

## AGENDA

**Special Meeting of the City Council  
Municipal Building  
West 3<sup>rd</sup> Street and Texas Boulevard  
Texarkana, Texas  
Monday, January 13, 2014  
6:00 p.m.**

### **\*\*Notice regarding City Council Closed Session**

The City Council reserves the right to convene into closed session on any agenda item or issue should the need arise and if applicable pursuant to authorization by the Texas Open Meetings Act (Title 5, Chapter 551 of the Texas Government Code).

If City Council convenes into closed session, they will reconvene in one hour or less to take any final action, decision, or vote on a matter deliberated in closed session.

### **An Open Meeting will be held concerning the following subjects:**

- I. Call to Order, Roll Call, Establishment of Quorum**
- II. Invocation and Pledge by Councilman Josh Davis**
- III. Important Dates, Appointments to Boards and Commissions, Presentations, Public Recognition**

#### **Important Dates to remember**

- City Council Meetings

Monday, January 27, 2014 at 6:00 p.m.  
Monday, February 10, 2014 at 6:00 p.m.  
Monday, February 24, 2014 at 6:00 p.m.  
Monday, March 10, 2014 at 6:00 p.m.  
Monday, March 24, 2014 at 6:00 p.m.

#### **Appointments to Boards & Commissions**

**TIRZ Presentation by Jerry Sparks**

- IV. Open Forum: Comments from the public (Limit 5 minutes each)**
- V. Items for Consideration**

#### **Consent Items**

1. Consider approval of the minutes of the Special Council meeting held on December 10, 2013 at 6:00 p.m.

## **Action Items**

2. Briefing and consider Ordinance No. 2014-007 authorizing and adding one (1) position to Assistant Fire Chief Classification of the Texarkana, Texas, Fire Department; abolish one (1) Captain Position and amending the exhibit of Section 3 of Ordinance No. 144-77, as most recently amended by Ordinance No. 159-2013, to reflect the addition of one (1) Position to the Assistant Fire Chief Classification and the abolishment of one (1) Captain Position of the City of Texarkana, Texas Fire Department.
3. Resolution No. 2014-021 appointing a Mayor Pro Tem for the term beginning January 13, 2014 and ending on May 31, 2014 or until superseded by new council member appointments.

## **VI. Public Hearings**

4. Resolution No. 2014-009 approving the addition to the TIRZ #1 Project list for the partial funding improvements to property at St. Michael Drive and Richill Drive (private road) allowing use of part of the 2012 TIRZ Bond Fund in an amount not to exceed FOUR HUNDRED SIX THOUSAND AND NO/100 DOLLARS (\$406,000) for drainage improvements only.

**2nd Briefing:            January 27, 2014**  
**Council Vote:           February 10, 2014**

5. Resolution No. 2014-010 approving the 2012 TIRZ Bond funding for the drainage improvements and relocation of water, wastewater, and sewer for a Gibson Lane Project in an amount not to exceed TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000).

**2nd Briefing:            January 27, 2014**  
**Council Vote:           February 10, 2014**

6. Ordinance No. 2014-011 granting a Specific Use Permit to allow the one additional use of a tattoo studio on Lot 112, Block 256, Midland Addition (Tract 256), located at 3201 New Boston Road. W.R. Bowling, applicant. Jessica Teran, agent.

**2nd Briefing:            January 27, 2014**  
**Council Vote:           February 10, 2014**

7. Resolution No. 2014-013 authorizing the City Manager to execute a letter of support and commitment for proposed local development(s) for the award of the Texas Department of Housing and Community Affairs (TDHCA) Low Income Housing Tax Credit.

**Council Vote:            January 27, 2014**

**VII. First Briefings**

8. First Briefing and Public Hearing for Resolution No. 2014-020 First Briefing and Public Hearing – establishing City Holidays and setting City Council meetings for 2014.

**Council Vote: January 27, 2014**

9. Ordinance No. 2014-017 rezoning a one acre tract of land being a part of Block 54 in the J.W. Johnson HRS, A-308, located at 1918 Allen Lane. Single Family-2 to Two Family-1. Dewitt Fortenberry, owner.

**Public Hearing: January 27, 2014**  
**2<sup>nd</sup> Briefing: February 10, 2014**  
**Council Vote: February 24, 2014**

10. Ordinance No. 2014-018 rezoning an approximate 23 acre tract being a part of Lot 2, Richmond-Airline Subdivision, located at the southeast corner of Richmond Road and Airline Drive. Single Family-1 to Planned Development Multiple Family-1 and Planned Development General Retail. Amy Harrel, owner. Brandon Huffman, under contractor to purchase, and Dan Butler, agents.

**Public Hearing: January 27, 2014**  
**2<sup>nd</sup> Briefing: February 10, 2014**  
**Council Vote: February 24, 2014**

**VIII. Second Briefing with Updates (none)**

**IX. Second Briefing without Updates (none)**

**X. Items for Discussion**

Homeless Encampment

**XI. Administrative Comments**

1. Council
2. Staff

**XII. Adjournment**

**Agenda Posted Thursday the 9<sup>th</sup> day of January, 2014 at 10:00 a.m.**

  
\_\_\_\_\_  
Jennifer Evans, City Secretary

This meeting is being conducted in accordance with the Texas Open Meetings Law (V.T.C.A. Government Code 551).

This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for these services, please call 903-798-3917, Personnel, or (TDD) 1-800-RELAY-TX (1-800-735-2989).

**MINUTES**  
**Special Meeting of the City Council**  
**of the City of Texarkana, Texas**  
**Municipal Building**  
**220 Texas Blvd**  
**West 3<sup>rd</sup> Street and Texas Boulevard**  
**Texarkana, Texas**  
**December 10, 2013**  
**6:00 p.m.**

**Call to Order, Roll Call, Establishment of Quorum** (6:06 p.m.)

**The following Council Members were present:**

Bradfield Casteel	Council Member, Ward 1
Willie Ray	Council Member, Ward 2
Tina Veal-Gooch	Council Member, Ward 3
Brian Matthews	Council Member, Ward 4
Bill Miller	Council Member, Ward 5
Josh Davis	Council Member, Ward 6
Bob Bruggeman	Mayor

Staff Present: City Manager John Whitson, Jennifer Evans, Shirley Jaster, Eric Schlotter, Karey Parker, Robby Robertson, Craig Lindholm (via teleconference), John Bunting, and Jerry Sparks.

Legal Counsel: None

- I. Invocation and Pledge of Allegiance by Mayor Bob Bruggeman.** (6:07 p.m.)
- II. Important Dates, Presentations, Public Recognition Appointments to Boards and Commissions** (6:15 p.m.)

**Important Dates to Remember**

- City Council Meetings:
  - Monday, January 13, 2014 at 6:00 p.m.
  - Monday, January 27, 2014 at 6:00 p.m.
  - Monday, February 10, 2014 at 6:00 p.m.
  - Monday, February 24, 2014 at 6:00 p.m.

**Presentation by Mayor - Keep Texarkana Beautiful Yard of the Month Awards**

Residential Recipient - Chad & Virginia Trammell - 2924 Pine Street. Mrs. Trammell accepted the award presented by Council Member Veal-Gooch.

Commercial Recipient - Texarkana Travel Information Center - 1200 West Interstate 30. Linda Vaughn accepted the award presented by Council Member Davis.

**Public Recognition by Mayor**

*Texarkana citizens were commended for the well-attended downtown annual Christmas Parade held on December 2<sup>nd</sup> and the Bramlett Beans & Cornbread Community Fundraiser held on December 5<sup>th</sup>. Mayor Bruggeman commented on the recent rash of fires around the city and commended Fire Department staff for their excellent response to preserve life and property. Also, a special thank you was given to Texarkana, Arkansas Fire Chief Bobby*

*Honea who gave assistance in equipment and personnel to our Fire Department staff in two downtown fires.*

### **Appointments to Boards & Commissions**

None

### **III. Open Forum: Comments from the public (*Limit 5 minutes each*) (6:21 p.m.)**

Rita Westbrook addressed Council about Morris Lane construction.  
Michael Wilson addressed Council about Morris Lane construction.

### **IV. Items for Consideration (6:30 p.m.)**

#### **Consent Items:**

1. Consider approval of the minutes of the Special Council meeting held on November 18, 2013 at 6:00 p.m.
2. Resolution No. 2014-006 approving and authorizing the City Manager to take necessary actions related to the forgiveness or abatement of liens and encumbrances on properties located in the City Council Designated Revitalization Areas for the purpose of redevelopment in an amount not to exceed TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00) per property. **(Moved forward by Council for vote on December 10, 2013)**

A motion was made by Council Member Veal-Gooch that these items be approved, seconded by Council Member Davis. (6:22 p.m.)

The following Council Members voted: Ayes: Casteel, Ray, Veal-Gooch, Matthews, Miller and Davis. Nays: None.

#### **Action Items:**

3. Resolution No. 152-2013 acknowledging a citizen petition and confirming the current street design for the Morris Lane Improvements Project (Galleria Oaks Drive) as previously approved.

Council Member Miller requested that this resolution be amended with the addition to read as follows:

***“WHEREAS, many other citizens and residents from these neighborhoods have contacted the City and requested their names be removed from the petition and still other citizens and residents have expressed their opposition to the petition, their opposition to a concrete wall or other fencing being placed along the city right-of-way, or otherwise blocking or preventing access to these same neighborhood streets; and”***

A motion was made by Council Member Veal-Gooch that this item be **amended** per Council Member Miller’s request, seconded by Council Member Matthews. (6:24 p.m.)

The following Council Members voted: Ayes: Casteel, Ray, Veal-Gooch, Matthews, Miller and Davis. Nays: None.

A motion was made by Council Member Miller that this **amended** item be approved, seconded by Council Member Matthews. (6:26 p.m.)

Mayor Bruggeman asked the City Secretary to proceed with a roll call vote.

The following Council Members voted: Ayes: Casteel, Veal-Gooch, Matthews, Miller and Davis. Nays: Ray.

4. Briefing and consider Ordinance No. 167-2013 amending the budget estimate of the revenues and expenditures for Fiscal Year ending September 30, 2014 to reflect additional revenue received and expenditures appropriated as a result of the recent award of \$100,000 from PetSafe to construct the Kylee Sullivan Dog Park in the City.

City Manager John Whitson spoke to this item.

A motion was made by Council Member Matthews that this item be approved, seconded by Council Member Veal-Gooch. (6:30 p.m.)

The following Council Members voted: Ayes: Casteel, Ray, Veal-Gooch, Matthews, Miller and Davis. Nays: None.

**V. Public Hearings (6:46 p.m.)**

5. Public Comment Hearing on 2012 Community Development Block Grant (CDBG) annual Comprehensive Assessment Performance Evaluation Report (CAPER). The U.S. Department of Housing and Urban Development - Community Planning Department requires each CDBG Entitlement Community to complete an annual CAPER no later than 90 days after the close of the program year (program year-end date: September 30, 2013; CAPER due date: December 29, 2013).

Craig Lindholm spoke to this item via telephone tie-in.

6. Public Hearing and consider Ordinance No. 2014-008 granting a Specific Use Permit to allow the one additional use of an outpatient behavioral health and intellectual disability services facility on Lot 2, Leathers Addition, located at 2435 College Drive. James Henry Russell, Texarkana College, applicant. Community Healthcore, agent. **(Moved forward by Council for vote on December 10, 2013)**

Executive Director Edmund White of Community Healthcore spoke to this item.

A motion was made by Council Member Matthews that this item be approved, seconded by Council Member Ray. (6:46 p.m.)

The following Council Members voted: Ayes: Casteel, Ray, Veal-Gooch, Matthews, Miller and Davis. Nays: None.

**VI. First Briefings (7:54 p.m.)**

7. Ordinance No. 2014-009 approving the addition to the TIRZ #1 Project list for the partial funding improvements to property at St. Michael Drive and Richill Drive (private road) allowing use of part of the 2012 TIRZ Bond Fund in an amount not to exceed FOUR HUNDRED SIX THOUSAND AND NO/100 DOLLARS (\$406,000.00) for drainage improvements only.

<b>Public Hearing</b>	<b>January 13, 2014</b>
<b>2nd Briefing</b>	<b>January 27, 2014</b>
<b>Council Vote</b>	<b>February 10, 2014</b>

Jerry Sparks spoke to this item. City Manager John Whitson spoke to this item. Shirley Jaster spoke to this item.

8. Ordinance No. 2014-010 approving the 2012 TIRZ Bond funding for the drainage improvements and relocation of water, wastewater, and sewer for a Gibson Lane Project in an amount not to exceed TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000.00).

**Public Hearing**            **January 13, 2014**  
**2nd Briefing**            **January 27, 2014**  
**Council Vote**            **February 10, 2014**

Jerry Sparks spoke to this item. City Manager John Whitson spoke to this item. Council Member Veal-Gooch requested a brief overview of TIRZ (Tax Increment Reinvestment Zone) for the January 13, 2014 council meeting.

9. Ordinance No. 2014-011 granting a Specific Use Permit to allow the one additional use of a tattoo studio on Lot 112, Block 256, Midland Addition (Tract 256), located at 3201 New Boston Road. W.R. Bowling, applicant. Jessica Teran, agent.

**Public Hearing**            **January 13, 2014**  
**2nd Briefing**            **January 27, 2014**  
**Council Vote**            **February 10, 2014**

Jessica Teran spoke to this item. Shirley Jaster spoke to this item.

10. Ordinance No. 2014-012 amending PD-79-5(GR) for site plan approval to allow an office building on Lot 2, Block 2 (being a replat of Lot 14, Block 1), Richmond McKnight Addition, located at 4309 Richmond Place. Jim Richey, applicant. Jeff Whitten, Whitten Engineering, agent.

**Public Hearing**            **January 13, 2014**  
**2nd Briefing**            **January 27, 2014**  
**Council Vote**            **February 10, 2014**

Jeff Whitten of Whitten Engineering spoke to this item. Shirley Jaster spoke to this item.

11. Resolution No. 2014-013 authorizing the City Manager to execute a letter of support and commitment for proposed local development(s) for the award of the Texas Department of Housing and Community Affairs (TDHCA) Low Income Housing Tax Credit.

**Public Hearing:**            **January 13, 2014**  
**Council Vote:**            **January 27, 2014**

Craig Lindholm spoke to this item via telephone tie-in.

## **VII. Second Briefing with Updates (7:55 p.m.)**

12. Ordinance No. 2014-007 authorizing and adding one (1) position to Assistant Fire Chief Classification of the Texarkana, Texas, Fire Department; abolish one (1) Captain Position and amending the exhibit of Section 3 of Ordinance No. 144-77, as most recently amended by Ordinance No. 159-2013, to reflect the addition of one (1) Position to the Assistant Fire Chief Classification and the abolishment of one (1) Captain Position of the City of Texarkana, Texas Fire Department.

Fire Chief Eric Schlotter informed Council that due to possible inclement weather for Monday, December 9, the Civil Service Commission cancelled their scheduled meeting and therefore no update is available. Council will be updated on this item at the January 13, 2014 meeting.

**Council Vote January 13, 2014**

**VIII. Second Briefing without Updates**

None

**IX. Items for Discussion**

None

**X. Administrative Comments (7:56 p.m.)**

Council Members – Mayor Bruggeman wished everyone a prosperous holiday season and new year.

City Staff – City Manager John Whitson reminded Council of upcoming training for the new IQM2 agenda/meeting management system that will go live in February 2014.

**XI. A motion was made by Council Member Casteel to adjourn the meeting, seconded by Council Member Miller.**

The following Council Members voted: Ayes: Casteel, Ray, Veal-Gooch, Matthews, Miller and Davis. Nays: None (7:58 p.m.)

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**Bob Bruggeman, Mayor**

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**Jennifer Evans, City Secretary**

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# Memo

## TEXARKANA TEXAS FIRE DEPARTMENT



3124 Texas Blvd. • Texarkana, TX 75503 • 903-798-3994 • Fax 903-793-4731

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**To:** John Whitson, City Manager; Jennifer Evans, City Secretary; Pam Burns, Assistant City Secretary

**From:** Eric Schlotter, Fire Chief

**Date:** October 18, 2013

**Subject:** Resolution No. 007-2014

The Fire Department is requesting an ordinance to be passed by the City Council of the City of Texarkana, Texas allowing for the addition of one Assistant Fire Chief position to the Fire Department and the abolishment of one Captain position.

The addition of one Assistant Fire Chief position is necessary to create a clear line of authority within the Fire Department. Traditionally, the designation of battalion chief is associated with leading a crew or shift of personnel, this is not applicable to the administrative duties within the department. The Captain position to be abolished is the position held by the individual that will be appointed as Assistant Fire Chief.

**ORDINANCE NO. 2014-007**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING AND ADDING ONE (1) POSITION TO ASSISTANT FIRE CHIEF CLASSIFICATION OF THE TEXARKANA, TEXAS, FIRE DEPARTMENT; ABOLISH ONE (1) CAPTAIN POSITION AND AMENDING THE EXHIBIT OF SECTION 3 OF ORDINANCE NO. 144-77, AS MOST RECENTLY AMENDED BY ORDINANCE NO. 159-2013, TO REFLECT THE ADDITION OF ONE (1) POSITION TO THE ASSISTANT FIRE CHIEF CLASSIFICATION AND THE ABOLISHMENT OF ONE (1) CAPTAIN POSITION OF THE CITY OF TEXARKANA, TEXAS FIRE DEPARTMENT; CONTAINING A SEVERABILITY CLAUSE; CONTAINING A REPEALER CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, by Ordinance dated May 25, 1948 the City of Texarkana, Texas, adopted the Fireman's and Policeman's Civil Service Law as then found in Article 1269m, Texas Revised Civil Statutes, now codified at Texas Local Government Code, Section 143.001, et seq.; and

**WHEREAS**, Local Government Code, Section 143.021(a) provides that a municipality's civil service commission provide for the classification of all fire fighters and that a municipality's governing body establish by ordinance the classification of all fire fighters and prescribe the number of positions in each classification; and

**WHEREAS**, on July 25, 1977, the City Council enacted Ordinance No. 144-77 establishing a reclassification plan and prescribing the number of positions within that plan; and

**WHEREAS**, the Exhibit to Section 3 of Ordinance No. 144-77 has since been amended several times, the last of which was on November 18, 2013, by Ordinance No. 159-2013; and

**WHEREAS**, the Fire Chief of the City of Texarkana, Texas, has analyzed and evaluated the needs of the Fire Department and has made recommendations for adding one (1) position of Assistant Fire Chief classification and abolishing one (1) Captain Position; and

**WHEREAS**, on January 10, 2014, the Civil Service Commission of the City of Texarkana, Texas, met and recommended that this City Council adopt an Ordinance amending the Exhibit to Section 3 of Ordinance No. 144-77, as last amended by Ordinance No. 159-2013, so as to reflect the authorization of one (1) additional position of Assistant Fire Chief classification;

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

**SECTION 1:** That the addition of one (1) position of Assistant Fire Chief classification and abolish one (1) Captain Position, as requested by the Fire Chief of the City of Texarkana, Texas, be and is hereby approved and authorized and that the Exhibit to Section 3 of Ordinance No. 144-77, as most recently amended by Ordinance No. 159-2013, be and is hereby further amended to add one (1) position of Assistant Fire Chief classification and abolish one (1) Captain Position so that the "Exhibit to Section 3" of

Ordinance No. 144-77, as amended hereby, will be a substitute in place thereof and shall read in its entirety as follows:

**“EXHIBIT TO SECTION 3**

<u>CLASSIFICATION</u>	<u>AUTHORIZED POSITIONS</u>
Assistant Fire Chief	1
Battalion Chief	4
Captain	17
Driver Engineer	19
Firefighter	36
	Total 77”

**SECTION 2:** That the purpose and intent of this Ordinance on the Civil Service Classification system of the Texarkana, Texas Fire Department is to add one (1) position in the Assistant Fire Chief classification and abolish one (1) Captain Position.

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

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

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

**PASSED AND APPROVED** in Special Council Session on this the 13<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

# Briefing Sheet

Update Date: 1/8/2014 4:46 PM

**Lead Department:** City Secretary                      **Action Officer:** Jennifer Evans, City Secretary  
**Subject:**                      RESOLUTION NO. 2014-021 Appointment of a Mayor Pro Tem for the term beginning January 13, 2014 and ending on May 31, 2014 or until superseded by new council member appointments.

**Briefing:** 1/13/2014                      **Public Hearing:**                      **Action:** 1/13/2014

**Item Schedule**

**Updates/History of Briefing:**

NOT APPLICABLE

**Executive Summary and Background Information:**

Article II, Section 4 of the Texarkana City Charter provides for the office of Mayor pro Tem, who shall act as Mayor during the absence or disability of the Mayor. The Texarkana City Charter provides for the election of the Mayor Pro Tem by the Council.

**Potential Options:**

- None
- 

**Staff Recommendation:**

Staff recommends appointment of a Mayor Pro Tem in accordance with the provisions of the City Charter.

**Advisory Board/Committee Review:**

NONE

**Board/Committee Recommendation:**

NOT APPLICABLE

**Advisory Board/Committee Meeting Date and Minutes:**

NOT APPLICABLE

**Attachments**

- a. Goals and Perspectives (DOCX)
- b. r2014-021 Mayor Pro Tem (0113) (DOC)

**Staff Coordination**

## City of Texarkana, Texas

City Manager	Jennifer Evans	Department Head Review	Completed
	01/08/2014 12:56 PM		
City Manager 1:42 PM	John Whitson	City Manager Review Completed	01/08/2014
City Manager 1:42 PM	John Whitson	City Manager Review Completed	01/08/2014
City Council	Pam Burns	Meeting	Pending

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### Meeting History

## 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 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:

NONE

#### Resource Impact:

Staff time required if item is approved:

NONE

[Select One By Clicking Here](#)

#### 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 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. 2014 - 021**

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

**WHEREAS**, Article II, Section 4 of the Texarkana City Charter provides for the office of Mayor Pro Tem, who shall act as Mayor during the absence or disability of the Mayor; and

**WHEREAS**, Article II, Section 4 of the Texarkana City Charter also provides for the election of the Mayor Pro Tem by the City Council; and

**WHEREAS**, the City Council of the City of Texarkana, Texas finds it to be in the best interest of the City to appoint an individual to the office of Mayor Pro Tem in accordance with the provisions of the City Charter; and

**WHEREAS**, appointment of the Mayor Pro Tem will be effective on January 13, 2014 and will continue until May 31, 2014 or until superseded by new council appointments and therefore at that time electing a Mayor Pro Tem to serve until the first City Council meeting after Election Day in 2015.

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

**SECTION 1:** That in accordance with the terms and provisions of Article II, Section 4 of the Texarkana City Charter, the following individual is hereby elected Mayor Pro Tem:

\_\_\_\_\_.

**SECTION 2:** That this appointment will be for the term beginning January 13, 2014 and ending on May 31, 2014 or until superseded by new council member appointments.

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

**PASSED AND APPROVED** in Special Council Session on this the 13<sup>th</sup> day of January 2014.

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

**RESOLUTION NO. 2014-009: Consideration/Approval**  
**An addition to the TIRZ #1 Potential Project List**

**Presented for:**

Council Action  X  Report/Review Only \_\_\_\_\_

**Supporting documents:**

None \_\_\_\_\_ Attached  x  Provided Later \_\_\_\_\_

**Contact Person:** Jerry Sparks, Economic Developer

**Background Information:**

At the meeting of the TIRZ #1 Board on November 25, 2013, the Board approved a request by Ray Walsh for partial funding improvements to property on St. Michael Drive at Richill Drive (a private road) to be included in the Project List. The project improvements would include a total project of \$790,000 for drainage including \$160,000 for extension of Richill Drive.

The TIRZ Board and Staff recommended a partial funding of \$406,000 for the drainage improvement project only.

If approved by Council, these projects would be included in the projects payable under the 2012 TIRZ bond. All designs will be approved by the Public Works Department prior to construction.

**Fiscal Implications:**

Not to exceed \$406,000 funding from 2012 TIRZ Bond Fund.

**Administrative Recommendation:**

Staff recommends including the amount approved by the TIRZ #1 Board for this proposed project in the Project List and the list of projects funded by the 2012 TIRZ bond.

Attachments: TIRZ #1 minutes, site map, financial analysis.

**Council Schedule:**

1 <sup>st</sup> Briefing:	December 9, 2013
Public Hearing:	January 13, 2014
2 <sup>nd</sup> Briefing:	January 27, 2014
Council Vote:	February 10, 2014

# Briefing Sheet

**Lead Department:** Economic Development      **Action Officer:** Jerry Sparks, Economic Developer  
Resolution No. 2014-009 approving the addition to the TIRZ #1 Project list for the partial funding of improvements to property at St. Michael Drive and Richill Drive (private road) allowing use of part of the 2012 TIRZ Bond Fund in an amount not to exceed FOUR HUNDRED SIX THOUSAND AND NO/100 dollars (\$406,000) for drainage improvements.

**Subject:** NO/100 dollars (\$406,000) for drainage improvements.

**Briefing:** 1/13/2014                      **Public Hearing:**                      **Action:** :

### Item Schedule

At the meeting of the TIRZ #1 Board on November 25, 2013, the Board approved a request by Ray Walsh for partial funding improvements to property on St. Michael Drive at Richill Drive (a private road) to be included in the Project List. The project improvements would include a total project of \$790,000 for drainage including \$160,000 for extension of Richill Drive.

The TIRZ Board and Staff recommended a partial funding of \$406,000 for the drainage improvement project only.

If approved by Council, these projects would be included in the projects payable under the 2012 TIRZ bond. All designs will be approved by the Public Works Department prior to construction.

**Fiscal Implications:**

Not to exceed \$406,000 funding from 2012 TIRZ Bond Fund.

**Administrative Recommendation:**

Staff recommends including the amount approved by the TIRZ #1 Board for this proposed project in the Project List and the list of projects funded by the 2012 TIRZ bond.

### Attachments

- a. Consideration Approval City format Walsh 2013 (DOCX)
- b. Walsh Marriott Subdivision Drainage Improvements Preliminary Cost Estimate\_10-9-2013 (PDF)
- c. St Michael Richill drainage (PDF)
- d. TIRZ #1 Minutes DRAFT 25 Nov 2013 (DOC)
- e. TIRZ 1 Project List PROPOSED (XLSX)
- f. Walsh Marriott Subdivision Project Analysis 2013 (XLSX)

### Staff Coordination

Economic Development	Jerry Sparks	Department Head Review
Pending		

**City of Texarkana, Texas**

Finance	Charlie Bassett	Review	Pending
City Manager		City Manager Review	Pending
City Council	Pam Burns	Meeting	Pending

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**Meeting History**

**PRELIMINARY COST ESTIMATE  
FLOODWAY IMPROVEMENTS**

West Side						
					Unit Price	Total Price
1	Excavation	724			\$10.00	\$7,240.00
2	Embankment	7675	CY		\$10.00	\$76,750.00
3*	Concrete Block Wall	1815.6	SF		\$30.00	\$54,468.00
4*	9-5'x2' RBC (Cast-in-place)	180	LF		\$600.00	\$108,000.00
5*	PWW HW=3 (Cast-in-place)	1	EACH		\$10,000.00	\$10,000.00
6	Contingency (10%)	1	LS		\$ 25,645.80	\$25,645.80
<b>Summary</b>						<b>\$282,103.80</b>

East Side						
					Unit Price	Total Price
1	Excavation	685	CY		10	\$6,850.00
2	Embankment	8600	CY		\$10.00	\$86,000.00
3	48" Culvert Extension	325	LF		\$120.00	\$39,000.00
4*	Concrete Block Wall	1958	SF		\$30.00	\$58,740.00
5	Optional Concrete Block Wall	612.5	SF		\$30.00	\$18,375.00
6*	9-5'x2' RBC (Cast-in-place)	180	LF		\$600.00	\$108,000.00
7*	PWW HW=3 (Cast-in-place)	1	EACH		\$10,000.00	\$10,000.00
8	Contingency (10%)	1	LS		\$ 32,696.50	\$32,696.50
<b>Summary</b>						<b>\$359,661.50</b>

\* - Represents items that must be built complete on both sides for functionality. Cost is distributed evenly.





**TAX INCREMENT FINANCING ZONE #1  
CITY OF TEXARKANA TEXAS**

Meeting Minutes  
November 25, 2013

**Opening:**

The called meeting of the City of Texarkana, Texas Tax Increment Financing Zone #1 (TIRZ #1) was called to order at noon on April 54, 2013 at Texarkana City Hall by Kelly Mitchell. Board members attending the meeting included: Jason Thomson, Paul Miller, Josh Andrus, Jay Davis, Stacy Yates, and David Potter; Cory Floyd and Pat McCoy were absent.

Staff Present: Charles Bassett, Jr., Shirley Jaster, Kyle Dooley, Lisa Thompson and Jerry Sparks

Visitors: Ray Walsh and David Williams

There were no public comments.

Minutes of the April 2013 meeting were approved on a motion by Paul Miller with a second by Jay Davis.

**TIRZ #1 Financing Plan & Project List**

The Board considered and discussed amending the TIRZ #1 Financing Plan and Project List as follows:

- Amend TIRZ #1 Project List to include an amount not to exceed \$406,000 for drainage construction and improvements at property bordered by St Michael Drive and Richill Drive (private street).
  - The bond used for funding TIRZ projects included \$500,000 for the extension of University Avenue to support a development that is no longer under short-term consideration. This action will recommend inclusion of the drainage improvements in our TIRZ financing plan and in the bond financing plan.

Amend the 2012 TIRZ bond funding as follows:

- Consider recommending TIRZ bond funds be used to fund request from E. W. Fenton for funding improvements to property on Gibson Lane. At this time, the project was approved by Council for inclusion on the Project List but specific funding was not included in that approval. Council approved funding not to exceed \$250,000 for project. The total project includes:
  - Storm water drainage-\$300,000
  - Water/sewer relocation-\$50,000
  - Public parking lot-\$300,000
  - Streetscaping-\$45,000

- Both items were approved. Those voting for approval were Mitchell, Miller, Andrus, Yates, David; against approval was Potter. Jason Thomson abstained.
- Public Works and Engineering gave the Board members an update on City projects
- Members were offered copies of materials used in an earlier training session for TIRZ Board members.

**Adjournment**

The next meeting will be scheduled as needed.

Minutes submitted by:

Jerry Sparks

Approved by:

DRAFT

**TIRZ #1 Project List**  
**Revised: November 2013**

<i>Public Infrastructure Projects Walton Dr &amp; Pavilion drainage improvements</i>	\$	-	<i>Completed (\$175,000)</i>
(Joint project w/TxDOT)			
<b>Walton Dr &amp; Pavilion drainage</b>	\$	300,000	Possible 2014 start date
(Box culverts W of intersection & W of Whiskey River)			
<b>Extension of South University</b>	\$	500,000	No project start date/bond funded
<b>Cowhorn Creek Linear Park</b>	\$	1,000,000	Project started/bond funded
<b>Gibson Extension to FM 989 &amp; feeder streets to Gibson</b>	\$	9,000,000	No project start date
<i>Drainage Project @ Arista</i>	\$	-	<i>Completed (\$100,000)</i>
<i>TAMU East Approach (Phase II)</i>			<i>removed (\$6,000,000)</i>
<i>Morris Lane Extension</i>			<i>removed (\$7,000,000)</i>
<b>Parking Garage @ University w/drainage</b>	\$	2,000,000	No project start date
<b>Backage Road: Summerhill to Mall Drive</b>	\$	1,000,000	No project start date/bond funded
<b>Proposed Site Improvements to Gibson &amp; University</b>	\$	2,000,000	No project start date
<b>Park Development &amp; Improvement-University Drive</b>	\$	800,000	2013-2014/bond funded
<b>Approved stormwater improvements Gibson Lane &amp; possible water/sewer relocation</b>	\$	250,000	
<b><i>Proposed drainage improvements St. Michael Drive &amp; Richill Drive</i></b>	\$	406,000	
<b>TOTAL APPROVED POTENTIAL PROJECTS</b>	\$	17,256,000	

Walsh Project  
CHRISTUS St Michael Drive (I30 access road)

Improvement-East	Estimated Cost Highest Value to City	
Excavation	\$10,136	
Embankment	\$107,450	
Concrete block wall	\$68,992	\$ 68,992.00
9-5'x2' RBC (cast in place)	\$117,000	\$ 117,000.00
PWH HW=3 (cast in place)	\$14,000	\$ 14,000.00
Contingency (10%)	\$31,757	
Improvement-West		
Excavation	\$9,590	
Embankment	\$120,400	
48" culvert extnsion	\$42,250	
Optional concrete block wall	\$23,275	
Concrete block wall	\$74,404	\$ 74,404.00
9-5'x2' RBC (cast in place)	\$117,000	\$ 117,000.00
PWH HW=3 (cast in place)	\$14,000	\$ 14,000.00
Contingency (10%)	\$40,091	
Total cost estimate	\$790,345	\$ 405,396.00
Richill Drive Extension (1782')	\$ 160,380.00	

**RESOLUTION NO. 2014-009**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE ADDITION TO THE TIRZ #1 PROJECT LIST FOR THE PARTIAL FUNDING IMPROVEMENTS TO PROPERTY AT ST. MICHAEL DRIVE AND RICHILL DRIVE; ALLOWING USE OF PART OF THE 2012 TIRZ BOND FUND IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED SIX THOUSAND AND NO/100 DOLLARS (\$406,000) FOR DRAINAGE IMPROVEMENTS ONLY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the TIRZ #1 Board has recommended adding to the TIRZ #1 Potential Project List the partial funding for drainage improvements to property at St. Michael Drive and Richill Drive (Private Road); and

**WHEREAS**, a request was made for TIRZ funding for the drainage and extension project to property at St. Michael Drive and Richill Drive (Private Road) that would have a total project cost of \$950,000 that would provide \$790,000 for drainage and \$160,000 for the extension of Richill Drive; and

**WHEREAS**, the Board recommends the addition of this project to the TIRZ #1 Project List, allowing use of part of the 2012 TIRZ Bond Fund for a partial funding for the project in an amount not to exceed FOUR HUNDRED SIX THOUSAND AND NO/100 DOLLARS (\$406,000) for drainage improvements only; and

**WHEREAS**, the City Council recognizes the need for funding through the TIRZ project list as evidence by their approval of the TIRZ Board projects listed in their annual reports.

**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 approves the addition of the drainage project at St. Michael Drive and Richill Drive to the TIRZ #1 Project List, allowing use of part of the 2012 TIRZ Bond Fund for a partial funding for the project in an amount not to exceed FOUR HUNDRED SIX THOUSAND AND NO/100 DOLLARS (\$406,000) for drainage improvements only.

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

**PASSED AND APPROVED** in Special Council Session on this the 10<sup>th</sup> day of February, 2014.

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

**RESOLUTION NO. 2014-010: Consideration/Approval  
Addition to the TIRZ #1 Potential Project List**

**Presented for:**

Council Action   X   Report/Review Only                     

**Supporting documents:**

None                      Attached   x   Provided Later                     

**Contact Person:** Jerry Sparks, Economic Developer

**Background Information:**

At the meeting of the TIRZ #1 Board on November 25, 2013, the Board a recommendation to include \$250,000 in the 2012 TIRZ bond list of projects for projects on Gibson Lane.

Council has approved the projects to be included in the Project List. This action will allow the funding for the project from the 2012 TIRZ bond fund.

All designs will be approved by the Public Works Department prior to construction.

**Fiscal Implications: Not to exceed \$250,000 funding from TIRZ #1**

**Administrative Recommendation: Staff recommends including the amount approved by the TIRZ #1 Board for this proposed project in the list of projects funded by the 2012 TIRZ bond.**

Attachments: TIRZ #1 minutes

**Council Schedule:**

1 <sup>st</sup> Briefing:	December 9, 2013
Public Hearing:	January 13, 2014
2 <sup>nd</sup> Briefing:	January 27, 2014
Council Vote:	February 10, 2014

# Briefing Sheet

Update Date: 1/7/2014 3:41 PM

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**Lead Department:** Economic Development      **Action Officer:** Jerry Sparks, Economic Developer  
RESOLUTION NO. 2014-010 approving the 2012 TIRZ #1 Bond Project List funding for the drainage improvements and the relocation of water, wastewater, and sewer for a Gibson Lane Project in an amount not to exceed  
**Subject:** TWO HUNDRED FIFTY THOUSAND AND N0/100 DOLLARS (\$250,000).

<b>Briefing:</b> <u>1/13/2014</u>	<b>Public Hearing:</b> <u>1/13/2014</u>	<b>Action:</b> <u>2/10/2014</u>
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## Item Schedule

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### Updates/History of Briefing:

Council briefed on item on December 10, 2013.

### Executive Summary and Background Information:

Council has approved the project to be included in the Project List. This action will allow the funding for the project from the 2012 TIRZ bond fund.

All designs will be approved by the Public Works Department prior to construction

### Potential Options:

- 
- 

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### Staff Recommendation:

At the meeting of the TIRZ #1 Board on November 25, 2013, the Board passed a recommendation to include \$250,000 in the 2012 TIRZ bond list of projects for the project on Gibson Lane.

### Fiscal Implications:

Not to exceed \$250,000 funding from 2012 TIRZ bond issue  
Staff recommends including the amount approved by the TIRZ #1 Board for this proposed project in the list of projects funded by the 2012 TIRZ bond.

### Advisory Board/Committee Review:

TIRZ Board

### Board/Committee Recommendation:

TIRZ Board approved the item at the 11/25/2013 meeting

### Advisory Board/Committee Meeting Date and Minutes:

## City of Texarkana, Texas

11/25/2013 minutes attached

### Attachments

- a. TIRZ #1 Minutes April 2013 approved Nov 25 2013 (DOC)
- b. TIRZ #1 Minutes April 2013 approved Nov 25 2013 (DOC)
- c. Attachments for ORD 065-2013 from original approval (PDF)
- d. 010 Gibson Lane Project (DOCX)

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### Staff Coordination

Economic Development		Jerry Sparks	Department Head Review
	Pending		
Finance	Charlie Bassett	Review	Pending
City Manager		City Manager Review	Pending
City Council	Pam Burns	Meeting	Pending

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### Meeting History

**RESOLUTION NO. 065-2013**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE ADDITION TO THE TIRZ #1 PROJECT LIST FOR THE DRAINAGE IMPROVEMENTS AND RELOCATION OF WATER, WASTEWATER, AND SEWER FOR A GIBSON LANE PROJECT IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000); AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the TIRZ #1 Board has recommended the potential funding of the drainage improvements and relocation of water, wastewater, and sewer for a Gibson Lane project ; and

**WHEREAS**, the Board recommends a potential funding not to exceed a total of THREE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$350,000) with THREE HUNDRED THOUSAND AND NO/100 DOLLARS (\$300,000) for the drainage improvements and FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000) for the relocation of water, wastewater, and sewer; AND

**WHEREAS**, if approved for the list it would have to be reviewed and recommended to City Council at a future date by the City Manager and selected City Staff; and

**WHEREAS**, the City Council recognizes the need for funding through the TIRZ project list as evidence by their approval of the TIRZ Board projects listed in their annual reports.

**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 approves the addition to the TIRZ #1 Board Project list of the funding of the drainage improvements and relocation of water, wastewater, and sewer for a Gibson Lane project in an amount not to exceed a total of TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000).

**SECTION 2:** The City Manager and selected City Staff will review and make recommendations for this project at a later date before being presented to City Council for a final approval.

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

**PASSED AND APPROVED** in Special Council Session on this the 13<sup>th</sup> day of May, 2013.

  
BOB BRUGGEMAN, MAYOR

ATTEST:

  
JENNIFER EVANS, CITY SECRETARY

9:18pm

**RESOLUTION NO. 065-2013: Consideration/Approval of an addition to the TIRZ #1 Potential Project List.**

**Presented for:**

Council Action X Report/Review Only \_\_\_\_\_

**Supporting documents:**

None \_\_\_\_\_ Attached x Provided Later \_\_\_\_\_

**Contact Person:** Jerry Sparks, Economic Developer

**Background Information:**

At the meeting of the TIRZ #1 Board on April 5, 2013, the Board approved two requests by Dr. E. W. Fenton for funding improvements to property on Gibson Lane to be included in the Project List. The improvements would include amounts not to exceed:

\$300,000 for drainage improvements

\$50,000 for relocation of water/wastewater/sewer in public easements

If approved by Council, these projects could be performed by the City, contracted by the City or reimbursed to the property owner for actual incurred expenses approved by the City. All designs will be approved by the Public Works Department prior to construction.

Additional information was received by staff following the TIRZ #1 board meeting. The information indicates that the proposed project will not produce a positive return on investment as calculated by an estimated revenue flow through the end of the TIRZ in 2035. The development of two additional phases of the project may impact that return on investment. This project will provide infrastructure improvements that will be of limited public benefit to future development to further increase the return on investment.

**Fiscal Implications:** Not to exceed \$350,000 funding from TIRZ #1

**Administrative Recommendation:** Staff does not recommend including the amounts approved by the TIRZ #1 Board for these proposed projects in the Project List.

**Motion:** \_\_\_\_\_

**Second:** \_\_\_\_\_

**For:** \_\_\_\_\_

**Against:** \_\_\_\_\_

**Attachments:** TIRZ #1 minutes, site map, financial analysis,



TIRZ Project Costs will include:

**1. Capital Costs**

- a. water system improvements;
- b. storm sewers and drainage ponds;
- c. sanitary sewers;
- d. utility line relocation and installation;
- e. parking lots and roadways;
- f. streetscape and landscape areas;
- g. public areas and plazas;
- h. sidewalks, cross walks and pedestrian crossing facilities;
- i. parks, trails and outdoor performance areas;
- j. public transportation projects; and
- k. bicycle routes and facilities.

**2. Design, Architectural, and Engineering Fees**

The public improvements will require professional services for design and engineering, including inspecting/testing of soils and construction materials and overseeing construction operations. Additionally, certain studies, including market and economic feasibility studies will be prepared.

**3. Zone Administration - Over 25-Year Life of Zone**

The ongoing administration of the Zone will require services including, but not limited to, such services as accountants and bookkeepers, engineers, legal counsel, planners or other administrative services deemed necessary by the Zone Board to implement this Plan and will be provided by the City.

**City of Texarkana - Bowie County**  
 Tax Increment Reinvestment Zone  
 Gibson Lane Project (North of Target)

FYE	Incremental Taxable Assessed Value	City of Texarkana Tax Rate	Bowie County Tax Rate	Total Operating Tax Rates	Gross Property Tax Contribution	Incremental Sales Tax	Total Incremental Revenue	TIF REVENUE BOND PAYMENTS <sup>(1)</sup>	Surplus/ <Deficit>
2009									
2010	\$ -	0.4078	0.327	0.73		\$ -			
2011	\$ -	0.4078	0.327	0.73	-	-	\$ -	-	-
2012	\$ -	0.4078	0.327	0.73	-	\$ -	-	-	-
2013	\$ 1,765,000	0.4078	0.327	0.73	-	\$ -	-	-	-
2014	\$ 1,765,000	0.4078	0.327	0.73	12,969	\$ -	12,969	-	12,969
2015	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2016	\$ 1,765,000	0.4078	0.327	0.73	12,969	\$ -	12,969	-	12,969
2017	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2018	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2019	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2020	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2021	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2022	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2023	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2024	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2025	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2026	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2027	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2028	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2029	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2030	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2031	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2032	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2033	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2034	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
2035	\$ 1,765,000	0.4078	0.327	0.73	12,969		12,969	-	12,969
					\$ 285,323	\$ -	\$ 285,323	\$ -	\$ 285,323

75% of Projected  
 TIRZ Revenue \$ 213,992.13  
 75% Projected Sales  
 Tax Revenue \$ -  
 \$ 213,992.13

**City of Texarkana - Bowie County**

Tax Increment Reinvestment Zone

Gibson Lane Project (North of Target)

FYE	Incremental Taxable Assessed Value		City of Texarkana Tax Rate	Bowie County Tax Rate	Total Operating Tax Rates	Gross Property Tax Contribution	Incremental Sales Tax	Total Incremental Revenue	TIF REVENUE BOND PAYMENTS <sup>(1)</sup>	Surplus/ <Deficit>
2009										
2010	\$ -		0.4078	0.327	0.73		\$ -			
2011	\$ -		0.4078	0.327	0.73	-	-	\$ -	-	-
2012	\$ -		0.4078	0.327	0.73	-	\$ -	-	-	-
2013	\$ 1,765,000	Phase I	0.4078	0.327	0.73	-	\$ -	-	-	-
2014	\$ 1,765,000		0.4078	0.327	0.73	12,969	\$ -	12,969	-	12,969
2015	\$ 1,765,000		0.4078	0.327	0.73	12,969		12,969	-	12,969
2016	\$ 1,765,000		0.4078	0.327	0.73	12,969	\$ -	12,969	-	12,969
2017	\$ 2,500,000	Phase I & II	0.4078	0.327	0.73	12,969		12,969	-	12,969
2018	\$ 2,500,000		0.4078	0.327	0.73	18,370		18,370	-	18,370
2019	\$ 2,500,000		0.4078	0.327	0.73	18,370		18,370	-	18,370
2020	\$ 2,500,000		0.4078	0.327	0.73	18,370		18,370	-	18,370
2021	\$ 2,500,000		0.4078	0.327	0.73	18,370		18,370	-	18,370
2022	\$ 2,750,000	Phase I, II, & III	0.4078	0.327	0.73	18,370		18,370	-	18,370
2023	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2024	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2025	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2026	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2027	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2028	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2029	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2030	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2031	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2032	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2033	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2034	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
2035	\$ 2,750,000		0.4078	0.327	0.73	20,207		20,207	-	20,207
						\$ 406,418	\$ -	\$ 406,418	\$ -	\$ 406,418

75% of Projected TIRZ Revenue	\$ 304,813.41
75% Projected Sales Tax Revenue	\$ -
	\$ 304,813.41

## TIRZ #1 Project List

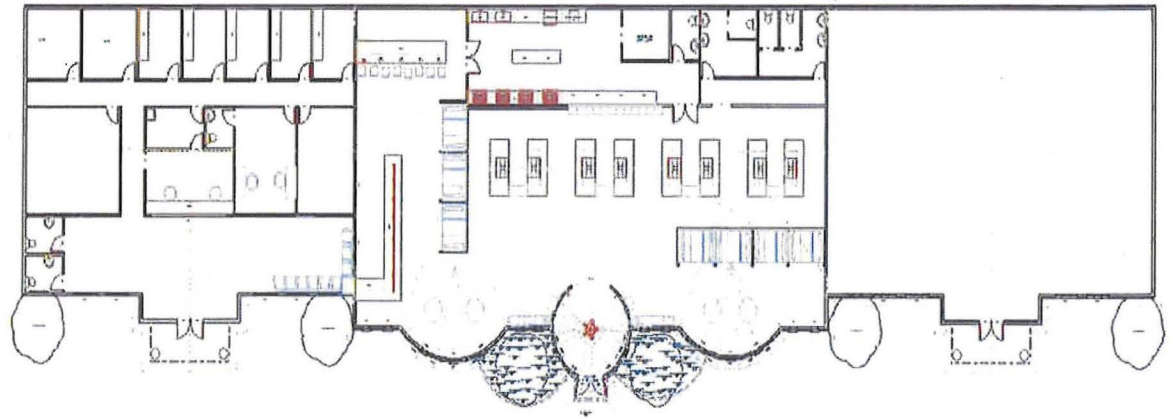
Public Infrastructure Projects Walton Dr & Pavilion drainage improvements (Joint project w/TxDOT)	\$ 175,000	Completed
Walton Dr & Pavilion drainage (Box culverts W of intersection & W of Whiskey River)	\$ 300,000	
Extension of South University	\$ 500,000	
Cowhorn Creek Linear Park	\$ 1,000,000	Project started
Gibson Extension to FM 989 & feeder streets to Gibson	\$ 9,000,000	
Drainage Project @ Arista	\$ 100,000	Completed
TAMU East Approach (Phase II)	\$ 6,000,000	
Morris Lane Extension	\$ 7,000,000	
Parking Garage @ University w/drainage	\$ 2,000,000	
Backage Road: Summerhill to Mall Drive	\$ 1,000,000	
Proposed Site Improvements to Gibson & University	\$ 2,000,000	
<i>Park Development &amp; Improvement-University Drive</i>	<i>\$ 800,000</i>	<i>Proposed addition</i>
<i>Proposed stormwater improvements Gibson Lane</i>	<i>\$ 300,000</i>	<i>Proposed addition</i>
<i>Proposed Water/Sewer Relocation-Gibson Lane</i>	<i>\$ 50,000</i>	<i>Proposed addition</i>
<b>TOTAL APPROVED POTENTIAL PROJECTS</b>	<b>\$ 30,225,000</b>	

**We are expecting the project build out cost to be as follows:**

**Restaurant we expect to be built for around \$1,000,000, we expect the doctor office to be built out for around \$465,000 and we expect our additional 3000 sq. ft shell to be around \$300,000 for a total of \$1,765,000 this project will be condo out and the restaurant once completed will be owner occupied. We have room on this property to complete approximately a total of 4 of this similar size project however water drainage is a large problem for this land parcel as will be the challenge of the public parking lots. We need assistance to bring this project to life which will create new revenue via taxes to Texarkana. We respectfully ask for the amount set forth in this letter so we may proceed in bringing this much needed new project to life and after reading the criteria set forth by the TIRZ board we hope you will assist us getting some new construction going.**

**We greatly appreciate your consideration, time and assistance in helping with this exciting new incentive program which will finally help new business be attracted to Texarkana, we hope to be a big part of that in the future. We look forward to working with you and should you have any questions please feel free to contact us. We want to extend a special thanks to Jerry Sparks and Shirley Jaster in being so accommodative in helping to explain how this new incentive works which has really helped in our decision to attempt to move forward on this project.**





Thank You for time and consideration on this potential project.

*Elvin Fenton, O.D.*

Elvin W. Fenton, O.D.

2-24-13

Re: TIRZ Request

Dear TIRZ Board:

I own a 8 acre piece of property in the TIRZ district that is located across the street from Target and Kohl's it is a very visable stretch we hope to develop very soon. To date we are securing a deal with a build to suite 5000 sq. ft restaurant and we plan to rent 3000 sq ft to two new surgeons we are recruiting to Texarkana. In addition we plan to build 3000 sq. ft to match the appearance on the outside of the doctor's office building on the opposite side of the restaurant we are looking to have small public areas between each of these building however it will have appearance from the street as one large building bringing total to 11,000 sq ft total project plus courtyards. We plan to do 3 additional projects very similar in size and appearance over time to complete the 8 acres. Our site is very challenging and our budget is very tight to potentially get this project kicked off we are asking for financial assistance through the TIRZ in the areas set forth by the TIRZ criteria for our project.

1. We have a very large issue with storm water drainage coming out of the adjacent neighbor's property bisecting our property which creates a huge run off we will need to address this problem with suitable culverts buried to handle run off and the civil engineering to meet city standards. To make this work to bring the property up to its maximum and best use. Our hope is to tie the runoff from neighboring piece of property into the drainage system we believe is parallel to the Gibson lane.
2. We would ask for financial assistance in bringing sewer and water to our project.
3. We would ask for all funding for our public parking lot and curb cuts to access those parking lots and we truly hope to be a very upscale addition to the community we would like to ask for funding for our streetscaping and landscaping areas around the projects. We plan to consult with landscape architects to make this area is reflection of the image we feel Texarkana needs to present to potential business looking to move here.

We are asking for the following finical injection to make this project happen.

1. Storm water drainage improvements:	\$300,000
2. Water and sewer location	\$50,000
3. Public Parking lot	\$300,000
4. Streetscaping	\$45,000
Total ask:	\$695,000

**TAX INCREMENT FINANCING ZONE #1  
CITY OF TEXARKANA TX**

Meeting Minutes

April 5, 2013

**Opening:**

The called meeting of the City of Texarkana TX Tax Increment Financing Zone #1 (TIRZ #1) was called to order at noon on April 5, 2013 at Texarkana City Hall by Cory Floyd. Board members attending the meeting included: Kelly Mitchell (by phone), Cory Floyd, Jason Thomson, Pat McCoy Paul Miller, Josh Andrus, Jay Davis, and David Potter; Stacy Yates was absent.

Staff Present: John Whitson, Charles Bassett, Jr., Shirley Jaster, Kyle Dooley, and Jerry Sparks

Visitors: Dr. Elvin Fenton

There were no public comments.

**TIRZ #1 Financing Plan & Project List**

The first order of business was to consider an addition to the TIRZ #1 Financing Plan and Project List a request by Dr. Elvin Fenton.

- Dr. Fenton's project was:
  - \$300,000 for storm water/drainage
  - \$50,000 for water/sewer relocation
  - \$300,000 for public parking
  - \$45,000 for streetscaping
- Dr. Fenton offered a description of the project and an explanation of the reasoning for each of the requested items.
  - Dr. Fenton's project had parking that would be open to the public. Staff explained the difference of publicly owned parking and parking opened to the public.
  - Staff was asked if there were examples of precedents for the storm water drainage and the water/sewer relocation. Staff provided examples of the storm water/drainage projects. Staff informed the Board that there had been no utility relocation projects added to the Project List.
  - Staff also provided a fiscal impact analysis that projected revenues of approximately \$406,000 over the life of the TIRZ based on Dr. Fenton's information provided to staff. Additional sales tax was computed to be approximately \$28,000 over the life of the TIRZ based on Dr. Fenton's information provided to staff.

- Jay Davis moved to approve an amount of \$500,000 to be included in the Project List. The motion did not receive a second.
- Jason Thomson moved to approve an amount not to exceed \$300,000 for storm water/drainage and an amount not to exceed \$50,000 for water and sewer relocation be added to the Project List. Pat McCoy provided a second to the motion. The motion carried with no dissenting votes.

The second order of business was to consider the addition of \$800,000 for park construction and improvements at Bringle Lake and University Drive.

- Proposal would include an amount not to exceed \$800,000 in the Financing Plan and the Project list for proposed park construction and improvements. This would replace an equal amount that was removed from the Project List as a result of the use of alternate funding. Use of the funds would be on the recommendation of the City Manager and the approval of the City Council. Shirley Jaster, Exec. Director of Public Works explained the park and proposed boardwalk along Bringle Lake. Approval of the addition of the park to the Project List would make the project eligible for inclusion in the bond funding.
- Motion to approve by Paul Miller with a second by Jay Davis. The motion carried with no dissenting votes.

**Adjournment:**

The next meeting will be scheduled as needed.

Minutes submitted by: Jerry Sparks

Approved as written November 25, 2013

**TAX INCREMENT FINANCING ZONE #1**  
**CITY OF TEXARKANA TEXAS**  
Meeting Minutes  
November 25, 2013

**Opening:**

The called meeting of the City of Texarkana, Texas Tax Increment Financing Zone #1 (TIRZ #1) was called to order at noon on April 54, 2013 at Texarkana City Hall by Kelly Mitchell. Board members attending the meeting included: Jason Thomson, Paul Miller, Josh Andrus, Jay Davis, Stacy Yates, and David Potter; Cory Floyd and Pat McCoy were absent.

Staff Present: Charles Bassett, Jr., Shirley Jaster, Kyle Dooley, Lisa Thompson and Jerry Sparks

Visitors: Ray Walsh and David Williams

There were no public comments.

Minutes of the April 2013 meeting were approved on a motion by Paul Miller with a second by Jay Davis.

**TIRZ #1 Financing Plan & Project List**

The Board considered and discussed amending the TIRZ #1 Financing Plan and Project List as follows:

- Amend TIRZ #1 Project List to include an amount not to exceed \$406,000 for drainage construction and improvements at property bordered by St Michael Drive and Richill Drive (private street).
  - The bond used for funding TIRZ projects included \$500,000 for the extension of University Avenue to support a development that is no longer under short-term consideration. This action will recommend inclusion of the drainage improvements in our TIRZ financing plan and in the bond financing plan.

Amend the 2012 TIRZ bond funding as follows:

- Consider recommending TIRZ bond funds be used to fund request from E. W. Fenton for funding improvements to property on Gibson Lane. At this time, the project was approved by Council for inclusion on the Project List but specific funding was not included in that approval. Council approved funding not to exceed \$250,000 for project. The total project includes:
  - Storm water drainage-\$300,000
  - Water/sewer relocation-\$50,000
  - Public parking lot-\$300,000
  - Streetscaping-\$45,000

- Both items were approved. Those voting for approval were Mitchell, Miller, Andrus, Yates, David; against approval was Potter. Jason Thomson abstained.
- Public Works and Engineering gave the Board members an update on City projects
- Members were offered copies of materials used in an earlier training session for TIRZ Board members.

**Adjournment**

The next meeting will be scheduled as needed.

Minutes submitted by:

Jerry Sparks

Approved by:

DRAFT

**RESOLUTION NO. 2014-010**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE 2012 TIRZ BOND FUNDING FOR THE DRAINAGE IMPROVEMENTS AND RELOCATION OF WATER, WASTEWATER, AND SEWER FOR A GIBSON LANE PROJECT IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000) ; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 65-2013, the City Council approved the addition to the TIRZ #1 Board Project list for the potential funding of the drainage improvements and relocation of water, wastewater, and sewer for a Gibson Lane project with the stipulation that Staff would review the project and make a recommendation to Council; and

**WHEREAS**, the Staff reviewed the project for the relocation of water, wastewater, and sewer and has recommended that the 2012 TIRZ Bond Fund be used for this project; and

**WHEREAS**, the City Council recognizes the need for funding through the TIRZ project list as evidence by their approval of the TIRZ Board projects listed in their annual reports.

**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 approves the use of the 2012 TIRZ Bond Fund be used for the funding of the drainage improvements and relocation of water, wastewater, and sewer for a Gibson Lane project in an amount not to exceed a total of TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000).

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

**PASSED AND APPROVED** in Regular Council Session on this the 10<sup>th</sup> day of February, 2014.

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

**Consideration/Approval of: Ordinance No. 2014-011**

**Presented for:**

Council Action  Report/Review Only \_\_\_\_\_

**Supporting documents:**

None \_\_\_\_\_ Attached  Provided Later \_\_\_\_\_

**Contact Person:** Shirley Jaster, Executive Director of Community & Public Works

**Background Information:** (S-650)

**First Briefing**

Ordinance No. 2014-011 granting a Specific Use Permit to allow the one additional use of a tattoo studio on Lot 112, Block 256, Midland Addition (Tract 256), located at 3201 New Boston Road. W.R. Bowling, applicant. Jessica Teran, agent.

**Fiscal Implications:**

**Administrative Recommendation:** The Planning and Zoning Commission unanimously recommended for approval with the following stipulations:

1. The owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business).
2. If any complaints concerning minors or any violations of the regulations listed above occur, the City has the right to revoke the Specific Use Permit.
3. If this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
4. The sale of tobacco products or drug paraphernalia is prohibited.
5. The hours of operation will be from 11:00 a.m. to 9:00 p.m. or by appointment.
6. Any remodeling of the current building must meet all city codes and requires licensed contractors.
7. No painting of the windows or the building with advertisement or graphic art.
8. This Specific Use Permit only applies to the building on the eastern portion of this lot (3201 New Boston Road).

Public Hearing – 1-13-14  
Second Briefing – 1-27-14  
Council Vote – 2-10-14

**From:** TEX-Evans, Jennifer  
**Sent:** Thursday, January 02, 2014 9:55 AM  
**To:** TEX-Burns, Pam  
**Subject:** FW: Specific Use Permit for Tattooing

Pam,  
Chief wants this email to be attached to the briefing sheet regarding this item for our council meeting packets.  
Thanks,

Jennifer Evans, Executive Assistant  
O - 903.798.3930/F – 903.798.3448  
j.evans@txkusa.org

-----Original Message-----

**From:** John Mowrer [mailto:texarkanaink@gmail.com]  
**Sent:** Thursday, January 02, 2014 9:29 AM  
**To:** TEX-Evans, Jennifer  
**Subject:** Specific Use Permit for Tattooing

Dear City Secretary,

I apologize for not being able to attend the City Council Meeting on January 13th due to prior family obligations. Could you please forward this letter to the City Council Members.

Please allow this statement to be read on January 13th 2014 during the City Council meeting when addressing the issue of approval for Specific Use permit for tattooing at 3201 New Boston rd Texarkana, TX.

I respectfully request the Council to seriously consider or table the approval for Specific Use permit for tattooing at 3201 New Boston Rd Texarkana, Tx. Presently there is 4 professional shops open within the City limits, which can easily handle the business within the City limits and surrounding areas. Approving another Specific Use permit for tattooing would only cause economic strain on current shops.

I Respectfully request the Council to consider limiting the number of Specific Use permits for tattooing within the City limits. By limiting the amount approved would cut down on serious issues within the industry such as tattooing minors, drug use, cross contamination and the spreading of diseases. This is a very serious matter and shouldn't be taken lightly. Once the City approves it there is very little recourse with these issues.

Texarkana Ink was opened in 2009 to improve the quality and set a standard to the industry in Texarkana and will continue to do so. Texarkana Ink and it's Artist are willing to work with the Council and City to set some type of guidelines and standards for tattooing or criteria needed to obtain Specific Use permits within the City if needed. Thank you for your time and efforts!

John Mowrer  
Texarkana Ink, Inc.  
3805 State Line  
Texarkana, Tx.  
(903)793-0093

Sent from my iPhone

# SUMMARY SHEET

CASE NO: S-650

Requested Zoning: SUP, Specific Use Permit

Present Zoning: GR

Proposed Use: Tattoo Studio

To P&Z: December 2, 2013

Present Use: Vacant building

To C.C. : January 13, 2014

Location/Address: 3201 New Boston Road

Comprehensive Plan Designation: Retail Area

Owner-applicant: W.R. Bowling Agent: Jessica Teran

Zoning: North C East GR South GR West Office and SF-2

Adjacent Usage: North Plant Nursery South Residence

East Residence West Business and Westlawn School

## STAFF COMMENTARY

S-650: This is a request by W.R. Bowling, owner, and Jessica Teran, agent, for a Specific Use Permit, SUP, to allow one additional use of a tattoo studio on Lot 112, Midland Addition, (Tract 256), located at 3201 New Boston Road. There are currently two (2) buildings on this lot. This SUP is only for the building on the east side of the property (3201 New Boston Road). This building is currently vacant. Based on city records, the last several tenants have been hair salons.

The adjacent zoning is Commercial to the north, Office and SF-2 to the west and General Retail to the south and east. The adjacent land use is a plant nursery to the north, a business and Westlawn School to the west, and residences to the south and east.

This property is zoned General Retail (GR). A Specific Use Permit is required to allow the one additional use of a tattoo studio in this zoning district. The application of permanent cosmetics is also considered a tattoo as well as any inked body art. The State of Texas will regulate this business as to licensing and other health related issues.

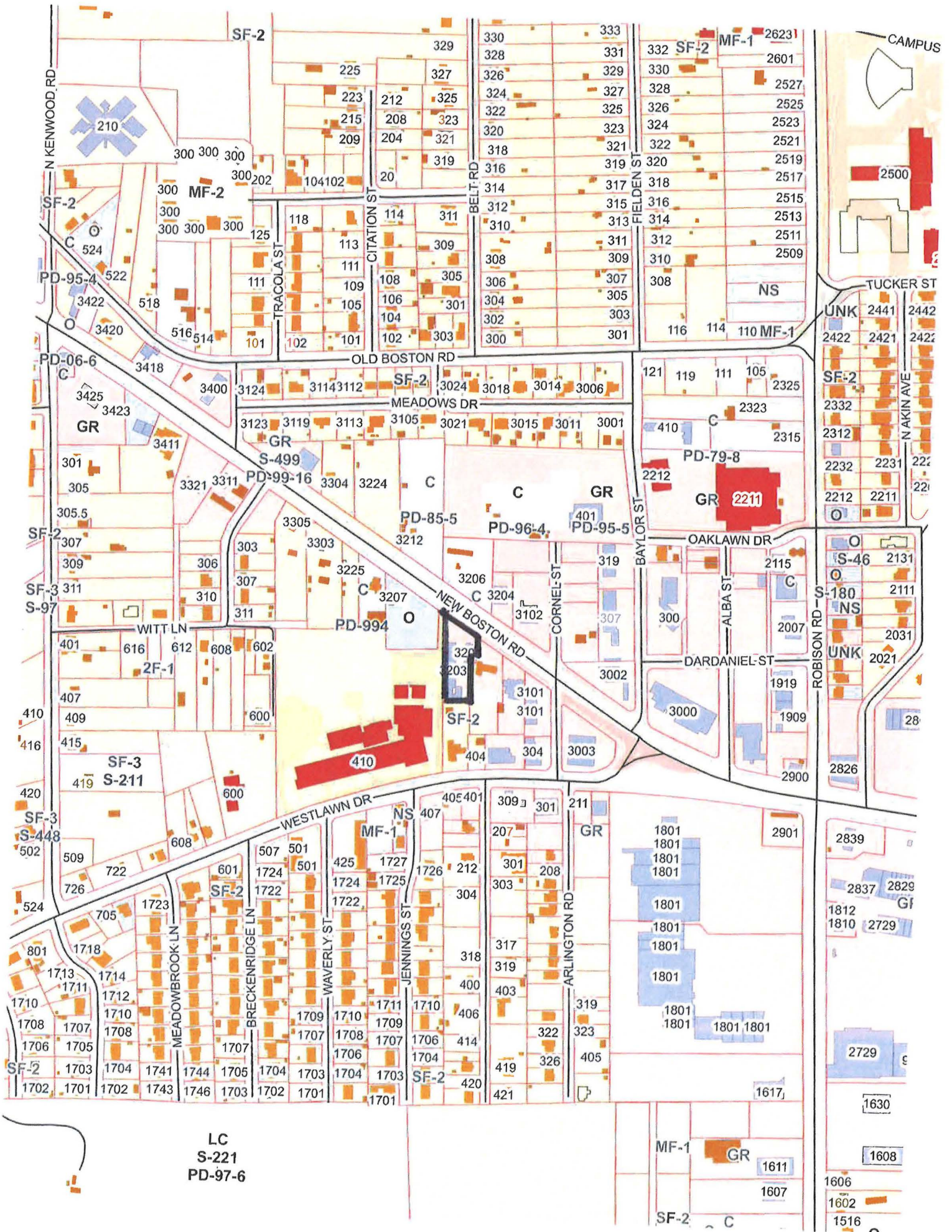
This request meets all city requirements to allow the one additional use of a tattoo studio on this property. It appears that there is adequate parking for this business. The hours of operation are not known at this time, but can be regulated if stipulated in the Ordinance.

If this request is approved, staff would suggest the following stipulations be placed in the Ordinance:

1. That the owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business).
2. That if any complaints concerning minors or any violations of the regulations listed above occur, the City has the right to revoke the Specific Use Permit.
3. That if this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
4. Any remodeling of the current building must meet all city codes and requires licensed contractors.
5. That this Specific Use Permit only applies to the building on the eastern portion of this lot (3201 New Boston Road).
6. No painting of the windows or the building with advertisement or graphic art.

The **PLANNING AND ZONING COMMISSION'S** recommendation is for approval with stipulations.

Approved 5 Abstained 0 Denied 0



LC  
S-221  
PD-97-6

MF-1  
GR  
SF-2

1608  
1607  
1606  
1602  
1516



3224

3212

401

319

3225

3209

3207

3206

3204

3102

CORNEL ST

307

NEW BOSTON RD

3201

3203

3105

3002

3103

3101

3101

3101

3101

CORNEL ST

3003

410

408

404

308

304

WESTLAWN DR

405

401

309

307

301

211

203

411

WININGS ST

407

CRESTVIEW RD

ARLINGTON RD

**ORDINANCE NO. 2014-011**

**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-650 TO ALLOW ONE ADDITIONAL USE OF A TATTOO STUDIO ON LOT 112, BLOCK 256, MIDLAND ADDITION (TRACT 256), LOCATED AT 3201 NEW BOSTON 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 so as to grant a **Specific Use Permit** to allow the **one additional use of a tattoo studio** on Lot 112, Block 256, Midland Addition (Tract 256), located at 3201 New Boston 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 after holding hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, voted **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 one additional use of a tattoo studio 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 so as to grant a **Specific Use Permit numbered S-650 for the purpose of allowing the one additional use of a tattoo studio** on the following described property, to-wit: **on Lot 112, Block 256, Midland Addition (Tract 256), located at 3201 New Boston Road in the City of Texarkana, Bowie County, Texas.**

**SECTION 2:** That the following special terms and conditions are hereby imposed and made part of this Ordinance:

1. The owner/or any employee performing the application of tattooing procedures be currently licensed by the State and meet all Federal, State and City licensing laws and health regulations. (A copy of the current license must be provided to the City prior to the opening of the business).
2. If any complaints concerning minors or any violations of the regulations listed above occur, the City has the right to revoke the Specific Use Permit.

3. If this use ever ceases at this location, the City may revoke the Specific Use Permit that allows a tattoo studio.
4. The sale of tobacco products or drug paraphernalia is prohibited.
5. The hours of operation will be from 11:00 a.m. to 9:00 p.m. or by appointment.
6. Any remodeling of the current building must meet all city codes and requires licensed contractors.
7. No painting of the windows or the building with advertisement or graphic art.
8. This Specific Use Permit only applies to the building on the eastern portion of this lot (3201 New Boston Road).

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

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

**SECTION 4:** That this Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in regular Council Session on this the **10<sup>th</sup>** day of **February, 2014**.

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

**Consideration/Approval of: Resolution No. 2014-013**

**Presented for:**

Council Action   X   Report/Review Only \_\_\_\_\_

**Supporting documents:**

None \_\_\_\_\_ Attached   x   Provided Later \_\_\_\_\_

**Contact Person:**

Craig Lindholm, Executive Director Community Redevelopment and Grants

**Background Information:**

The Texas Department of Housing and Community Affairs Tax Credit (HTC) Program is one of the primary means of directing private capital toward the development and preservation of affordable rental housing for low-income households. Tax credits are awarded to eligible participants to offset a portion of their federal tax liability in exchange for the production or preservation of affordable rental housing.

Each year the Texas Department of Housing and Community Affairs holds a competition among developers for the 9% housing tax credits. The 9% Housing Tax Credit round is highly competitive and awarded based on a Regional Allocation Formula (RAF) with additional set asides for developments at risk of losing affordability and subsidy, developments financed through United States Department of Agriculture, and those with nonprofit owners. Applications are scored and ranked within their region or set-aside and in accordance with rules and laws outlined in the Qualified Allocation Plan (QAP) which is drafted by Texas Department of Housing and Community Affairs staff, adopted by the Texas Department of Housing and Community Affairs Board, and approved by the Governor.

The City of Texarkana will compete for tax credit awards with other cities in our region, these cities include Tyler, Marshal, and Longview. Developers seeking tax credits for their projects within the City of Texarkana will compete with each other as well as developers seeking tax credits for their projects throughout the region. Currently the City has been approached by four (4) developers seeking City support for their proposed developments. The developers include:

Carleton Residential Properties (Housing Authority of Texarkana, Texas) Robison Towers; Landmark Development/Sari and Associates Grim Hotel; Pinnacle Housing Group New Construction; and Palladium USA New Construction.

The City may choose to support one or more development projects, however, there is a financial commitment required on behalf of the city should the developer be awarded the tax credits. A spreadsheet with the formula is attached for your review, but the commitment is based on per unit funding with a range from \$365 per unit for the minimum number of points to a maximum of \$5,475 per unit for the maximum number of points. Since tax credits are awarded on the basis of the most points, the higher the commitment the higher the probability of consideration for an award. **The commitment of these funds does not occur unless the tax credits are awarded. Upon the award of the tax credits the Council would be asked to pass a resolution authorizing the commitment of the exact amount of funds necessary for the development.**

This resolution would authorize the City Manager to execute a letter in support and commitment for one or more of the proposed developments cited above for the purpose of competing to secure an award of the Texas Department of Housing and Community Affairs (TDHCA) 9% low income housing tax credits pursuant to Sec. 49.8(2)(A) of the Qualified Allocation Plan for TDHCA's low income housing tax credit financing for the acquisition and construction of the proposed residential development to be located within the city limits of Texarkana, Texas.

**Fiscal Implications:**

none

**Administrative Recommendation:**

Staff recommends approval of this Resolution.

**From:** [recwhitt@aol.com](mailto:recwhitt@aol.com) [<mailto:recwhitt@aol.com>]

**Sent:** Wednesday, January 08, 2014 11:24 AM

**To:** TEX-Bruggeman, Bob (Personal); [willeray71@yahoo.com](mailto:willeray71@yahoo.com); Tina Veal Gooch; [dr.brian.matthews@gmail.com](mailto:dr.brian.matthews@gmail.com); TEX-Miller, Bill (Work); TEX-Davis, Josh (Personal)

**Cc:** TEX-Whitson, John

**Subject:** Citizen input

Friends -

Due to an unavoidable conflict, I won't be able to attend Monday's City Council meeting where you will be hearing from developers about the various proposals for Affordable Housing Tax Credits, so I wanted to be sure to add my two cents worth while it's on my mind...

I encourage you to do whatever you can - whether through this or any other avenue for support - to invest in the ...resolution(?) of the Grim Hotel in our downtown. As a former ED of TRAHC who has hosted individuals from around the world to our downtown, I can tell you that in its current state it is an eyesore which speaks too many horrible things about US - as a community.

Whether developed - or tanked - I encourage you as a team to make the Grim Hotel a priority for action. Given its physical and visual prominence, the Grim Hotel IS the generator for downtown, whether for good or ill.

Downtown has too many jewels and too much potential to keep it on hold in its current state; it is one of our authentic undeveloped assets. (And whomever thinks it laughable to imagine our downtown as a potential destination and economic asset should go talk to the people who live in Jefferson; I'm sure they thought the same thing about their community at one time.)

I look forward to the day when we are a complete city/community, with fully developed assets in the north, on the interstate, and in our beautiful historic downtown.

THANKS for any efforts on your part to move us in that direction!!

Thanks also for all that you do for our community -

Onward -

Ruth Ellen Whitt

Citizen of Texarkana, USA

(I don't have Bradfield Casteel's email; please do share with him, also)

# Competitive Housing Tax Credits Information Sheet

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The Texas Department of Housing and Community Affairs Tax Credit (HTC) Program is one of the primary means of directing private capital toward the development and preservation of affordable rental housing for low-income households.

Tax credits are awarded to eligible participants to offset a portion of their federal tax liability in exchange for the production or preservation of affordable rental housing. Each year the Texas Department of Housing and Community Affairs holds a competition among developers for the 9% housing tax credits. The 9% Housing Tax Credit round is highly competitive and awarded based on a Regional Allocation Formula (RAF) with additional set asides for developments at risk of losing affordability and subsidy, developments financed through United States Department of Agriculture, and those with nonprofit owners. Applications are scored and ranked within their region or set-aside and in accordance with rules and laws outlined in the Qualified Allocation Plan (QAP) which is drafted by Texas Department of Housing and Community Affairs staff, adopted by the Texas Department of Housing and Community Affairs Board, and approved by the Governor.

The City of Texarkana will compete for tax credit awards with other cities in our region, these cities include Tyler, Marshal, and Longview. Developers seeking tax credits for their projects within the City of Texarkana will compete with each other as well as developers seeking tax credits for their projects throughout the region.

(3) Commitment of Development Funding by Unit of General Local Government.

-- Scoring Scenarios based on population

Population			Number of Units
			<u>130</u>
Points	Factor (if population < 100k)	Per unit Funding Required	Total Funding Required
11	0.15	5,475	711,770
10	0.1	3,650	
9	0.05	1,825	
8	0.025	913	
7	0.01	365	

B - Additional 2 points for firm commitment

C - Additional 1 point for Perm Loan 15/30amm @ 3%

Development funding must be provided in the form of a construction and/or permanent loan with an interest rate no higher than 3 percent per annum and term of at least 5 years, a grant, an in-kind contribution, a contribution which will support the Development, such as vouchers, or combination thereof.

**RESOLUTION NO. 2014-013**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF SUPPORT AND COMMITMENT FOR PROPOSED LOCAL DEVELOPMENT(S) FOR THE AWARD OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) LOW INCOME HOUSING TAX CREDIT; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Texarkana, Texas has been apprised of the pending applications for tax credits available with the Texas Department of Housing and Community Affairs (TDHCA) for the development of local affordable rental housing for low-income households; and

**WHEREAS**, the following four developers are seeking the City's support for their proposed local developments in their competition for the award of the TDHCA tax credit allocation: Carleton Residential Properties – Robison Towers (Housing Authority of Texarkana, Texas); Landmark Development/Sari and Associates – Grim Hotel; Pinnacle Housing Group – New Construction; and Palladium USA – New Construction; and

**WHEREAS**, the TDHCA requires the express prior approval of the governing body of the City and a written statement of support authorizing the allocation of Housing Tax Credits in order for the applicant to be awarded an allocation of Housing Tax Credits by TDHCA; and

**WHEREAS**, the City Council of the City of Texarkana, Texas supports the development of the affordable rental housing for low-income households and is willing to commit financial support to such development(s) should TDHCA award the allocation to one or more of the aforementioned developers;

**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 hereby authorizes the City Manager to execute a letter of support and commitment on behalf of one or more of the aforementioned developers selected by the City Council to be supported by the City for the 2014 TDHCA Tax Credit competition.

**SECTION 2:** The City Council acknowledges this resolution as a statement of support and requires a subsequent Ordinance for authorization of the exact amount of funds necessary for the development if the tax credits are awarded one of the aforementioned developers.

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

**PASSED AND APPROVED** in Regular Council Session on this the 27<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

# Briefing Sheet

**Lead Department:** City Manager                      **Action Officer:** John Whitson, City Manager  
**Subject:**                      Resolution No. 2014-020 Setting the 2014 City Council Meeting Schedule and the City Offices Holiday Closing Schedule

**Briefing:** 1/13/2014                      **Public Hearing:**                      1/13/2014                      **Action:**                      1/27/2014

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

**Updates/History of Briefing:**  
 NOT APPLICABLE

**Executive Summary and Background Information:**  
Executive Summary: Change city council meetings from 2<sup>nd</sup> and 4<sup>th</sup> Mondays to 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays to improve council meeting management providing more time for staff to react to councilmember inquiries following publication of the agenda and reducing the meeting schedule conflict with Thanksgiving and Christmas holidays.

Add Good Friday, Veteran’s Day, and the Day after Christmas to the city offices holiday closure schedule. Eliminate the employee annual “Personal Holiday” and “Bonus Days”. City offices will be closed 12 days annually compared to the current nine days. Employees will be paid 12 holidays compared to the current ten holidays plus two potential bonus days.

Background: Currently the city council meets twice monthly on the 2<sup>nd</sup> and 4<sup>th</sup> Monday. With the implementation of Intelligent Meeting Management System (IQM2s Minute Traq) the agendas will be transmitted to city councilmembers on Thursday prior to the following week’s meeting. As councilmembers review the agenda items there are usually questions for staff or discussions with management that need to be accomplished prior to meeting time. Mondays prove to be challenging with regular business activities and responding to councilmember inquiries. Staff members feel rushed to meet these last minute inquiries. Updating briefing materials to reflect these inquiries and discussions is also daunting in light of full disclosure and transparency for the public. Switching the council meeting night from Monday to Tuesday will provide more time for staff to react to councilmember inquiries and permit staff to update the briefing materials prior to council meeting. Updated materials will be available to the public as well as elected officials thus continuing to improve the city’s legislative transparency.

Moving the council meeting to the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month will better serve the public by permitting two meetings to occur in both November and December without infringing on either the Thanksgiving or Christmas holidays. Notice in attachment 2 (Holiday and Council Meeting Schedule 2014 – Current) the May 26 meeting is shifted to Tuesday to accommodate the Memorial Day holiday. By switching to Tuesdays the city will avoid all

## City of Texarkana, Texas

national "Monday" holidays. Some national holidays do not fall on Monday and may occasionally conflict with a city council meeting date.

Along with changing the regular council meeting date the city can also adjust the holiday schedule to better match other area public office holiday closures. Currently the city closes nine days a year for holidays (see attachment 4: Holiday and Council Meeting Schedule 2014 – Christmas). Employees also earn one additional "personal" holiday that is taken at a time of their individual choice as approved by their supervisor. The city does not close offices for Good Friday or Veteran's Day when many other public offices are closed. The difference in schedule is readily noticeable in the Bi-State Justice Center when only the Texas offices are open on these dates. There generally is very little customer activity on these two dates.

The city also awards employees with "Bonus Days" in recognition of their non-use of sick days. When an employee uses 16 hours of less sick leave in a year they earn two additional leave days or if they use less than four days but more than two days sick leave they earn one additional leave day. Tracking "Bonus and Personal Days" is burdensome. Current accrual rates for both sick leave and paid leave days appear to be adequate and comparable to many other Texas local governments.

During Christmas Week there is a lot of employee absenteeism and many offices are understaffed. City offices are currently closed on Christmas Eve and Christmas Day. When these two days fall on Thursday/Friday, Friday/Saturday, Saturday/Sunday, Sunday/Monday or Monday/Tuesday employees enjoy a four-day weekend. Being closed for three days the schedule can be adjusted to always permit a five-day weekend. City offices will be closed on Christmas Eve, Christmas Day, and the Day Following Christmas as adjusted for weekend dates and Christmas Wednesdays. Attachment 4 shows the Christmas closure schedule based on what day of the week Christmas occurs. In the second example when Christmas occurs on Wednesday the adjustment will be to close on December 23 and open on December 26 thus maintaining the five-day weekend but requiring employees to work on the day following Christmas.

The net annual difference is three additional office holiday closure days but only two additional employee days off for holidays (add: Good Friday, Veteran's Day, and Day after Christmas and delete the Personal Holiday). Additionally, "Bonus Days" will be discontinued for non-use of sick leave.

### Potential Options:

- No Change
- Leave Meeting Dates on 2<sup>nd</sup> and 4<sup>th</sup> Monday of each Month – No Change in Holiday Schedule
- Leave Meeting Dates on 2<sup>nd</sup> and 4<sup>th</sup> Monday of each Month – Change Holiday Schedule
- Change Meeting Dates to 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each Month – No Change in Holiday Schedule
- Change Meeting Dates to 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each Month – Change Holiday Schedule

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### Staff Recommendation:

## City of Texarkana, Texas

Staff recommends changing the city council meetings to 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month and changing the city holiday office closure schedule to 12 days per year, eliminating "Bonus Days" rewards for non-use of sick leave and the "floating" personal day.

### Advisory Board/Committee Review:

NONE

### Board/Committee Recommendation:

NOT APPLICABLE

### Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

### Attachments

- a. Goals and Perspectives (DOCX)
- b. Holiday and Council Meeting Schedule 2014 - Current (PDF)
- c. Holiday and Council Meeting Schedule 2014 - Proposed (PDF)
- d. Holiday and Council Meeting Schedule 2014 - Christmas (PDF)
- e. RESOLUTION 2014-20 Establishing City Holidays and Setting City Council Meetings for 2014 (DOC)

### Staff Coordination

City Manager	John Whitson	Department Head Review	Completed
	01/05/2014 2:39 PM		
Inspections Department		Review	Pending
Water Utilities		Review	Pending
Parks & Recreation	Robby Robertson	Review	Completed 01/05/2014
	3:54 PM		
Fire Department	Eric Schlotter	Review	Completed 01/05/2014
	4:59 PM		
City Engineer	Kyle Dooley	Review	Completed 01/05/2014
	7:22 PM		
Information Technology		Bobby Bean	Review Completed
	01/05/2014 8:13 PM		
Community Redevelopment and Grants		Craig Lindholm	Review Completed
	01/06/2014 8:13 AM		
Police	Dan Shiner	Review	Completed 01/06/2014
	8:37 AM		
Public Information Officer		Lisa Thompson	Review Completed
	01/06/2014 8:47 AM		
Municipal Services and Public Works		Shirley Jaster	Review Completed
	01/06/2014 3:24 PM		
Finance	Charlie Bassett	Review	Completed 01/06/2014
	5:16 PM		

**City of Texarkana, Texas**

Human Resources 9:59 AM	Jim Powell	Review	Completed	01/07/2014
Economic Development		Jerry Sparks	Review	Completed
	01/07/2014 10:11 AM			
City Secretary		Review	Pending	
City Manager		Review	Pending	

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**Meeting History**

**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 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 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 checked="" type="checkbox"/> Public Forum/Input Session	<input type="checkbox"/> Press Release
<input checked="" type="checkbox"/> E-News Distribution	<input checked="" 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:

2014 City of Texarkana, Texas Holiday and Council Meeting Schedule

DAY	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1	HOLIDAY					SUNDAY			HOLIDAY			
2		SUNDAY	SUNDAY								SUNDAY	
3								SUNDAY				
4					SUNDAY		HOLIDAY					
5	SUNDAY									SUNDAY		
6				SUNDAY			SUNDAY					
7									SUNDAY			SUNDAY
8						SUNDAY			MEETING			MEETING
9		SUNDAY	SUNDAY			MEETING					SUNDAY	
10		MEETING	MEETING					SUNDAY			MEETING	
11					SUNDAY			MEETING				
12	SUNDAY				MEETING					SUNDAY		
13	MEETING			SUNDAY			SUNDAY			MEETING		
14				MEETING			MEETING		SUNDAY			SUNDAY
15						SUNDAY						
16		SUNDAY	SUNDAY								SUNDAY	
17								SUNDAY				
18					SUNDAY							
19	SUNDAY									SUNDAY		
20	HOLIDAY			SUNDAY			SUNDAY					
21									SUNDAY			SUNDAY
22						SUNDAY			MEETING			
23		SUNDAY	SUNDAY			MEETING					SUNDAY	
24		MEETING	MEETING					SUNDAY			MEETING	HOLIDAY
25					SUNDAY			MEETING				HOLIDAY
26	SUNDAY				HOLIDAY					SUNDAY		
27	MEETING			SUNDAY	MEETING		SUNDAY			MEETING	HOLIDAY	
28				MEETING			MEETING		SUNDAY		HOLIDAY	SUNDAY
29						SUNDAY						
30			SUNDAY								SUNDAY	
31								SUNDAY				

2014 City of Texarkana, Texas Holiday and Council Meeting Schedule (Proposed)

DAY	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1	HOLIDAY					SUNDAY			HOLIDAY			
2		SUNDAY	SUNDAY						MEETING		SUNDAY	MEETING
3						MEETING		SUNDAY				
4		MEETING	MEETING		SUNDAY		HOLIDAY				MEETING	
5	SUNDAY							MEETING		SUNDAY		
6				SUNDAY	MEETING		SUNDAY					
7									SUNDAY	MEETING		SUNDAY
8				MEETING		SUNDAY	MEETING					
9		SUNDAY	SUNDAY								SUNDAY	
10								SUNDAY				
11					SUNDAY						HOLIDAY	
12	SUNDAY									SUNDAY		
13	MEETING			SUNDAY			SUNDAY					
14									SUNDAY			SUNDAY
15						SUNDAY						
16		SUNDAY	SUNDAY						MEETING		SUNDAY	MEETING
17						MEETING		SUNDAY				
18		MEETING	MEETING	HOLIDAY	SUNDAY						MEETING	
19	SUNDAY							MEETING		SUNDAY		
20	HOLIDAY			SUNDAY	MEETING		SUNDAY					
21									SUNDAY	MEETING		SUNDAY
22				MEETING		SUNDAY	MEETING					
23		SUNDAY	SUNDAY								SUNDAY	
24								SUNDAY				HOLIDAY
25					SUNDAY							HOLIDAY
26	SUNDAY				HOLIDAY					SUNDAY		HOLIDAY
27	MEETING			SUNDAY			SUNDAY				HOLIDAY	
28									SUNDAY		HOLIDAY	SUNDAY
29						SUNDAY						
30			SUNDAY								SUNDAY	
31								SUNDAY				

SUN	MON	TUE	WED	THU	FRI	SAT		Current	Proposed
23	24	25	26	27	28	29	New Years's Day	1	1
30	31						MLK Birthday	1	1
							Good Friday		1
22	23	24	25	26	27	28	Memorial Day	1	1
29	30	31	(2019, 2024, 2030, 2041)				Independence Day	1	1
							Labor Day	1	1
21	22	23	24	25	26	27	Veteran's Day		1
28	29	30	31				Thanksgiving Day	1	1
							Day After Thanksgiving Day	1	1
20	21	22	23	24	25	26	Christmas Eve	1	1
27	28	29	30	31			Christmas Day	1	1
							Christmas 3rd Day		1
19	20	21	22	23	24	25	Personal Day	1	
26	27	28	29	30	31		<b>Total Days</b>	<b>10</b>	<b>12</b>
18	19	20	21	22	23	24	And, eliminate "days off" for saving sick leave.		
25	26	27	28	29	30	31			
17	18	19	20	21	22	23			
24	25	26	27	28	29	30			

**RESOLUTION NO. 2014 - 20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
TEXARKANA, TEXAS, ESTABLISHING CITY HOLIDAYS AND  
SETTING CITY COUNCIL MEETINGS FOR 2014; AND  
ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, annually city offices are currently closed for nine recognized employee paid holidays; and

**WHEREAS**, city employees are provided one additional paid holiday as a personal day to be taken at any time as approved by their supervisor; and

**WHEREAS**, city employees are awarded "Bonus Days" in recognition of their non-use of sick leave; and

**WHEREAS**, Bonus Days are added to the employee annual leave accrual at a rate of two Bonus Days for annually using 16 hours or less sick leave and one Bonus Day for using between two and four days of sick leave; and

**WHEREAS**, Bi-State Justice Center offices are closed for both Bowie County and Texarkana, Arkansas on Good Friday and Veterans Day; and

**WHEREAS**, on Good Friday and Veterans Day there is very little customer traffic for Texarkana, Texas offices in the Bi-State Justice Center; and

**WHEREAS**, Bowie County provides for 14 paid holidays annually; and

**WHEREAS**, the Texarkana, Arkansas Board of Directors provides for 11 paid holidays annually and they also permit the city manager to grant the Friday following Thanksgiving and Christmas Eve as paid holidays for a total of 13 paid holidays annually; and

**WHEREAS**, city offices are closed on Christmas Eve and Christmas Day or two other days when these days occur on the weekend; and

**WHEREAS**, adding a third Christmas season holiday will permit employees to always enjoy a five-day weekend at Christmas when city business activities are generally at their lowest volume; and

**WHEREAS**, the city manager recommends adding Good Friday, Veteran's Day and a third Christmas holiday to the city holiday schedule; and

**WHEREAS**, the city manager further recommends discontinuance of both the annual "Personal Day" holiday and the granting of "Bonus Days" in recognition of the non-use of sick leave; and

**WHEREAS**, the city holiday schedule also impacts meetings of the city council; and

**WHEREAS**, the city council currently meets on the second and fourth Monday of each month; and

**WHEREAS**, the council meeting agenda is submitted to councilmembers late in the week prior to the following Monday evening meeting; and

**WHEREAS**, councilmember review of the agenda items generally occurs over the weekend resulting in calls to the city staff on Monday seeking clarification, and/or additional information; and

**WHEREAS**, the time between these councilmember inquiries and the beginning of the evening council meeting does not afford the staff sufficient time to complete additional research and then to post the information to the public agenda thus somewhat thwarting the public's access to the additional information prior to the council meeting; and

**WHEREAS**, in 2014 one council meeting in May will require rescheduling to accommodate the Memorial Day holiday; and

**WHEREAS**, considering city council past practice the fourth Monday council meetings in November and December will likely be cancelled due to the proximity of the Thanksgiving and Christmas holidays, thus three regularly scheduled council meetings will likely be either rescheduled or cancelled in 2014 due to conflict with holidays; and

**WHEREAS**, designating regularly scheduled council meetings to occur on the first and third Tuesday of each month will permit staff to have more time to react to councilmember agenda item inquiries thus permitting staff sufficient time to update the public agenda providing for more transparency; and

**WHEREAS**, changing the regularly scheduled council meetings to Tuesday will avoid council meetings conflicting with the holidays that occur on the Federal Monday Holiday Law; and

**WHEREAS**, some holidays that are not part of the Federal Monday Holiday Law can occasionally conflict with a council meeting whether meeting on Monday or Tuesday, such as Independence Day, Veterans Day, or Christmas; and

**WHEREAS**, scheduling council meetings to occur on the first and third Tuesday versus the current second and fourth Monday each month will move the council meeting dates to earlier in the month and farther away from the Thanksgiving and Christmas holidays in November and December reducing the need for cancelling the second monthly meeting in these months; and

**WHEREAS**, the city manager recommends changing the council meetings from the second and fourth Monday each month to the first and third Tuesday each Month beginning in February 2014;

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

**SECTION 1:** That city offices will be closed 12 days each year on (1) New Year's Day; (2) Martin Luther King, Jr. Birthday; (3) Good Friday; (4) Memorial Day; (5) Independence Day; (6) Labor Day; (7) Veteran's Day; (8) Thanksgiving Day; (9) Friday following Thanksgiving Day; (10) Christmas Eve; (11) Christmas Day; and (12) Day after Christmas Day or equivalent weekdays when the designated days occur on the weekend.

**SECTION 2:** Authorizes and directs the city manager to change the personnel policy to eliminate the "Personal Day" holiday from the city holiday schedule and to eliminate "Bonus Days" from the city sick leave program permitting any currently earned "Personal Day" holidays to continue and remain available through the end of the current fiscal year.

**SECTION 3:** Beginning in February, 2014, the city council will meet in regular meeting on the first and third Tuesday of each month until further notice.

**SECTION 4:** City council will meet in special meetings as called and noticed to the public in accordance with city council policy, the city charter and state statute.

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

**PASSED AND APPROVED** in Regular Council Session on this the \_\_\_ day of \_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS, CITY SECRETARY

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

**Consideration/Approval of: Ordinance No. 2014-017**

**Presented for:**

Council Action  \_\_\_\_\_ Report/Review Only \_\_\_\_\_

**Supporting documents:**

None \_\_\_\_\_ Attached  \_\_\_\_\_ Provided Later \_\_\_\_\_

**Contact Person:** Shirley Jaster, Executive Director of Community & Public Works

**Background Information: (Z-14-1)**

Ordinance No. 2014-017 rezoning a one acre tract of land being a part of Block 54 in the J.W. Johnson HRS, A-308, located at 1918 Allen Lane. Single Family-2 to Two Family-1. Dewitt Fortenberry, owner.

Two residential structures are currently located on this property. The main structure is a residence and the second structure is a garage type apartment unit. Both structures have been on the property for some time and would be considered non-conforming uses. However, the apartment unit has not been occupied for over a 6 month period so it has lost its non-conforming status. The property is currently zoned SF-2 so only one single family unit is allowed on the property. The owner wants to rehabilitate and rent out the second unit, therefore the property must be rezoned to Two Family-1 (2F-1) to allow a second living unit on the property.

**Fiscal Implications:**

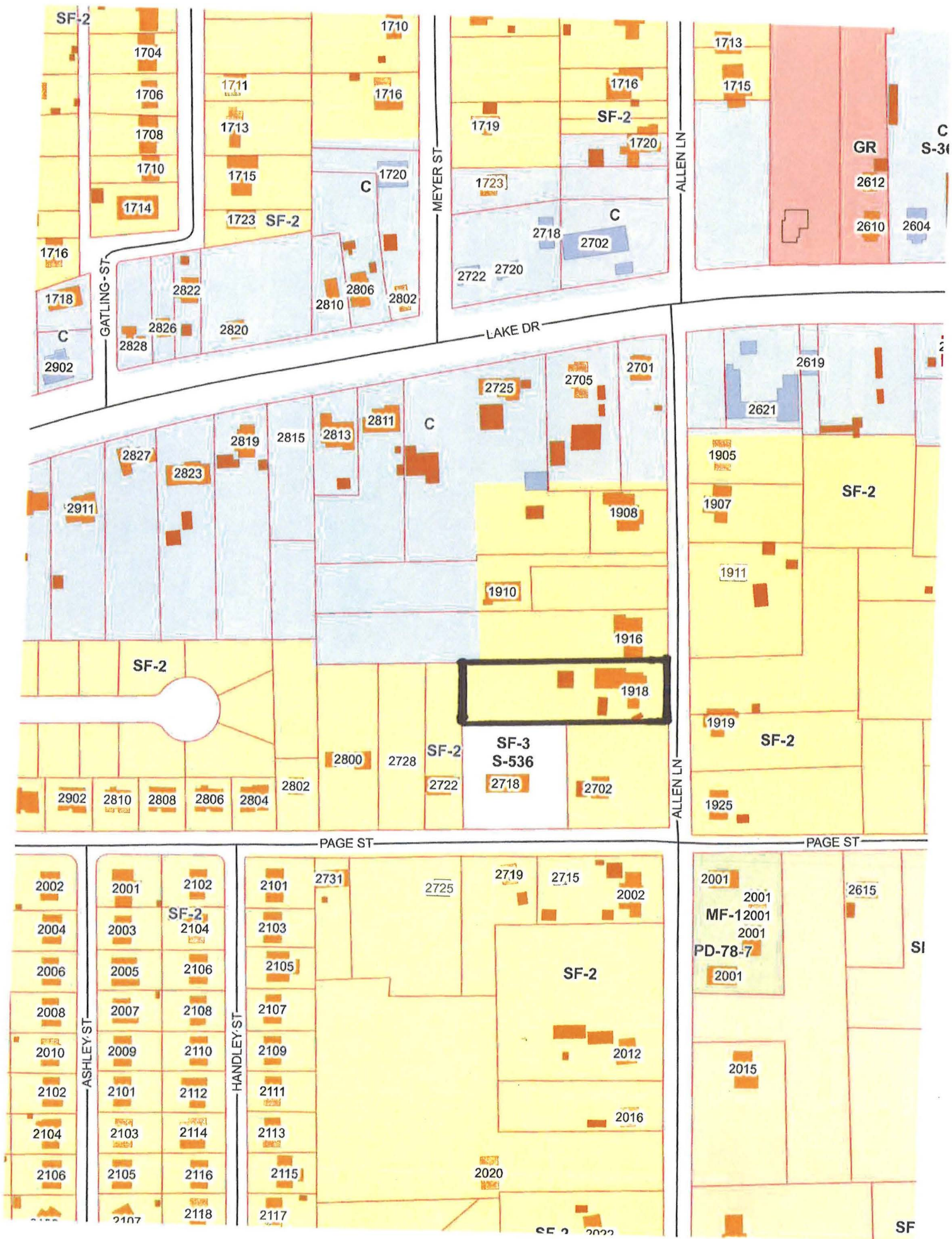
**Administrative Recommendation:** The Planning and Zoning Commission unanimously recommended for approval of this request.

**Public Hearing (CC) – 1-27-14**

**Second CC briefing – 2-10-14**

**Council vote – 2-24-14**







**ORDINANCE NO. 2014-017**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A ONE ACRE TRACT OF LAND BEING A PART OF BLOCK 54 IN THE J.W. JOHNSON HRS, A-308, LOCATED AT 1918 ALLEN LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-2 TO TWO FAMILY-1; 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 the a one acre tract of land being part of Block 54 in the J.W. Johnson HRS, A-308, located at 1918 Allen Lane (Exhibit "A") in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Two-Family-1**; and

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

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to Two Family-1** to the City Council of Texarkana, Texas; and

**WHEREAS**, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to Two Family-1** is in the best interest of the public health, safety, morals and general welfare of the City;

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

**SECTION 1:** That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a one acre tract of land being a part of Block 54 in the J.W. Johnson HRS, A-308, located at 1918 Allen Lane (Exhibit "A") in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Two Family-1**.

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

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

**SECTION 4:** That this Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the 24th day of February, 2014.

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS  
CITY SECRETARY

EXHIBIT "A"

All that certain tract or parcel of land being a part of Block No. 54 of the Subdivision of the J. W. JOHNSON HEADRIGHT SURVEY, Abstract No. 308, Bowie County, Texas, and being the same tract of land conveyed to E. E. Reid and wife, Evelyn R. Reid by Deed recorded in Volume 373, Page 470 of the Deed Records of Bowie County, Texas, and the subject tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner on the East boundary line of said Block No. 54, at a point located North, 330.00 feet from the Southeast corner of said Block No. 54, said Point also being the Northeast corner of a certain 3 acre tract of land, and being located in Allen Lane;

THENCE South, 110 feet with the East line of said Block No. 54 and with Allen Lane to a point for corner;

THENCE N 89 deg. 17' 51" W, 20.00 feet to a ½" iron pin set for reference and continuing for a total distance of 396.00 feet to a ½" iron pin set for corner;

THENCE North, 110.00 feet to a nail found for corner;

THENCE S 89 deg. 17' 51" E, 376.00 feet to a ½" iron pin set for reference and continuing for a total distance of 396.00 feet to the POINT OF BEGINNING and containing 1.00 acres of land, more or less, BEING SUBJECT TO any rights vested to the Public within the right-of-way line of Allen Lane as located on the East side of this tract;

**ORDINANCE NO. 2014-017**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A ONE ACRE TRACT OF LAND BEING A PART OF BLOCK 54 IN THE J.W. JOHNSON HRS, A-308, LOCATED AT 1918 ALLEN LANE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-2 TO TWO FAMILY-1; 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 the a one acre tract of land being part of Block 54 in the J.W. Johnson HRS, A-308, located at 1918 Allen Lane (Exhibit "A") in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Two-Family-1**; and

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

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted five (5) to zero (0) to recommend the application for rezoning from Single Family-2 to Two Family-1** to the City Council of Texarkana, Texas; and

**WHEREAS**, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-2 to Two Family-1** is in the best interest of the public health, safety, morals and general welfare of the City;

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

**SECTION 1:** That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a one acre tract of land being a part of Block 54 in the J.W. Johnson HRS, A-308, located at 1918 Allen Lane (Exhibit "A") in the City of Texarkana, Bowie County, Texas, from **Single Family-2 to Two Family-1**.

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

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

**SECTION 4:** That this Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the 24th day of February, 2014.

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS  
CITY SECRETARY

**Consideration/Approval of: Ordinance No. 2014-018**

**Presented for:**

Council Action  Report/Review Only \_\_\_\_\_

**Supporting documents:**

None \_\_\_\_\_ Attached  Provided Later \_\_\_\_\_

**Contact Person:** Shirley Jaster, Executive Director of Community & Public Works

**Background Information:** (Z-14-2)

Ordinance No. 2014-018 rezoning an approximate 23 acre tract being a part of Lot 2, Richmond-Airline Subdivision, located at the southeast corner of Richmond Road and Airline Drive. Single Family-1 to Planned Development-General Retail and Planned Development-Multiple Family-1. Amy Harrel, owner. Brandon Huffman, under contractor to purchase, and Dan Butler, agents.

This was originally one large tract of land with a single family home. With the widening of Richmond Road to a 5 lane roadway, this property is now planned for mixed type uses. Since there is a viable large single family neighborhood on the northern side of this tract adjacent to Amesdale Drive, the adjacent zoning to this area would need to be transitional.

**Fiscal Implications:**

**Administrative Recommendation:** The Planning and Zoning Commission unanimously recommended for approval of this request to Planned Development-Multiple Family-1 and Planned Development-General Retail.

At the Planning and Zoning Commission meeting, the applicant agreed to amend the application to change the requested zoning to General Retail and to include the Planned Development (PD) designation.

**Public Hearing (CC) – 1-27-14  
Second CC briefing – 2-10-14  
Council vote – 2-24-14**

## SUMMARY SHEET

**CASE NO: Z-14-2**

**Requested Zoning: MF-1 & Commercial**

**Present Zoning: SF-1**

**Proposed Use: Multiple-family and commercial uses**

**To P & Z: January 6, 2014**

**Present Use: Vacant land**

**To CC: January 27, 2014**

**Location/Address: Southeast corner of Richmond Road and Airline Dr.**

**Comprehensive Plan Designation: Office and Mixed Use Area**

**Owner-applicant: Brandon Huffman, under contract Agent: Dan Butler**

**Zoning: North SF-1 East SF-1 South PD-GR and MF-1 West SF-1**

**Adjacent Usage: North Residences South Big Jake's BBQ & Cornerstone Retirement  
East Vacant property West Vacant property**

## STAFF COMMENTARY

This is a request by Amy Harrel, owner, and Brandon Huffman (under contract to purchase) and Dan Butler, agents, to rezone an approximate 23 acre tract of land (being a part of Lot 2, Richmond-Airline Subdivision), located at the southeast corner of Richmond Road and Airline Drive from Single Family-1 to Multiple Family-1 and Commercial. The property is currently vacant land. The proposed use is multiple-family use on the back portion (14.701) acres and commercial use on the front 8.917 acres along Richmond Road.

The adjacent zoning is Single Family-1 to the north, east and west and PD-General Retail and Multiple Family-1 to the south. The adjacent land use is residences to the north, the new Big Jake's BBQ restaurant to the south and vacant land to the east and west.

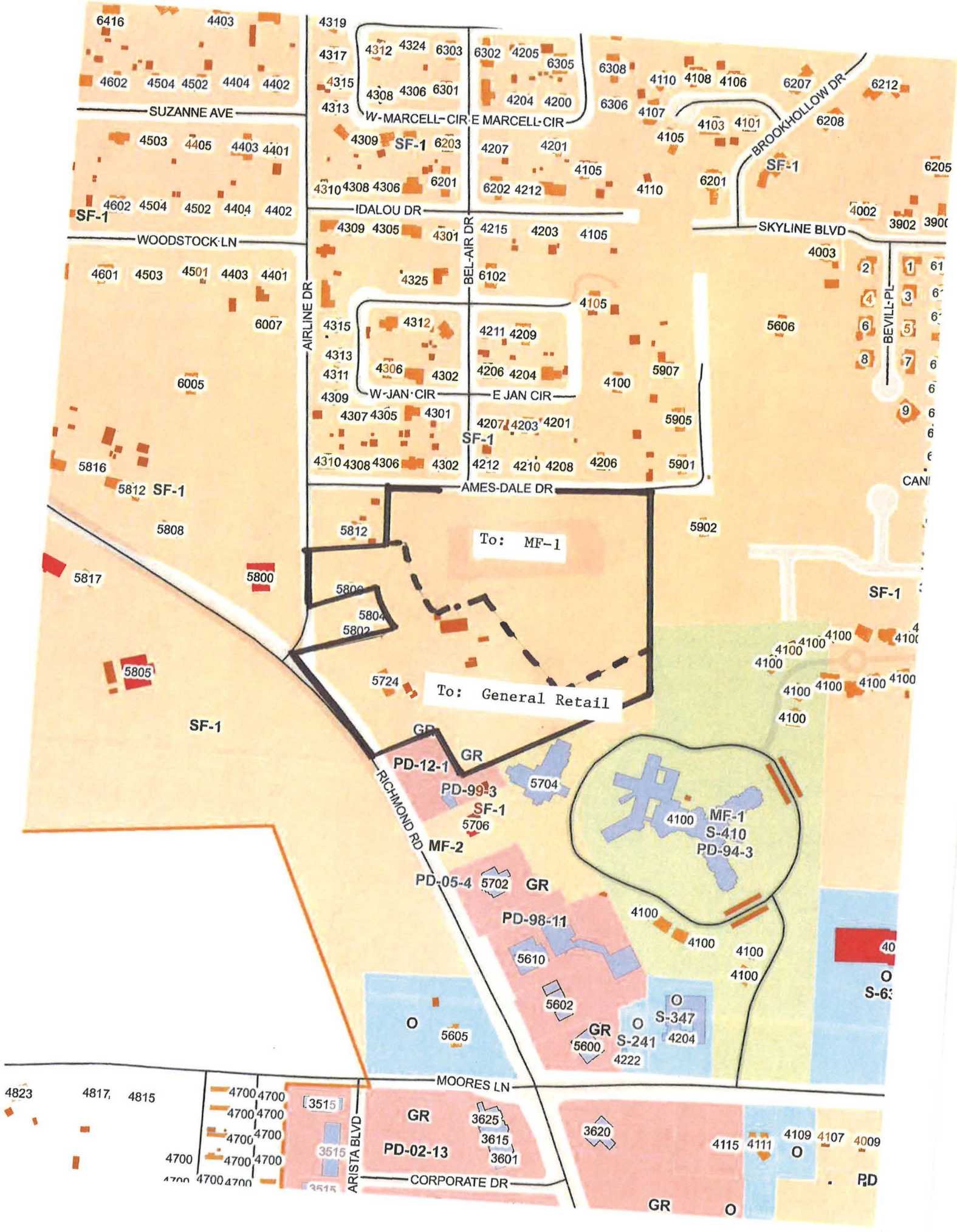
The Comprehensive Plan has designated this as an Office and Mixed Use Area.

This was originally one large tract of land with a single family home. With the widening of Richmond Road to a 5 lane roadway, this property is now planned for mixed type uses. Since there is a viable large single family neighborhood on the northern side of this tract adjacent to Amesdale Drive, the adjacent zoning to this area would need to be transitional.

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

The PLANNING AND ZONING COMMISSION'S recommendation is for approval to PD-MF-1 and PD-General Retail.

Approved 5 Denied 0 Abstained 0





SUZANNE AVE

BROOKHOLLOW DR

SKYLINE BLVD

IDALOU DR

WOODSTOCK LN

AIRLINE DR

BEL-AIR DR

W-JAN CIR

E JAN CIR

AMES-DALE DR

RICHMOND RD

To: MF-1

To: General Retail

SF-1

SF-1

SF-1

MF-2  
PD 94-3

GR

4405 4403 4401

4311 4309 4307 4305 6203

4207 4201

4105

6204

4502 4404 4402

4310 4308 4306 4304 6201

6202 4212 4200

4105

4110

6201

4501 4403 4401

4311 4309 4305 4303 4301

4215 4203 4105

400

6007

4325 6101

6102

4105

5606

6005

4317

4310 4312 4314

4211 4209

5907

4315

4313

4311

4306 4304 4302

4206 4204 4202

4100

5905

4309

4307 4305 4303 4301

4207 4203 4201

5901

5808

SF-1

5812

To: MF-1

5902

5800

5806

5804

5802

SF-1

4100

5724

To: General Retail

4100

4100

SF-1

RICHMOND RD

5708

5704

MF-2  
PD 94-3

4100

5706

5702

4100

4100

4100

4100

4100

5610

4100

**ORDINANCE NO. 2014-018**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING AN APPROXIMATE 23 ACRE TRACT OF LAND BEING A PART OF LOT 2, RICHMOND-AIRLINE SUBDIVISION, LOCATED AT THE SOUTHEAST CORNER OF RICHMOND ROAD AND AIRLINE DRIVE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-1 TO PLANNED DEVELOPMENT-MULTIPLE FAMILY-1 AND PLANNED DEVELOPMENT-GENERAL RETAIL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone an approximate 23 acre tract of land being a part of Lot 2, Richmond-Airline Subdivision, located at the southeast corner of Richmond Road and Airline Drive (Exhibit "A" and Exhibit "B") in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Multiple Family-1 and Commercial**; and

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

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted five (5) to zero (0) to recommend the application for rezoning from Single Family-1 to Planned Development-Multiple Family-1 and Planned Development-General Retail** to the City Council of Texarkana, Texas; and

**WHEREAS**, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-1 to Planned Development-Multiple Family-1 and Planned Development-General Retail** is in the best interest of the public health, safety, morals and general welfare of the City;

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

**SECTION 1:** That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone an approximate 23 acre tract of land being a part of Lot 2, Richmond-Airline Subdivision,

located at the southeast corner of Richmond Road and Airline Drive (Exhibit "A" and Exhibit "B") in the City of Texarkana, Bowie County, Texas, from **Single Family-1 to Planned Development-Multiple Family-1 and Planned Development-General Retail.**

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

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

**SECTION 4:** That this Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the 24th day of February, 2014.

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BOB BRUGGEMAN, MAYOR

ATTEST:

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JENNIFER EVANS  
CITY SECRETARY



**EXHIBIT "A"**

All that certain lot, tract or parcel of land lying and situated in the John A. Talbot Headright Survey, Abstract 564, Bowie County, Texas, being a part of those certain tracts of land described as Tract No. 1, with 18.04 acres, Tract No. 2, with 1.32 acres, Tract No. 3, with 1.187 acres, and Tract No. 4, with 2.13 acres in the deed from William Eli Sparks and William Moores McKemie, as Joint Independent Executors of the Will and Estate of Ida Lou Moores Ames to Amy Alicia Beasley Harrell, dated January 1, 2004, recorded in Volume 3392, Page 329 of the Real Property Records of Bowie County, Texas, said Tract No. 2 being the same tract of land described as 1.32 acres in the deed from Emma Ames to Weldon Ames, dated October 28, 1959, recorded in Volume 377, Page 324 of the Deed Records of Bowie County, Texas, said Tract No. 4 being the same tract of land described as 2.13 acres in the deed from Emma Ames to Weldon Ames, et ux, dated March 26, 1960, recorded in Volume 382, Page 497 of the Deed Records of Bowie County, Texas, a part of that certain tract of land described as 3 acres in the deed from Emma Ames to Weldon Ames, et ux, dated October 22, 1954, recorded in Volume 317, Page 241 of the Deed Records of Bowie County, Texas, a part of that certain tract of land described as 2 acres in the deed from Ezra E. Ames, et ux, to Weldon D. Ames, et ux, dated August 1953, recorded in Volume 305, Page 44 of the Deed Records of Bowie County, Texas, same being that certain tract of land described as Tract No. 2, with 2 acres in the deed from Emma Ames to Ezra E. Ames, dated August 22, 1947, recorded in Volume 240, Page 79 of the Deed Records of Bowie County, Texas, said 3 acre tract and 2 acre tract were given to Amy Alicia Beasley in the Will and Estate of Ida Lou Moores Ames, whose will was probated in Cause No. 37,627 in the County Court of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 5/8 inch steel rod found for a corner (control monument), lying in the South right-of-way line of Ames-Dale Drive, the Northeast corner of that certain tract of land described as 1.959 acres in the deed from Timothy Wayne Hackworth, et ux, to Jack A. Weaver, et ux, dated January 17, 2002, recorded in Volume 3627, Page 130 of the Real Property Records of Bowie County, Texas, same being that certain tract of land described as 1.96 acres in the deed from Ida Lou Ames to Forrest Fred Wood, et ux, dated May 25, 1979, recorded in Volume 649, Page 634 of the Deed Records of Bowie County, Texas;

**THENCE** North 87 degrees 22 minutes 30 seconds East a distance of 1001.95 feet along the South right-of-way line of the said Ames-Dale Drive, generally and partially along a fence to a 1 inch steel pipe found for a corner, lying in the East line of the said 18.04 acre tract, the Northwest corner of that certain tract of land described as 4.3662 acres in the deed from Regions Bank, Trustee for the Georgia Mae Bevill Parker Management Trust, to Aldersgate Trust, dated December 31, 2008, recorded in Volume 5533, Page 333 of the Real Property Records of Bowie County, Texas;

**THENCE** South 06 degrees 35 minutes 17 seconds East a distance of 494.42 feet along the East line of the said 18.04 acre tract, the West line of the said 4.3662 acre tract, and generally along a fence to a 5/8 inch steel rod found for a corner, the Southwest corner of the said 4.3662 acre tract, the Northwest corner of Lot No. 1 of the Amended Cornerstone

Minor Plat, according to the plat recorded in Volume 5748, Page 25 of the Real Property Records of Bowie County, Texas;

THENCE South 03 degrees 59 minutes 27 seconds East a distance of 244.58 feet along the East line of the said 18.04 acre tract, the East line of the said 3 acre tract, the West line of the said Lot No. 1, and generally along a fence to a 30D nail found for a corner in the top of a 4 inch wood post, at an angle point of the said Lot No. 1;

THENCE South 60 degrees 36 minutes 17 seconds West at a distance of 326.87 feet passing a 1/2 inch steel rod found for a corner, capped Texas MG 5760, an outside ell corner of the said Lot No. 1, the Northeast corner of Lot No. 2 of the said Minor Plat, continuing in all a distance of 650.62 feet along the North line of the said Lots No. 1 and 2, and generally along a fence to a 1/2 inch steel rod found for a corner, capped Texas MG 5760, the Northwest corner of the said Lot No. 2, the Northeast corner of that certain tract of land described as 0.993 acres in the deed from Joe C. Daniels, et ux, to Amy Torrains, dated December 19, 1994, recorded in Volume 2249, Page 235 of the Real Property Records of Bowie County, Texas;

THENCE South 60 degrees 46 minutes 41 seconds West a distance of 110.18 feet along the North line of the said 0.993 acre tract and generally along a fence to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, the Southeast corner of that certain tract of land described as 0.994 acres in the deed from Amy Harrell to MJD Leasing, LLC, dated March 19, 2012, recorded in Volume 6204, Page 19 of the Real Property Records of Bowie County, Texas;

THENCE North 29 degrees 13 minutes 28 seconds West a distance of 187.00 feet along the East line of the said 0.994 acre tract to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, the Northeast corner of the said 0.994 acre tract;

THENCE South 60 degrees 46 minutes 32 seconds West a distance of 241.31 feet along the North line of the said 0.994 acre tract to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in a circular curve to the left in the East right-of-way line of Farm-to-Market Road 559 (Richmond Road), the Northwest corner of the said 0.994 acre tract;

THENCE in a Northwesterly direction along the arc of the said circular curve, at a distance of 114.90 feet passing a TxDOT Type II right-of-way marker found for a reference, continuing in all a distance of 384.40 feet, with a delta angle of 11 degrees 09 minutes 09 seconds, a radius of 1974.86 feet, a chord bearing of North 42 degrees 30 minutes 31 seconds West, and a chord distance of 383.79 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in the intersection of the East right-of-way line of the said Richmond Road and the East right-of-way line of Airline Drive;

THENCE North 33 degrees 32 minutes 24 seconds West a distance of 74.57 feet along the East right-of-way line of the said Airline Drive to a TxDOT Type II right-of-way marker found for a corner, at an angle point;

THENCE North 04 degrees 28 minutes 00 seconds West a distance of 16.00 feet along the East right-of-way line of the said Airline Drive to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;

**THENCE North 76 degrees 48 minutes 36 seconds East a distance of 227.76 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;**

**THENCE North 01 degrees 58 minutes 29 seconds East a distance of 149.93 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;**

**THENCE North 04 degrees 50 minutes 23 seconds West a distance of 6.57 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00;**

**THENCE South 89 degrees 24 minutes 34 seconds West a distance of 242.45 feet to a 1/2 inch steel rod set for a corner, capped MTG 101011-00, lying in the East right-of-way line of the said Airline Drive;**

**THENCE North 04 degrees 28 minutes 00 seconds West a distance of 135.87 feet along the East right-of-way line of the said Airline Drive to a 1/2 inch steel rod found for a corner, lying in the South line of the said 1.959 acre tract;**

**THENCE North 86 degrees 11 minutes 58 seconds East a distance of 240.94 feet along the South line of the said 1.959 acre tract to a 5/8 inch steel rod found for a corner (control monument), the Southeast corner of the said 1.959 acre tract;**

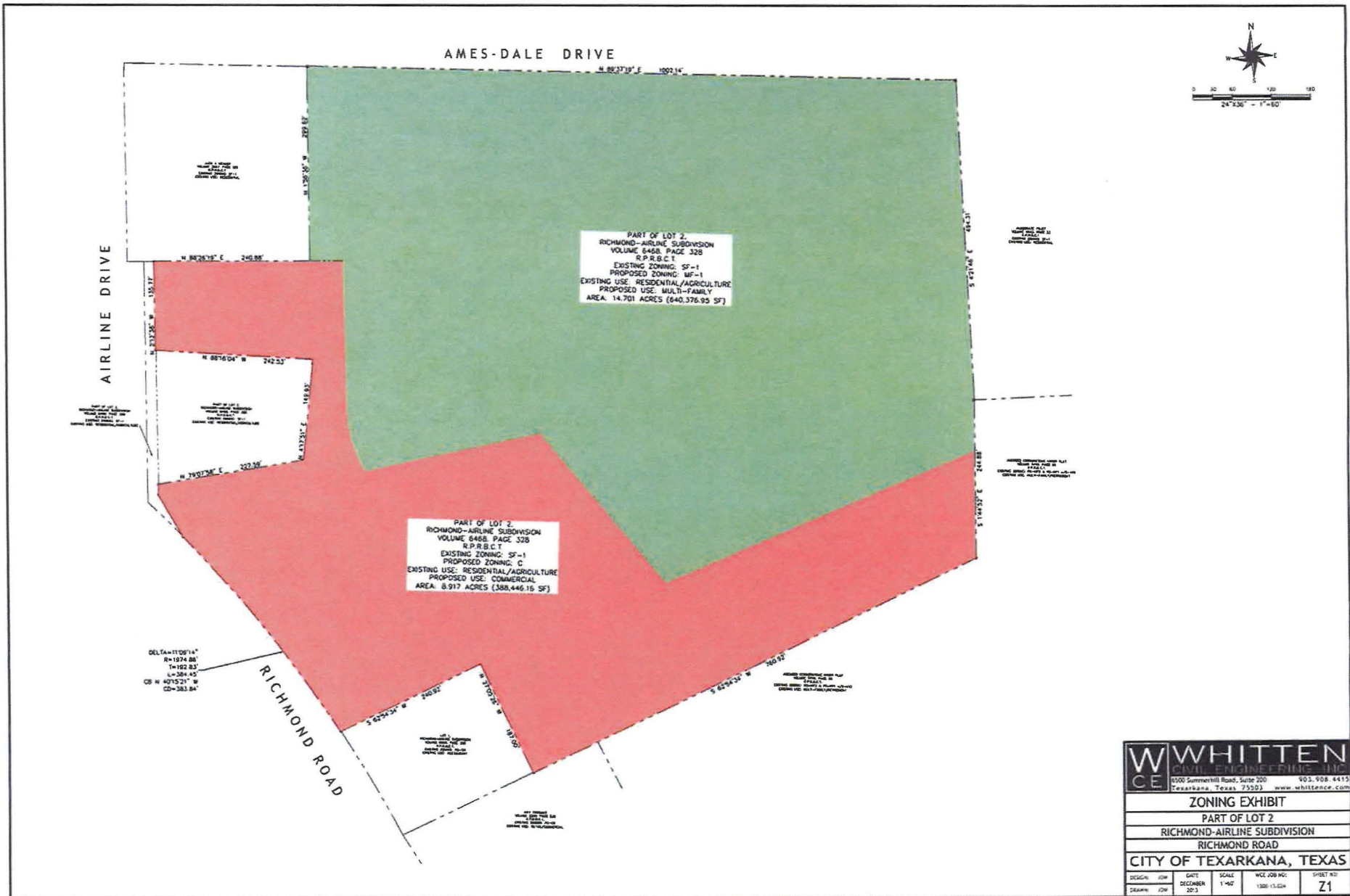
**THENCE North 04 degrees 09 minutes 24 seconds West (basis of bearings) a distance of 299.49 feet along the East line of the said 1.959 acre tract to the point of beginning and containing 23.617 acres of land, at the time of this survey.**

**The bearings are based on Texas Coordinate System of 1983, North Central Zone, NAD83, with a bearing of North 04 degrees 09 minutes 24 seconds West.**

**This description is based on the survey and plat made by Jeffrey A. Wood, Registered Professional Land Surveyor No. 6220, on January 28, 2013, and revised on March 15, 2013.**

**NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.**

EXHIBIT "B"



<b>W WHITTEN</b>					
CIVIL ENGINEERING, INC.					
8300 Summerhill Road, Suite 200 903.908.4415					
TexasArkana, Texas 75202 www.whittencoe.com					
<b>ZONING EXHIBIT</b>					
PART OF LOT 2					
RICHMOND-AIRLINE SUBDIVISION					
RICHMOND ROAD					
<b>CITY OF TEXARKANA, TEXAS</b>					
DESIGNER:	JWH	DATE:	DECEMBER 2013	SCALE:	1"=60'
DRAWN:	JWH	WCE JOB NO.:	1300-13-024	SHEET NO.:	Z1

**ORDINANCE NO. 2014-018**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING AN APPROXIMATE 23 ACRE TRACT OF LAND BEING A PART OF LOT 2, RICHMOND-AIRLINE SUBDIVISION, LOCATED AT THE SOUTHEAST CORNER OF RICHMOND ROAD AND AIRLINE DRIVE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS FROM SINGLE FAMILY-1 TO PLANNED DEVELOPMENT-MULTIPLE FAMILY-1 AND PLANNED DEVELOPMENT-GENERAL RETAIL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

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

**WHEREAS**, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas **voted five (5) to zero (0) to recommend the application for rezoning from Single Family-1 to Planned Development-Multiple Family-1 and Planned Development-General Retail** to the City Council of Texarkana, Texas; and

**WHEREAS**, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Single Family-1 to Planned Development-Multiple Family-1 and Planned Development-General Retail** is in the best interest of the public health, safety, morals and general welfare of the City;

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

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

**SECTION 4:** That this Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** in Regular Council Session on this the 24th day of February, 2014.

\_\_\_\_\_  
BOB BRUGGEMAN, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER EVANS  
CITY SECRETARY

1/3/14 9:16 AM

TEXARKANA, TEXAS CITY COUNCIL DISCUSSION TOPICS SCHEDULE

Item Number	Sponsor	Topic	Scheduled Discussion	Discussion Notes	Disposition
2013121201.1	Matthews	Homeless Emcampment	13-Jan-14	For some time a local business owner has promoted an encampment for homeless individuals at or near his business property. The encampment located at the 200 Block of West Street has garnered some local attention via an internet blog and Facebook. Texarkana City Staff permitted both an electric meter and a water meter that ultimately supported the encampment site. Subsequently, when unauthorized alteration of the water distribution fixture was determined to endanger the public water supply the water meter permit was revoked and the meter removed. The police department has responded to a number of calls for service to the site. The local business owner has recently changed his position concerning the encampment and has asked for the city's assistance in removing the encampment.	