereby deleted in its entirety.

Section R112.4 Administration, of the said International Residential Code adopted by Section 105-98 herein, is hereby deleted in its entirety.

Section R113 Violations, of the said International Residential Code adopted by Section 105-98 herein, is hereby deleted in its entirety.

Section R114 Stop Work Order, of the said International Residential Code adopted by Section 105-98 herein, is hereby deleted in its entirety.

Chapter 11, Energy Conservation, of the said International Residential Code 2015 adopted by Section 105-98 herein, is hereby deleted in its entirety.

***Chapter 11, Energy Efficiency*, of the said International Residential Code 2024 adopted by Section 105-98 herein, is hereby deleted in its entirety.**

With respect to energy conservation, there is hereby adopted by the city, for the purpose of regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and providing for permits and penalties, that certain Chapter 11, Energy Conservation, of the building code known as the International Residential Code, 2009 edition ("IRC 2009"), said Chapter 11 of the IRC 2009 being incorporated herein as if fully set out herein; and with respect to the subject matter in said chapter, the provisions thereof shall be controlling in the condition and maintenance of all property, buildings and structures contained within the corporate limits of the city.

(Code 1961, § 5-2.1; Ord. No. 001-06, § 2, 1-9-2006; Ord. No. 2015-115, § 2, 12-14-2015; Ord. No. 2016-117, § 1, 11-28-2016)

Sec. 105-100. Appendices to the International Residential Code.

- (a) *Adoption in entirety.* Appendices AA, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, CA, CB, CC, CD, CE, CF, CG, and CH, to said International Residential Code for one- and two-family dwellings, adopted by section 105-98 are hereby adopted in their entirety and incorporated as if fully set out herein.
- (b) *Deletion in entirety.* Appendices AB, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, and NL to said International Residential Code adopted by section 105-98 are hereby deleted in their entirety.

~~Appendices A, B, C, D, E, F, G, H, I, J, and K to said International Residential Code for One and Two-Family Dwellings, adopted by section 105-98, are hereby adopted in their entirety and incorporated as if fully set out herein.~~

(Code 1961, § 5-2.2; Ord. No. 001-06, § 2, 1-9-2006; Ord. No. 082-2012, § 2, 6-25-2012)

Secs. 105-101—105-128. Reserved.

*You are cordially invited to attend a meeting to discuss
the adoption of the*

2024 International Building Codes

Wednesday, June 18, 2025

11:00 AM – 1:00 PM

**City Hall – 220 Texas Blvd, Texarkana,
Texas**

2nd floor Conference Room

Lunch Provided. Please RSVP to 903-798-3912.



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	x	Promote an Environmentally Sensitive & Livable Community
	x	Provide a Safe Community
	x	Deliver Quality Services
	<input type="checkbox"/>	Foster a Healthy Community
Run the Operations	<input type="checkbox"/>	Enhance Community Preparedness & Responsiveness
	<input type="checkbox"/>	Maximize Partnership Opportunities
	<input type="checkbox"/>	Provide Courteous & Responsive Customer Service
	x	Model a Positive City Image
	<input type="checkbox"/>	Deliver Efficient Services
	<input type="checkbox"/>	Cultivate Community Involvement & Access
Manage the Resources	<input type="checkbox"/>	Maintain Fiscal Strength
	<input type="checkbox"/>	Maximize Utilization & Resources
	<input type="checkbox"/>	Invest in Infrastructure & Transportation
Develop Personnel	<input type="checkbox"/>	Develop a Skilled & Diverse Workforce
	<input type="checkbox"/>	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:

N/A

Public Information Plan:

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

Other:

Briefing Sheet

Department: Development Services **Action Officer:** Mashell Daniel, Director of Development Services

Subject: Ordinance No. 2026-011 adopting the 2024 International Energy Conservation Code including certain amendments, modifications, deletions and appendices.

Briefing: 2/9/2026 **Public Hearing:** 4/13/2026 **Council Vote:** 4/13/2026

Item Schedule:

Brief Once.
Public Hearing and Vote.

Updates/History of Briefing:

Executive Summary and Background Information:

The International Code Council revises and publishes the International Energy Conservation Code on a three-year cycle to ensure public health and safety while integrating advancements in building practices, materials, and methods. The City of Texarkana, Texas last adopted an updated version of the International Energy Conservation Code in 2009. The Building and Standards Commission has unanimously recommended adoption of the 2024 International Energy Conservation Code.

In preparation for this update, city staff conducted a public meeting on June 18, 2025, at City Hall and extended invitations to local contractors and industry professionals. The meeting provided an opportunity for attendees to review the proposed changes, engage in discussion, and pose questions regarding the implementation of the updated codes. The Chief Building Official was present to address and respond to all questions and concerns raised during the meeting.

Potential Options:

Approve changes.
Not approve changes.

Fiscal Implications:

None.

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

Building and Standards Commission

Board/Committee Recommendation:

Unanimously approved.

Advisory Board/Committee Meeting Date and Minutes:

3/26/2024

ORDINANCE NO. 2026-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, CHAPTER 105 – BUILDINGS AND CONSTRUCTION, ARTICLE II, DIVISION 4, ENERGY CODE, SECTION 105-129, WITH THE 2024 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, INCLUDING CERTAIN MODIFICATIONS, DELETIONS, AND APPENDICES; PROVIDING FOR PUBLICATION; PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the International Energy Conservation Code, developed by the International Code Council to protect life and safety, is updated periodically to integrate new building practices and methods, with the 2009 edition currently in effect for the City (Code sec. 105-129); and

WHEREAS, the Building & Standards Commission voted unanimously to recommend to the City Council of the City of Texarkana, Texas, the adoption of the 2024 edition of the International Energy Conservation Code with certain amendments, modifications, deletions, and appendices; and

WHEREAS, the International Energy Conservation Code proposed for adoption provides that the code official shall have the authority to approve an alternative material, design, or method of construction upon the application of the owner or owner's agent; and

WHEREAS, the City Council finds and determines that the adoption of said code is necessary to preserve the good government, order, and security of the municipality and its inhabitants, and is in the best interests of the citizens of the City of Texarkana, Texas.

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

SECTION 1: That Section 105-129 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Sec. 105-129. – International Energy Conservation Code, 2024 edition adopted.

There is hereby adopted by the city, for the purpose of establishing rules and regulations for the safe installation and maintenance of all energy conservation equipment and systems, that certain energy code known as the International Energy Conservation Code, 2024 edition, save and except such portions as are hereinafter amended, modified, or deleted by this article, said code being incorporated herein as if fully set out herein; the provisions thereof shall be controlling in the installation of energy conservation systems therein contained within the corporate limits of the city.

SECTION 2: That Section 105-131 of the Code of Ordinances of the City of Texarkana, Texas is hereby added in its entirety to read as follows:

Sec. 105-131. – Amendments, modifications, and deletions to the International Energy Conservation Code.

The following amendments, modifications, and deletions to and from the International Energy Conservation Code adopted by Section 105-129 are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the International Energy Conservation Code:

Section C101.1 Title, of the said International Energy Conservation Code adopted by Section 105-129 herein is hereby amended to read in its entirety as follows: “This code shall be known as the Energy Conservation Code of the City of Texarkana, Texas.”

Section C103.1: Creation of enforcement agency, of said International Energy Conservation Code adopted by section 105-129 is hereby amended to read in its entirety as follows: “The Inspections Department has heretofore been created and the official in charge thereof shall be known as the building official or code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.”

Section C103.2: Appointment, of said International Energy Conservation Code adopted by section 105-129 is hereby amended to read in its entirety as follows: “The building official shall be appointed by the city manager.”

Section C103.3: Deputies, of said International Energy Conservation Code adopted by section 105-129 is hereby amended to read in its entirety as follows: “In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the city manager, the building official shall have the authority to designate other related technical officers and inspectors, and such persons shall have authority as delegated by the building official.”

Section C106.3: Valuation of work, of the said International Energy Conservation Code adopted by section 105.129 is hereby deleted in its entirety.

Section C109: Means of Appeals, of the said International Energy Conservation Code adopted by Section 105-129 is hereby amended to read in its entirety as follows: “In order to hear and decide appeals of orders, decisions, or determination made by the building official relative to the application and interpretation of this code, such shall be heard by the Building and Standards Commission.”

Section C406: Additional Efficiency, Renewable and load management requirements, of the said International Energy Conservation Code adopted by Section 105-129 is

hereby deleted in all its entirety.

SECTION 3: That Section 105-132, *Appendices to the International Energy Conservation Code*. of the Code of Ordinances of the City of Texarkana, Texas is hereby added in its entirety to read as follows:

Section 105-132. – Appendices to the International Energy Conservation Code.

Deletion in Entirety. All appendices to said International Energy Conservation Code adopted by section 105-129 are hereby deleted in their entirety.

SECTION 4: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 5: 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 6: That all ordinances or parts of ordinances in conflict herewith are specifically repealed.

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

SECTION 8: That this Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of April, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

DIVISION 4. ENERGY CODE

Sec. 105-129. International Energy Conservation Code, 2009 ~~2024~~ supplement edition adopted.

There is hereby adopted by the city, for the purpose of establishing rules and regulations for the safe installation and maintenance of all energy conservation equipment and systems, that certain code known as the International Energy Conservation Code ~~2009~~ 2024 edition, save and except such portions as are hereinafter amended, modified or deleted by this division, said code being incorporated herein as if fully set out herein; the provisions thereof shall be controlling in the installation of energy conservation systems therein contained within the corporate limits of the city.

(Code 1961, § 5-3; Ord. No. 001-06, § 3, 1-9-2006)

Sec. 105-130. Illustrations.

Illustrations in the said codes adopted above shall not be deemed to represent the only acceptable method of meeting the provisions of the said codes.

(Code 1961, § 5-4; Ord. No. 001-06, § 4, 1-9-2006)

Sec. 105-131. Amendments, modifications, and deletions.

The following amendments, modifications, and deletions to and from the International Energy Conservation Code adopted by Section 105-129 are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the International Energy Conservation Code:

Section C101.1 Title, of the said International Energy Conservation Code adopted by section 105-129 herein is hereby amended to read in its entirety as follows: "These regulations shall be known as the Energy Conservation Code of Texarkana, Texas."

Section C103.1: Creation of enforcement agency, of said International Energy Conservation Code adopted by Section 105-129 herein is hereby emended to read in its entirety as follows: "The Inspections Department has heretofore been created and the official in charge thereof shall be known as the building official or code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code."

Section C103.2: Appointment, of said International Energy Conservation Code adopted by section 105-129 is hereby amended to read in its entirety as follows: "The building official shall be appointed by the city manager."

Section C103.3: Deputies, of said International Energy Conservation Code adopted by section 105-129 is hereby amended to read in its entirety as follows: "In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the city manager, the building official shall have the authority to designate other related technical officers and inspectors, and such persons shall have authority as delegated by the building official."

C106.3: Valuation of work, of the said International Energy Conservation Code adopted by section 105.129 is hereby deleted in its entirety.

Section C109: Means of Appeals, of the said International Energy Conservation Code adopted by Section 105-129 is hereby amended to read in its entirety as follows: “In order to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code, such shall be heard by the Building and Standards Commission.”

Section C406: Additional efficiency, renewable and load management requirements, of the said International Energy Conservation Code adopted by Section 105-129 is hereby deleted in all its entirety.

Sec 105.132. – Appendices to the International Energy Conservation Code.

Deletion in entirety. All appendices to said International Energy Conservation Code adopted by section 105-129 are hereby deleted in their entirety.

Secs. 105-~~131~~133—105-158. Reserved.

*You are cordially invited to attend a meeting to discuss
the adoption of the*

2024 International Building Codes

Wednesday, June 18, 2025

11:00 AM – 1:00 PM

**City Hall – 220 Texas Blvd, Texarkana,
Texas**

2nd floor Conference Room

Lunch Provided. Please RSVP to 903-798-3912.



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	x	Promote an Environmentally Sensitive & Livable Community
	x	Provide a Safe Community
	x	Deliver Quality Services
	<input type="checkbox"/>	Foster a Healthy Community
Run the Operations	<input type="checkbox"/>	Enhance Community Preparedness & Responsiveness
	<input type="checkbox"/>	Maximize Partnership Opportunities
	<input type="checkbox"/>	Provide Courteous & Responsive Customer Service
	x	Model a Positive City Image
	<input type="checkbox"/>	Deliver Efficient Services
	<input type="checkbox"/>	Cultivate Community Involvement & Access
Manage the Resources	<input type="checkbox"/>	Maintain Fiscal Strength
	<input type="checkbox"/>	Maximize Utilization & Resources
	<input type="checkbox"/>	Invest in Infrastructure & Transportation
Develop Personnel	<input type="checkbox"/>	Develop a Skilled & Diverse Workforce
	<input type="checkbox"/>	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:

Public Information Plan:

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

Other:

Briefing Sheet

Department: Development Services **Action Officer:** Mashell Daniel, Director of Development Services

Subject: Ordinance No. 2026-012 adopting the 2023 National Electrical Code including certain amendments, modifications, deletions, and appendices.

Briefing: 2/9/2026 **Public Hearing:** 4/13/2026 **Council Vote:** 4/13/2026

Item Schedule:

Brief Once.
Public Hearing and Vote.

Updates/History of Briefing:

Executive Summary and Background Information:

The International Code Council revises and publishes the National Electric Code on a three-year cycle to ensure public health and safety while integrating advancements in building practices, materials, and methods. The City of Texarkana, Texas last adopted an updated version of the National Electric Code in 2014. The Building and Standards Commission has unanimously recommended adoption of the 2023 National Electric Code.

In preparation for this update, city staff conducted a public meeting on June 18, 2025, at City Hall and extended invitations to local contractors and industry professionals. The meeting provided an opportunity for attendees to review the proposed changes, engage in discussion, and pose questions regarding the implementation of the updated codes. The Chief Building Official was present to address and respond to all questions and concerns raised during the meeting.

Potential Options:

Approve Changes.
Not approve changes.

Fiscal Implications:

None.

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

Building and Standards Commission

Board/Committee Recommendation:

Unanimously approved.

Advisory Board/Committee Meeting Date and Minutes:

3/26/2024

ORDINANCE NO. 2026-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, CHAPTER 105 – BUILDINGS AND CONSTRUCTION, ARTICLE III, ELECTRICAL CODE, SECTIONS 105-159, 105-160, 105-168, 105-169, 105-170, 105-172, AND 105-181, WITH THE 2023 EDITION OF THE NATIONAL ELECTRICAL CODE, INCLUDING CERTAIN MODIFICATIONS, DELETIONS, AND APPENDICES; PROVIDING FOR PUBLICATION; PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the National Electrical Code, developed by the International Code Council to protect life and safety, is updated periodically to integrate new building practices and methods, with the 2014 edition currently in effect for the City (Code secs. 105-159 - 105-160); and

WHEREAS, the Building & Standards Commission voted unanimously to recommend to the City Council the adoption of the 2023 edition of the National Electrical Code with certain amendments, modifications, deletions, and appendices; and

WHEREAS, the National Electrical Code proposed for adoption provides that the code official shall have the authority to approve an alternative material, design, or method of construction upon the application of the owner or owner's agent; and

WHEREAS, the City Council finds and determines that the adoption of said code is necessary to preserve the good government, order, and security of the municipality and its inhabitants, and is in the best interests of the citizens of the City of Texarkana, Texas.

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

SECTION 1: That Section 105-159 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Sec. 105-159. – National Electric Code, 2023 edition adopted.

There is hereby adopted by the city, for the purpose of establishing rules and regulations for the safe installation and maintenance of electrical equipment and systems, that certain code known as the National Electrical Code, 2023 edition, save and except such portions as are hereinafter amended, modified, or deleted by this chapter, said code being incorporated herein as if fully set out herein; the provisions thereof shall be controlling in the installation of electrical systems therein contained within the corporate limits of the city.

SECTION 2: That Section 105-160, *Amendments, modifications, and deletions*. of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Section 105-160. – Amendments, modification, and deletions to the National Electrical Code.

The following amendments, modifications, and deletions to and from the National Electrical Code adopted by Section 105-159, are hereby made and adopted, such amendments, modifications, and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the National Electrical Code:

Section 300.5 (D), of said National Electrical Code is hereby amended to read in its entirety as follows: “All underground wiring over 24 volts, minimal, shall be installed in rigid metal conduit, intermediate metal conduit, or rigid nonmetallic conduit raceways.”

Section 330.12, of said Electrical Code is hereby amended to read in its entirety as follows: “Metal-clad cable will only be allowed for connections to movable installations (such as lighting in lay-in ceilings) or where vibration is a consideration and then in lengths not to exceed 6 feet. It will further be allowed in lengths exceeding 6 feet only for the purpose of fishing circuits in existing structures, under cabinets and counters or in new structures where conduit would not be practical (such as locations where wire connections and junction boxes would not be accessible). Home runs will not be allowed in metal-clad cable.”

Section 362, of said Electrical Code is amended to read in its entirety as follows: “Electrical non-metallic flexible tubing shall not be used for any wiring construction over 24 volts nominal.”

SECTION 3: That Section 105-168 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended by deleting subsection (4).

SECTION 4: That Section 105-169(a) of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

- (a) Before proceeding with any work for which a permit is required by section 105-168, the master electrician or sign electrician in charge of such proposed work, or a person that is designated by the master electrician or sign electrician to apply for said permit, or the property owner who may be doing the owner’s own work, shall first apply for an electrical permit and inspection thereafter.

SECTION 5: That Section 105-170(a) of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

- (a) Persons responsible for the installation or addition to any electrical wiring or equipment under terms of this article shall request inspections as the work progresses. Upon

receipt of an inspection request, the electrical inspector shall inspect or cause to be inspected such work within 48 hours after receiving the request (Saturdays, Sundays, and city holidays not to be included in this time). After inspecting the electrical wiring covered by any permit, the electrical inspector shall notify the applicant the work was inspected and approved or that the work is not approved and must be held open for correction. If the wiring is to be held open for inspection, no person shall lath, ceil, or in any other manner conceal any wiring, until the applicant is informed that such wiring has been approved by the electrical inspector.

SECTION 6: That Section 105-172 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Section 105-172. Final inspection and certificate.

Upon completion of electrical work, the electrical inspector shall make a final inspection and, if such work is found to comply with this article, an electrical final inspection shall be issued meaning that the work has been done according to the provision of this article and the rules governing the respective class to which it belongs. This final shall not relieve the person responsible for the work of the person's responsibility for any defective work that may have been concealed or escaped the notice of the inspector.

SECTION 7: That Section 105-181 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Section 105-181. Electric branch circuits feeding subpanels for separate occupancies.

Electric branch circuits supplying subpanels from a point of service for individual occupants in a multi-tenant structure shall comply with the requirements of the 2023 National Electrical Code.

SECTION 8: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 9: 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 10: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 11: That this Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of April, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

ARTICLE III. ELECTRICAL CODE¹

DIVISION 1. GENERALLY

Sec. 105-159. National Electrical Code, 2014 2023 edition adopted.

There is hereby adopted by the City of Texarkana, Texas, for the purpose of establishing rules and regulations for the safe installation and maintenance of electrical equipment and systems, that certain code known as the National Electrical Code, 2014 2023 edition, save and except such portions as are hereinafter amended, modified or deleted by this chapter, said code being incorporated herein as if fully set out herein; the provisions thereof shall be controlling in the installation of electrical systems therein contained within the corporate limits of the city.

(Code 1961, § 8-1; Ord. of 3-11-1947, § 1; Ord. No. 5-67, § 1, 1-23-1967; Ord. No. 31-81, § 1, 2-23-1981; Ord. No. 71-84, § 2, 3-12-1984; Ord. No. 290-87, § 1, 12-21-1987; Ord. No. 96-90, §§ 1, 2, 4-23-1990; Ord. No. 003-06, § 1, 1-9-2006; Ord. No. 077-2011, § 1, 5-23-2011; Ord. No. 2015-111, § 1, 12-14-2015)

Sec. 105-160. Amendments, modifications, and deletions.

The following amendments, modifications and deletions to and from the National Electrical Code adopted by section 105-159, are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the National Electrical Code:

~~Section 110.26(E) Headroom, of the said Electrical Code adopted by section 105-159 herein, is hereby amended by the deletion of the exception.~~

~~Section 250-66(B) Connections to Concrete-Encased Electrodes, of the said Electrical Code adopted by section 105-159 herein, is hereby amended in its entirety to read as follows: "The size of the grounding electrode conductor of a grounded or underground system shall not be less than given in Table 250-66 and in no case smaller than #6 copper. This provision supersedes the allowance of #8 copper for grounding electrode conductors in Table 250-66."~~

~~Section 300.5(D), of said Electrical Code is hereby amended by adding the following: "All underground wiring over 24 volts, nominal, shall be installed in Rigid Metal Conduit, Intermediate Metal conduit, or Rigid Nonmetallic conduit raceways."~~

~~Section 300.22(C) Other Space Used for Environmental Air, of the said Electrical Code adopted by section 105-159 herein, is hereby amended by the deletion of the exception.~~

~~Section 330.12, of said Electrical Code is hereby amended by adding the following: "Metal-clad cable will only be allowed for connections to movable installations (such as lighting in in-lay ceilings) or where vibration is a consideration and then in lengths not to exceed 6 feet." It will further be allowed in lengths exceeding 6 feet only for the purpose of fishing circuits in existing structures, under cabinets and counters or in new~~

¹State law reference(s)—National Electrical Code adopted as municipal electrical construction code throughout the state, Texas Local Government Code § 214.214; Texas Electrical Safety and Licensing Act, Texas Occupations Code § 1305.001 et seq.; municipality may regulate electricians by requiring inspections, collecting permit fees for electrical work performed in the municipality and adopting procedures for the administration and enforcement of the National Electrical Code and any local amendments thereto adopted by the municipality, Texas Occupations Code § 1305.201.

structures where conduit would not be practical (such as locations where wire connections and junction boxes would not be accessible). Home runs will not be allowed in metal-clad cable.

Section 362, of the said Electrical Code is amended by adding the following: "Electrical non-metallic flexible tubing shall not be used for any wiring construction over 24 volts nominal."

~~Section 680.8(B) Communication Systems, of the said Electrical Code adopted by section 105-159 herein, is hereby amended in its entirety to read as follows: "Communication, radio, and television coaxial cables within the scope of articles 800 through 820 shall be permitted at a height of not less than 14 feet above swimming and wading pools, diving structures, and observation stands, towers, or platforms."~~

(Code 1961, § 8-1.1; Ord. No. 29-70, § 1, 2-23-1970; Ord. No. 171-72, § 1, 8-28-1972; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 102-83, § 1, 4-25-1983; Ord. No. 43-84, § 1, 2-13-1984; Ord. No. 003-06, § 2, 1-9-2006; Ord. No. 077-2011, § 2, 5-23-2011)

Sec. 105-161. Object and scope of article.

- (a) The purpose of this article is the preservation of life and the protection of the public safety by reducing personal hazard and fire hazard resulting from electrical causes. Therefore, the following provisions are enacted relating to the installation, alteration or repair of all electrical installations on all property and in all buildings and structures now erected or to be erected, changed, constructed, reconstructed, repaired or altered within the city. The intent and purpose of this article is to provide a minimum standard for electrical installations within the city and to regulate the installation, alteration or repair of all electrical installations in or about all premises located within the city.
- (b) The provisions of this article shall not apply to the installation or repair of traffic signals by or in conjunction with the state or the city, electrical installations in railway cars, automotive equipment, electrical railway companies, nor to installations used by electrical public utility companies, telephone and telegraph companies, radio transmission stations and television transmission stations in the generation, transmission or distribution of electricity, or for the operation of signals or the transmission of intelligence in the exercise of their function as such agencies and located outdoors or in buildings used exclusively for that purpose, and no provision of this article shall require a permit or inspection of the above mentioned installations. Provided, however, that nothing in this article shall be construed as exempting from the permit and inspection requirements hereof other electrical installations which are used in conjunction with the specialized uses enumerated above.

(Code 1961, § 8-2; Ord. of 3-11-1947, § 2; Ord. No. 5-67, § 2, 1-23-1967; Ord. No. 23-71, § 1, 2-8-1971; Ord. No. 163-96, § 1, 6-14-1996)

Sec. 105-162. Electrical inspector—Office created and qualifications.

There is hereby created the office of electrical inspector. The person chosen to fill the office of electrical inspector shall be of good moral character, shall be possessed of such executive ability as is requisite for the performance of the inspector duties and shall have a thorough knowledge of the standard materials and methods used in the installation of electrical equipment. The inspector shall be well versed in approved methods of construction for safety of persons and property, the statutes of this state relating to electrical work and any orders, rules and regulations issued by the authority thereof, and the provisions of the National Electrical Code. In addition, the inspector shall have had at least five years' experience as an electrical inspector or in the installation of electrical equipment.

(Code 1961, § 8-3; Ord. of 3-11-1947, § 3; Ord. No. 5-67, § 3, 1-23-1967; Ord. No. 171-72, § 2, 8-28-1972)

Sec. 105-163. Same—Appointment and vacancy.

The electrical inspector shall be appointed by the chief building official of the city. If for any reason this office of electrical inspector shall become vacant, the responsibility of such office shall be assumed by the chief building official.

(Code 1961, § 8-4; Ord. of 3-11-1947, § 3; Ord. No. 5-67, § 4, 1-23-1967; Ord. No. 2020-023 , § 1, 3-9-2020)

Sec. 105-164. Same—Duties generally.

It shall be the duty of the electrical inspector to enforce the provisions of this article. The inspector shall, upon application, grant permits for the installation, alteration or repair of electrical equipment, and shall make inspections of electrical installations as provided in this article. The inspector shall keep complete records of all permits issued, inspections and reinspections made and other official work performed in accordance with the provisions of this article.

(Code 1961, § 8-5; Ord. of 3-11-1947, § 4; Ord. No. 5-67, § 5, 1-23-1967)

Sec. 105-165. Same—Not to engage in electrical business.

It shall be unlawful for the electrical inspector, or for any of the inspector's assistants, to engage in the business of the sale, installation or maintenance of electrical equipment, either directly or indirectly, and they shall have no financial interest in any concern engaged in such business in the city.

(Code 1961, § 8-6; Ord. of 3-11-1947, § 4)

Sec. 105-166. Same—Right of entry; filing of complaint; delegation of duties.

The electrical inspector shall have the right, during reasonable hours, to enter any building or premises in the discharge of the inspector's official duties or for the purpose of making any inspections, reinspections or tests of electrical equipment contained therein, or its installation. The inspector shall have the right to enter any building or premises at any time when it shall appear that the preservation of life or property requires such emergency action. It shall be the inspector's duty to file a written complaint for prosecution in the city court for the violation of any of the provisions of this article. The electrical inspector may delegate any of the inspector's duties to any of the inspector's assistants.

(Code 1961, § 8-7; Ord. of 3-11-1947, § 5; Ord. No. 5-67, § 6, 1-23-1967)

Sec. 105-167. Who may do electrical work.

All electrical work within the scope of this article must be done under the direction of a master electrician or sign electrician; provided, however, that electrical work may be done by a property owner in a building owned and occupied by the owner as the owner's home. All work so performed by any property owner shall be subject to inspection and approval in accordance with the terms of the provisions of this article.

(Code 1961, § 8-8; Ord. of 3-11-1947, § 7; Ord. of 1-30-1950, § 1; Ord. No. 5-67, § 7, 1-23-1967; Ord. No. 176-74, § 1, 7-22-1974)

Sec. 105-168. Work permit required; exceptions.

No installation, or alteration of, or addition to any electrical wiring or equipment within or on any building, structure or premises, publicly or privately owned, shall be commenced, unless the master electrician or sign electrician in charge of the proposed work, or the property owner doing the owners own work in accord with this article, first secures a permit therefor from the electrical inspector; provided, however, that no permit shall be required for the following classes of work:

- (1) Replacement of lamps, fuses or the connection of portable electrical equipment to suitable permanently installed receptacles.
- (2) The installation, alteration or repair of electrical equipment for the operation of signals or for the transmission of intelligence by wire by a communication agency.
- (3) The installation, alteration or repair of electrical equipment installed by or for an electrical utility for the use of such utility in the generation, transmission and distribution of electricity.
- (4) ~~Master electricians and sign electricians shall have the privilege of making minor repairs or alterations, where material and labor does not exceed \$25.00, without a permit.~~

(Code 1961, § 8-9; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1; Ord. No. 5-67, § 8, 1-23-1967; Ord. No. 176-74, § 1, 7-22-1974)

Sec. 105-169. Application for initial inspection and permit.

- (a) Before proceeding with any work for which a permit is required by section 105-168, the master electrician or sign electrician in charge of such proposed work, or a person that is designated ~~in writing filed with the city~~ by the master electrician, or sign electrician to ~~call~~ **apply** for said permit ~~or inspection~~, or the property owner who may be doing the owners own work, shall first **apply for an electric permit and inspection thereafter.** ~~file with the electrical inspector an application requesting inspection and a permit therefor. Such application shall be in writing and shall describe the work to be done and shall give the exact street number of the premises on which the work is to be done. In the absence of a street address, the application shall state the legal description of the property upon which the work is to be done.~~
- (b) Where plans and specifications for the proposed work require installation above the minimum standards as set forth in this article, the plans and specifications for such work shall accompany the application for inspection. All applications for inspections shall be accompanied by the inspection fees prescribed by this article.
- (c) A permit issued shall be construed to be a license to proceed with the work and shall not be construed as the authority to violate, cancel, alter or set aside any of the provisions of this Code. Nor shall such issuance of a permit prevent the electrical inspector from thereafter requiring a correction of errors in plans or of violations of this Code. Every permit issued shall become invalid, unless the work authorized by such permit is commenced within six months after its issuance or if the work authorized by such permit is suspended or abandoned for any six-consecutive-month period after the time the work is commenced, provided that, for cause, one or more extensions of time for periods not exceeding 90 days each may be allowed and such extensions shall be in writing by the electrical inspector.

(Code 1961, § 8-10; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1; Ord. No. 5-67, § 9, 1-23-1967; Ord. No. 171-72, § 3, 8-28-1972; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 196-78, § 1, 8-14-1978)

Sec. 105-170. Progress reports to inspector; inspections generally.

- (a) Persons responsible for the installation of or addition to any electrical wiring or equipment under terms of this article shall at all times keep the electrical inspector notified of the progress of the work and shall request inspections as the work progresses. Upon receipt of an application requesting inspection request, the electrical inspector shall inspect or cause to be inspected such work within 48 hours after receiving the application request, Saturdays, Sundays and legal holidays not to be included in this time. After inspecting the electrical wiring covered by any application permit, the electrical inspector shall leave a tag, which tag shall state that notify the applicant the work has been inspected and approved or that the work is not approved and must be held open for correction. If the wiring is to be held open for inspection, no person shall lath, ceil or in any other manner conceal any wiring, until the inspector is informed that such wiring has been approved by the electrical inspector.
- (b) All electrical work shall be inspected before it is covered or concealed. All cabinet and panel board covers or trims shall be left off for final inspection and any fitting or cover that conceals any wiring which may hinder the proper inspection of electrical work shall be removed at the request of the electrical inspector at no expense to the city.

(Code 1961, § 8-11; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1; Ord. No. 5-67, § 10, 1-23-1967)

Sec. 105-171. Removal of obstructions hindering inspection.

The electrical inspector shall have the right to remove or compel the removal of any obstruction, such as lath, plastering, ceiling or flooring, which may hinder a full and complete inspection of wires or apparatus. The inspector may also remove or compel the removal of any conductors which are enclosed in conduit or otherwise inaccessible for complete inspection. When such conductors or appliances are not in accordance with the requirements of this article, or are found to be unsafe to life or property, the inspector shall have the right to condemn such conductors or appliances.

(Code 1961, § 8-12; Ord. of 3-11-1947, § 5)

Sec. 105-172. Final inspection and certificate.

Upon completion and receipt of final inspection papers covering of electrical work, the electrical inspector shall make a final inspection and, if such work is found to comply with this article, a certificate of an electrical final inspection shall be issued stating that the work has been done according to the provisions of this article and the rules governing the respective class to which it belongs. This certificate final shall not relieve the person responsible for the work of the person's responsibility for any defective work that may have been concealed or escaped the notice of the inspector.

(Code 1961, § 8-13; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1)

Sec. 105-173. Inspection fees.

- (a) Fees to be paid for inspections made by the electrical inspector under the provisions of this article shall be in an amount as established by the city council from time to time and is on file in the city secretary's office or city website.
- (b) Any person, firm or corporation, including licensed electricians who do not take out a permit before beginning any work under this article, shall be charged double the permit rate for that work.

- (c) In case the electrical inspector is required to make more than one trip from the inspector's office for the purpose of inspecting any work because of a building being locked or because of a wrong address given by the person doing the work, a charge shall be made for each additional trip required of the inspector. The additional trip charge shall be in an amount as established by the city council from time to time and is on file in the city secretary's office or city website.
- (d) On installations where several persons are concerned with the installation of electric conductors or appliances, each party shall be required to pay the fees as established under the provisions of this article for that portion of such work for which each party is concerned.

(Code 1961, § 8-14; Ord. of 3-11-1947, § 9; Ord. No. 55-61, 9-18-1961; Ord. No. 5-67, § 11, 1-23-1967; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 196-78, § 2, 8-14-1978; Ord. No. 374-80, § 1, 12-8-1980; Ord. No. 295-83, § 1, 10-24-1983; Ord. No. 322-85, § 1, 10-14-1985)

Sec. 105-174. Installation and construction standards generally.

All electrical equipment installed or used, and including all electrical installations of any individual, corporation or utility company, shall be in strict conformity with the provisions of this article, the statutes of the state and any orders, rules or regulations issued by authority thereof, and with approved electrical standards of construction for safety to life and property. Unless by the provisions of this article, by any statute of the state or by any order, rule or regulation issued by authority thereof, a specific type or class of electrical equipment is disapproved for installation or use, conformity with the regulations laid down in the National Electrical Code as published by the National Fire Protection Association and adopted by the city council of the city and incorporated by referencing to this article, shall be prima facie evidence of conformity with approved standards of installation and construction for safety to life and property. Provided, however, that this section shall not apply to equipment owned and used by any electrical utility company or any communication agency in the generation, transmission or distribution of electricity or for the operation of signals or for the transmission of intelligence.

(Code 1961, § 8-15; Ord. of 3-11-1947, § 6; Ord. No. 5-67, § 12, 1-23-1967; Ord. No. 207-71, § 1, 10-25-1971; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 283-74, § 1, 12-23-1974; Ord. No. 196-78, § 3, 8-14-1978; Ord. No. 31-81, § 2, 2-23-1981)

Sec. 105-175. Work to be done in neat and workmanlike manner.

All electrical work shall be executed in a neat and workmanlike manner. Slipshod work or work not in keeping with good electrical practice is prohibited.

(Code 1961, § 8-16; Ord. of 3-11-1947, § 7)

Sec. 105-176. Approval of apparatus, fittings and material.

No electrical apparatus, fitting or material shall be used within the city, or within the two-mile extraterritorial jurisdiction limits of the city, unless it is approved by the electrical inspector as complying with the safety requirements of this article; provided, however, that all such apparatus, fittings or material which bear the label of Underwriters' Laboratories, Incorporated, shall be deemed prima facie evidence to satisfy the requirements of this article, and the electrical inspector is authorized to approve such apparatus, fittings and material without requiring further tests thereof to be made.

(Code 1961, § 8-17; Ord. of 3-11-1947, § 6; Ord. No. 5-67, § 13, 1-23-1967)

Sec. 105-177. Disapproved wiring methods.

The following shall constitute disapproved wiring methods for electrical work:

- (1) Armored cable (Type BX);
- (2) Service entrance cable for meter loops (braided outside neutral);
- (3) No aluminum or copper-clad aluminum No. 6 or smaller shall be used.

(Code 1961, § 8-18; Ord. of 3-11-1947, § 6; Ord. No. 5-67, § 14, 1-23-1967; Ord. No. 31-81, § 3, 2-23-1981)

Sec. 105-178. Minimum service.

A minimum service of 100 amperes is to be provided all new electrical installations, except temporary poles, electrical signs and other installations when in the opinion of the electrical inspector such installation shall not be hazardous.

(Code 1961, § 8-19; Ord. No. 171-72, § 4, 8-28-1972)

Sec. 105-179. Concealed knob and tube work.

Concealed knob and tube work shall be used only in the following places and for the following purposes:

- (1) Private dwelling outside the fire limits.
- (2) Electrical signs.
- (3) For wiring temporary installations by written permission from the electrical inspector.

(Code 1961, § 8-20; Ord. of 3-11-1947, § 6; Ord. No. 5-67, § 16, 1-23-1967)

Sec. 105-180. Nonmetallic sheathed cable.

Nonmetallic sheathed cable shall be used only in private dwellings outside the fire limits.

(Code 1961, § 8-21; Ord. of 3-11-1947, § 6)

Sec. 105-181. Electric branch circuits feeding subpanels for separate occupancies.

Electric branch circuits supplying subpanels from a point of service for individual occupants in a multi-tenant structure shall comply with the requirements of Section 230.3 of the 2014 ~~2014~~ 2023 National Electrical Code.

(Ord. No. 2020-024 , § 1, 10-12-2020)

Sec. 105-182. Signs—Location and height.

Electrical signs may extend from private property to within 18 inches of the curblin, provided that the sign remains a safe distance from utility wires. No sign shall, at its lowest point, be less than nine feet above the sidewalk. All signs must be supported from poles, structures or buildings located entirely on private property. High-rise signs shall conform with the provisions of section 130-10. It shall be unlawful for any person to attach any sign, device or representation used in the nature of advertisements, announcements or direction on any electrical sign

which would reduce the clearance to less than the minimum set forth above. Lighting reflectors for the illumination of a building or sign board shall not project more than eight feet beyond the building line.

(Code 1961, § 8-25; Ord. of 3-11-1947, § 7; Ord. No. 5-67, § 20, 1-23-1967)

Sec. 105-183. Same—Circuits.

Sign circuits must be separate and must not be used for other purposes.

(Code 1961, § 8-26; Ord. of 3-11-1947, § 7; Ord. No. 5-67, § 21, 1-23-1967)

Sec. 105-184. Same—Dangerous signs.

When, upon inspection or reinspection, any electrical sign is found to be in a dangerous or unsafe condition and the owner, or user thereof, fails to place such sign in safe condition after being notified so to do by the electrical inspector within the time limit specified by the inspector, the inspector shall remove such sign at the expense of the owner or user.

(Code 1961, § 8-27; Ord. of 3-11-1947, § 7)

Sec. 105-185. Extensions or additions to existing systems.

Persons making extensions or additions to existing electrical systems shall, before proceeding with such work, ascertain from the electrical inspector if old work must be changed or must be brought up to the requirements of this article.

(Code 1961, § 8-28; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1)

Sec. 105-186. Clearance for current to be furnished new or disconnected work.

It shall be unlawful for any public service company operating in the city to furnish current to any new building, tent, structure or outdoor wiring of any kind, nature or description without first obtaining a clearance from the electrical inspector, stating that such wiring is approved and a permit has been issued for the use of current. Whenever any service is discontinued to any building or structure for any cause whatever, except nonpayment of bill, a clearance will be necessary before each building or structure can be reconnected.

(Code 1961, § 8-29; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1)

Sec. 105-187. Defective equipment.

When any electrical equipment is found by the electrical inspector to be dangerous to persons or to property because it is defective or defectively installed, the person responsible for the electrical equipment shall be notified in writing and shall make any changes or repairs required, in the judgment of the electrical inspector, to place such equipment in safe condition, and, if such work is not completed within 15 days or any longer period that may be specified by the electrical inspector in the notice, the inspector shall have authority to disconnect or order the discontinuance of electric service to such equipment. In cases of emergency, where necessary for safety of persons or of property, or where electrical equipment may interfere with the work of the fire department, the electrical inspector shall have the authority to immediately disconnect or cause the disconnection of any electrical equipment.

(Code 1961, § 8-30; Ord. of 3-11-1947, § 5)

Sec. 105-188. Defective conductors or material.

Whenever any electrical conductor or electrical material in or on any building or any electrical conductor on any pole line or any conductor underground becomes or is in a condition that is dangerous to life and property, the electrical inspector is hereby empowered to condemn, disconnect and cause the owner of such conductor or material to immediately correct the same or have it removed.

(Code 1961, § 8-31; Ord. of 3-11-1947, § 8; Ord. of 1-30-1950, § 1)

Sec. 105-189. Article does not affect liability for damages.

This article shall not be construed to affect the responsibility or liability of any party owning, operating, controlling or installing any electrical equipment for damages to persons or to property caused by any defect therein, nor shall the city or any officer or employee of the city be held as assuming such liability by reason of the inspection or reinspection authorized herein or the certificate of approval issued as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

(Code 1961, § 8-32; Ord. of 3-11-1947, § 13)

Sec. 105-190. Rules of construction for technical codes.

- (a) Wherever the term "municipality" is used in within the technical codes which are adopted by reference in this article, it shall be held to mean the city.
- (b) Wherever the term "chief appointing authority" is used within the technical codes which are adopted by reference in this article, it shall be held to mean the city.
- (c) Wherever the term "corporation counsel" or "legal counsel" is used within the technical codes which are adopted by reference in this article, it shall be held to mean the city attorney for the city.
- (d) Where reference is made to the duties of certain officials named within the technical codes which are adopted by reference in this article, then that designated official of the city who has duties corresponding to those of the named official in said technical code, shall be deemed to be the responsible official insofar as enforcing the provisions of that technical code are concerned.

Sec. 105-191. Interpretations.

The electrical inspector is hereby authorized to render interpretations of this Code and the adopted technical codes and to adopt policies and procedures in order to clarify the application of their provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this article. Such policies and procedures shall not have the force and effect of law and shall not have the effect of waiving requirements specifically provided for in this Code or in the adopted technical codes.

Sec. 105-192. Administrative liability.

No officer, agent or employee of the city charged with the administration and enforcement of this article and acting in good faith without malice in the discharge of those duties, shall render themselves personally liable for any damage that may occur to any person or property as a result of any act required or permitted, or by reason of any act or omission, in the discharge of their duties under this article, and they have hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of their duties.

Sec. 105-193. Referenced codes and standards.

The technical codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and the referenced technical codes and standards, the provisions of this Code shall apply.

Sec. 105-194. Penalty for violation of article.

Any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$500.00, except for such violations of any provisions of this article that govern public health and sanitation, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such thereunder.

(Ord. No. 2020-023 , § 2, 3-9-2020)

Secs. 105-195—105-209. Reserved.

DIVISION 2. MASTER ELECTRICIANS AND SIGN ELECTRICIANS

Subdivision I. In General

Sec. 105-210. Duty to supervise work.

Every master electrician and sign electrician, or their qualified journeyman, shall direct, superintend and always be present during all electrical installations and repairs under their control within the city and may supervise a maximum of three apprentices at any one time. Nothing in this section, however, is to be construed as relieving the master electrician or sign electrician of any responsibility established under this division for work directed or superintended by a journeyman electrician.

(Code 1961, § 8-40; Ord. of 3-11-1947, § 11; Ord. No. 171-72, § 5, 8-28-1972; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 175-2011, § 1, 11-14-2011)

Sec. 105-211. Responsibility for defective installations.

Every person holding a certificate under this division shall be responsible for any defect in any construction, insofar as correction thereof is concerned, installed by the person until such time as a certificate of approval has been issued, and also for any defects that may have been concealed by such person and discovered by the electrical inspector, or the inspectors duly authorized agent, after a certificate of approval has been issued by the electrical inspector approving such construction. After the issuance of the certificate of approval, the person in whose name the meter is contracted shall be responsible for all defects caused by the person.

(Code 1961, § 8-41; Ord. of 3-11-1947, § 11)

Secs. 105-212—105-227. Reserved.

Subdivision II. Certificate

Sec. 105-228. Required.

No person shall engage in the business of installing, repairing or removing electrical wiring without first securing from the state, a master electrician license and electrical contractor license or master sign electrician license and a sign contractor's license.

(Code 1961, § 8-47; Ord. of 3-11-1947, § 10; Ord. No. 176-74, § 1, 7-22-1974; Ord. No. 003-06, § 3, 1-9-2006)

Sec. 105-229. Reserved.

Ord. No. 2020-023 , § 4, adopted March 9, 2020, repealed § 105-229, which pertained to the composition, appointment, term of members, general duties of the examining board and derived from the Code of 1961, § 8-50; Ord. of 3-11-1947, § 11; Ord. of 9-11-1956, § 1; Ord. No. 5-67, § 22, adopted Jan. 23, 1967.

Sec. 105-230. Reserved.

Ord. No. 2020-023 , § 4, adopted March 9, 2020, repealed § 105-230, which pertained to appellate authority of the examining board and derived from the Code of 1961, § 8-51; Ord. No. 58-73, § 2, adopted Mar. 12, 1973.

Sec. 105-231. Administrative review of electrical inspector decision.

Whenever the electrical inspector shall reject or refuse to approve the mode or manner of electrical installation proposed to be followed or materials to be used in the electrical installations of a building or structure, or when it is claimed that the provisions of the Code do not apply, or that an equally good or more desirable form of electrical installation can be employed in any specific case, or when it is claimed that the true intent and meaning of this Code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or the owner's duly authorized agent, shall request a review of the decision of the electrical inspector by the director of inspections (or the director's designee). The request for review shall be in writing and must be filed with the director of inspections within 30 calendar days after the decision is rendered by the electrical inspector; provided, however, that if, in the opinion of the electrical inspector, a building or structure is unsafe or dangerous, the electrical inspector may, in the inspections order, limit the time for such request for review to a shorter period.

(Ord. No. 2020-023 , § 3, 3-9-2020)

Ord. No. 2020-023 , § 3, adopted March 9, 2020, repealed the former § 105-231, and enacted a new § 105-231 as set out herein. The former § 105-231 pertained to the certificate time limit and derived from the Code of 1961, § 8-51.1; Ord. No. 58-73, § 2, adopted March 12, 1973.

Sec. 105-232. Reserved.

Ord. No. 2020-023 , § 4, adopted March 9, 2020, repealed § 105-232, which pertained to variations and modifications and derived from the Code of 1961, § 8-51.2; Ord. No. 58-73, § 2, adopted Mar. 12, 1973.

Sec. 105-233. Reserved.

Ord. No. 2020-023 , § 4, adopted March 9, 2020, repealed § 105-233, which pertained to decisions and derived from the Code of 1961, § 8-51.3; Ord. No. 58-73, § 2, adopted Mar. 12, 1973.

Sec. 105-234. Reserved.

Ord. No. 2020-023 , § 4, adopted March 9, 2020, repealed § 105-234, which pertained to penalty for violation of subdivision and derived from the Code of 1961, § 8-57; Ord. No. 5-67, § 23, adopted Jan. 23-1967; Ord. No. 53-88, § 1, adopted Feb. 22, 1988.

Sec. 105-235. Compliance inspections.

The chief building official shall arrange for an electrical code compliance inspection when requested by the owner or builder of any single-family duplex, townhouse, condominium or house under construction in the city's extraterritorial jurisdiction and outside a legal subdivision. A fee will be assessed for the inspection service of each unit designed to house a single family. The fee shall be due and payable to the city prior to the request by the owner or builder for a final inspection. The final inspection report shall not be provided to the owner or builder until the required payment has been received. This section shall not be applicable to apartments or nonresidential structures. The inspection fee shall be in an amount as established by the city council from time to time and is on file in the city secretary's office or city website.

(Code 1961, § 8-59; Ord. No. 163-96, § 2, 6-14-1996; Ord. No. 2020-023 , § 3, 3-9-2020)

Secs. 105-236—105-251. Reserved.

*You are cordially invited to attend a meeting to discuss
the adoption of the*

2024 International Building Codes

Wednesday, June 18, 2025

11:00 AM – 1:00 PM

**City Hall – 220 Texas Blvd, Texarkana,
Texas**

2nd floor Conference Room

Lunch Provided. Please RSVP to 903-798-3912.



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	x	Promote an Environmentally Sensitive & Livable Community
	x	Provide a Safe Community
	x	Deliver Quality Services
	<input type="checkbox"/>	Foster a Healthy Community
Run the Operations	<input type="checkbox"/>	Enhance Community Preparedness & Responsiveness
	<input type="checkbox"/>	Maximize Partnership Opportunities
	<input type="checkbox"/>	Provide Courteous & Responsive Customer Service
	x	Model a Positive City Image
	<input type="checkbox"/>	Deliver Efficient Services
	<input type="checkbox"/>	Cultivate Community Involvement & Access
Manage the Resources	<input type="checkbox"/>	Maintain Fiscal Strength
	<input type="checkbox"/>	Maximize Utilization & Resources
	<input type="checkbox"/>	Invest in Infrastructure & Transportation
Develop Personnel	<input type="checkbox"/>	Develop a Skilled & Diverse Workforce
	<input type="checkbox"/>	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:

Public Information Plan:

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

Other:

Briefing Sheet

Department: Development Services **Action Officer:** Mashell Daniel, Director of Development Services

Subject: Ordinance No. 2026-013 adopting the 2024 International Plumbing Code, International Fuel Gas Code, and International Mechanical Code including certain amendments, modifications, deletions and appendices.

Briefing: 2/9/2026 **Public Hearing:** 4/13/2026 **Council Vote:** 4/13/2026

Item Schedule:

Brief, public hearing, vote

Updates/History of Briefing:

Executive Summary and Background Information:

The International Code Council revises and publishes the International Plumbing Code, International Fuel Gas Code, and International Mechanical Code on a three-year cycle to ensure public health and safety while integrating advancements in building practices, materials, and methods. The City of Texarkana, Texas last adopted an updated version of these codes in 2015. The Building and Standards Commission has unanimously recommended adoption of the 2024 International Plumbing Code, International Fuel Gas Code, and International Mechanical Code.

In preparation for this update, city staff conducted a public meeting on June 18, 2025, at City Hall and extended invitations to local contractors and industry professionals. The meeting provided an opportunity for attendees to review the proposed changes, engage in discussion, and pose questions regarding the implementation of the updated codes. The Chief Building Official was present to address and respond to all questions and concerns raised during the meeting.

Potential Options:

- Approve changes.
- Not approve changes.

Fiscal Implications:

None.

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

Building and Standards Commission

Board/Committee Recommendation:

Unanimously approved.

Advisory Board/Committee Meeting Date and Minutes:

3/26/2024

ORDINANCE NO. 2026-013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS, CHAPTER 105 – BUILDINGS AND CONSTRUCTION, ARTICLE IV, PLUMBING AND GAS FITTING, SECTIONS 105-256 THRU 105-262, AND SECTIONS 105-264 THRU 105-265, WITH THE 2024 VERSION OF THE INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, AND INTERNATIONAL MECHANICAL CODE, INCLUDING CERTAIN AMENDMENTS, MODIFICATIONS, DELETIONS, AND APPENDICES; PROVIDING FOR PUBLICATION; PROVIDING FOR REPEALER AND SEVERABILITY CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the International Plumbing Code, Fuel Gas Code, and Mechanical Code, developed by the International Code Council to protect life and safety, are updated periodically to integrate new building practices and methods, with the 2015 editions currently in effect for the City (Code secs. 105-256 – 105-262, 105-264 – 105-265); and

WHEREAS, the Building & Standards Commission voted unanimously to recommend to the City Council of the City of Texarkana, Texas, the adoption of the 2024 edition of these codes with certain amendments, modifications, deletions, and appendices; and

WHEREAS, the International Plumbing Code, Fuel Gas Code, and Mechanical Code proposed for adoption provide that the code official shall have the authority to approve an alternative material, design, or method of construction upon the application of the owner or owner’s agent; and

WHEREAS, the City Council finds and determines that the adoption of said codes is necessary to preserve the good government, order, and security of the municipality and its inhabitants, and is in the best interests of the citizens of the City of Texarkana, Texas.

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

SECTION 1: That Section 105-256 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Sec. 105-256. – International Plumbing Code, Fuel Gas Code, and Mechanical Code - adopted.

There is hereby adopted by the city, for the purpose of regulation and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and

providing for permits and penalties, that certain plumbing code, fuel gas code, and mechanical codes, known as the International Plumbing Code, International Fuel Gas Code, and the International Mechanical Code, 2024 editions, save and except such portions as are hereinafter amended, modified, or deleted by this article, said code being incorporated herein as if fully set out herein; the provisions thereof shall be controlling in the conditions and maintenance of all property, buildings, and structures contained within the corporate limits of the city.

SECTION 2: That Section 105-257, *Amendments, additions and deletions to plumbing code*, of the Code of Ordinances of the City of Texarkana, Texas is hereby amended in its entirety to read as follows:

Section 105-257. – Amendments, modifications, and deletions to International Plumbing Code.

The following amendments, modifications and deletions to and from the International Plumbing Code adopted by section 105-256, are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the International Plumbing Code:

Section 101.1 Title, of the said International Plumbing Code adopted by section 105-256 herein, is hereby amended to read as follows: “These regulations shall be known as the Plumbing Code of Texarkana, Texas.”

Section 103.1 Creation of Agency of the said International Plumbing Code adopted by section 105-256 herein is hereby amended to read as follows: “The Inspections Department is hereby created and the official in charge thereof shall be known as the building official or code official. The function of the department shall be the implementation, administration, and enforcement of the provisions of this code.”

Section 108.3: Permit Valuations, of the said International Plumbing Code adopted by section 105-256 herein is hereby deleted in its entirety.

Section 112.1: General, of the said International Plumbing Code adopted by section 105-256 herein is hereby amended to read in its entirety as follows: “The board known as the Building and Standards Commission shall serve as the board to which appeals may be taken from decisions of the code official related to the International Plumbing Code. All references elsewhere in this said International Plumbing Code to the “Board of Appeals” or “Board” shall be construed to mean the Building and Standards Commission.”

Section 113: Board of Appeals of the said International Plumbing Code adopted by section 105-256 herein is hereby deleted in its entirety.

Section 114.4: Violation Penalties of the said International Plumbing Code adopted by section 105-256 herein is hereby deleted in its entirety.

Section 1003.3.5.1 Grease interceptor capacity, of the said International Plumbing Code adopted by Section 105-256 herein, is hereby amended to read in its entirety as follows: “Grease traps shall be sized according to section 42-138 of the Code of Ordinances of the City of Texarkana, Texas.”

Appendices B, C, D, and E of the said International Plumbing Code adopted by Section 105-256 herein are hereby adopted in their entirety and incorporated as if fully set out herein.

Appendices A and F of the said International Plumbing Code adopted by Section 105-256 are hereby deleted in their entirety.

SECTION 3: That Section 105-258, *Amendments, additions and deletions to fuel gas code*. of the Code of Ordinances of the City of Texarkana, Texas is hereby amended in its entirety to read as follows:

Section 105-258. Amendments, additions and deletions to International Fuel Gas Code.

The following amendments, modifications and deletions to and from the International Fuel Gas Code adopted by section 105-256 are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the International Fuel Gas Code:

Section 101.1 Title, of the said International Fuel Gas Code adopted by section 105-256 herein, is hereby amended to read as follows: “These regulations shall be known as the International Fuel Gas Code of the city of Texarkana, Texas.”

Section 103.1 Creation of Agency, of the said International Fuel Gas Code adopted by section 105-256 herein, is hereby amended to read as follows: “The Inspections Department is hereby created and the official in charge thereof shall be known as the building official or code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.”

Section 108.3 Permit Valuations, of the said International Fuel Gas Code adopted by section 105-256 herein, is hereby deleted in its entirety.

Section 112.1 General, of the said International Fuel Gas Code adopted by section 105-256 herein, is hereby amended to read as follows: “In order to hear and decide appeals of orders, decisions or determination made by the building official relative to the application and interpretation of this code shall be heard by the Building and Standards Commission.”

Section 113.4: Violation penalties, of the said International Fuel Gas Code adopted by section 105-256 herein, is hereby deleted in its entirety.

Appendices A, B, and C, of the said International Fuel Gas Code adopted by Section 105-256 herein, are hereby adopted in their entirety and incorporated as if fully set out herein.

Appendix D of the said International Fuel Gas Code adopted by Section 105-256 is hereby deleted in its entirety.

SECTION 4: That Section 105-259, *Amendments, additions and deletions to mechanical code*, of the Code of Ordinances of the City of Texarkana, Texas is hereby amended in its entirety to read as follows:

Section 105-259. Amendments, additions and deletions to the International Mechanical Code.

The following amendments, modifications and deletions to and from the International Mechanical Code adopted by section 105-256 are hereby made and adopted, such amendments, modifications, and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the International Mechanical Code:

Section 101.1 Title, of the said International Mechanical Code adopted by section 105-256 herein, is hereby amended to read as follows: “These regulations shall be known as the International Mechanical Code of the city of Texarkana, Texas.

Section 103.1 Creation of agency, of the said International Mechanical Code adopted by section 105-256 herein, is hereby amended to read as follows: “The Inspections Department is hereby created and the official in charge thereof shall be known as the building official or code official. The function of the department shall be the implementation, administration, and enforcement of the provisions of this code.”

Section 108.3 Permit Valuations, of the said International Mechanical Code adopted by section 105-256 herein, is hereby deleted in its entirety.

Section 112.1 General, of the said International Mechanical Code adopted by section 105-256 herein, is hereby amended to read as follows: “In order to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code, such shall be heard by the Building and Standards Commission.”

Section 113 Board of Appeals, of the said International Mechanical Code adopted by section 105-256 herein, is hereby deleted in its entirety.

Section 114.1 Violation Penalties, of the said International Mechanical Code adopted by section 105-256 herein, is hereby deleted in its entirety.

Appendices A, B, C, D, and E of the said International Mechanical Code adopted by

section 105-256 herein, are hereby deleted in their entirety.

SECTION 5: That the following sections from the Code of Ordinances of the City of Texarkana, Texas, Chapter 105 – Buildings and Construction, Article IV, Plumbing and Gas Fitting, are hereby deleted in their entirety:

Section 105-260. Plumbing appeals and advisory board.

Section 105-261. Election of officers and adoption of rules.

Section 105-262. Duties and powers of the board.

SECTION 6: That Section 105-264, *Landscape irrigators*, of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Sec. 105-264. – Landscape irrigators.

- (a) License required. Before any person, firm, or corporation shall engage in the business of contracting for and/or installing, maintaining, enlarging, or repairing landscape irrigation systems, for which permits are required, within the corporate limits of the city or outside the corporate limits but within subdivisions in the extraterritorial jurisdiction of said city as prescribed by law, they shall first obtain the proper license from the state.
1. Except as otherwise provided herein, no person shall install a landscape irrigation system on property the person owns but does not occupy, nor shall any permit to install such a system on said property be issued, unless the person is a landscape irrigator licensed by the state.
 2. Nothing in this Code shall prevent a homeowner from installing or maintaining a landscape irrigation system on property owned and occupied by a homeowner as the homeowner's homestead as long as the work is done by the homeowner; provided, however, that said homeowner must comply with the provisions of this Code, including but not limited to obtaining a permit and paying the required fee therefore.
- (b) Restrictions and limitations. Any person holding a certificate of registration as a licensed landscape irrigator or licensed installer shall not be required to comply with any other licensing requirements of the city in order to perform connections to private or public raw or potable water systems or for the installation of pressure vacuum breakers or other approved backflow prevention devices. Licensed landscape irrigators or licensed installers shall not engage in other plumbing work unless they hold the proper plumbing licenses.
- (c) Issuance of permits. Permits will be issued for landscape irrigation systems only after plans and specifications for the system have been submitted for approval and approval obtained from the chief building official or designee.
- (d) Minimum Standards and specifications. Unless otherwise exempted by this Code, the Land Development Code, or a technical code as adopted by reference in this Code, any work undertaken in the business of contracting for and/or installing, maintaining, enlarging or

repairing landscape irrigation systems must be performed in accordance with the minimum standards and specifications for designing, installing, and operating irrigation systems as prescribed under state law (Texas Occupations Code 1903.053) and the rules adopted by the Texas Commission on Environmental Quality (30 TAC ch. 344, subchapter F – Standards for Designing, Installing and Maintaining Landscape Irrigation Systems.)

SECTION 7: That Section 105-265 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended in its entirety to read as follows:

Sec. 105-265. – Heating and air conditioning license.

No person shall engage in the business of installing, altering and/or repairing of air conditioning, heating, mechanical, refrigeration and/or ventilation systems within the jurisdiction of this article, unless such person is properly licensed in accordance with the air conditioning and refrigeration contractor license law of the state.

SECTION 8: That the City Secretary be and is hereby directed to publish the caption of this Ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this Ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

SECTION 9: 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 10: That all ordinances or parts of ordinances in conflict herewith are specifically repealed.

SECTION 11: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 12: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of April, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

ARTICLE IV. PLUMBING AND GAS FITTING¹

Sec. 105-252. Rules of construction for technical codes.

- (a) Wherever the term "municipality" is used within the technical codes which are adopted by reference in this article, it shall be held to mean the city.
- (b) Wherever the term "chief appointing authority" is used within the technical codes which are adopted by reference in this article, it shall be held to mean city.
- (c) Wherever the term "corporation counsel" or "legal counsel" is used within the technical codes which are adopted by reference in this article, it shall be held to mean the city attorney for the city.
- (d) Where reference is made to the duties of certain officials named within the technical codes which are adopted by reference in this article, then that designated official of the city who has duties corresponding to those of the named official in said technical code, shall be deemed to be the responsible official insofar as enforcing the provisions of that technical code are concerned.

Sec. 105-253. Interpretations.

The building official, or designee, is hereby authorized to render interpretations of this Code and the adopted technical codes and to adopt policies and procedures in order to clarify the application of their provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this article. Such policies and procedures shall not have the force and effect of law and shall not have the effect of waiving requirements specifically provided for in this Code or in the adopted technical codes.

Sec. 105-254. Administrative liability.

No officer, agent or employee of the city charged with the administration and enforcement of this article and acting in good faith without malice in the discharge of those duties, shall render themselves personally liable for any damage that may occur to any person or property as a result of any act required or permitted, or by reason of any act or omission, in the discharge of their duties under this article and they are hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of their duties.

Sec. 105-255. Referenced codes and standards.

The technical codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and the referenced technical codes and standards, the provisions of this Code shall apply.

¹State law reference(s)—Municipality may regulate by ordinance the material, construction, alteration and inspection of any pipe, faucet, tank, valve, water heater or other fixture by or through which a supply of water, gas or sewage is used or carried, Texas Occupations Code § 1301.551; authority of municipal governing body to appoint a plumbing inspector, Texas Local Government Code § 214.011.

Sec. 105-256. Plumbing Code, Fuel Gas Code, and Mechanical Code—adopted.

- (a) There is hereby adopted by the City of Texarkana, Texas, for the purpose of establishing rules and regulations for the safe installation and maintenance of all plumbing equipment and systems, natural gas piping and appliances, and mechanical equipment and systems on all property and all buildings and all structures now erected or hereafter erected, changed, constructed, reconstructed, repaired or altered within the corporate limits of the city and outside the corporate limits in subdivisions within the extraterritorial jurisdiction limits of the city as provided by law those certain codes:
- (1) International Plumbing Code, 2015 2024 Edition, with appendices;
 - (2) International Fuel Gas Code, 2015- 2024Edition, with appendices;
 - (3) International Mechanical Code, 2015 2024 Edition, with appendices.
- (b) Said Codes are incorporated herein as if fully set out herein; save and except such portions as are hereinafter amended, modified or deleted by this chapter. The term "code official" shall mean "building official" where used in the above codes.

(Code 1961, § 20-1; Ord. No. 206-71, § 1, 10-25-1971; Ord. No. 54-72, § 1, 3-13-1972; Ord. No. 168-74, § 1, 7-8-1974; Ord. No. 224-74, § 1, 9-9-1974; Ord. No. 17-77, § 1, 2-14-1977; Ord. No. 239-80, § 1, 8-11-1980; Ord. No. 149-83, § 1, 5-23-1983; Ord. No. 296-87, § 1, 12-21-1987; Ord. No. 164-96, § 1, 6-14-1996; Ord. No. 340-97, § 1, 10-27-1997; Ord. No. 002-06, § 1, 1-9-2006; Ord. No. 076-2011, § 1, 5-23-2011; Ord. No. 2015-113 , § 1, 12-14-2015)

Sec. 105-257. Amendments, additions and deletions to plumbing code.

The following amendments, modifications and deletions to and from the International Plumbing Code adopted by section 105-256, are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the International Plumbing Code:

~~102.9 Requirements not covered by code.~~ Any requirements necessary for the strength, stability or proper operation of an existing or proposed plumbing system, or for the public safety, health and general welfare, not specifically covered by this Code shall be determined by the code official. Master plumbers and licensed journeyman plumbers may supervise only three apprentices at one time.

~~Section 108. Violation,~~ of the said Plumbing Code adopted by section 105-256 herein, is hereby deleted in its entirety.

~~Section 109 Means of Appeal,~~ of the said Plumbing Code adopted by section 105-256 herein, is hereby amended to read in its entirety as follows: "Any person shall have the right to appeal a decision of the code official to the Plumbing Appeals and Advisory Board as set forth in section 105-262 of the Code of Ordinances of the City of Texarkana, Texas. An appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equally good or better form of construction is proposed. An appeal must be filed within 20 days after notice of the decision of the code official is served."

~~Section 605.3 Water service pipe.~~ of the said Plumbing Code adopted by section 105-256 herein, is hereby amended to add the following: "~~Materials above ground.~~ Materials for water distribution pipes and tubing shall be brass, copper water tube minimum type K or L, stainless steel water tube minimum grade H, cast iron pressure pipe, galvanized steel, or chlorinated polyvinyl chloride (CPVC) plastic pipe or tubing, Cross-linked polyethylene (PEX) tubing all to be installed with approved fittings; except that changes in direction in copper tube (ASTM B88) may be made with bends having a radius of not less than four (4) diameters of the tube, providing such bends are made by use of forming equipment which does not deform or create a loss in

cross-sectional area of the tube. PEX to be insulated with closed cell foam pipe insulation in exterior walls and in attics." *"Materials below ground.* Inaccessible water distribution piping under slabs shall be copper water tube minimum type K or L, brass, cast iron pressure pipe, all to be installed with approved fittings or bends. Cross-linked Polyethylene tubing (PEX) when sleeved and buried at least 6 inches under frost line, continuous with no connections underground, sleeve must be a minimum 2" or twice the diameter of the PEX, schedule 40 PVC, bends must be long sweep or a combination of fittings to produce the long sweep." "Any material subject to corrosion shall be protected when used in corrosive soils."

Section 1003.3.4.1 1003.3.5.1 Grease trap interceptor capacity, of the said Plumbing Code adopted by section 105-256 herein, is hereby amended to read in its entirety as follows:

"Grease traps shall be sized according to section 42-138 of the Code of Ordinances of the City of Texarkana, Texas."

Appendix A Plumbing Permit Fee Schedule, of the said Plumbing Code adopted by section 105-256 herein, is hereby amended to read in its entirety as follows:

Permit fees shall be in an amount as established by the city council from time to time and is on file in the city secretary's office or city website.

Penalty fee: If any person commences any work before obtaining the necessary permits, the permit fee shall be doubled.

Permits will be required for all plumbing and irrigation to be erected, installed, enlarged, altered, repaired, removed, converted, or replaced. With Exemptions as outlined in Chapter 1, section 106.2 of the International Plumbing Code as adopted in section 105-256 herein.

Appendix C Gray Water Recycling Systems, of the said Plumbing Code adopted by section 105-256 herein, is hereby deleted in its entirety.

(Code 1961, § 20-2; Ord. No. 206-71, § 1, 10-25-1971; Ord. No. 54-72, § 2, 3-13-1972; Ord. No. 276-74, § 2, 12-9-1974; Ord. No. 17-77, § 2, 2-14-1977; Ord. No. 149-83, § 2, 5-23-1983; Ord. No. 323-85, § 2, 10-14-1985; Ord. No. 296-87, § 2, 12-21-1987; Ord. No. 93-92, § 1, 3-2-1992; Ord. No. 327-95, § 1, 8-28-1995; Ord. No. 340-97, § 2, 10-27-1997; Ord. No. 103-03, § 1, 5-12-2003; Ord. No. 217-05, § 1, 8-22-2005; Ord. No. 002-06, § 2, 1-9-2006; Ord. No. 076-2011, § 2, 5-23-2011; Ord. No. 176-2011, § 1, 11-14-2011; Ord. No. 2015-113, § 2, 12-14-2015)

Sec. 105-258. Amendments, additions and deletions to fuel gas code.

The following amendments, modifications and deletions to and from the International Fuel Gas Code adopted by section 105-256, are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the International Fuel Gas Code:

Section 108 Violation, of the said International Plumbing Code adopted by section 105-256 herein, is hereby deleted in its entirety.

Section 109 Means of Appeal, of the said Fuel Gas Code adopted by section 105-256 herein, is hereby amended to read in its entirety as follows: "Any person shall have the right to appeal a decision of the code official to the Plumbing Appeals and Advisory Board as set forth in section 105-262 of the Code of Ordinances of the City of Texarkana, Texas. An appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equally good or better form of construction is proposed. An appeal must be filed within 20 days after notice of the decision of the code official is served."

Section 404.1 Prohibited locations, of the said Fuel Gas Code adopted by section 105-256 herein, is hereby amended by adding the following sentence: "Underground gas piping shall not be installed closer than 24 inches to water or sewer piping."

Section 404.9 Minimum burial depth, of the said Fuel Gas Code adopted by section 105-256 herein, is hereby amended to read in its entirety as follows: "Underground piping systems shall be installed a minimum depth of 18 inches below grade, except as provided for in section 404.9.1."

Section 404.14.1 Limitations, of the said Fuel Gas Code adopted by section 105-256 herein, is hereby amended by adding the following sentence: "Plastic piping must be buried at least 18 inches underground for its entire length and may not be used within or under any building or slab but must terminate no closer than two feet to the building or slab. Gas piping must enter the structure above the foundation."

Section 406.4.1 Test pressure, of the said Fuel Gas Code adopted by section 105-256 herein, is hereby amended by amending the first sentence to read as follows: "The test pressure to be used shall be no less than 1½ times the proposed maximum working pressure, but not less than 20 psig, irrespective of design pressure."

(Code 1961, § 20-2.1; Ord. No. 224-74, § 2, 9-9-1974; Ord. No. 17-77, § 3, 2-14-1977; Ord. No. 239-80, § 3, 8-11-1980; Ord. No. 149-83, § 3, 5-23-1983; Ord. No. 323-85, § 2, 10-14-1985; Ord. No. 296-87, § 3, 12-21-1987; Ord. No. 340, § 3, 10-27-1997; Ord. No. 002-06, § 3, 1-9-2006; Ord. No. 076-2011, § 3, 5-23-2011; Ord. No. 2015-113, § 3, 12-14-2015)

Sec. 105-259. Amendments, additions and deletions to mechanical code.

The following amendments, modifications and deletions to and from the International Mechanical Code adopted by section 105-256, are hereby made and adopted, such amendments, modifications and deletions being set forth herein with reference to and prefaced by the section number or chapter number of the International Mechanical Code:

Section 108 Violation, of the said Mechanical Code adopted by section 105-256 herein, is hereby deleted in its entirety.

Section 109 Means of Appeal, of the said Mechanical Code adopted by section 105-256 herein, is hereby amended to read in its entirety as follows: "Any person shall have the right to appeal a decision of the code official to the Plumbing Appeals and Advisory Board as set forth in section 105-262 of the Code of Ordinances of the City of Texarkana, Texas. An appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equally good or better form of construction is proposed. An appeal must be filed within 20 days after notice of the decision of the code official is served."

Section 603.6.1.1 of the said Mechanical Code is amended as follows: "There shall be no flexible duct allowed over the length of 6 (six) feet, in the air conditioning and furnace system except for return air. These pieces will connect trunk lines or plenums to grills."

Appendix B Recommended Permit Fee Schedule of the said Mechanical Code adopted by section 105-256 herein, is hereby amended to read in its entirety as follows:

"Permit fees. The permit and inspection fees herein provided shall be paid to the city before the issuance of a permit and before any work has started. The fee shall be in an amount as established by the city council from time to time and is on file in the city secretary's office and city website."

(Code 1961, § 20-2.2; Ord. No. 17-77, § 4, 2-14-1977; Ord. No. 239-80, § 4, 8-11-1980; Ord. No. 149-83, § 4, 5-23-1983; Ord. No. 296-87, § 4, 12-21-1987; Ord. No. 340-97, § 4, 10-27-1997; Ord. No. 002-06, § 4, 1-9-2006; Ord. No. 076-2011, § 4, 5-23-2011; Ord. No. 2015-113, § 4, 12-14-2015)

Sec. 105-260. Plumbing appeals and advisory board.

- (a) — *Organization of board.* There is hereby created a seven-member plumbing appeals and advisory board which consists of:
- (1) — A licensed master plumber.
 - (2) — A licensed journeyman plumber.
 - (3) — A building contractor.
 - (4) — The city engineer.
 - (5) — The city health officer.
 - (6) — A licensed architect.
 - (7) — A heating and air conditioning contractor or registered mechanical engineer.
- (b) — *Ex officio member.* The plumbing inspector shall be an ex officio, nonvoting member of said board.
- (c) — *Appointment and terms of office.* Members of the board and their successors shall be appointed by the mayor and confirmed by the city council and shall hold office for terms of four years, or until their successors are appointed and have qualified; except, the members of the board first appointed shall hold office, two for two years and two for four years as determined by the mayor in making said appointments.
- (d) — *Alternate selection.* If a licensed architect or registered engineer is not available, the mayor may appoint such other lay person as the mayor deems qualified to serve as a representative of the general public.
- (e) — *Eligibility to serve.* The city engineer and the city health officer shall be eligible to serve only so long as they hold office.
- (f) — *Compensation.* All members shall serve without compensation.
- (Code 1961, § 20-3; Ord. No. 206-71, § 1, 10-25-1971; Ord. No. 59-74, § 1, 2-25-1974)

Sec. 105-261. Election of officers and adoption of rules.

The members of the board shall meet as soon after their appointment as practicable for the purpose of organization. The board shall formally elect a chairperson, vice-chairperson and secretary from its members and may adopt such rules as it deems necessary for the orderly conduct of its affairs. A full and complete record of the proceedings of said board shall be kept. A majority of the board shall constitute a quorum for the transaction of business. The city shall furnish a recording secretary when needed.

(Code 1961, § 20-4; Ord. No. 206-71, § 1, 10-25-1971)

Sec. 105-262. Duties and powers of the board.

- (a) — *Right of appeal.* Any person, firm or corporation aggrieved by any interpretation of this Code or by any decision or ruling by the plumbing inspector under this Code shall have the right to make an appeal in writing to the plumbing appeals and advisory board. The plumbing appeals and advisory board shall be the body referred to in section 105-260 of the city.
- (b) — *Hearings by the board.* Within a period of ten days from the filing of the appeal, the board shall hear the appeal together with the testimony of all parties concerned, and it shall render a decision thereon within three working days thereafter. In hearing such an appeal, the board shall not have the power to waive or set aside the requirements of this Code, except as may be specifically approved elsewhere in this Code, but the board shall have the power to interpret its provisions. An exception is hereby granted to authorize the board to grant a variance from the plumbing code requirements as to specific material to be used for water lines within a building, in those cases where tests conducted on a water sample from a specific building site conducted by a certified testing laboratory satisfactory to the director of public works show the water to have a detrimental effect on both copper and galvanized piping is used at that site.

- (c) ~~*Advisory responsibility of the board.*~~ The board shall submit to the city council such recommendations for the improvements and revision of this Code as it may, from time to time, deem necessary and proper in light of the development of new materials, methods or techniques which would result in a better and more economical installation. All requests for use of materials or methods not covered in this Code shall be fully supported by factual evidence, or price approval, from a recognized testing agency or such impartial qualified authority acceptable to the board.

(Code 1961, § 20-5; Ord. No. 206-71, § 1, 10-25-1971; Ord. No. 224-74, § 3, 9-9-1974; Ord. No. 224-82, § 1, 10-11-1982; Ord. No. 002-06, § 5, 1-9-2006)

Sec. 105-263. Penalty for violation of article.

- (a) Any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed \$500.00, except for such violations of any provisions of this article that govern public health and sanitation, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such thereunder.
- (b) If any person commences any work on a plumbing installation before obtaining the necessary permit from the city, the person shall be subject to a penalty in the amount of 100 percent of the regular fees prescribed herein, which penalty shall be in addition to the regular fee charged.

(Code 1961, § 20-6; Ord. No. 206-71, § 2, 10-25-1971; Ord. No. 207-75, § 1, 9-8-1975; Ord. No. 54-88, § 1, 2-22-1988; Ord. No. 340-97, § 4, 10-27-1997)

Sec. 105-264. Landscape irrigators.

- (a) ~~*License and bond required.*~~ Before any person, firm or corporation shall engage in the business of contracting for and/or installing, maintaining, enlarging or repairing landscape irrigation systems, for which permits are required, within the corporate limits of the city, or outside the corporate limits, but within subdivisions in the extraterritorial jurisdiction of said city as prescribed by law, they shall first obtain the proper license from the state and deposit with the city a good and sufficient bond in the sum of \$2,000.00, conditioned that the person, firm or corporation so engaged in the landscape irrigation business will faithfully observe all laws pertaining to plumbing and landscape irrigation systems; further, that the city shall be indemnified and saved harmless from all claims arising from accidents and damage of any character whatsoever caused by the negligence of such person, firm or corporation engaged in the landscape irrigation business, or by any unfaithful or inadequate work done either by themselves or their agents or employees. This bond will be to indemnify the city or any party damaged, for all loss and damage which any person, firm or corporation may sustain because of landscape irrigation work done in an improper or negligent manner. Nothing in this Code shall prevent a homeowner from installing or maintaining a landscape irrigation system on property owned and occupied by a homeowner as the homeowner's home as long as the work is done by the homeowner. Such privilege does not convey the right to violate any of these provisions of this Code, nor is it to be construed as exempting any such property from obtaining a permit and paying the required fee therefor. An individual shall not install a landscape irrigation system or be issued a permit on property owned but not occupied by the individual, unless the individual is a landscape irrigator licensed by the state.
- (b) ~~*Restrictions and limitations.*~~ Any person holding a certificate of registration as a licensed landscape irrigator or licensed installer shall not be required to comply with any other licensing requirements of the city in order to perform connections to private or public raw or potable water systems or for the installation of pressure

vacuum breakers or other approved backflow prevention devices. Licensed landscape irrigators or licensed installers shall not engage in other plumbing work unless they hold the proper plumbing licenses.

- (c) *Issuance of permits.* Permits will be issued for landscape irrigation systems only after ~~two sets of plans and specifications for the system have been submitted for approval and approval obtained from the city engineer, or the engineers~~ **chief building official or their** designated representative.
- (d) *Permit and inspection fees.* ~~Permit and inspection fees will be as set forth in section 105-257 under plumbing fees.~~
- (e) *Minimum standards and specifications.* Unless otherwise exempted by this Code, the Land Development Code, or a technical code as adopted by reference in this Code, any work undertaken in the business of contracting for and/or installing, maintaining, enlarging or repairing landscape irrigation systems must be performed in accordance with the minimum standards and specifications for designing, installing and operating irrigation systems as prescribed under state law (Texas Occupations Code § 1903.053) and the rules adopted by the Texas Commission on Environmental Quality (30 TAC ch. 344, subchapter F—Standards for Designing, Installing and Maintaining Landscape Irrigation Systems).

(Code 1961, § 20-7; Ord. No. 207-75, § 2, 9-8-1975; Ord. No. 257-79, § 1, 8-13-1979; Ord. No. 340-97, §§ 6, 7, 10-27-1997)

State law reference(s)—Authority of municipality a population of 20,000 or more to require an installer of an irrigation system to hold a state-issued license and obtain a permit from the municipality before installing a system within the municipality, Texas Local Government Code § 551.006.

Sec. 105-265. Heating and air conditioning license.

- (a) No person shall engage in the business of installing, altering and/or repairing of air conditioning, heating, mechanical, refrigeration and/or ventilation systems within the jurisdiction of this article, unless such person is **properly** ~~property~~ licensed in accordance with the air conditioning and refrigeration contractor license law of the state.
- (b) ~~Current contractor's license issued by the city may be renewed in January 1988, for one year ending December 31, 1988. After that date, all heating and air conditioning or refrigeration contractors will be required to hold a state license.~~
- (c) ~~Any person desiring a journeyman certificate shall make application to the plumbing inspector accompanied by a fee. The plumbing inspector, with the approval of the plumbing appeals and advisory board, shall grant the applicant an air conditioning journeyman's certificate, provided the applicant proves that the applicant has three years or more experience, qualifying the applicant to hold a journeyman air conditioning certificate, and/or by examination, indicates that the applicant has satisfactory knowledge concerning detailed provisions of the standard mechanical code.~~
- (d) ~~Renewal. Annual renewal fees for air conditioning journeyman certificates shall be paid on or before January 31. After this date, a delinquent fee shall be charged. Journeyman certificates that are not renewed within 90 days after expiration date shall be automatically cancelled, and in order to receive another certificate, the applicant shall be required to register in accordance with subsection (c) of this section.~~
- (e) ~~Contractors shall register each new air conditioning apprentice with the inspection department in writing within 14 days of employment and shall register all apprentices in their employ by January 31 of each year.~~
- (f) ~~Duty of work supervisor. Every master H/A contractor, or the contractor's qualified journeyman, shall direct, superintend and always be present during all installations and repairs under the contractors control within~~

~~the city and extrajurisdiction. Nothing in this section, however, is to be construed as relieving the master contractor of any responsibility established under this article for work directed or superintended by a heating and air journeyman.~~

~~(g) The fees described in this section shall be in amounts as established by the city council from time to time and is on file in the city secretary's office or city website.~~

~~(Code 1961, § 20-8; Ord. No. 238-75, § 1, 10-13-1975; Ord. No. 149-83, §§ 5—7, 5-23-1983; Ord. No. 296-87, § 5, 12-21-1987; Ord. No. 340-97, § 8, 10-27-1997)~~

~~State law reference(s)—Authority of municipality to issue an air conditioning and refrigeration contractor license, Texas Occupations Code § 1302.301 et seq.~~

Sec. 105-266. Plumbing, gas and mechanical code compliance inspections.

The building official shall arrange for plumbing, gas or mechanical code compliance inspections when requested by the owner or builder of any single-family duplex, townhouse, condominium or house under construction in the city's extraterritorial jurisdiction and located outside a legal subdivision. A fee for each code will be assessed for the inspection service of each unit designed to house a single family. The fees shall be due and payable to the city prior to the request by the owner or builder for a final inspection. The final inspection report shall not be provided to the owner or builder, until the required payment has been received. This section shall not be applicable to apartments or nonresidential structures. The inspection fees described in this section shall be in amounts as established by the city council from time to time and is on file in the city secretary's office or city website.

(Code 1961, § 20-9; Ord. No. 164-96, § 2, 6-14-1996)

Secs. 105-267—105-282. Reserved.

*You are cordially invited to attend a meeting to discuss
the adoption of the*

2024 International Building Codes

Wednesday, June 18, 2025

11:00 AM – 1:00 PM

**City Hall – 220 Texas Blvd, Texarkana,
Texas**

2nd floor Conference Room

Lunch Provided. Please RSVP to 903-798-3912.



City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	x	Promote an Environmentally Sensitive & Livable Community
	x	Provide a Safe Community
	x	Deliver Quality Services
	<input type="checkbox"/>	Foster a Healthy Community
Run the Operations	<input type="checkbox"/>	Enhance Community Preparedness & Responsiveness
	<input type="checkbox"/>	Maximize Partnership Opportunities
	<input type="checkbox"/>	Provide Courteous & Responsive Customer Service
	x	Model a Positive City Image
	<input type="checkbox"/>	Deliver Efficient Services
	<input type="checkbox"/>	Cultivate Community Involvement & Access
Manage the Resources	<input type="checkbox"/>	Maintain Fiscal Strength
	<input type="checkbox"/>	Maximize Utilization & Resources
	<input type="checkbox"/>	Invest in Infrastructure & Transportation
Develop Personnel	<input type="checkbox"/>	Develop a Skilled & Diverse Workforce
	<input type="checkbox"/>	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:

Public Information Plan:

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

Other:

Briefing Sheet

Department: Development Services **Action Officer:** Mashell Daniel, Director of Development Services

Subject: Ordinance No. 2026-023 amending the Code of Ordinances, Chapter 140 - Zoning, Article VII, Supplemental Regulations, Sections 140-179, and adding Section 140-183, "Storage shipping containers," and Section 140-184, "Shipping container homes and tiny homes," and amending Chapter 105, Buildings and Construction, Article II, Division 3 - Residential Code by adding section 105-101, "Construction with Certain Zoning Regulations."

Briefing: 3/9/2026 **Public Hearing:** 4/13/2026 **Council Vote:** 4/13/2026

Item Schedule:

Brief Once.
Public Hearing & Vote.

Updates/History of Briefing:

Executive Summary and Background Information:

City staff has received multiple inquiries regarding the allowance of tiny homes and shipping container homes within the city limits. With the adoption of the 2024 International Residential Code, tiny homes are now permitted as dwelling units. Additionally, several municipalities across Texas have adopted regulations allowing for both tiny homes and shipping container homes.

Accordingly, staff has determined it is necessary to incorporate specific provisions governing tiny homes and shipping container homes into the City’s Code of Ordinances. In preparation for this proposed update, staff conducted a workshop with the Planning and Zoning Commission on September 2, 2025. The workshop outlined the distinctions between various housing types and construction methods.

The session provided Commission members with an opportunity to engage in discussion and ask questions regarding the different housing options. The Chief Building Official and city staff were present to address and respond to all questions and concerns raised during the workshop.

Potential Options:

Approve changes.

Not approve changes.

Fiscal Implications:

None.

Staff Recommendation:

Staff recommends for approval.

Advisory Board/Committee Review:

Planning & Zoning Commission

Board/Committee Recommendation:

Approved.

Advisory Board/Committee Meeting Date and Minutes:

March 9, 2026

ORDINANCE NO. 2026-023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF TEXARKANA, TEXAS: AMENDING CHAPTER 140 – ZONING, ARTICLE VII, SUPPLEMENTAL REGULATIONS BY ADDING DEFINITIONS TO SECTION 140-179, “SPECIAL DEFINITIONS”, SECTION 140-183, “STORAGE SHIPPING CONTAINERS,” AND SECTION 140-184, “SHIPPING CONTAINER HOMES AND TINY HOMES”; AND AMENDING CHAPTER 105 - BUILDINGS AND CONSTRUCTION, ARTICLE II, BUILDING, RESIDENTIAL AND ENERGY TECHNICAL CODES, DIVISION 3 – RESIDENTIAL CODE, BY ADDING SECTION 105-101, “CONSTRUCTION WITH CERTAIN ZONING REGULATIONS”; PROVIDING FOR PUBLICATION; PROVIDING FOR SUPERSEDING AND SEVERABILITY CLAUSES; CONTAINING LEGISLATIVE FINDINGS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, city staff has received requests for both tiny homes, shipping container homes, and shipping containers for use as an accessory building; and

WHEREAS, other cities in Texas allow shipping container homes and tiny homes as an alternative to new brick and mortar construction or HUD code manufactured homes, and for shipping container accessory buildings; and

WHEREAS, the 2024 International Residential Code (IRC), adopted by Ordinance No. 2026-010, allows for both shipping containers repurposed for use as buildings or structures and tiny homes; and

WHEREAS, regarding shipping containers, the IRC recognizes the increasing use of such in residential construction and provides a consistent regulatory path for their safe and uniform structural integration into buildings; the inclusion of IRC § R301.1.4 — “Intermodal shipping containers that are repurposed for use as buildings or structures, shall be designed in accordance with the structural provisions in Section 3115 of the International Building Code. — allowing for such containers reflects consensus among building safety professionals that these repurposed structures require engineered design and clear standards for structural performance; and the express reference to Section 3115 of the International Building Code ensures that container-based dwellings adhere to established load-path, foundation, and modification requirements while benefiting from a unified code framework; and

WHEREAS, regarding tiny homes used as permanent single-family dwellings, the IRC has responded to the growth of the tiny-home movement by incorporating Appendix BB to address core design characteristics of very small dwellings (typically ≤ 400 square feet) while maintaining broad compliance with the IRC’s residential safety requirements; Appendix BB was developed through the International Code Council’s consensus code process and provides adapted provisions

to ensure safety, habitability, and code compliance for dwellings of reduced footprint while maintaining consistency with the overall code objectives for residential construction; and

WHEREAS, the Planning and Zoning Commission recommended approval of amendments to the Zoning Ordinance in Sections 1, 2, and 3 of this ordinance to allow tiny homes, shipping container homes, and shipping container accessory buildings; and

WHEREAS, the City Council finds and determines that the adoption of said ordinance is necessary to preserve the good government, order, and security of the municipality and its inhabitants, and is in the best interests of the citizens of the City of Texarkana, Texas.

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

SECTION 1: Section 140-179 of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended to add the following special definitions:

Engineered/Engineer approval means reviewed, and plans or specifications approved and stamped by a registered professional engineer in the state of Texas.

Shipping container means an all-steel container with strength to withstand shipment, storage and handling. Such containers include reusable steel boxes, freight containers and bulk shipping containers; originally a standardized reusable vessel that was designed for and used in the parking, shipping, movement, transportation or storage of freight, articles or goods or commodities; generally capable of being mounted or moved on a rail car, truck trailer or loaded ship.

Shipping container home means shipping container that is converted to a dwelling place for living purposes and contains water, sewer, and electrical services, and is over 200 square feet in size.

Storage shipping container means a temporary shipping container that is used for storage of goods or materials for less than two (2) months.

Tiny home means a home that is between 100 and 400 square feet in size, built from new construction as a permanent structure, or as a shipping container home, which must comply with all local permitting and building codes.

SECTION 2: Chapter 140 – Zoning, Article VII, Supplemental Regulations, of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended to add Section 140-183, *Storage Shipping containers*, to read as follows:

Sec. 140-183. – Storage shipping containers

- (a) No person shall install, store, maintain or otherwise keep a storage shipping container within the city without first having obtained an active building permit

issued by the city, and a permit for the placement of the shipping container.

- (b) Storage shipping containers must abide by the current building and zoning codes including but not limited to the following:
 - (1) The storage shipping container must be on a property owned or leased by the applicant. The property owner must approve the use of a storage shipping container.
 - (2) Storage shipping containers cannot be stacked vertically.
 - (3) No storage shipping container shall be used for human habitation or commercial business purposes.
 - (4) No storage shipping container can be used to store hazardous materials, refuse, or debris in, against, on or under the container.
 - (5) No storage shipping containers are allowed on a vacant lot.
 - (6) A storage shipping container shall not be provided with refrigeration, heating, electricity, or plumbing.
 - (7) Tie-downs and engineered slabs are not required for storage shipping containers.
- (c) Permanent storage shipping containers are not allowed.

SECTION 3: Chapter 140 – Zoning, Article VII, Supplemental Regulations, of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended to add Section 140-184, *Shipping container homes and tiny homes*, to read as follows:

Sec. 140-184. – Shipping container homes and tiny homes.

- (a) Shipping container homes as a residential structure.
 - (1) No person shall install, store, maintain or otherwise keep a shipping container home within the city without first having obtained an active building permit issued by the city, and a permit for the placement of the shipping container home.
 - (2) Shipping containers must abide by the current building and zoning codes including but not limited to the following:
 - a. The lot or property on which the shipping container home is located must be a Single Family – 3 zoning and requires a planned development (PD) designation. A PD designation requires site plan approval including (but not limited to) a landscape plan, layout of all driveways and parking areas, elevation details including details on the roof and finishing colors, and a floorplan of the home.
 - b. The lot or property on which the shipping container home is located must be owned or leased by the applicant of the permit. The property owner must approve the use of a shipping container home.
 - c. The shipping container home shall be anchored, underpinned, and all outside mechanicals must be screened.
 - d. An engineered foundation is required.

- e. An engineer must approve of any structural changes to the shipping container home, ie. doors or windows cut out.
- f. A porch covering over the access and egress landing is required.
- g. No more than two (2) shipping containers may be stacked vertically for dwelling purposes. An engineer's approval is required for stacked shipping container homes.
- h. Shipping containers used as a residence must be one-trip containers with a log of the materials/ substances hauled in said container.
- i. A roof and approved exterior skin is required on the exterior of the shipping container home.

(b) Tiny homes as a residential structure

- (1) No person shall install or build a tiny home within the city without first having obtained an active building permit issued by the city.
- (2) Tiny home must abide by the current building and zoning codes including but not limited to the following:
 - a. The lot or property on which the tiny home is located must be a Single Family – 3 zoning and requires a planned development (PD) designation. A PD designation requires site plan approval including a landscape plan, layout of all driveways and parking areas, elevation details including details on the roof and finishing colors, and a floorplan of the home.
- (3) The lot or property on which the tiny home is located must be owned by the applicant.
- (4) A tiny home may be used as a single-family dwelling only.

SECTION 4: Chapter 105 - Buildings and Construction, Article II, - Building, Residential and Energy Technical Codes, Division 3 – Residential Code, of the Code of Ordinances of the City of Texarkana, Texas, is hereby amended to add Section 105-101, “Construction with certain zoning regulations”, to read as follows:

Sec. 105-181. – Construction with certain zoning regulations.

Sections 140-183 and 140-184 of this Code shall supersede and control in the event of any conflict with the International Residential Code provisions adopted by Section 105-98 or appendices adopted by Section 105-100(a).

SECTION 5: The City Secretary be and is hereby directed to publish the caption of this ordinance for three (3) successive days in the Texarkana Gazette within ten (10) days of the passage of this ordinance, as provided in Article XI, Section 3 of the Charter of the City of Texarkana, Texas.

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

SECTION 7: 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,

Shipping container / tiny homes

impair or invalidate the remainder of this ordinance.

SECTION 8: The recitals set out in this ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the city council for all purposes.

SECTION 9: That this ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of April, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR



TINY HOMES

DEFINITIONS

- ◆ **TINY HOUSE-** A *dwelling* that is 400 square feet (37 m²) or less in floor area excluding *lofts*
- ◆ **Park model RV, or recreational park trailer-** A type of towable recreational vehicle under 400 square feet designed for long-term, semi-permanent use in a single location like an RV park or campground. Unlike typical RVs used for frequent travel, park models are built for seasonal or vacation living, featuring residential amenities such as full kitchens and bathrooms, requiring hookups for utilities. They are a blend of a cabin's comfort and a tiny home's efficiency, built to RV industry standards for safety and compliance.
- ◆ **HABITABLE SPACE-** A space in a *building* for living, sleeping, eating or cooking. Bathrooms, toilet rooms, *closets*, halls, storage or utility spaces and similar areas are not considered *habitable spaces*.
- ◆ **EGRESS ROOF ACCESS WINDOW-** A *skylight* or roof window designed and installed to satisfy the *emergency escape and rescue opening* requirements of [Section R319.2](#).
- ◆ **LOFT-** A floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a *ceiling height* of less than 6 feet 8 inches (2032 mm) and used as a living or sleeping space.

Comparison

Conventional Home

- ◆ Min of 1 Habitable space- not less than 70sq ft, kitchen 40 sq ft, a separate bathroom 40 sq ft.
- ◆ Roughly 150 sq ft minimum size that can be built
- ◆ Habitable space- not less than 7 ft in any horizontal direction
- ◆ Min ceiling height 7 ft for habitable space and 6'8" for bath, toilets, and laundry.
- ◆ Stairs required for upper floors
- ◆ Rescue openings required in bedrooms

◆ Tiny Home

- ◆ Same requirements as conventional
- ◆ Maximum 400 sq ft to be considered “tiny”
- ◆ Lofts- not less than 5 ft in any horizontal direction and min size of 35 sq ft
- ◆ Min ceiling height 6' 8" for habitable space and 6' 4" for bath and toilets. Lofts have a min height of 3ft to be considered usable
- ◆ Ladders can be used for lofts
- ◆ Some skylights can be used as egress windows

Tiny Home

Built to International Residential Building Code



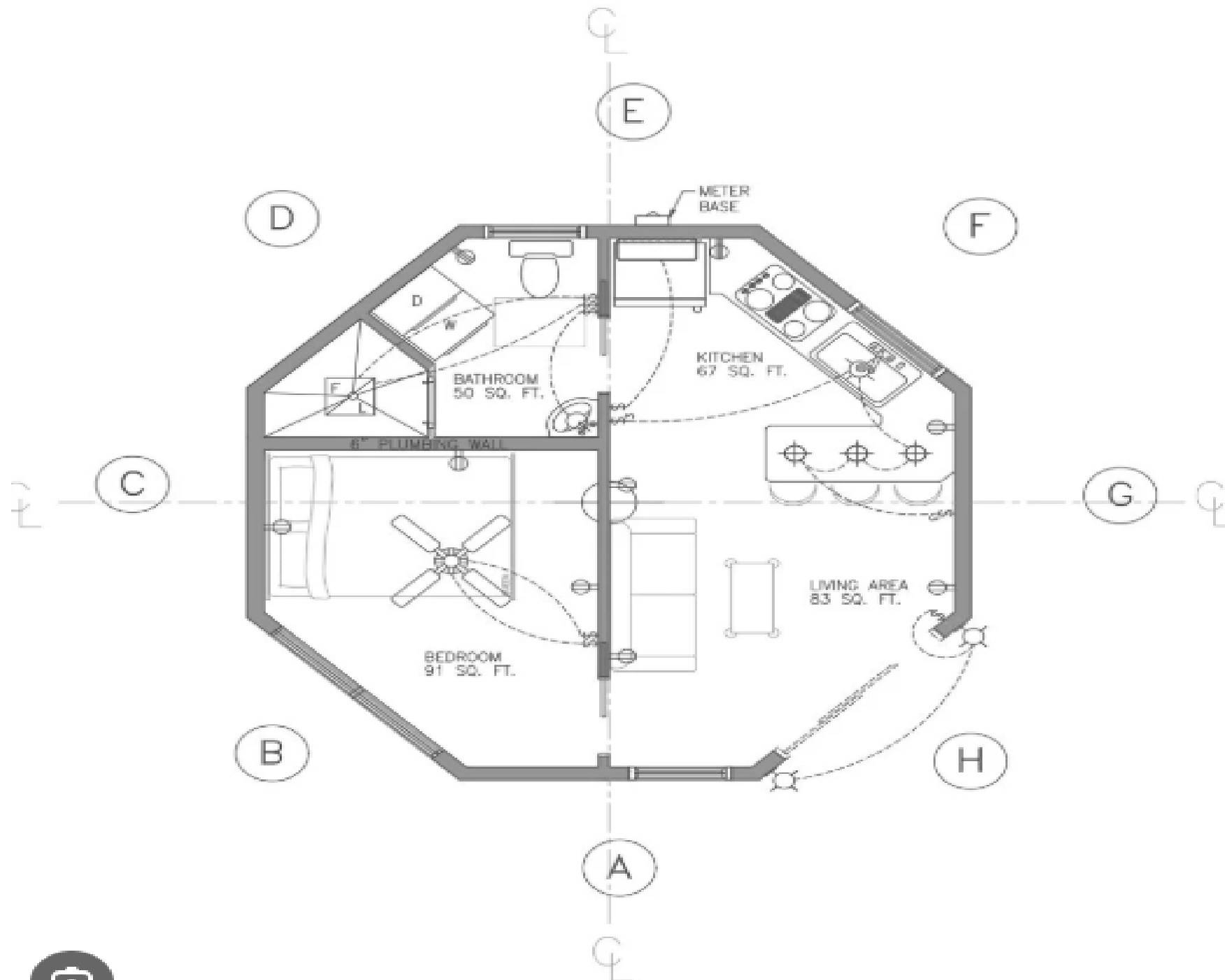
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Modular Home

Off Frame

On Frame



Definition

Off Frame

- ◆ An off-frame modular home is built in a factory but, unlike on-frame modular homes (which are essentially mobile homes on a permanent steel chassis), it is removed from its temporary transportation frame by a crane at the building site and placed on a permanent, site-built foundation.

On Frame

- ◆ An on-frame modular home is a home built in sections in a factory, transported to a site, and assembled on-site, but it retains a permanent steel chassis or frame underneath the structure.

Comparison

Off Frame

- ◆ **No Permanent Frame:** The delivery chassis or steel frame is removed from the home at the building site.
- ◆ **Residential Code:** Must be built to local residential building codes (e.g., International Residential Code or IRC), just like site-built homes.
- ◆ **Permanent Installation:** Once placed on its permanent foundation, it is permanently fixed in place.
- ◆ **Financing:** Often easier to finance because their construction can be compared to traditional site-built homes.

On Frame

- ◆ **Permanent Frame:** These homes are built on a steel chassis that remains with the home after it's transported to the site.
- ◆ **HUD Code:** Construction adheres to the U.S. Department of Housing and Urban Development (HUD) code, which is the same code for manufactured homes
- ◆ **Mobility:** The attached steel frame allows the entire structure to be moved to a different location, making it a type of manufactured home.
- ◆ **Foundation:** Can be placed on a temporary platform or a permanent foundation, depending on local regulations.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	x	Promote an Environmentally Sensitive & Livable Community
	x	Provide a Safe Community
	x	Deliver Quality Services
	x	Foster a Healthy Community
Run the Operations	<input type="checkbox"/>	Enhance Community Preparedness & Responsiveness
	<input type="checkbox"/>	Maximize Partnership Opportunities
	<input type="checkbox"/>	Provide Courteous & Responsive Customer Service
	x	Model a Positive City Image
	<input type="checkbox"/>	Deliver Efficient Services
	<input type="checkbox"/>	Cultivate Community Involvement & Access
Manage the Resources	<input type="checkbox"/>	Maintain Fiscal Strength
	<input type="checkbox"/>	Maximize Utilization & Resources
	<input type="checkbox"/>	Invest in Infrastructure & Transportation
Develop Personnel	<input type="checkbox"/>	Develop a Skilled & Diverse Workforce
	<input type="checkbox"/>	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:

Public Information Plan:

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

Other:

Briefing Sheet

Department:	Public Works	Action Officer:	Dusty Henslee, Asst. CM/Public Works Director
Subject:	Ordinance 2026-030 amending Chapter 130 of the Code of Ordinances by adding Article VI-Right of Way Work and the Master Fee List to include a Right-of-Way Construction Permit Fee.		
Briefing:	2/9/2026	Public Hearing:	4/13/2026 Council Vote: 4/13/2026

Item Schedule:

Updates/History of Briefing:

N/A

Executive Summary and Background Information:

Right-of-Way Work Ordinance

This ordinance amends Chapter 130, Streets and Sidewalks, of the City of Texarkana Code of Ordinances by adding Article VI – Right-of-Way Work. The ordinance establishes uniform, enforceable standards for all work performed within the City’s public rights-of-way (ROW). Recent increases in utility construction, fiber deployment, and maintenance activities have resulted in recurring issues such as incomplete debris removal, delayed or inadequate restoration, repeated pavement cuts, damage to existing utilities, and limited coordination among providers. This ordinance is intended to address these concerns by clearly defining responsibilities and strengthening restoration and enforcement requirements.

Key provisions of the ordinance include:

- Requiring a Right-of-Way Construction Permit for non-routine work within the ROW, with a \$100 permit fee;
- Establishing standardized construction, safety, debris removal, and restoration requirements;
- Requiring repair and restoration of affected areas within fourteen (14) working days;
- Requiring coordination among utility providers to minimize repeated excavations;
- Establishing timelines for utility relocation when required for City projects; and
- Providing enforcement tools including permit suspension, City-performed restoration with cost recovery, criminal penalties, and civil enforcement.

Overall, adoption of this ordinance will improve coordination, protect public infrastructure, reduce long-term maintenance costs, and enhance public safety and neighborhood appearance.

We sent out emails to all utility companies January 5, 2026 and a reminder email on January 16,

2026 requesting comments by January 23, 2026. We also sent the final draft documents on February 17, 2026 asking for any final comments by February 27, 2026. We received comments from Sparklight, TWU, and Kinetic/Windstream.

Attachment 1 — Summary of the purpose and requirements of the proposed ordinance.

Attachment 2 - ROW Permit Application

Attachment 3 — Email notifications sent to Utility Providers

Attachments 4 through 6 — Comments received from Utility Providers and City responses

Potential Options:

- 1. Approve Amending Chapter 130 and the Master Fee List
- 2. Not approve Amending Chapter 130 and the Master Fee List

Fiscal Implications:

None

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

N/A

Board/Committee Recommendation:

N/A

Advisory Board/Committee Meeting Date and Minutes:

N/A

ORDINANCE NO. 2026-030

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 130, “STREETS AND SIDEWALKS”, OF THE CITY CODE OF ORDINANCES/LAND DEVELOPMENT CODE, BY ADDING ARTICLE VI – “RIGHT-OF-WAY WORK”; AMENDING THE MASTER FEE LIST FOR PERMIT FEE; CONTAINING REPEALER, SEVERABILITY, AND SUPERSEDING CLAUSES; CONTAINING LEGISLATIVE FINDINGS; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, increasing utility construction, fiber deployment, and infrastructure maintenance activities within the City’s public rights-of-way (ROW) have created a need for clearer expectations, stronger restoration requirements, and improved coordination among providers; and

WHEREAS, City staff recommends code revisions to establish uniform, enforceable standards for all work performed within ROW, such standards including responsibilities of persons who perform work within City rights-of-way, permit requirements, protection of existing utilities, debris removal, and repair and restoration requirements, in order to protect public infrastructure, ensure safety, reduce disruption to residents, and hold all utilities and contractors accountable for proper cleanup and restoration; and

WHEREAS, the City Council, having reviewed the proposed regulations adding Article VI – “Right-of-way Work” – to Chapter 130, “Streets and Sidewalks”, of the Code of Ordinances/Land Development Code, and after public hearing, finds and determines that such regulations are necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants, and is in the best interests of the citizens of the City of Texarkana, Texas.

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

SECTION 1: The Code of Ordinances of the City of Texarkana, Texas, is hereby amended to add Article VI – “Right-of-way Work” – to Chapter 130, “Streets and Sidewalks”, as follows:

ARTICLE VI. – RIGHT-OF-WAY WORK.

Sec. 130-170. – Definitions.

For the purposes of this article, the following terms shall have the meanings herein described, except where the context clearly indicates a different meaning:

Debris means any waste material resulting from work performed in a ROW. By way of example and not limitation, the term includes: limbs, brush, and other cut vegetation; broken asphalt, concrete, or pavement; and discarded construction materials.

Emergency repairs means work necessary to protect public safety, restore interrupted utility service, or prevent imminent hazard.

Right-of-way (ROW) means any public street, alley, sidewalk, rights-of-way, or easement maintained by the City or under City jurisdiction.

Routine maintenance means activities necessary to maintain utility services, including vegetation trimming, line inspection, and minor repairs, that do not disturb the ROW. By way of example and not limitation, routine maintenance that does not involve pavement cuts, excavations, or the installation of new above-ground facilities.

Utility work means any construction, installation, maintenance, or repair of utility infrastructure including electric, water, sewer, gas, or telecommunications facilities.

Utility infrastructure means, and shall include but is not limited to, electric, water, sewer, gas, or telecommunications facilities.

Sec. 130-171. – Declaration of policy and applicability.

- (a) Except as otherwise required by law, this article establishes uniform regulations to ensure safe, orderly work within the ROW, governing the placement, construction, maintenance, and repair of utility facilities. Its purpose is to protect public infrastructure, ensure safety, minimize traffic and pedestrian disruption, provide for debris removal and proper vegetation maintenance, and restore affected areas to city standards. It applies to all public and private utilities, including electric, gas, telecommunications, fiber-optic, cable TV, water, wastewater, and storm drainage facilities within or using the ROW.
- (b) This article applies to all work within the ROW, including emergency repairs specific to or prompted by disasters. The City Council by disaster declaration or ordinance may temporarily suspend or supersede this article with requirements deemed practicable by the City Council to account for disaster conditions and public safety.
- (c) It is the intent of this article to require or clarify that any person performing work in or within the ROW must clean up, remove, and properly dispose of all resulting debris in the ROW, whether the debris is in the ROW or adjacent private property, regardless of the circumstances that prompted the work (e.g., routine maintenance, emergencies, storms).
- (d) This article is cumulative of other provisions in this Code relating to the same or similar subject. This article reinforces, among other Code provisions, ordinances that make it unlawful for any person to “leave any form of vegetation on the city right-of-way, in a public place, or on the property of another after they have cut or trimmed such growth”, or “deposit any brush, leaves, ... waste matter, or refuse of any kind on any street, gutter, sidewalk, parkway, driveway, alley, public property or property belonging to another person anywhere within the city limits” [see sections 22-7, 22-9].

Sec. 130-172. – Permit required; submittal requirements and permit fee; exceptions.

- (a) It shall be unlawful for any person to install, construct, excavate, or otherwise perform work in or within the ROW without first obtaining a Right-of-Way Construction Permit issued by the Public Works Department.
- (b) An applicant seeking a Right-of-Way Construction Permit shall submit the following:
 - 1. Application and construction drawings stamped by a Texas-licensed professional engineer for new construction or relocation work (construction drawings for work that will affect public infrastructure must be stamped by a Texas-licensed professional engineer);
 - 2. A traffic control plan, if applicable, conforming to the Texas Manual on Uniform Traffic Control Devices;
 - 3. Schedule of work, contact information, and restoration plan;
 - 4. Verification of Texas 811 utility locate notification (existing utility locations must be shown on construction drawings) and plan for protecting and avoiding damage to existing utility infrastructure; and
 - 5. A permit fee, in an amount as established by the city from time to time and is on file in the city secretary's office or city website.
- (c) Exceptions: a permit shall not be required for work in or within the ROW involving:
 - 1. Routine maintenance;
 - 2. Work inside a utility easement unless a public utility is affected; or
 - 3. Emergency repairs, provided that notice is given to the City within forty-eight (48) hours of commencing work and a work summary is submitted within two (2) business days after completion of work.
- (d) Depending on the intended work in or within the ROW, other provisions of this Code may require additional permits and processes.

Sec. 130-173. – General construction standards.

Any person performing work in or within the ROW must comply with the following:

- (a) the City of Texarkana Construction Standards and Specifications or adopted standards;
- (b) notify the City at least five (5) business days before starting permitted work, and no less than forty-eight (48) hours following commencement of emergency repairs;
- (c) maintain safe passage for vehicles and pedestrians at all times and protect adjoining properties from damage;
- (d) remove and properly dispose of all resulting debris within fourteen (14) working days after completion of the permitted work;
- (e) locate and protect existing utility infrastructure during all construction activity, and remove all locate flags during the clean up process at the completion of the work; and
- (f) immediately report to the City Engineer any damage to existing utility infrastructure and

promptly repair such damage at the person's expense.

Sec. 130-174. – Utility providers: continuing maintenance; coordination required.

- (a) A utility provider shall be responsible for continuing maintenance, safety, and integrity of its utility infrastructure in or within the ROW. When performing continuing maintenance, a utility provider must use methods that minimize disturbance of pavement and shall restore all disturbed areas to City standards immediately upon completion.
- (b) A utility provider shall be responsible for coordinating planned utility work with the Public Works Department and other providers to minimize repeated excavations in the same location. The City may require the participation of utility providers in periodic coordination meetings for planned utility work.

Sec. 130-175. – Utility providers: relocation of existing utility infrastructure.

- (a) When any public improvement, road reconstruction, drainage, or other City project requires the relocation, adjustment, or removal of existing utility infrastructure located in or within the ROW, the affected utility shall, within ninety (90) days after receiving written notice from the City, remove, relocate, or adjust its utility infrastructure as directed. Relocation work shall be performed in accordance with section 22-53 of this article and coordinated with the City's project schedule.
- (b) Upon written request, the City Engineer may approve a reasonable extension of time for completion of relocation work if necessary due to weather, material delivery, or coordination with other utilities.
- (c) Utilities failing to complete relocation work within the time prescribed by subsection (a) may be subject to permit suspension, administrative enforcement remedies (sec. 130-177), or penalty (sec. 100-5).

Sec. 130-176. – Joint Responsibility.

Persons and their respective contractors performing work in the ROW are jointly responsible for compliance with this article, and jointly responsible for any damage arising from such work in or within the ROW. Otherwise, this section shall not be construed to require a person to repair and restore damage or remove debris resulting from work other than the person's own activities.

Sec. 130-177. – Offenses.

- (a) It shall be unlawful for any person performing work in or within the ROW to leave debris in the ROW, on private property without the owner's written consent, or in a manner that obstructs streets, sidewalks, or drainage.

- (b) It shall be unlawful for any person performing work in the ROW, which disturbs or damages the ROW or adjacent streets, sidewalks, or drainage, to fail to repair and restore the affected area to a condition equal to or better than its original state.
1. Repair and restoration must be completed within fourteen (14) working days after completion of the permitted work; provided, upon written request, in the event weather, material delivery, or coordination with other utilities have delayed ongoing repair and restoration work, the City Engineer may approve by written order an extended deadline for completion of repair and restoration work. In the event repair and restoration is not completed during the deadline required by this section (inclusive of any approved extension), enforcement remedies may include but are not limited to the following:
 - a. all work in progress, including work previously permitted but not complete, may be halted;
 - b. a hold may be placed on any permits not approved until all repair restoration is complete; or
 - c. the City may complete the repair and restoration and recover all associated costs from the person, including administrative costs.
 2. By way of example and not limitation, restoration shall include: proper backfilling and compaction of trenches or bores; replacement of pavement, gravel, sod, or landscaping to match original conditions; removal of utility locate or marking flags; and repair of streets, curbs, sidewalks, or driveways affected or impacted by the work.
- (c) The provisions of this section are cumulative of state law and the offense and penalty provision of section 100-5.

Sec. 130-178. – Administrative enforcement remedies.

In addition to applicable offenses, the failure to comply with this article may also result in one or more of the following:

- (a) Issuance of a notice of violation;
- (b) Suspension or revocation of permit or ROW access until compliance with this article is achieved; or
- (c) Recovery of City costs, as applicable, for project delay, or City-performed cleanup, restoration, or removal.

Sec. 130-179. – Nuisance.

Any condition caused or permitted to exist in violation of any of the provisions of this article is a threat to public health, safety, and welfare and is declared and deemed a nuisance.

Sec. 130-180. – Civil remedies.

Pursuant to Texas Local Government Code § 54.012(5), the provisions of subch. B of ch.

54 of the Texas Local Government Code are hereby implemented for any violation of this article, any such violation being classified by the Texas Penal Code as a Class C misdemeanor, so that the City may seek civil penalties and injunctive relief under the provisions of subch. B of ch. 54 of the Texas Local Government Code.

SECTION 2: The Master Fee list is hereby amended to add the following fee:

Right-of-Way Construction Permit \$100.00.

SECTION 3: In the event a section, clause, sentence, or part of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 4: In the event of any conflict between this Ordinance and any other ordinances or parts of ordinances, this Ordinance shall supersede and control.

SECTION 5: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 6: The City Secretary shall give notice of the passage of this Ordinance as provided in Article XI, Section 3, of the Charter of the City of Texarkana, Texas.

SECTION 7: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of April, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

Executive Summary – Right-of-Way Work Ordinance (Article VI)

The proposed ordinance amends Chapter 130, *Streets and Sidewalks*, of the City of Texarkana Code of Ordinances by adding **Article VI – Right-of-Way Work**. The purpose of this ordinance is to establish uniform, enforceable standards for all work performed within the City’s public rights-of-way (ROW).

In recent years, the City has experienced a significant increase in utility construction, fiber deployment, maintenance activities, and emergency repairs within the ROW. These activities have highlighted recurring issues, including incomplete debris removal, delayed or inadequate restoration, repeated pavement cuts in the same corridors, damage to existing utilities, and lack of coordination among providers. The ordinance is intended to address these issues by clearly defining responsibilities, strengthening restoration requirements, and providing the City with effective enforcement and cost-recovery tools.

Purpose and Applicability

The ordinance establishes clear regulations governing construction, installation, maintenance, and repair of utility infrastructure within the ROW. Its goals are to protect public infrastructure, ensure public safety, minimize traffic and pedestrian disruption, require timely debris removal, and restore affected areas to City standards.

The ordinance applies to all public and private utility providers operating within or using the ROW, including electric, gas, telecommunications, fiber-optic, cable television, water, wastewater, and storm drainage facilities. It applies to routine projects, emergency repairs, and work associated with storms or disaster events, unless temporarily suspended or modified by City Council through a declared disaster action.

Permit Requirements

A **Right-of-Way Construction Permit** is required for any non-routine work within the ROW. The permit fee is **\$100**, as added to the City’s Master Fee List.

Permit applications must include:

- Construction drawings and application for all for new construction or relocation work (Engineer-stamped drawings are required if the proposed work affects public infrastructure);
- A traffic control plan when applicable;
- A schedule of work, contact information, and a restoration plan;
- Texas 811 locate verification, with existing utilities shown on plans and measures for utility protection.

Limited exceptions are provided for routine maintenance that does not disturb the ROW, work within private utility easements unless a public utility is affected, and emergency repairs, provided the City is notified within 48 hours and a work summary is submitted after completion.

Construction Standards, Debris Removal, and Restoration

All work within the ROW must comply with City construction standards and maintain safe passage for vehicles and pedestrians. Key requirements include:

- Removal and proper disposal of all debris within fourteen working days after completion of work;
- Removal of all utility locate and marking flags at project completion;
- Immediate reporting and repair of any damage to existing utilities at the responsible party's expense.

Repair and restoration of pavement, curbs, sidewalks, landscaping, and other affected improvements must be completed within **fourteen working days (unless an extension is granted)** and must return the ROW to a condition equal to or better than its original state.

Utility Coordination and Relocation

Utility providers are responsible for the ongoing maintenance and safety of their infrastructure and must coordinate planned work with the Public Works Department and other utilities to minimize repeated excavations.

When City capital projects require utility relocation, affected utilities must complete relocation within **90 days** of written notice, unless an extension is approved due to weather, material delays, or coordination needs.

Enforcement and Remedies

The ordinance establishes a comprehensive set of enforcement tools, including:

- Notices of violation;
- Suspension or revocation of ROW permits or access;
- Halting of ongoing or future permitted work;
- City-performed cleanup or restoration with full cost recovery, including administrative costs.

Violations may also be prosecuted as Class C misdemeanors under existing Code provisions and may be subject to civil enforcement actions under **Chapter 54 of the Texas Local Government Code**, consistent with other City regulatory programs such as stormwater enforcement.

Summary

Overall, this ordinance modernizes the City's approach to right-of-way management by clarifying expectations, strengthening accountability, and ensuring that utilities and contractors restore public infrastructure promptly and properly. Adoption of Article VI will improve coordination, reduce long-term maintenance costs, enhance neighborhood appearance, and better protect public health, safety, and welfare.

FOR ALL UTILITY COMPANIES, BELOW IS A REMINDER OF THE ORDINANCE OF STREET CUT REQUIREMENTS FOR UTILITY WORK

Sec. 130-78. - Permit—Required; fees.

(a) It shall be unlawful for any person to cut into, dig up, excavate, tunnel, undermine or in any manner break up the surface of any street, sidewalk, curb and gutter or alley in the city, unless such person shall first obtain a permit therefor from the building inspection division and thereafter notify the city engineer at least 48 hours in advance of commencing any work permitted.

(b) In the event of an emergency in which a sewer main, conduit or other utility facility in or under any street bursts, breaks or otherwise is in such condition as to immediately endanger the property, lives, health or safety of any person, the person owning or controlling such facility shall be permitted to immediately go in and repair the break for the protection of the property, life, health and safety of individuals; provided, however, such person owning or controlling such facility shall immediately apply for an excavation permit not later than the end of the next succeeding business day during which the building inspection division office is open for business and shall not proceed with permanent repairs without first obtaining an excavation permit and notifying the city engineer as provided for in this article.

(c) An excavation permit as provided for in this article shall become invalid seven business days following issuance of the permit, and all excavations shall be completed on or before the permit expiration date. In the event excavation work is not completed on or before the permit expiration date, another excavation permit as provided for in this article must be obtained, with the same period of validity as provided for in this subsection.

From: [TEX-Henslee, Dustin](#)
To: [Lisa M Thompson](#); [Dusty Wiley](#); [Zac Pinalto](#); [Brandon Brooks](#); [Ronnie Watkins](#); [GREG STRICKLAND](#); [Latham, Michael A](#); [Chris Jackson](#); [Mccormick, Brandon K](#); [Fisher, Jacob W](#); [Langley, Joe](#); [George, Michael](#); [Moses, Everett](#); [Andy Moss](#); [Katie Hall](#); ["Ritter Comm - Construction"](#); ["OSPEngineering@rittercommunications.com"](#); [David McDowell](#); [Jeremy Lindsey](#); [Will Burris](#); ["toddc@bcec.com"](#); [TWU-Smith, Gary](#); [TWU-Icenhower, Kenny](#); [TWU-McBride, Len](#); ["bredfearn@fourstatesfiber.com"](#); [philipm@swatco.com](#); ["davidl@swatco.com"](#)
Cc: [TEX-Wade, Jonathan](#); [TEX-Orr, David](#)
Subject: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance
Date: Monday, January 5, 2026 12:37:00 PM
Attachments: [ROW PermitApplication-11-25-25.docx](#)
[DRAFT 2026-0xx ORD Ch 130 Art VI ROW Work FINAL DRAFT-12082025.docx](#)
[Executive Summary-ROWPermitting.docx](#)

Dear Utility Partners,

The City is proposing to add a new Right-of-Way (ROW) Permitting section to the Code of Ordinances to better address construction activities and cleanup requirements for work performed within the public right-of-way. These updates include proposed standards for permitting, debris removal, and site restoration associated with construction and utility work. Please review the attached proposed application, ordinance, and executive summary outlining the key components of these updates. Feel free to forward this information to any additional contacts as appropriate.

We plan to brief City Council on this item at either the February or March meeting. To allow time to review and address feedback, please send any comments or questions to me via email by **12:00 p.m. on January 23, 2026**.

If you have any questions or would like to discuss this further, please let me know.

Thanks,

Dusty Henslee, P.E., CFM, CPM
Assistant City Manager/Director of Public Works
City of Texarkana, Texas
Office: (903)-798-3953
Cell: (903)-908-1808

Email communications through this office may be subject to Texas Public Records laws and may be shared with others.

From: [TEX-Henslee, Dustin](#)
To: [Lisa M Thompson](#); [Dusty Wiley](#); [Zac Pianalto](#); [Brandon Brooks](#); [Ronnie Watkins](#); [GREG STRICKLAND](#); [Latham, Michael A](#); [Chris Jackson](#); [Mccormick, Brandon K](#); [Fisher, Jacob W](#); [Langley, Joe](#); [George, Michael](#); [Moses, Everett](#); [Andy Moss](#); [Katie Hall](#); [Ritter Comm - Construction](#); [OSPEngineering@rittercommunications.com](#); [David McDowell](#); [Jeremy Lindsey](#); [Will Burris](#); [toddc@bcec.com](#); [TWU-Smith, Gary](#); [TWU-Icenhower, Kenny](#); [TWU-McBride, Len](#); [bredfearn@fourstatesfiber.com](#); [philipm@swatco.com](#); [davidl@swatco.com](#)
Cc: [TEX-Wade, Jonathan](#); [TEX-Orr, David](#)
Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance
Date: Friday, January 16, 2026 8:51:00 AM

Dear Utility Partners,

This is a reminder to please review the City's proposed Right-of-Way (ROW) Permitting updates previously sent for comment. To allow staff time to review and address any comments or concerns, we request that you submit your feedback via email by **12:00 p.m. on January 23, 2026.**

If you need additional time to review the materials, please let us know and we will do our best to accommodate your request.

Thanks,

Dusty Henslee, P.E., CFM, CPM
Assistant City Manager/Director of Public Works
City of Texarkana, Texas
Office: (903)-798-3953
Cell: (903)-908-1808

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From: TEX-Henslee, Dustin
Sent: Monday, January 5, 2026 12:37 PM
To: Lisa M Thompson <lthompson@aep.com>; Dusty Wiley <dwwiley@aep.com>; Zac Pianalto <zspianalto@aep.com>; Brandon Brooks <bbrooks@summitutilities.com>; Ronnie Watkins <rwatkins@summitutilities.com>; GREG STRICKLAND <gstrickland@summitutilities.com>; Latham, Michael A <michael.a.latham@windstream.com>; Chris Jackson <chris.jackson@windstream.com>; Mccormick, Brandon K <brandon.k.mccormick@windstream.com>; Fisher, Jacob W <jacob.fisher@windstream.com>; Langley, Joe <joe.langley@sparklight.biz>; George, Michael <michael.george@sparklight.biz>; Moses, Everett <everett.moses@sparklight.biz>; Andy Moss <andy.moss@rittercommunications.com>; Katie Hall <katie.hall@rittercommunications.com>; 'Ritter Comm - Construction' <construction@rittercommunications.com>; 'OSPEngineering@rittercommunications.com' <OSPEngineering@rittercommunications.com>; David McDowell <dmcowell@swrea.com>; Jeremy Lindsey <jlindsey@swrea.com>; Will Burris <willb@bcec.com>; 'toddc@bcec.com' <toddc@bcec.com>; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Icenhower, Kenny <Kenny.Icenhower@txkusa.org>; TWU-McBride, Len <len.mcbride@txkusa.org>; 'bredfearn@fourstatesfiber.com' <bredfearn@fourstatesfiber.com>; philipm@swatco.com; 'davidl@swatco.com' <davidl@swatco.com>
Cc: TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>; TEX-Orr, David <david.orr@texarkanatexas.gov>

Subject: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

Dear Utility Partners,

The City is proposing to add a new Right-of-Way (ROW) Permitting section to the Code of Ordinances to better address construction activities and cleanup requirements for work performed within the public right-of-way. These updates include proposed standards for permitting, debris removal, and site restoration associated with construction and utility work. Please review the attached proposed application, ordinance, and executive summary outlining the key components of these updates. Feel free to forward this information to any additional contacts as appropriate.

We plan to brief City Council on this item at either the February or March meeting. To allow time to review and address feedback, please send any comments or questions to me via email by **12:00 p.m. on January 23, 2026.**

If you have any questions or would like to discuss this further, please let me know.

Thanks,

Dusty Henslee, P.E., CFM, CPM
Assistant City Manager/Director of Public Works
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Office: (903)-798-3953
Cell: (903)-908-1808

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From: [TEX-Henslee, Dustin](#)
To: ["Lisa M Thompson"](#); ["Dusty Wiley"](#); ["Zac Pinalto"](#); ["Brandon Brooks"](#); ["Ronnie Watkins"](#); ["GREG STRICKLAND"](#); ["Latham, Michael A"](#); ["Chris Jackson"](#); ["McCormick, Brandon K"](#); ["Fisher, Jacob W"](#); ["Langley, Joe"](#); ["George, Michael"](#); ["Moses, Everett"](#); ["Andy Moss"](#); ["Katie Hall"](#); ["Ritter Comm - Construction"](#); ["OSPEngineering@rittercommunications.com"](#); ["David McDowell"](#); ["Jeremy Lindsey"](#); ["Will Burris"](#); ["toddc@bcec.com"](#); [TWU-Smith, Gary](#); [TWU-Icenhower, Kenny](#); [TWU-McBride, Len](#); ["bredfearn@fourstatesfiber.com"](#); ["philipm@swatco.com"](#); ["davidl@swatco.com"](#)
Cc: [TEX-Wade, Jonathan](#); [TEX-Orr, David](#)
Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance
Date: Tuesday, February 17, 2026 3:10:00 PM
Attachments: [ROW PermitApplication-11-25-25.docx](#)
[Executive Summary-ROWPermitting Final-02162026.docx](#)
[DRAFT 2026-0xx ORD Ch 130 Art VI ROW 02162026 FINAL DRAFT.docx](#)

All,

We have received comments from a few utility providers, and staff is planning to move forward with presenting the Right-of-Way (ROW) Permitting Requirements to City Council at the March meeting.

Attached is the final draft of the proposed documents that staff intends to present to Council. Please review and provide any final comments or feedback to me via email no later than **February 27, 2026.**

If you have any questions or would like to discuss any portion of the ordinance prior to that time, please let me know.

Thanks,

Dusty Henslee, P.E., CFM, CPM
Assistant City Manager/Director of Public Works
City of Texarkana, Texas
Office: (903)-798-3953
Cell: (903)-908-1808

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From: TEX-Henslee, Dustin
Sent: Friday, January 16, 2026 8:52 AM
To: Lisa M Thompson <lthompson@aep.com>; Dusty Wiley <dwwiley@aep.com>; Zac Pinalto <zspinalto@aep.com>; Brandon Brooks <bbrooks@summitutilities.com>; Ronnie Watkins <rwatkins@summitutilities.com>; GREG STRICKLAND <gstrickland@summitutilities.com>; Latham, Michael A <michael.a.latham@windstream.com>; Chris Jackson <chris.jackson@windstream.com>; McCormick, Brandon K <brandon.k.mccormick@windstream.com>; Fisher, Jacob W <jacob.fisher@windstream.com>; Langley, Joe <joe.langley@sparklight.biz>; George, Michael <michael.george@sparklight.biz>; Moses, Everett <everett.moses@sparklight.biz>; Andy Moss <andy.moss@rittercommunications.com>; Katie Hall <katie.hall@rittercommunications.com>; Ritter Comm - Construction <construction@rittercommunications.com>; OSPEngineering@rittercommunications.com; David McDowell <dmcowell@swrea.com>; Jeremy Lindsey <jlindsey@swrea.com>; Will Burris <willb@bcec.com>; toddc@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Icenhower, Kenny <Kenny.Icenhower@txkusa.org>; TWU-McBride, Len <len.mcbride@txkusa.org>; bredfearn@fourstatesfiber.com; philipm@swatco.com;

davidl@swatco.com

Cc: TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>; TEX-Orr, David <david.orr@texarkanatexas.gov>

Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

Dear Utility Partners,

This is a reminder to please review the City's proposed Right-of-Way (ROW) Permitting updates previously sent for comment. To allow staff time to review and address any comments or concerns, we request that you submit your feedback via email by **12:00 p.m. on January 23, 2026.**

If you need additional time to review the materials, please let us know and we will do our best to accommodate your request.

Thanks,

Dusty Henslee, P.E., CFM, CPM
Assistant City Manager/Director of Public Works
City of Texarkana, Texas
Office: (903)-798-3953
Cell: (903)-908-1808

Email communications through this office may be subject to Texas Public Records laws and may be shared with others.

From: TEX-Henslee, Dustin

Sent: Monday, January 5, 2026 12:37 PM

To: Lisa M Thompson <lthompson@aep.com>; Dusty Wiley <dwiley@aep.com>; Zac Pianalto <zspianalto@aep.com>; Brandon Brooks <bbrooks@summitutilities.com>; Ronnie Watkins <rwatkins@summitutilities.com>; GREG STRICKLAND <gstrickland@summitutilities.com>; Latham, Michael A <michael.a.latham@windstream.com>; Chris Jackson <chris.jackson@windstream.com>; McCormick, Brandon K <brandon.k.mccormick@windstream.com>; Fisher, Jacob W <jacob.fisher@windstream.com>; Langley, Joe <joe.langley@sparklight.biz>; George, Michael <michael.george@sparklight.biz>; Moses, Everett <everett.moses@sparklight.biz>; Andy Moss <andy.moss@rittercommunications.com>; Katie Hall <katie.hall@rittercommunications.com>; 'Ritter Comm - Construction' <construction@rittercommunications.com>; 'OSPEngineering@rittercommunications.com' <OSPEngineering@rittercommunications.com>; David McDowell <dmcdowell@swrea.com>; Jeremy Lindsey <jlindsey@swrea.com>; Will Burris <willb@bcec.com>; 'toddc@bcec.com' <toddc@bcec.com>; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Icenhower, Kenny <Kenny.Icenhower@txkusa.org>; TWU-McBride, Len <len.mcbride@txkusa.org>; 'bredfearn@fourstatesfiber.com' <bredfearn@fourstatesfiber.com>; philipm@swatco.com; 'davidl@swatco.com' <davidl@swatco.com>

Cc: TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>; TEX-Orr, David <david.orr@texarkanatexas.gov>

Subject: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

Dear Utility Partners,

The City is proposing to add a new Right-of-Way (ROW) Permitting section to the Code of Ordinances to better address construction activities and cleanup requirements for work performed within the public right-of-way. These updates include proposed standards for permitting, debris removal, and site restoration associated with construction and utility work. Please review the attached proposed application, ordinance, and executive summary outlining the key components of these updates. Feel free to forward this information to any additional contacts as appropriate.

We plan to brief City Council on this item at either the February or March meeting. To allow time to review and address feedback, please send any comments or questions to me via email by **12:00 p.m. on January 23, 2026**.

If you have any questions or would like to discuss this further, please let me know.

Thanks,

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From: [TEX-Henslee, Dustin](#)
To: ["Langley, Joe"](#); [TEX-Orr, David](#); [TEX-Wade, Jonathan](#)
Cc: [Cox, Philip](#); [Moses, Everett](#); [George, Michael](#); [Ripley, Mykel](#)
Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance
Date: Thursday, January 29, 2026 2:14:00 PM
Attachments: [DRAFT 2026-0xx ORD Ch 130 Art VI ROW Work rev update after comments 01292026.docx](#)
[Executive Summary-ROWPermittin EDITED Questions-Sparklight-city comments.docx](#)
[DRAFT 2026-0xx ORD Ch 130 Art VI ROW Work FINAL DRAFT-12082025 EDITED-Sparklight-city comments.docx](#)

All,

Please see the attachments with my comment responses in green. Also, please see the attached revised ordinances based on these comments and changes. Please review and let me know if you have any questions by next Friday.

Thanks

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Cell: (903)-908-1808

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From: Langley, Joe <Joe.Langley@cableone.biz>
Sent: Wednesday, January 21, 2026 3:15 PM
To: TEX-Henslee, Dustin <dustin.henslee@texarkanatexas.gov>; TEX-Orr, David <david.orr@texarkanatexas.gov>; TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>
Cc: Cox, Philip <Philip.Cox@cableone.biz>; Moses, Everett <Everett.Moses@sparklight.biz>; George, Michael <Michael.George@sparklight.biz>; Ripley, Mykel <Mykel.Ripley@cableone.biz>
Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

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.

Here are some of the questions from Sparklight. I have highlighted areas in yellow and posed questions or comments in red.

From: TEX-Henslee, Dustin <dustin.henslee@texarkanatexas.gov>
Sent: Friday, January 16, 2026 8:52 AM
To: Lisa M Thompson <lthompson@aep.com>; Dusty Wiley <dwwiley@aep.com>; Zac Pinalto <zspinalto@aep.com>; Brandon Brooks <bbrooks@summitutilities.com>; Ronnie Watkins <rwatkins@summitutilities.com>; GREG STRICKLAND <gstrickland@summitutilities.com>; Latham,

Michael A <michael.a.latham@windstream.com>; chris.jackson@windstream.com;
brandon.k.mccormick@windstream.com; Fisher, Jacob W <jacob.fisher@windstream.com>; Langley,
Joe <Joe.Langley@cableone.biz>; George, Michael <Michael.George@sparklight.biz>; Moses, Everett
<Everett.Moses@sparklight.biz>; Andy Moss <andy.moss@rittercommunications.com>; Katie Hall
<katie.hall@rittercommunications.com>; Ritter Comm - Construction
<construction@rittercommunications.com>; OSPEngineering@rittercommunications.com;
dmcowell@swrea.com; Jeremy Lindsey <jlindsey@swrea.com>; Will Burris <willb@bcec.com>;
toddc@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Icenhower, Kenny
<Kenny.Icenhower@txkusa.org>; TWU-McBride, Len <len.mcbride@txkusa.org>;
bredfearn@fourstatesfiber.com; philipm@swatco.com; davidl@swatco.com
Cc: TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>; TEX-Orr, David
<david.orr@texarkanatexas.gov>

Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

Dear Utility Partners,

This is a reminder to please review the City's proposed Right-of-Way (ROW) Permitting updates previously sent for comment. To allow staff time to review and address any comments or concerns, we request that you submit your feedback via email by **12:00 p.m. on January 23, 2026.**

If you need additional time to review the materials, please let us know and we will do our best to accommodate your request.

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From: TEX-Henslee, Dustin

Sent: Monday, January 5, 2026 12:37 PM

To: Lisa M Thompson <lthompson@aep.com>; Dusty Wiley <dwwiley@aep.com>; Zac Pinalto <zspinalto@aep.com>; Brandon Brooks <bbrooks@summitutilities.com>; Ronnie Watkins <rwatkins@summitutilities.com>; GREG STRICKLAND <gstrickland@summitutilities.com>; Latham, Michael A <michael.a.latham@windstream.com>; Chris Jackson <chris.jackson@windstream.com>; McCormick, Brandon K <brandon.k.mccormick@windstream.com>; Fisher, Jacob W <jacob.fisher@windstream.com>; Langley, Joe <joe.langley@sparklight.biz>; George, Michael <michael.george@sparklight.biz>; Moses, Everett <everett.moses@sparklight.biz>; Andy Moss <andy.moss@rittercommunications.com>; Katie Hall <katie.hall@rittercommunications.com>; 'Ritter Comm - Construction' <construction@rittercommunications.com>; 'OSPEngineering@rittercommunications.com' <OSPEngineering@rittercommunications.com>; David

McDowell <dmcdowell@swrea.com>; Jeremy Lindsey <jlindsey@swrea.com>; Will Burris <willb@bcec.com>; 'toddc@bcec.com' <toddc@bcec.com>; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Icenhower, Kenny <Kenny.Icenhower@txkusa.org>; TWU-McBride, Len <len.mcbride@txkusa.org>; 'bredfearn@fourstatesfiber.com' <bredfearn@fourstatesfiber.com>; philipm@swatco.com; 'davidl@swatco.com' <davidl@swatco.com>

Cc: TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>; TEX-Orr, David <david.orr@texarkanatexas.gov>

Subject: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

Dear Utility Partners,

The City is proposing to add a new Right-of-Way (ROW) Permitting section to the Code of Ordinances to better address construction activities and cleanup requirements for work performed within the public right-of-way. These updates include proposed standards for permitting, debris removal, and site restoration associated with construction and utility work. Please review the attached proposed application, ordinance, and executive summary outlining the key components of these updates. Feel free to forward this information to any additional contacts as appropriate.

We plan to brief City Council on this item at either the February or March meeting. To allow time to review and address feedback, please send any comments or questions to me via email by **12:00 p.m. on January 23, 2026**.

If you have any questions or would like to discuss this further, please let me know.

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Executive Summary

The purpose of this ordinance is to establish **uniform, enforceable standards for all work performed within the City's public rights-of-way (ROW)**. Increasing utility construction, fiber deployment, and infrastructure maintenance activities have created a need for clearer expectations, stronger restoration requirements, and improved coordination among providers. The proposed ordinance is designed to protect public infrastructure, ensure safety, reduce disruption to residents, and hold all utilities and contractors accountable for proper cleanup and restoration.

Purpose and Need

- Establishes clear, standardized requirements for anyone performing construction, installation, excavation, or utility work in the ROW.
- Addresses recurring issues experienced by the City, including:
 - Incomplete debris cleanup (maintenance, repairs, storms, construction, etc.)
 - Pavement cuts left unrepaired
 - Lack of coordination among utilities
 - Repeated excavation in the same corridor
 - Damage to existing utilities
- Provides the City stronger tools to prevent and correct ROW impacts affecting public safety, drainage, traffic flow, and neighborhood appearance.

Permit Requirements

- A **Right-of-Way Construction Permit** is required for all non-routine ROW work.
- ROW Construction Permit Fee - \$100
- Applicants must provide:
 - Engineer-stamped construction drawings
 - **What is the contact process showing our engineers approval?**
 - **Not sure I completely understand this, but there will be a permit you apply for in our online portal MyGOV Txk where you will apply and submit drawings. If approved by council, we will send out more information and instructions on how to apply.**
 - Traffic control plan (if applicable)
 - Schedule, contacts, and restoration plan
 - Texas 811 locate verification and **utility protection plan** –
 - **What utility protection plan? Restoration Bond?** - this is a plan stating how you will protect existing utilities. Recommend you discuss with your design engineer. This is a bond this ensures work is completed and properties are restored to same or better condition. Utility or Contractor will submit bond to City when permit is issued. Once project is complete and all work is restored, then bond will be returned. If work is not performed, then City may use bond to perform the work.

- **Performance/Restoration Bond: 100% of restoration cost or minimum \$10,000** (held 24 months)
- **Exceptions** include routine maintenance, work within a private utility easement (unless a public utility is affected), and emergency repairs with **required notification**.
- **Who are the required notifications? – Public Works Office**
-
- **Will the permits have a numbering process for identification purposes? Yes our permitting system will assign a number to each review/permit.**
- **Will there be a website to check permit status? Yes, all reviews will be handled through MyGOV and you can check status if you sign up for Collaborator Account.**
- **How long will it take to submit, and receive permits back? Goal will be one week depending on how big project is.**
- **How long is the permit good for? 12 months.**

Construction Standards & Debris Removal

All work must follow City construction standards and maintain safe passage for vehicles and pedestrians. Additional requirements include:

- **Debris must be removed within 5 working days.**
- **All utility locate flags must be removed** at project completion.
- **If work on the project by other utilities or groups is ongoing, will this be necessary? Last utility to finish is responsible for removing flags.**
- **Is a contractor or utility expected to come back to a project to pull flags after construction has been ongoing for an extensive period of time? Yes flags must be removed after construction is over.**
- Any damage to existing utilities must be immediately reported and repaired at the contractor's or utility's expense.
- Restoration must return ROW to **equal or better** than original condition, including pavement, curbs, sidewalks, sod, gravel, and landscaping.
- Failure to restore **timely** allows the City to:
- **Timely restoration is not defined, and would typically be 30, 60, or 90 days depending on the work that needs done. 14 days after the work is completed.**
 - Halt ongoing work
 - Hold future permits
 - Complete repairs and recover all costs (including administrative).
- All work done by utilities or their contractors in response to storms, weather-related events, or declared disasters are subject to this article including permitting and removing all debris for work done by them. In the event of a disaster declared by City Council, this article may be temporarily suspended.

Relocation of Utilities for City Projects

- When City projects require relocation, utilities must relocate infrastructure within **90 days of written notice**, unless granted an extension due to weather, materials, or coordination needs.

- Noncompliance may result in permit suspension, enforcement actions, or penalties.

Enforcement Tools

This new article includes administrative remedies to correct failure to comply with its provisions. Such failure may result in:

- Notice of violation
- Suspension or revocation of permit/ROW access
- **Revocation of permit/ROW access for what duration of time? – until issue is resolved that caused the suspension**
- Recovery of City costs for cleanup, repairs, or project delays
- **Payable to whom? – City if it has to complete any repairs**

The general offense provisions of section 100-5 of the Land Development Code will also apply: a violation of any provision or failure to comply with any requirements shall be deemed a misdemeanor; and, upon conviction of such violation or failure to comply, such violation or failure to comply shall be subject to punishment as provided in Code section 1-5 (generally, a fine not to exceed \$500.00).

Our payment process is distributed through our payroll department via our internal program (Oracle). To receive payment from our company, the city would need to be entered into the program as a vendor or supplier. Typically, it takes 30 days to receive payment from accounts payable. If the city has not received payment within the 30 days, will permits be halted, delayed, or need resubmission? We do not hand out checks or cash. Permit will not be issued until payment is received.

- **Could a credit card be used? MyGOV is set up to take credit cards. Whoever applies for permit will be sent an invoice and they can pay thru MyGOV with a credit card.**

We will need a list of emails and contact numbers for the individuals over the different stages of the permitting process, so we know who to reach out to. Public Works will handle all reviews of this permit. All documents will be submitted for review in MyGOV TXK. We can walk you through how to do this the first time.

Would the city entertain a Blanket Bond in lieu of individual bonds for every new ROW construction project performed under permit within the jurisdiction?

- **This bond would remain on file until construction activities end plus a defined warranty period; or, can it be adjusted if new construction activities substantially increase or decrease over time? Jeff, I think we could accommodate this... may just need to up the bond cost? Thoughts**

The ordinance makes us and our contractors jointly responsible for completion/compliance (Sec 130-176) but leaves our bond unprotected for situations that may be beyond our

control, such as when there is a dispute with the contractor, or other situations where the contractor is unable to complete their work due to the alleged negligence of others such as utility locates. In such events we want to have a fair opportunity to resolve issues before the bond is at risk. Accordingly, can you provide information on:

- The process by which notices of deficiency will be served to the permittee
- The cure period or timeframe allowed for the permittee to respond
- The timeline for the permittee to compensate the City for when work is completed by the City

City Staff will notify contractor/utility the issue via Construction Inspector and give timeline to address (this may vary depending on each issue). If the issue is not resolved within the designated timeline, then a Notice of Violation Letter will be sent that addresses the issues and expected outcomes and a timeline to complete which is typically 14 working days. If the issues are not complete, then City will proceed with previous stated Enforcement Tools. Once City submits invoice for work from Finance, the typical timeline for payment is 30 days.

Will there be a specific bond form, or will the city accept a standard surety Performance Bond form? Standard Performance Bond would be acceptable.

ORDINANCE NO. 2026-0__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING CHAPTER 130, “STREETS AND SIDEWALKS”, OF THE CITY CODE OF ORDINANCES/LAND DEVELOPMENT CODE, BY ADDING ARTICLE VI – “RIGHT-OF-WAY WORK”; AMENDING THE MASTER FEE LIST FOR PERMIT FEE; CONTAINING REPEALER, SEVERABILITY, AND SUPERSEDING CLAUSES; CONTAINING LEGISLATIVE FINDINGS; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, increasing utility construction, fiber deployment, and infrastructure maintenance activities within the City’s public rights-of-way (ROW) have created a need for clearer expectations, stronger restoration requirements, and improved coordination among providers; and

WHEREAS, City staff recommends code revisions to establish uniform, enforceable standards for all work performed within ROW, such standards including responsibilities of persons who perform work within City rights-of-way, permit requirements, protection of existing utilities, debris removal, and repair and restoration requirements, in order to protect public infrastructure, ensure safety, reduce disruption to residents, and hold all utilities and contractors accountable for proper cleanup and restoration; and

WHEREAS, the City Council, having reviewed the proposed regulations adding Article VI – “Right-of-way Work” – to Chapter 130, “Streets and Sidewalks”, of the Code of Ordinances/Land Development Code, and after public hearing, finds and determines that such regulations are necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants, and is in the best interests of the citizens of the City of Texarkana, Texas.

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

SECTION 1: The Code of Ordinances of the City of Texarkana, Texas, is hereby amended to add Article VI – “Right-of-way Work” – to Chapter 130, “Streets and Sidewalks”, as follows:

ARTICLE VI. – RIGHT-OF-WAY WORK.

Sec. 130-170. – Definitions.

For the purposes of this article, the following terms shall have the meanings herein described, except where the context clearly indicates a different meaning:

Debris means any waste material resulting from work performed in a ROW. By way of example and not limitation, the term includes: limbs, brush, and other cut vegetation; broken asphalt, concrete, or pavement; and discarded construction materials.

Emergency repairs means work necessary to protect public safety, restore interrupted utility service, or prevent imminent hazard.

Right-of-way (ROW) means any public street, alley, sidewalk, rights-of-way, or easement maintained by the City or under City jurisdiction.

Routine maintenance means activities necessary to maintain utility services, including vegetation trimming, line inspection, and minor repairs, that do not disturb the ROW. By way of example and not limitation, routine maintenance that does not involve pavement cuts, excavations, or the installation of new above-ground facilities.

Utility work means any construction, installation, maintenance, or repair of utility infrastructure including electric, water, sewer, gas, or telecommunications facilities.

Utility infrastructure means, and shall include but is not limited to, electric, water, sewer, gas, or telecommunications facilities.

Sec. 130-171. – Declaration of policy and applicability.

- (a) Except as otherwise required by law, this article establishes uniform regulations to ensure safe, orderly work within the ROW, governing the placement, construction, maintenance, and repair of utility facilities. Its purpose is to protect public infrastructure, ensure safety, minimize traffic and pedestrian disruption, provide for debris removal and proper vegetation maintenance, and restore affected areas to city standards. It applies to all public and private utilities, including electric, gas, telecommunications, fiber-optic, cable TV, water, wastewater, and storm drainage facilities within or using the ROW.
- (b) This article applies to all work within the ROW, including emergency repairs specific to or prompted by disasters. The City Council by disaster declaration or ordinance may temporarily suspend or supersede this article with requirements deemed practicable by the City Council to account for disaster conditions and public safety.
- (c) It is the intent of this article to require or clarify that any person performing work in or within the ROW must clean up, remove, and properly dispose of all resulting debris in the ROW, whether the debris is in the ROW or adjacent private property, regardless of the circumstances that prompted the work (e.g., routine maintenance, emergencies, storms).
- (d) This article is cumulative of other provisions in this Code relating to the same or similar subject. This article reinforces, among other Code provisions, ordinances that make it unlawful for any person to “leave any form of vegetation on the city right-of-way, in a public place, or on the property of another after they have cut or trimmed such growth”, or “deposit any brush, leaves, ... waste matter, or refuse of any kind on any street, gutter, sidewalk, parkway, driveway, alley, public property or property belonging to another person anywhere within the city limits” [see sections 22-7, 22-9].

Sec. 130-172. – Permit required; submittal requirements, bonding, and permit fee; exceptions.

- (a) It shall be unlawful for any person to install, construct, excavate, or otherwise perform work in or within the ROW without first obtaining a Right-of-Way Construction Permit issued by the Public Works Department.
- (b) An applicant seeking a Right-of-Way Construction Permit shall submit the following:
1. Application and construction drawings stamped by a **Texas-licensed professional** engineer for new construction or relocation work;
Who? A Texas PE is required to stamp drawings. All plans and documents will have to be submitted thru MyGOV for review. Staff will send out more details on this process if this ordinance is approved by council.
 2. A traffic control plan, if applicable, conforming to the Texas Manual on Uniform Traffic Control Devices;
 3. Schedule of work, contact information, and restoration plan;
 4. Verification of Texas 811 utility locate notification (**existing utility locations must be shown on construction drawings**) and plan for protecting and avoiding damage to **existing utility infrastructure**; and
We do not have access to other company maps and designs. It is impossible to know every underground structure, and delays in waiting on the communication of the locations of all these structures would make construction virtually impossible. Existing utilities can be verified by calling Texas 811 and can be done prior to plan production that way it can be included with construction drawings.
 5. A Performance and Restoration Bond equal to one hundred percent (100%) of the estimated cost of restoration or \$10,000, whichever is greater, and which must remain in effect for twenty-four (24) months after City acceptance of restoration work.
 6. A permit fee, **in cash**, in an amount as established by the city from time to time and is on file in the city secretary's office or city website.
We do not make cash payments – credit cards can be used via MyGOV
- (c) Exceptions: a permit shall not be required for work in or within the ROW involving:
1. Routine maintenance;
 2. Work inside a utility easement unless a public utility is affected; or
 3. Emergency repairs, provided that notice is given to the City within forty-eight (48) hours of commencing work and a work summary is submitted within two (2) business days after completion of work.
- (d) Depending on the intended work in or within the ROW, other provisions of this Code may require additional permits and processes.

Sec. 130-173. – General construction standards.

Any person performing work in or within the ROW must comply with the following:

- (a) the **City of Texarkana Construction Standards** and Specifications or adopted standards; Where can this be found? **We have adopted Texas Department of Transportation latest edition of Construction Standards and Specifications.**
- (b) notify the City at least five (5) business days before starting permitted work, and no less than forty-eight (48) hours following commencement of emergency repairs;
- (c) maintain safe passage for vehicles and pedestrians at all times and protect adjoining properties from damage;
- (d) remove and properly dispose of all resulting debris within five (5) working days after completion of the permitted work;
- (e) locate and protect existing utility infrastructure during all construction activity, and remove all locate flags during the clean up process at the completion of the work; and
- (f) immediately report to the City Engineer any damage to existing utility infrastructure and promptly repair such damage at the person's expense.

Sec. 130-174. – Utility providers: continuing maintenance; coordination required.

- (a) A utility provider shall be responsible for continuing maintenance, safety, and integrity of its utility infrastructure in or within the ROW. When performing continuing maintenance, a utility provider must use methods that minimize disturbance of pavement and shall restore all disturbed areas to City standards immediately upon completion.
- (b) A utility provider shall be responsible for coordinating planned utility work with the Public Works Department and other providers to minimize repeated excavations in the same location. The City may require the participation of utility providers in periodic coordination meetings for planned utility work.

Sec. 130-175. – Utility providers: relocation of existing utility infrastructure.

- (a) When any public improvement, road reconstruction, drainage, or other City project requires the relocation, adjustment, or removal of existing utility infrastructure located in or within the ROW, the affected utility shall, within ninety (90) days after receiving written notice from the City, remove, relocate, or adjust its utility infrastructure as directed. Relocation work shall be performed in accordance with section 22-53 of this article and coordinated with the City's project schedule.
- (b) Upon written request, the City Engineer may approve a reasonable extension of time for completion of relocation work if necessary due to weather, material delivery, or coordination with other utilities.
- (c) Utilities failing to complete relocation work within the time prescribed by subsection (a) may be subject to permit suspension, administrative enforcement remedies (sec. 130-177), or penalty (sec. 100-5).

Sec. 130-176. – Joint Responsibility.

Persons and their respective contractors performing work in the ROW are jointly responsible for compliance with this article, and jointly responsible for any damage arising from such work in or within the ROW. Otherwise, this section shall not be construed to require a person to repair and restore damage or remove debris resulting from work other than the person's own activities.

Sec. 130-177. – Offenses.

- (a) It shall be unlawful for any person performing work in or within the ROW to leave debris in the ROW, on private property without the owner's written consent, or in a manner that obstructs streets, sidewalks, or drainage.
- (b) It shall be unlawful for any person performing work in the ROW, which disturbs or damages the ROW or adjacent streets, sidewalks, or drainage, to fail to repair and restore the affected area to a condition equal to or better than its original state.
 - 1. Repair and restoration must be completed within five (5) working days after completion of the permitted work.
 - 2. By way of example and not limitation, restoration shall include: proper backfilling and compaction of trenches or bores; replacement of pavement, gravel, sod, or landscaping to match original conditions; removal of utility locate or marking flags; and repair of streets, curbs, sidewalks, or driveways affected or impacted by the work.
 - 3. If repair and restoration is not performed **timely: Timely needs defined to a period or duration of time that is reasonable and not subject to differing opinions – 14 days after completion of work**
 - a. all work in progress, including work previously permitted but not complete, may be halted;
 - b. a hold may be placed on any permits not approved until all repair restoration is complete; or
 - c. the City may complete the repair and restoration and recover all associated costs from the utility, including administrative costs.
- (c) This section is cumulative of the offense and penalty provision of section 100-5

Sec. 130-178. – Administrative enforcement remedies.

In addition to applicable offenses, the failure to comply with this article may also result in one or more of the following:

- (a) Issuance of a notice of violation;
- (b) Suspension or revocation of permit or ROW access until compliance with this article is achieved; or
- (c) Recovery of City costs, as applicable, for project delay, or City-performed cleanup, restoration, or removal.

SECTION 2: The Master Fee list is hereby amended to add the following fee:

Right-of-Way Construction Permit \$100.00.

SECTION 3: In the event a section, clause, sentence, or part of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 4: In the event of any conflict between this Ordinance and any other ordinances or parts of ordinances, this Ordinance shall supersede and control.

SECTION 5: The Recitals set out in this Ordinance are true and correct and are incorporated herein and made a part hereof as legislative findings of the City Council for all purposes.

SECTION 6: The City Secretary shall give notice of the passage of this Ordinance as provided in Article XI, Section 3, of the Charter of the City of Texarkana, Texas.

SECTION 7: This Ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **9th day of February, 2026**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

From: [TEX-Henslee, Dustin](#)
To: [TWU-Smith, Gary](#)
Cc: [TWU-Icenhower, Kenny](#)
Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance
Date: Friday, January 23, 2026 1:52:00 PM

Thanks Gary.

See my comments below in red.

Thanks

Dusty Henslee, P.E., CFM, CPM
Assistant City Manager/Director of Public Works
City of Texarkana, Texas
Office: (903)-798-3953
Cell: (903)-908-1808

Email communications through this office may be subject to Texas Public Records laws and may be shared with others.

From: TWU-Smith, Gary <gsmith@txkusa.org>
Sent: Friday, January 23, 2026 1:45 PM
To: TEX-Henslee, Dustin <dustin.henslee@texarkanatexas.gov>
Cc: TWU-Icenhower, Kenny <Kenny.Icenhower@txkusa.org>
Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

Dusty,

We have the following questions/comments:

1. Will TWU be required to pay the \$100 permit fee and obtain the performance/restoration bond? **At this time, we have not proposed for any utilities to be excluded from the permit fee or bond. If this is something you would like us to consider, you could request it and we could discuss further. One company did ask about a blanket bond instead of bond for each job and we are looking into this.**
2. The 48 hour notice before commencing work for emergency repairs – I don't know how we can do this. If it is an emergency, we would have to excavate/repair immediately (or as soon as emergency locates are up). **The 48 hour notice is after work has commenced not before and work summary within 2 business days after work is completed.**
3. The 90 day requirement to move utilities after notice – for most cases we could do this, but if it was a big project that we have to go out for bids we could not? **Refer to**

130-175(b). You can request additional time for this work.

Thanks

Gary

From: TEX-Henslee, Dustin <dustin.henslee@texarkanatexas.gov>
Sent: Monday, January 5, 2026 12:37 PM
To: Lisa M Thompson <lthompson@aep.com>; Dusty Wiley <dwwiley@aep.com>; Zac Pianalto <zspianalto@aep.com>; Brandon Brooks <bbrooks@summitutilities.com>; Ronnie Watkins <rwatkins@summitutilities.com>; GREG STRICKLAND <gstrickland@summitutilities.com>; Latham, Michael A <michael.a.latham@windstream.com>; chris.jackson@windstream.com; brandon.k.mccormick@windstream.com; Fisher, Jacob W <jacob.fisher@windstream.com>; joe.langley@sparklight.biz; George, Michael <michael.george@sparklight.biz>; Moses, Everett <everett.moses@sparklight.biz>; Andy Moss <andy.moss@rittercommunications.com>; Katie Hall <katie.hall@rittercommunications.com>; Ritter Comm - Construction <construction@rittercommunications.com>; OSPEngineering@rittercommunications.com; dmcdowell@swrea.com; Jeremy Lindsey <jlindsey@swrea.com>; Will Burris <willb@bcec.com>; toddc@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Icenhower, Kenny <Kenny.Icenhower@txkusa.org>; TWU-McBride, Len <len.mcbride@txkusa.org>; bredfearn@fourstatesfiber.com; philipm@swatco.com; davidl@swatco.com
Cc: TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>; TEX-Orr, David <david.orr@texarkanatexas.gov>
Subject: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

Dear Utility Partners,

The City is proposing to add a new Right-of-Way (ROW) Permitting section to the Code of Ordinances to better address construction activities and cleanup requirements for work performed within the public right-of-way. These updates include proposed standards for permitting, debris removal, and site restoration associated with construction and utility work. Please review the attached proposed application, ordinance, and executive summary outlining the key components of these updates. Feel free to forward this information to any additional contacts as appropriate.

We plan to brief City Council on this item at either the February or March meeting. To allow time to review and address feedback, please send any comments or questions to me via email by **12:00 p.m. on January 23, 2026**.

If you have any questions or would like to discuss this further, please let me know.

Thanks,

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City of Texarkana, Texas

Office: (903)-798-3953
Cell: (903)-908-1808

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From: [TEX-Henslee, Dustin](#)
To: ["Jackson, Chris L"](#)
Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance
Date: Wednesday, February 18, 2026 7:42:00 AM
Attachments: [image001.png](#)

Please see my responses below in red.

Thanks

Dusty Henslee, P.E., CFM, CPM
Assistant City Manager/Director of Public Works
City of Texarkana, Texas
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Cell: (903)-908-1808

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From: Jackson, Chris L <chris.jackson@gokinetic.com>
Sent: Tuesday, February 17, 2026 6:56 PM
To: TEX-Henslee, Dustin <dustin.henslee@texarkanatexas.gov>
Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

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Hey Dusty,

I have a couple of quick questions.

1. Are the public utility companies that are already required by the government to provide services to everyone that applies included in the permitting requirements and PE stamped drawings, or does that just apply to providers that are not considered the Public Utility company for Texarkana? **All utility companies are required to submit engineered plans for new construction or the full reconstruction of facilities.**
2. Or are we included in the exceptions in SEC. 130-172 (C) ? **This applies to all utility companies. No plans are required for the work stated in this section.**

Those two questions have already been asked of me from the corporate side. Our Outside Plant Engineers are not licensed Professional Engineers. We haven't had a licensed PE at the "Telephone Company" in at least 60 years, and we probably never have. We aren't allowed to place facilities outside of a utility easement

I have a few more questions to ask if we are not excluded from these requirements. I just wanted to have a couple answers that may save us both some time.

I definitely don't need an answer after hours. I'm just doing a little work from home, and I forgot to ask you earlier today.

Thanks for the help.

Chris Jackson
OPT/Engineer Texarkana
Outside Plant Engineering
C: 903-748-3042 | GoKinetic.com



Sensitivity: Internal

From: TEX-Henslee, Dustin <dustin.henslee@texarkanatexas.gov>
Sent: Tuesday, February 17, 2026 3:09 PM
To: Lisa M Thompson <lthompson@aep.com>; Dusty Wiley <dwwiley@aep.com>; Zac Pianalto <zspianalto@aep.com>; Brandon Brooks <bbrooks@summitutilities.com>; Ronnie Watkins <rwatkins@summitutilities.com>; GREG STRICKLAND <gstrickland@summitutilities.com>; Latham, Michael A <Michael.A.Latham@uniti.com>; Jackson, Chris L <Chris.Jackson@uniti.com>; McCormick, Brandon K <Brandon.K.Mccormick@uniti.com>; Fisher, Jacob W <Jacob.Fisher@uniti.com>; joe.langley@sparklight.biz; George, Michael <michael.george@sparklight.biz>; Moses, Everett <everett.moses@sparklight.biz>; Andy Moss <andy.moss@rittercommunications.com>; Katie Hall <katie.hall@rittercommunications.com>; Ritter Comm - Construction <construction@rittercommunications.com>; OSPEngineering@rittercommunications.com; dmcdowell@swrea.com; Jeremy Lindsey <jlindsey@swrea.com>; Will Burris <willb@bcec.com>; toddc@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Icenhower, Kenny <Kenny.Icenhower@txkusa.org>; TWU-McBride, Len <len.mcbride@txkusa.org>; bredfearn@fourstatesfiber.com; philipm@swatco.com; davidl@swatco.com
Cc: TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>; TEX-Orr, David <david.orr@texarkanatexas.gov>
Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

All,

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meeting.

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If you have any questions or would like to discuss any portion of the ordinance prior to that time, please let me know.

Thanks,

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Cc: TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>; TEX-Orr, David <david.orr@texarkanatexas.gov>

Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

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If you need additional time to review the materials, please let us know and we will do our best to accommodate your request.

Thanks,

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 Cell: (903)-908-1808

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Cc: TEX-Wade, Jonathan <jonathan.wade@texarkanatexas.gov>; TEX-Orr, David <david.orr@texarkanatexas.gov>
Subject: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

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If you have any questions or would like to discuss this further, please let me know.

Thanks,

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From: [TEX-Henslee, Dustin](#)
To: ["stacy.light@rittercommunications.com"](mailto:stacy.light@rittercommunications.com)
Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance
Date: Wednesday, February 25, 2026 1:00:00 PM
Attachments: [image001.png](#)

Thanks for your response. Please see my responses below in red.

Thanks
Dusty

From: Stacy Light <Stacy.Light@rittercommunications.com>
Sent: Wednesday, February 25, 2026 10:25 AM
To: TEX-Henslee, Dustin <dustin.henslee@texarkanatexas.gov>
Cc: Walter Glass <Walter.Glass@rittercommunications.com>; Katie Hall <Katie.Hall@rittercommunications.com>; Rodney Vanhoozer <Rodney.Vanhoozer@rittercommunications.com>; Scott Johnson <Scott.Johnson@rittercommunications.com>; Tray McNeill <Tray.McNeill@rittercommunications.com>; Vince Gassman <Vince.Gassman@rittercommunications.com>; Andy Moss <Andy.Moss@rittercommunications.com>; Matt Dollard <Matt.Dollard@rittercommunications.com>
Subject: RE: City of Texarkana, Texas Proposed ROW Permitting, Restoration, and Cleanup Ordinance

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Dustin,

Ritter Communications has reviewed the attached documentation and has several questions and proposed changes to the ordinance. I am attaching a redlined version of the ordinance with the suggested changes. The questions we have are as follows:

- Is this ordinance meant to apply to mainline construction in ROWs only, or does it also apply to small builds, such as running a service drop to customers? **This applies to new construction or total reconstruction of mainlines in ROW and not service drops from a permitting. However, the restoration requirements will apply to all.**
- Does the ordinance apply to underground work only, or does it also include aerial work in the ROW? **See above statement for all new or reconstruction work.**
- Are there any limits to the locations that are included on a permit, i.e., can all ROW in the city be included in one permit, or are multiple permits required? If multiple,

how is that determined? Permits are required to each “job” that is submitted. If you have multiple locations at one time, then you can submit for one permit that includes multiple locations.

- Can permits be pulled by local contractors on Ritter’s behalf? Yes, it doesn’t matter who pulls it, just need to be done prior to construction.
- Does the City have documentation of existing utilities so that that information can be shared in order to include those on permit drawings? Our GIS system has water and sewer shown that you can access, but you will still need to verify location during design.
- What is the permit process, i.e., will a permit be issued upon submission and payment, or is there a review process? If there is a review process, who all is involved and what is the projected timeline for approving a permit? All permitting will need to be sent our online portal MyGOV for review. Once plans are review and approved and payment is received, then permit will be issued. Our goal would be to have reviews completed within 5 business days depending on how big the project submitted is.
- In the past, the City has picked up tree limbs trimmed in the course of ROW work – will that continue? What is the City’s process for collection of any debris from ROW work? It is the responsibly of the contractor or utility to remove and dispose of any debris that is the result of work they perform.

To summarize the items redlined in the proposed ordinance:

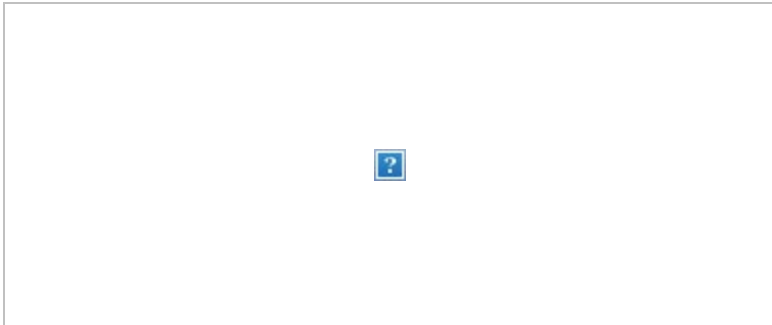
- Ritter has concerns regarding the requirement for PE stamped drawings – it will create a financial burden to start having to do that Understand your concern and We will take this into consideration and discussion, and may add some exceptions. However all traffic control plans must be stamped by engineer
- Ritter agrees that 811 locates should be done, but would prefer that they not be required on construction drawings. This requirement is added to ensure there is coordination on the design end to help alleviate conflicts during the construction, and we feel this needs to be done prior to plan production.
- The 5-day advance notice before starting permitted work is onerous when the work is for a small build, such as running a service drop to customers See statement above concerning service drops
- The 14-days cleanup period should be extended to 30 days to allow for appropriate clean up and any needed restoration We will take this into consideration and discussion

Thanks in advance for your review of and response to our questions and concerns.

Stacy

Stacy Majors Light, JD, PMP

Permitting Manager
900 S. Shackelford Rd, Suite 200
Little Rock, AR 72211
stacy.light@rittercommunications.com
Mobile: 501-580-9068



From: TEX-Henslee, Dustin <dustin.henslee@texarkanatexas.gov>
Sent: Tuesday, February 17, 2026 3:09 PM
To: Lisa M Thompson <lthompson@aep.com>; Dusty Wiley <dwwiley@aep.com>; Zac Pinalto <zspialto@aep.com>; Brandon Brooks <bbrooks@summitutilities.com>; Ronnie Watkins <rwatkins@summitutilities.com>; GREG STRICKLAND <gstrickland@summitutilities.com>; Latham, Michael A <michael.a.latham@windstream.com>; chris.jackson@windstream.com; brandon.k.mccormick@windstream.com; Fisher, Jacob W <jacob.fisher@windstream.com>; joe.langley@sparklight.biz; George, Michael <michael.george@sparklight.biz>; Moses, Everett <everett.moses@sparklight.biz>; Andy Moss <Andy.Moss@rittercommunications.com>; Katie Hall <Katie.Hall@rittercommunications.com>; Ritter Comm - Construction <construction@rittercommunications.com>; OSP Engineering <OSPEngineering@rittercommunications.com>; dmcdownell@swrea.com; Jeremy Lindsey <jlindsey@swrea.com>; Will Burris <willb@bcec.com>; toddc@bcec.com; TWU-Smith, Gary <gsmith@txkusa.org>; TWU-Icenhower, Kenny <Kenny.Icenhower@txkusa.org>; TWU-McBride, Len <len.mcbride@txkusa.org>; bredfearn@fourstatesfiber.com; philipm@swatco.com; davidl@swatco.com
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City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision		Values
Be a Thriving Regional Center for Education, Business and Culture.	<input checked="" type="checkbox"/>	Promote a Thriving Community through Innovation
	<input checked="" type="checkbox"/>	Provide a Safe & Welcoming Community through Leadership
	<input checked="" type="checkbox"/>	Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/>	Provide Leadership through Regional Partnership Opportunities
	<input checked="" type="checkbox"/>	Foster Proactive Communication to the Community
	<input checked="" type="checkbox"/>	Provide Courteous & Professional Customer Service
	<input type="checkbox"/>	Model a Positive City Image through Character
	<input checked="" type="checkbox"/>	Deliver Efficient Services with Accountability
	<input type="checkbox"/>	Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input checked="" type="checkbox"/>	Maintain Fiscal Strength with Integrity
	<input checked="" type="checkbox"/>	Maximize Accountability & Resource Utilization
	<input checked="" type="checkbox"/>	Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/>	Promote Teamwork through Cross Department Collaboration
	<input type="checkbox"/>	Enhance Professionalism & Positive Work Culture

Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved: Low

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

<input type="checkbox"/> Newspaper Notice (Required by Statute)	<input type="checkbox"/> Public Hearing (Required by Statute)
<input type="checkbox"/> Public Forum/Workshop Session	<input type="checkbox"/> Press Release (Through Marketing & Communications)
<input type="checkbox"/> Weekly & Monthly Email Distribution (Send to CM Office)	<input type="checkbox"/> Website Notice (Through Marketing & Communications)
<input type="checkbox"/> Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/> Special Mailing
<input type="checkbox"/> Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/> Banners Posted
<input type="checkbox"/> Survey	<input type="checkbox"/> Automated Phone Call
<input checked="" type="checkbox"/> None Required	<input type="checkbox"/>

Other:

Briefing Sheet

Department: Development Services **Action Officer:** Laura Puckett, Zoning Administrator

Subject: Ordinance No. 2026-035 granting a Specific Use Permit to allow the one additional use of a daycare on Lot 4, Block 9, Sherwood Addition, located at 2907 Sunset Road (Ward 4). Bobby Collins, owner, and Kayla Gails, agent. (A 3/4 vote of the council is required to approve this request.)

Briefing: 3/9/2026 **Public Hearing:** 4/13/2026 **Council Vote:** 4/13/2026

Item Schedule:
Brief once.

Updates/History of Briefing:
NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Bobby Collins, owner, and Kayla Gails, agent, for a Specific Use Permit to allow a daycare on Lot 4, Block 9, Sherwood Addition, located at 2907 Sunset Road. The property is zoned Single Family-2.

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

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

A Specific Use Permit is required to allow daycare use in this zoning district. Staff recommends for approval of this request.

The applicant should also be aware that if this zoning change is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

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

Potential Options:

Approve, deny or table.

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request with stipulations

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously denied approval of this application.

Advisory Board/Committee Meeting Date and Minutes:

March 2, 2025

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-821 TO ALLOW ONE ADDITIONAL USE OF A DAYCARE ON LOT 4, BLOCK 9, SHERWOOD ADDITION, LOCATED AT 2907 SUNSET 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 with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow one additional use of a daycare on **Lot 4, Block 9, Sherwood Addition, located 2907 Sunset Road**, 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 denied to allow one additional use of a daycare** 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-821 to allow one additional use of a daycare on Lot 4, Block 9, Sherwood Addition, located 2907 Sunset Road**, in the City of Texarkana, Bowie County, Texas.

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

1. That the daycare will continue to be licensed and regulated by the State of Texas.
2. The Specific Use Permit will be in effect beginning at the date of this Ordinance.
3. That the daycare will house the number of children allowed by the State of Texas.

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

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

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

PASSED AND APPROVED in Regular Council Session on this the **13th day of April, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision	Values
Be a Thriving Regional Center for Education, Business and Culture.	<input type="checkbox"/> Promote a Thriving Community through Innovation <input type="checkbox"/> Provide a Safe & Welcoming Community through Leadership <input checked="" type="checkbox"/> Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/> Provide Leadership through Regional Partnership Opportunities <input type="checkbox"/> Foster Proactive Communication to the Community <input type="checkbox"/> Provide Courteous & Professional Customer Service <input type="checkbox"/> Model a Positive City Image through Character <input checked="" type="checkbox"/> Deliver Efficient Services with Accountability <input type="checkbox"/> Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input type="checkbox"/> Maintain Fiscal Strength with Integrity <input type="checkbox"/> Maximize Accountability & Resource Utilization <input type="checkbox"/> Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/> Promote Teamwork through Cross Department Collaboration <input type="checkbox"/> Enhance Professionalism & Positive Work Culture

Additional Comments:

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

Public Information Plan:

<input checked="" type="checkbox"/> Newspaper Notice (Required by Statute)	<input checked="" type="checkbox"/> Public Hearing (Required by Statute)
<input type="checkbox"/> Public Forum/Workshop Session	<input type="checkbox"/> Press Release (Through Marketing & Communications)
<input type="checkbox"/> Weekly & Monthly Email Distribution (Send to CM Office)	<input type="checkbox"/> Website Notice (Through Marketing & Communications)
<input type="checkbox"/> Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/> Special Mailing
<input type="checkbox"/> Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/> Banners Posted
<input type="checkbox"/> Survey	<input type="checkbox"/> Automated Phone Call
<input type="checkbox"/> None Required	<input type="checkbox"/>

Other:

Briefing Sheet

Department: Development Services **Action Officer:** Laura Puckett, Zoning Administrator

Subject: Ordinance No. 2026-036 rezoning on an approximate 0.62-acre tract of land (being Tract 65), J.W. Johnson HRS, A-308, located at 2610 Page Street (Ward 1) from Single Family-2 to Single Family-3. Sharita Young and Trishae Hoskins, owners, and Connie Young, agent.

Briefing: 3/9/2026 **Public Hearing:** 4/13/2026 **Council Vote:** 4/13/2026

Item Schedule:
Brief once.

Updates/History of Briefing:
NOT APPLICABLE

Executive Summary and Background Information:
This is a request by Sharita Young and Trishae Hoskins, owners, and Connie Young, agent to rezone on an approximate 0.62-acre tract of land (being Tract 65), J.W. Johnson HRS, A-308, located at 2610 Page Street from Single Family-2 to Single Family-3. Proposed HUD code manufactured home.

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

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

Staff recommend 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 new drainage ordinance, stormwater design manual, 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, deny or table.

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

March 2, 2025

ORDINANCE NO. 2026-036

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING ON AN APPROXIMATE 0.62-ACRE TRACT OF LAND (BEING TRACT 65), J.W. JOHNSON HRS, A-308, LOCATED AT 2610 PAGE STREET, 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 **on an approximate 0.62-acre tract of land (being Tract 65), J.W. Johnson HRS, A-308 (EXH 'A'), located at 2610 Page Street**, 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 five (5) to zero (0) to recommend for approval of the application for rezoning from Single Family-2 to Single Family-3 on an approximate 0.62-acre tract of land (being Tract 65), J.W. Johnson HRS, A-308 (EXH 'A'), located at 2610 Page Street** to the City Council of Texarkana, Texas; and

Whereas, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicants agreed to amend the application from **Single Family-2 to Single Family-3**; 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 **on an approximate 0.62-acre tract of land (being Tract 65), J.W. Johnson HRS, A-308 (EXH 'A')**,

located at 2610 Page Street in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Single Family-3**.

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: 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 April, 2026**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

2021-00013125 DEED Total Pages: 2

SPECIAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS A FILE FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: 4/6/2021

Grantor: Earl Holloway & Yogesh Pagar

Grantor's Mailing Address (include county): P.O. Box 1382 Allen, TX 75013 (Collin County)

Grantee: Sharita Young **AND TRISHAE LASHUN DEANDRE HOSKINS**

Grantee's mailing address (include county): 1619 W 6th St., Texarkana, TX 75501 (Bowie County)

Consideration:

\$10.00

Property (including any improvements)

0.62 Acres, more or less, out of Abstract 308 of the J.W. Johnson Survey (Bowie CAD Tract #65), City of Texarkana, Bowie County, Texas (Volume 4828, Page 117, and Volume 1018, Page 236, Deed Records, Bowie County, Texas), 2610 Page, Texarkana, Texas; Account # 12800000500.

Reservations from and Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; 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; all rights, obligations, and taxes for 2021 payment which grantee assumes.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and appurtenances there to in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, and successors, or assign forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomever lawfully claiming to or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

Executes this 5th of April, DATE

Earl Holloway
Earl Holloway

Yogesh Pagar
Yogesh Pagar

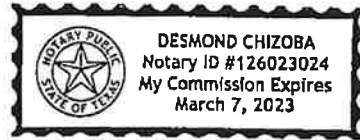
THE STATE OF TEXAS §
COUNTY OF Collin §

This instrument was acknowledged before me on the 5th day of April DATE 2021
by DESMOND CHIZOBA

Ann Job Texas
Notary Public State of Texas

Notary's Public Signature

AFTER RECORDING RETURN TO:
Sharita Young & Trishae Lashun Deandre Hoskins
1619 W 6th St., Texarkana
TX 75501 (Bowie County)



THE STATE OF TEXAS
COUNTY OF BOWIE

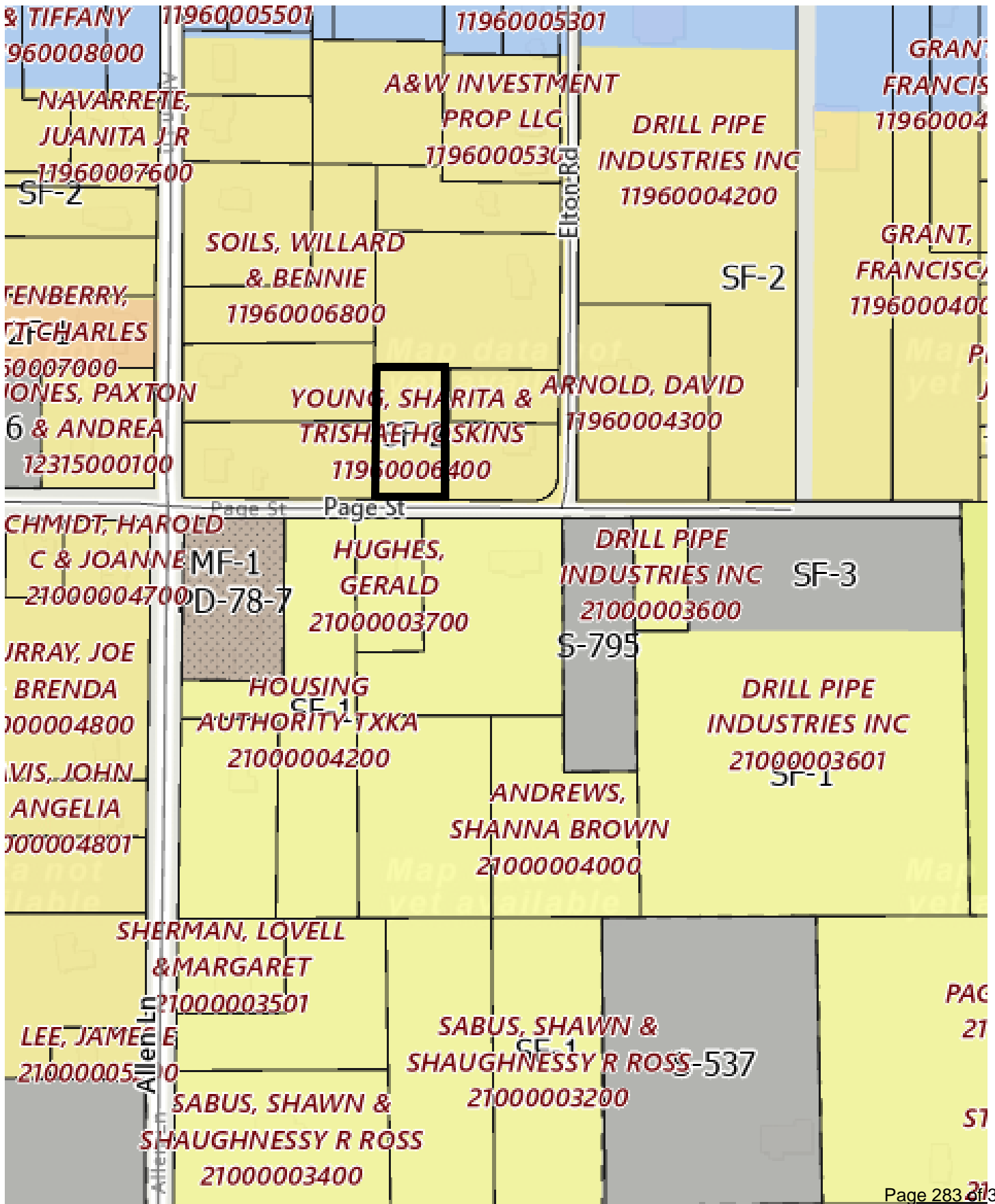
I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Bowie County, Texas.

2021-00013125 DEED
11/01/2021 01:06:13 PM Total Fees: \$30.00

Tina Petty, County Clerk
Bowie County, Texas



2610 Page Street



2610 Page Street



City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision	Values
Be a Thriving Regional Center for Education, Business and Culture.	<input type="checkbox"/> Promote a Thriving Community through Innovation <input type="checkbox"/> Provide a Safe & Welcoming Community through Leadership <input checked="" type="checkbox"/> Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/> Provide Leadership through Regional Partnership Opportunities <input type="checkbox"/> Foster Proactive Communication to the Community <input type="checkbox"/> Provide Courteous & Professional Customer Service <input type="checkbox"/> Model a Positive City Image through Character <input checked="" type="checkbox"/> Deliver Efficient Services with Accountability <input type="checkbox"/> Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input type="checkbox"/> Maintain Fiscal Strength with Integrity <input type="checkbox"/> Maximize Accountability & Resource Utilization <input type="checkbox"/> Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/> Promote Teamwork through Cross Department Collaboration <input type="checkbox"/> Enhance Professionalism & Positive Work Culture
Additional Comments:	

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

Public Information Plan:

<input checked="" type="checkbox"/> Newspaper Notice (Required by Statute)	<input checked="" type="checkbox"/> Public Hearing (Required by Statute)
<input type="checkbox"/> Public Forum/Workshop Session	<input type="checkbox"/> Press Release (Through Marketing & Communications)
<input type="checkbox"/> Weekly & Monthly Email Distribution (Send to CM Office)	<input type="checkbox"/> Website Notice (Through Marketing & Communications)
<input type="checkbox"/> Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/> Special Mailing
<input type="checkbox"/> Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/> Banners Posted
<input type="checkbox"/> Survey	<input type="checkbox"/> Automated Phone Call
<input type="checkbox"/> None Required	<input type="checkbox"/>

Other:

Briefing Sheet

Department: Development Services **Action Officer:** Laura Puckett, Zoning Administrator

Subject: Ordinance No. 2026-037 granting a Specific Use Permit to allow the location of a HUD code manufactured home on an approximate 0.62-acre tract of land (being Tract 65), J.W. Johnson HRS, A-308, located at 2610 Page Street (Ward 1). Sharita Young and Trishae Hoskins, owners, and Connie Young, agent.

Briefing: 3/9/2026 **Public Hearing:** 4/13/2026 **Council Vote:** 4/13/2026

Item Schedule:

Brief once.

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request Sharita Young and Trishae Haskins, owners, and Connie Young, agent, for a Specific Use Permit to allow the location of a HUD code manufactured home on an approximate 0.62-acre tract of land (being Tract 65), J.W. Johnson HRS, A-308, located at 2610 Page Street.

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

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

Staff recommend approval of this request with the following stipulations:

1. That one 2021 or newer HUD code manufactured home be allowed on this property.
2. That the HUD code manufactured home be tied down/skirted/underpinned.
3. That the 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. 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.

The applicant should also be aware that if this zoning change is approved, all other applicable city code/ordinance requirements must be met including but not limited to building codes, setbacks, subdivision, fire, parking, drainage, water and sewer prior to the issuance of building permits.

Potential Options:

Approve, deny or table.

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request with stipulations.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended approval of this request.

Advisory Board/Committee Meeting Date and Minutes:

March 2, 2026

ORDINANCE NO. 2026-037

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-822 FOR THE LOCATION OF A HUD CODE MANUFACTURED HOME ON AN APPROXIMATE 0.62-ACRE TRACT OF LAND (BEING TRACT 65), J.W. JOHNSON HRS, A-308, LOCATED AT 2610 PAGE STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed with the City of Texarkana, Texas, requesting an amendment to the Zoning Ordinance to grant a **Specific Use Permit** to allow the location of a HUD code manufactured home on an approximate 0.62-acre tract of land (being Tract 65), J.W. Johnson HRS, A-308 (EXH 'A'), located at 2610 Page Street, in the City of Texarkana, Bowie County, Texas; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **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 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-822 to allow the location of a HUD code manufactured home** on an approximate 0.62-acre tract of land (being Tract 65), J.W. Johnson HRS, A-308 (EXH 'A'), located at 2610 Page Street, in the City of Texarkana, Bowie County, Texas.

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

1. That one 2021 or newer HUD code manufactured home be allowed on this property.
2. That the HUD code manufactured home be tied down/skirted/underpinned.
3. That the HUD code manufactured home be used for dwelling purposes only and 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 **13th day of April, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

2021-00013125 DEED Total Pages: 2

S-822

SPECIAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS A FILE FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: 4/6/2021

Grantor: Earl Holloway & Yogesh Pagar

Grantor's Mailing Address (include county): P.O. Box 1382 Allen, TX 75013 (Collin County)

Grantee: Sharita Young **AND TRISHAE LASHUN DEANDRE HOSKINS**

Grantee's mailing address (include county): 1619 W 6th St., Texarkana, TX 75501 (Bowie County)

Consideration:

\$10.00

Property (including any improvements)

0.62 Acres, more or less, out of Abstract 308 of the J.W. Johnson Survey (Bowie CAD Tract #65), City of Texarkana, Bowie County, Texas (Volume 4828, Page 117, and Volume 1018, Page 236, Deed Records, Bowie County, Texas), 2610 Page, Texarkana, Texas; Account # 12800000500.

Reservations from and Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; 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; all rights, obligations, and taxes for 2021 payment which grantee assumes.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and appurtenances there to in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, and successors, or assign forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomever lawfully claiming to or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.



Executes this 5th of April, DATE

Earl Holloway
Earl Holloway

Yogesh Pagar
Yogesh Pagar

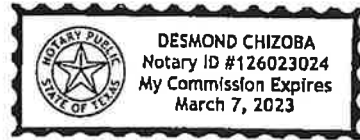
THE STATE OF TEXAS §
COUNTY OF Collin §

This instrument was acknowledged before me on the 5th day of April DATE 2021
by DESMOND CHIZOBA

Desmond Chizoba Texas
Notary Public State of Texas

Notary's Public Signature

AFTER RECORDING RETURN TO:
Sharita Young & Trishae Lashun Deandre Hoskins
1619 W 6th St., Texarkana
TX 75501 (Bowie County)



THE STATE OF TEXAS
COUNTY OF BOWIE

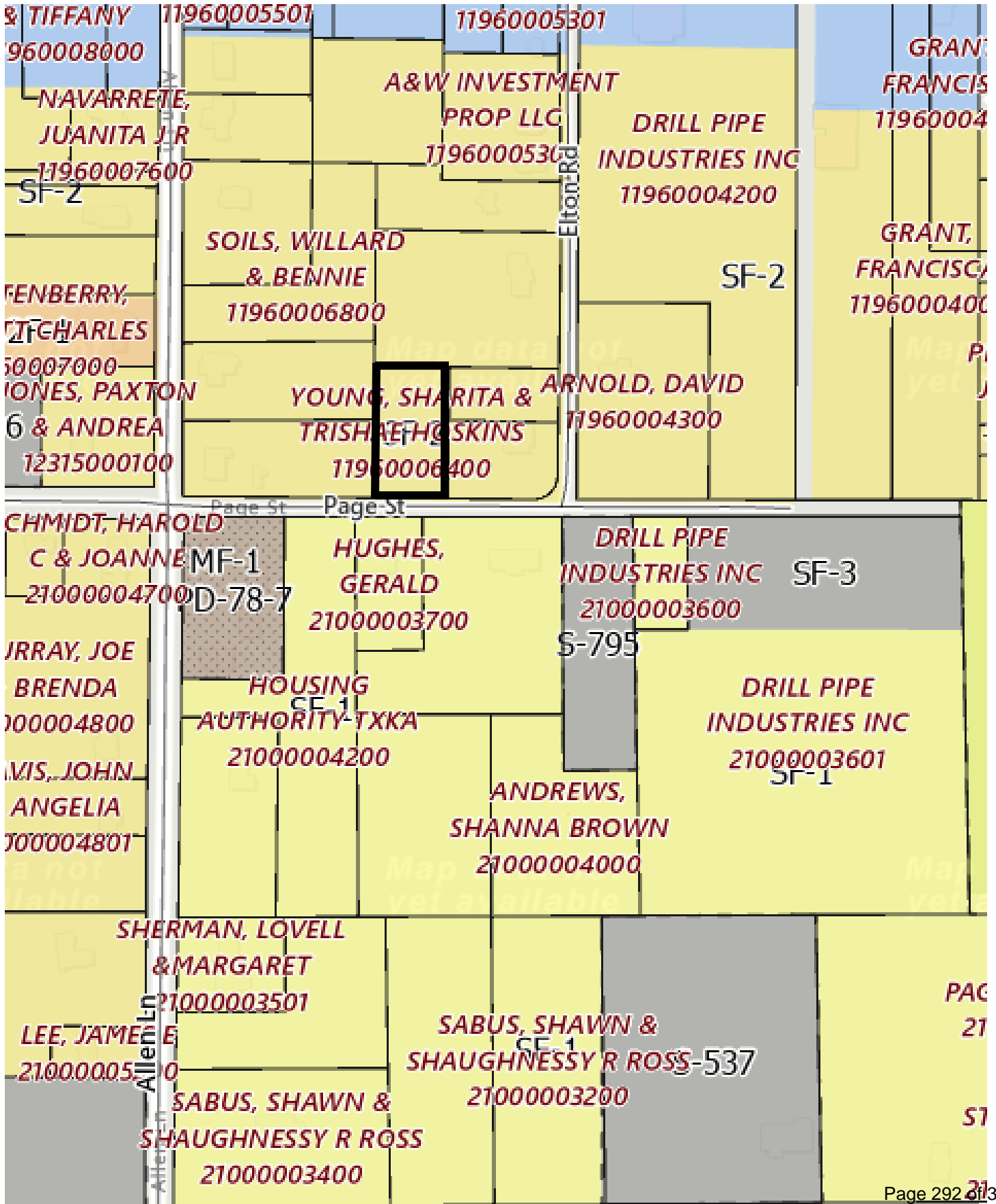
I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Bowie County, Texas.

2021-00013125 DEED
11/01/2021 01:06:13 PM Total Fees: \$30.00

Tina Petty, County Clerk
Bowie County, Texas



2610 Page Street



2610 Page Street



City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision	Values
Be a Thriving Regional Center for Education, Business and Culture.	<input type="checkbox"/> Promote a Thriving Community through Innovation <input type="checkbox"/> Provide a Safe & Welcoming Community through Leadership <input checked="" type="checkbox"/> Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/> Provide Leadership through Regional Partnership Opportunities <input type="checkbox"/> Foster Proactive Communication to the Community <input type="checkbox"/> Provide Courteous & Professional Customer Service <input type="checkbox"/> Model a Positive City Image through Character <input checked="" type="checkbox"/> Deliver Efficient Services with Accountability <input type="checkbox"/> Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input type="checkbox"/> Maintain Fiscal Strength with Integrity <input type="checkbox"/> Maximize Accountability & Resource Utilization <input type="checkbox"/> Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/> Promote Teamwork through Cross Department Collaboration <input type="checkbox"/> Enhance Professionalism & Positive Work Culture

Additional Comments:

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

Public Information Plan:

<input checked="" type="checkbox"/> Newspaper Notice (Required by Statute)	<input checked="" type="checkbox"/> Public Hearing (Required by Statute)
<input type="checkbox"/> Public Forum/Workshop Session	<input type="checkbox"/> Press Release (Through Marketing & Communications)
<input type="checkbox"/> Weekly & Monthly Email Distribution (Send to CM Office)	<input type="checkbox"/> Website Notice (Through Marketing & Communications)
<input type="checkbox"/> Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/> Special Mailing
<input type="checkbox"/> Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/> Banners Posted
<input type="checkbox"/> Survey	<input type="checkbox"/> Automated Phone Call
<input type="checkbox"/> None Required	<input type="checkbox"/>

Other:

Briefing Sheet

Department: Development Services **Action Officer:** Laura Puckett, Zoning Administrator

Subject: Ordinance No. 2026-038 rezoning on Lot 2, (H&T Minor Plat), Block 111, George Brinlee HRS, A-18, located in the 4900 block of McKnight Road (Ward 4) from Single Family-1 to Office. Jasper Howard, owner, and Richard Reynolds, Jr., agent. (A 3/4 vote of the council is required to approve this request.)

Briefing: 3/9/2026 **Public Hearing:** 4/13/2026 **Council Vote:** 4/13/2026

Item Schedule:

Brief once.

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Jasper Howard, owner, and Richard Reynolds Jr., agent to rezone on Lot 2, Block 111, George Brinlee, HRS, A-18, located in the 4900 block of McKnight Road from Single Family-1 to Office. Proposed offices.

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

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

Staff recommend 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 new drainage ordinance, stormwater design manual, 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, deny or table.

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously denied approval of this application.

Advisory Board/Committee Meeting Date and Minutes:

March 2, 2026

ORDINANCE NO. 2026-038

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING ON LOT 2 H&T MINOR PLAT, BLOCK 111, GEORGE BRINLEE HRS, A-18, LOCATED IN THE 4900 BLOCK OF MCKNIGHT ROAD, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-1 TO OFFICE; 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 **on Lot 2 H&T Minor Plat, Block 111, George Brinlee HRS, A-18, located in the 4900 block of McKnight Road** in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Office**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend for denial of the application for rezoning from Single Family-1 to Office on Lot 2 H&T Minor Plat, Block 111, George Brinlee HRS, A-18, located in the 4900 block of McKnight Road** to the City Council of Texarkana, Texas; and

Whereas, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicants agreed to amend the application from **Single Family-1 to Office**; 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 Office** 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 **on Lot 2 H&T Minor Plat, Block 111, George Brinlee HRS, A-18, located in the 4900 block of McKnight Road** in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Office**.

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

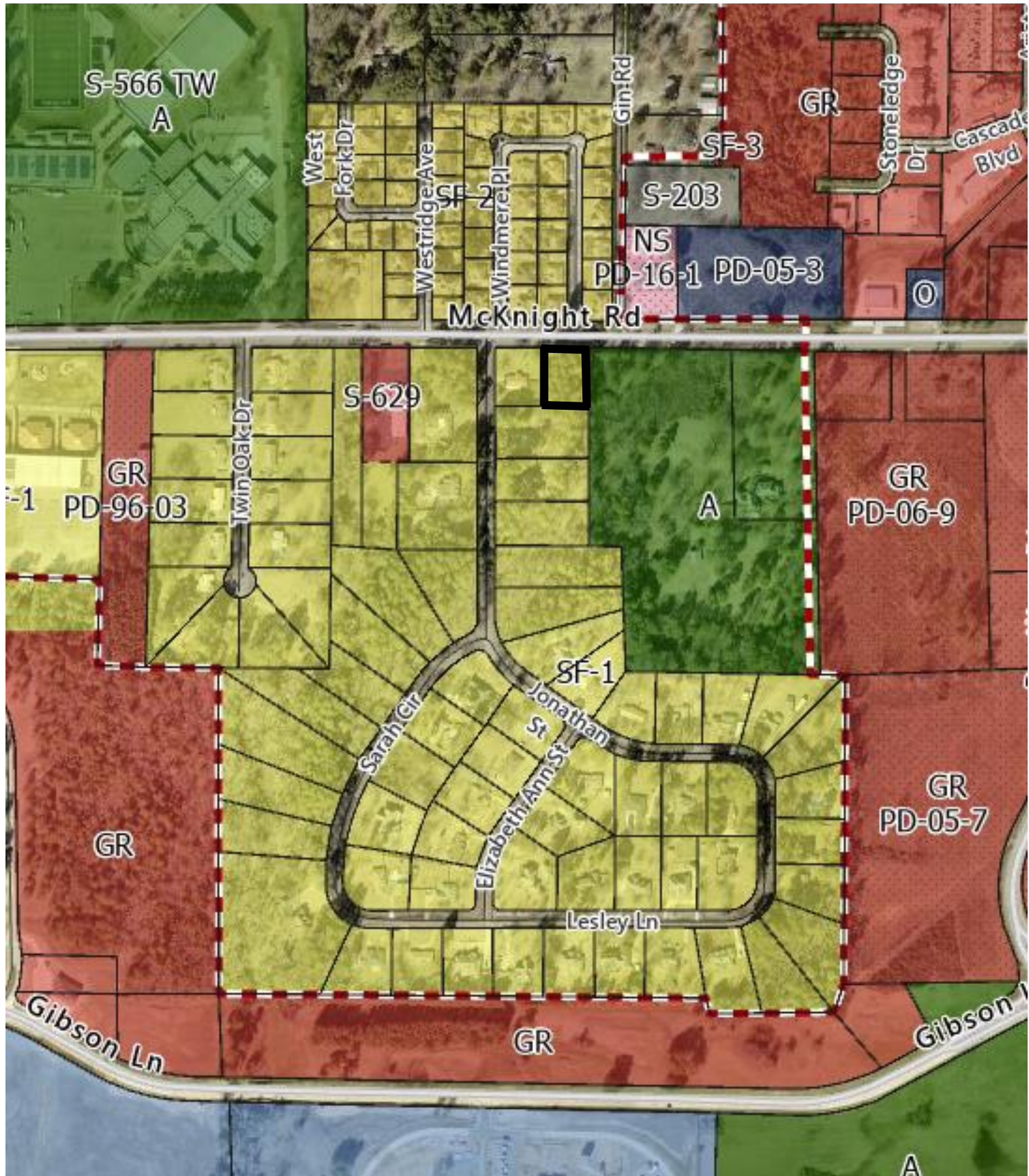
PASSED AND APPROVED in Regular Council Session on this the **13th day of April, 2026.**

ATTEST:

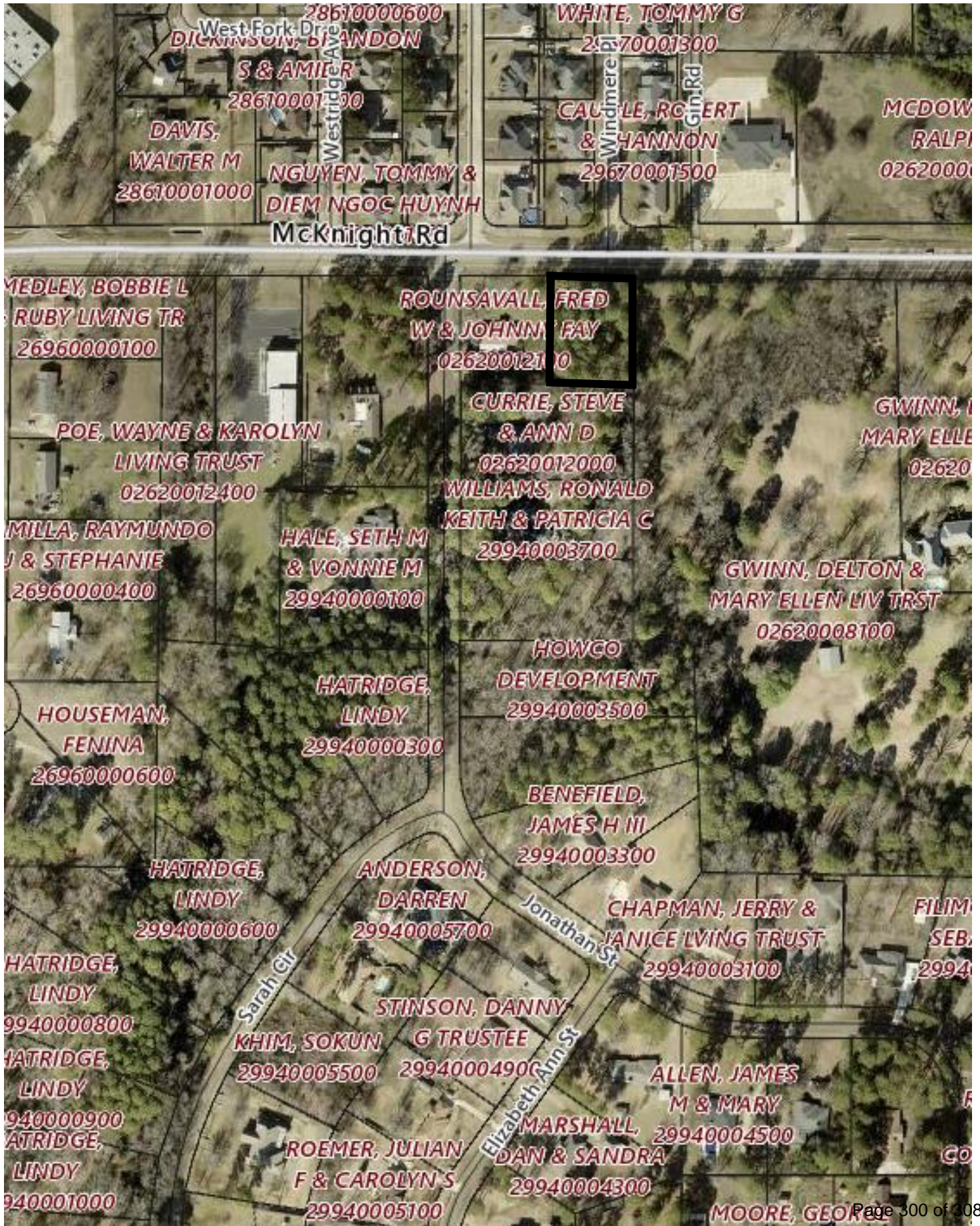
JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

4900 block of McKnight Road



4900 block of McKnight Road



City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision	Values
Be a Thriving Regional Center for Education, Business and Culture.	<input type="checkbox"/> Promote a Thriving Community through Innovation <input type="checkbox"/> Provide a Safe & Welcoming Community through Leadership <input checked="" type="checkbox"/> Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/> Provide Leadership through Regional Partnership Opportunities <input type="checkbox"/> Foster Proactive Communication to the Community <input type="checkbox"/> Provide Courteous & Professional Customer Service <input type="checkbox"/> Model a Positive City Image through Character <input checked="" type="checkbox"/> Deliver Efficient Services with Accountability <input type="checkbox"/> Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input type="checkbox"/> Maintain Fiscal Strength with Integrity <input type="checkbox"/> Maximize Accountability & Resource Utilization <input type="checkbox"/> Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/> Promote Teamwork through Cross Department Collaboration <input type="checkbox"/> Enhance Professionalism & Positive Work Culture

Additional Comments:

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

Public Information Plan:

<input checked="" type="checkbox"/> Newspaper Notice (Required by Statute)	<input checked="" type="checkbox"/> Public Hearing (Required by Statute)
<input type="checkbox"/> Public Forum/Workshop Session	<input type="checkbox"/> Press Release (Through Marketing & Communications)
<input type="checkbox"/> Weekly & Monthly Email Distribution (Send to CM Office)	<input type="checkbox"/> Website Notice (Through Marketing & Communications)
<input type="checkbox"/> Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/> Special Mailing
<input type="checkbox"/> Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/> Banners Posted
<input type="checkbox"/> Survey	<input type="checkbox"/> Automated Phone Call
<input type="checkbox"/> None Required	<input type="checkbox"/>

Other:

Briefing Sheet

Department: Development Services **Action Officer:** Laura Puckett, Zoning Administrator

Subject: Ordinance No. 2026-021 rezoning the east 50' X 66' of Lot 12, Block 17, Rochelle Heights, located at 507 W 38th Street (Ward 3) from Single Family-2 to Two Family-2. Jameson Titus, owner.

Briefing: 2/9/2026 **Public Hearing:** 3/9/2026 **Council Vote:** 3/9/2026

Item Schedule:

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

This is a request by Jameson Titus, owner, to rezone on the E 50' X 66' of Lot 12, Block 17, Rochelle Heights, located at 507 W 38th Street from Single Family-2 to Two Family-2.

The Future Land Use Map has designated this property as "Neighborhood Residential".

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

Staff recommend 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 new drainage ordinance, stormwater design manual, 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:

Approved.

Fiscal Implications:

NOT APPLICABLE

Staff Recommendation:

Staff recommend approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended approval of this application.

Advisory Board/Committee Meeting Date and Minutes:

February 2, 2026

ORDINANCE NO. 2026-021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING ON THE EAST 50' X 66' OF LOT 12, BLOCK 17, ROCHELLE HEIGHTS, LOCATED AT 507 WEST 38TH STREET, IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM SINGLE FAMILY-2 TO TWO FAMILY-2; 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 **on the E 50' X 66' of Lot 12, Block 17, Rochelle Heights, located at 507 W 38th Street**, in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Two Family-2**; and

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

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted five (5) to zero (0) to recommend for approval of the application for rezoning from Single Family-2 to Two Family-2 on the E 50' X 66' of Lot 12, Block 17, Rochelle Heights, located at 507 W 38th Street** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, applicant(s) agreed to amend the application from **Single Family-2 to Two Family-2**; 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 Two Family-2** 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 **on the E 50' X 66' of Lot 12, Block 17, Rochelle Heights, located at 507 W 38th Street** in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Two Family-2**.

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

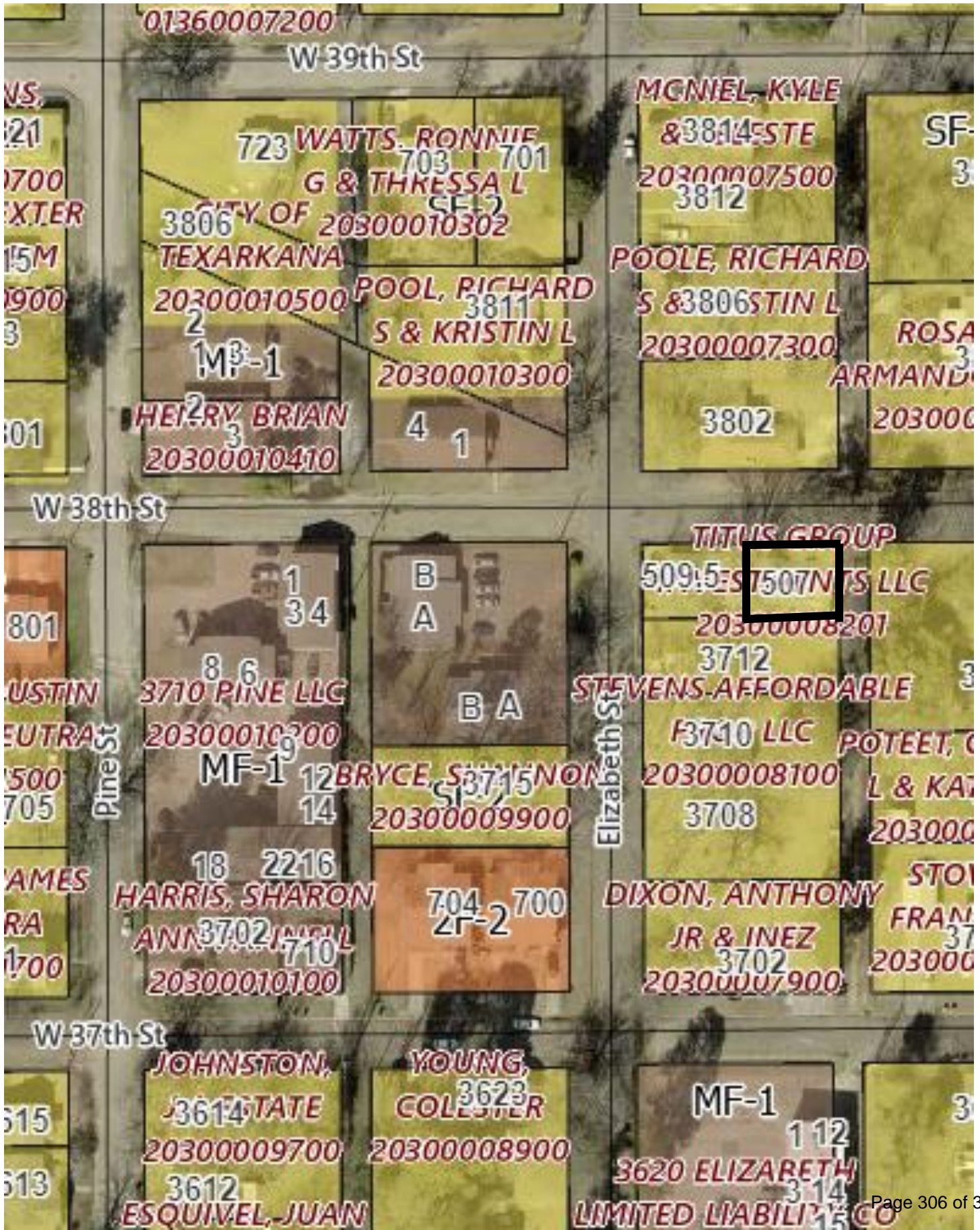
PASSED AND APPROVED in Regular Council Session on this the **9th day of March, 2026.**

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

507 W 38th Street



507 W 38th Street



City of Texarkana, Texas

Alignment with Mission, Vision and Values approved by the City Council:

Mission & Vision	Values
Be a Thriving Regional Center for Education, Business and Culture.	<input type="checkbox"/> Promote a Thriving Community through Innovation <input type="checkbox"/> Provide a Safe & Welcoming Community through Leadership <input checked="" type="checkbox"/> Deliver Quality Services with Integrity
Provide Customer Focused Public Services.	<input type="checkbox"/> Provide Leadership through Regional Partnership Opportunities <input type="checkbox"/> Foster Proactive Communication to the Community <input type="checkbox"/> Provide Courteous & Professional Customer Service <input type="checkbox"/> Model a Positive City Image through Character <input checked="" type="checkbox"/> Deliver Efficient Services with Accountability <input type="checkbox"/> Cultivate Communication through Community Involvement
Provide Regional Leadership that serves our residents and visitors.	<input type="checkbox"/> Maintain Fiscal Strength with Integrity <input type="checkbox"/> Maximize Accountability & Resource Utilization <input type="checkbox"/> Invest in Infrastructure & Transportation utilizing Innovation
Professional Development to support Mission & Vision.	<input type="checkbox"/> Promote Teamwork through Cross Department Collaboration <input type="checkbox"/> Enhance Professionalism & Positive Work Culture
Additional Comments:	

Resource Impact:

Staff time required if item is approved: No Additional

Other Potential Impacts:

Public Information Plan:

<input checked="" type="checkbox"/> Newspaper Notice (Required by Statute)	<input checked="" type="checkbox"/> Public Hearing (Required by Statute)
<input type="checkbox"/> Public Forum/Workshop Session	<input type="checkbox"/> Press Release (Through Marketing & Communications)
<input type="checkbox"/> Weekly & Monthly Email Distribution (Send to CM Office)	<input type="checkbox"/> Website Notice (Through Marketing & Communications)
<input type="checkbox"/> Social Media (LinkedIn, Facebook, etc.)	<input type="checkbox"/> Special Mailing
<input type="checkbox"/> Flyers Developed & Posted (Through Marketing & Communications)	<input type="checkbox"/> Banners Posted
<input type="checkbox"/> Survey	<input type="checkbox"/> Automated Phone Call
<input type="checkbox"/> None Required	<input type="checkbox"/>

Other: