



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Agenda - Monday, October 07, 2019 - 6:00 PM

WORKSHOP - FY 2018 AUDIT- 5:00 PM

Call to Order

Roll Call

Invocation and Pledge of Allegiance given by Director Harris

PRESENTATION(S)

1. Presentation of the City of Texarkana, Arkansas Employee Service Awards. (CCD)
2. Presentation of the FY 2018 Audit. (FIN) Finance Director TyRhonda Henderson

CONSENT

3. Approval of the minutes of the regular meeting September 16, 2019. (CCD)
4. Adopt a Resolution accepting the year end 2018 Audit report. (FIN)
5. Adopt a Resolution authorizing the City Manager to enter into a Purchase Agreement with Davis Playgrounds for Five (5) Shade Structures. (PWD)
6. Adopt a Resolution authorizing the City Manager to enter into an agreement with Vessel Church for the purchase of 108 East Broad Street. (PWD)
7. Adopt a Resolution accepting the proposal of Trull-Hollingsworth Architects for architectural services and entering into an agreement for the Animal Care and Adoption Center improvements. (ACAC)

REGULAR

8. Adopt a Resolution approving Texarkana Water Utilities (TWU) FY 2019/2020 Budget. (TWU) Executive Director JD Phillips and TWU Finance Director Jim Cornelius
9. Adopt an Ordinance granting the request for prerequisite municipal approval of a private club application for 511 E. 51st Street. (Bill Davis) (CCD)

The applicant requests an emergency clause. An emergency clause requires a separate and distinct vote of the board and is valid only if there is a two-thirds vote of approval by the board. (Hdbk. Const. Amend 7)

- [10.](#) Adopt an Ordinance amending the *City of Texarkana, Arkansas Code of Ordinances* to allow food trucks in commercial and industrial zones. (This agenda item sponsored by Director Steven Hollibush) (PWD-Planning) City Planner Mary Beck

The applicant requests an emergency clause. An emergency clause requires a separate and distinct vote of the board and is valid only if there is a two-thirds vote of approval by the board. (Hdbk. Const. Amend 7)

- [11.](#) Adopt an Ordinance to rezone property located at 4203 Preston Street from R-2 Single-family Residential to O-1 Office Quiet Commercial. (Animal League) (This item recommended for Board approval by the Planning Commission) (PWD-Planning) City Planner Mary Beck

CITIZEN COMMUNICATION

NEXT MEETING DATE: Monday, October 21, 2019

ADJOURN

2019 City Calendar

Komen Texarkana Race for the Cure - Saturday, October 19, 2019

Four States Auto Museum Car Show Fundraiser - Friday & Saturday, October 25-26, 2019

Veterans Memorial Day - November 11, 2019



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Presentation of the City of Texarkana, Arkansas Employee Service Awards. (CCD)
AGENDA DATE:	October 7, 2019
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : Presentation
DEPARTMENT:	City Clerk
PREPARED BY:	Heather Soyars, City Clerk

REQUEST:	Presentation of employee service awards.
EMERGENCY CLAUSE:	N/A

SUMMARY:	Presentation of employee service awards.
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EXPENSE REQUIRED:	N/A
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AMOUNT BUDGETED:	N/A
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APPROPRIATION REQUIRED:	N/A
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RECOMMENDED ACTION:	N/A
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EXHIBITS:	Employee Service Awards List.
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City of Texarkana, Arkansas Employee Service Awards

<u>NAME</u>	<u>Department</u>	<u>Years of Service</u>
Mark Yarnell	TWU	5
Jared McCreery	TWU	10



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE:	Presentation of the FY 2018 Audit. (FIN) Finance Director TyRhonda Henderson
AGENDA DATE:	October 7, 2019
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : Presentation
DEPARTMENT:	Finance
PREPARED BY:	TyRhonda Henderson, Finance Director
REQUEST:	N/A
EMERGENCY CLAUSE:	N/A
SUMMARY:	N/A
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A
RECOMMENDED ACTION:	N/A
EXHIBITS:	PowerPoint Presentation



experience perspective
CPAs & ADVISORS



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experience perspective //

City of Texarkana, Arkansas

December 31, 2018 Audit Presentation

1 // experience perspective

Agenda

Objectives of Audit

Auditor Communications

2018 Financial Highlights

State Compliance



Objectives of the Audit

To provide opinion on whether financial statements are fairly stated, in all *material* respects

Reporting on compliance with certain laws & regulations (*Government Auditing Standards*)

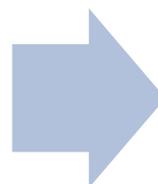
Issuing report on internal controls over financial reporting and compliance requirements (no opinion) (*Government Auditing Standards*)

Issuing report on compliance with certain state laws



Management vs. Auditor's Responsibility

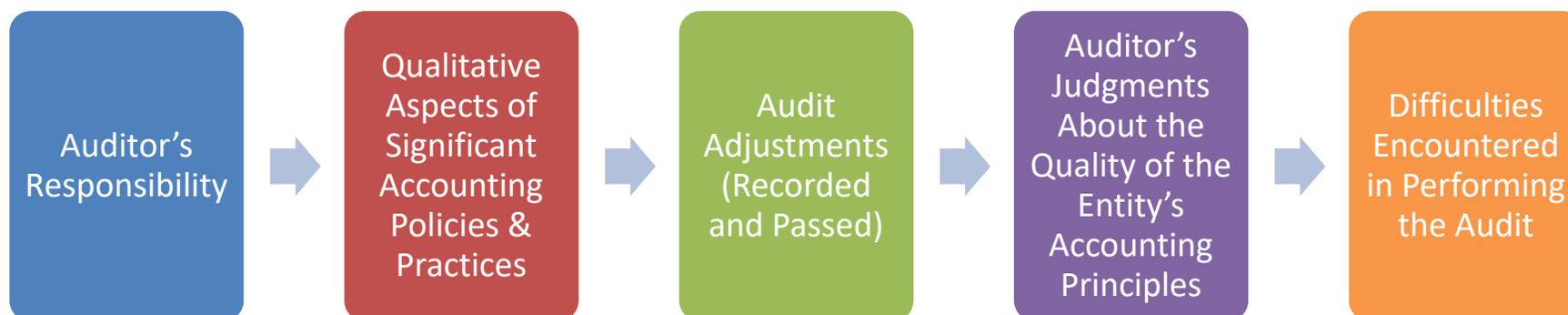
Financial statements are
the responsibility of
management



BKD's responsibility is to
express an opinion on
the financial statements
based on our audit



Required Communication to the Board





Award For Excellence in Financial Reporting

Certificate of Achievement for Excellence in Financial Reporting

- Awarded by Government Finance Officers Association (GFOA)
- CAFR* must be easily readable, efficiently organized, in accordance with GAAP and meet legal requirements

City received 2017 award and applied for 2018 (results pending)

* Comprehensive Annual Financial Report



Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

**City of Texarkana
Arkansas**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

December 31, 2017

Christopher P. Morvill
Executive Director/CEO



experience **BKD** LP
CPAs & Advisors



Comprehensive Annual Financial Report (CAFR)

Introductory Section

- Table of Contents
- Letter of Transmittal
- GFOA certificate
- Organizational Chart
- List of Elected or Appointed Officials

Financial Section

- Independent Auditor's Report
- Management Discussion & Analysis
- Basic Financial Statements & Notes
- Required Supplementary Information
- Other Supplementary Information

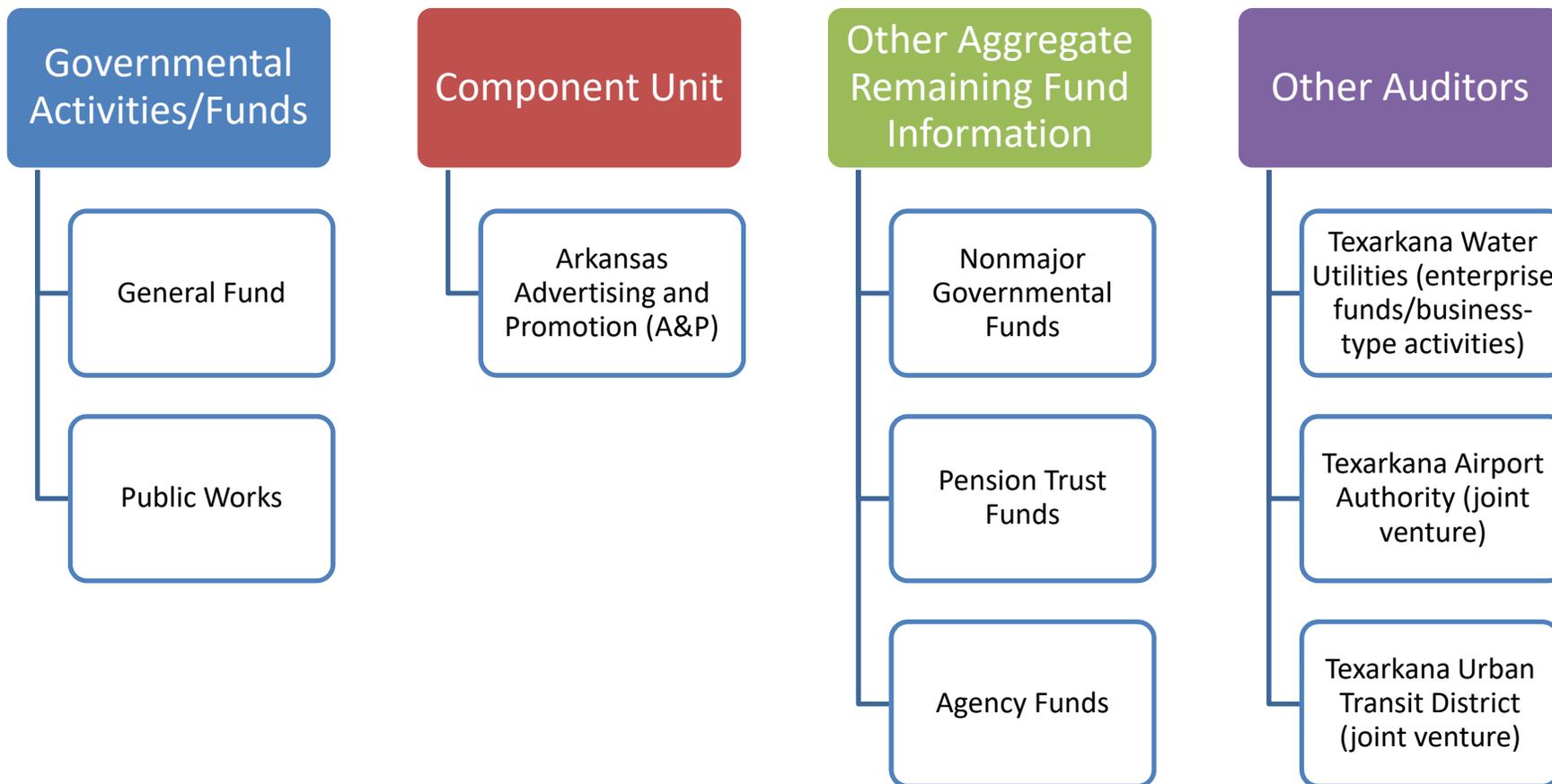
Statistical Section

- Financial Trends
- Revenue Capacity
- Debt capacity
- Demographic and Economic information
- Operating Information





Financial Statements Audit



Financial Highlights

Net Position – Governmental Activities

Over time, increases or decreases may be a useful indicator of whether financial position is improving or deteriorating

Governmental activities' net position decreased 25.0% from 2017 to 2018

*The cumulative effect of applying GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions* resulted in beginning net position for 2018 being restated.

	2018	2017
Current and other assets	\$ 30,952,940	\$ 29,497,700
Capital assets	34,594,721	33,328,216
Other assets	-	-
Total assets	65,547,661	62,825,916
Deferred outflows of resources	8,221,383	4,828,078
Long-term liabilities	57,837,936	49,842,298
Other liabilities	2,179,476	2,160,463
Total liabilities	60,017,412	52,002,761
Deferred inflows of resources	2,212,191	256,580
Net position:*		
Net investment in capital assets	12,149,281	12,173,375
Restricted	3,575,927	3,085,466
Unrestricted	(4,185,767)	135,812
Total net position	\$ 11,539,441	\$ 15,394,653

Financial Highlights

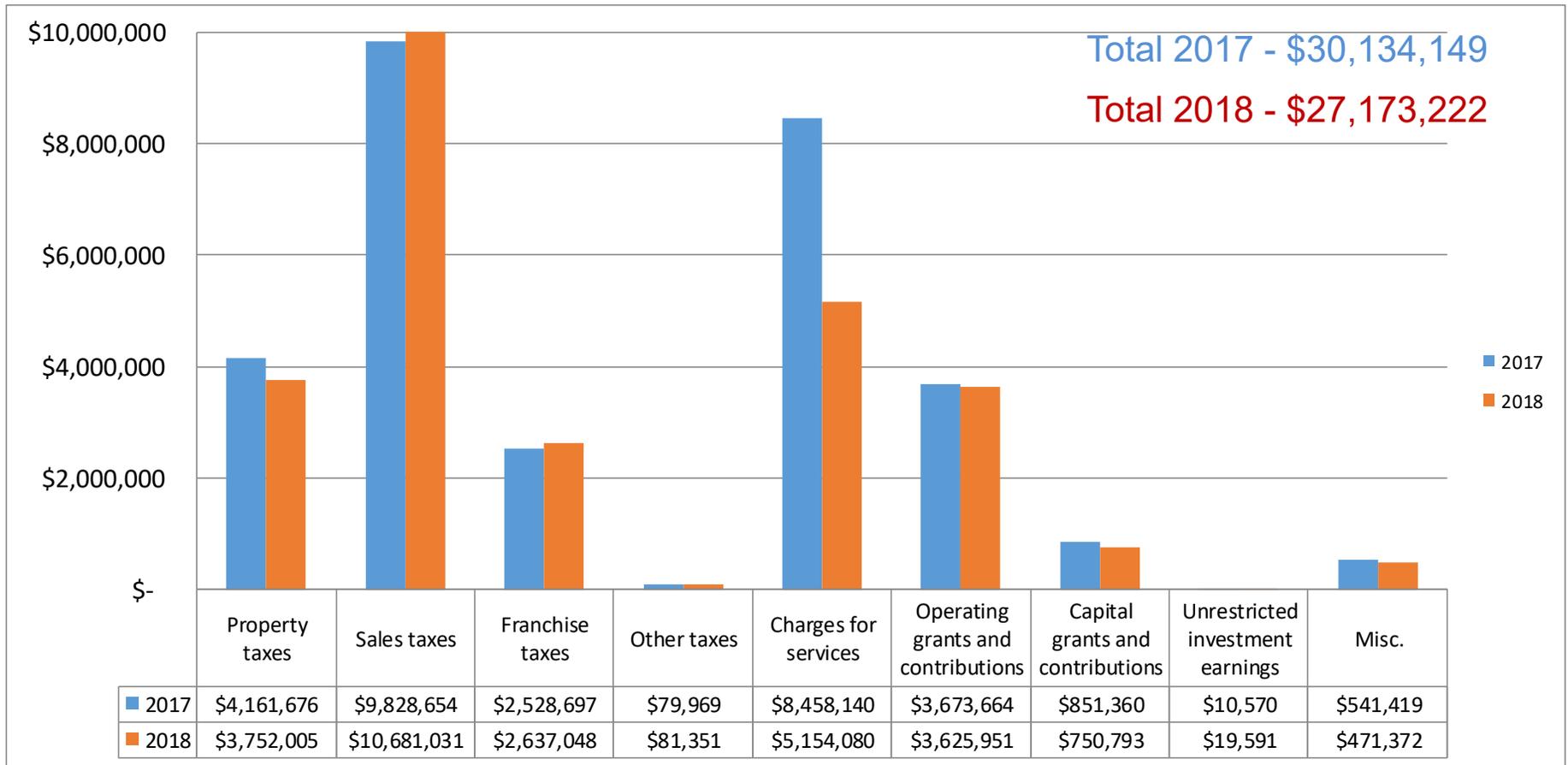
Changes in Net Position – Governmental Activities

This table summarizes the operations of the City's governmental activities by fiscal year

From 2017 to 2018 revenues decreased by \$2,960,927 and expenses increased by \$627,266.

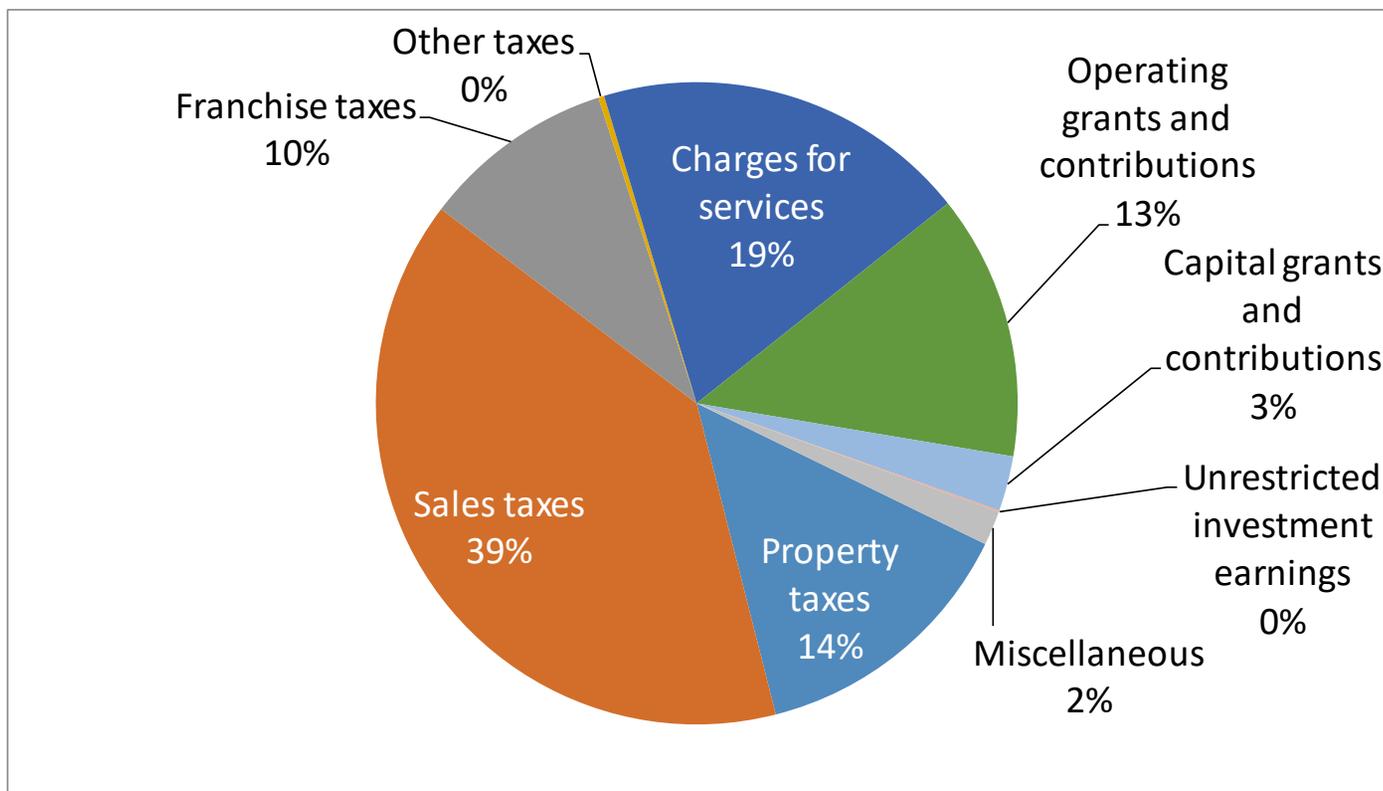
	2018	2017
Revenues:		
Program revenues:		
Charges for services	\$ 5,154,080	\$ 8,458,140
Operating grants and contributions	3,625,951	3,673,664
Capital grants and contributions	750,793	851,360
General revenues:		
Property taxes	3,752,005	4,161,676
Other taxes	13,399,430	12,437,320
Other revenue	490,963	551,989
Total revenues	27,173,222	30,134,149
Expenses:		
General administration	\$2,128,025	\$2,272,254
Police department	9,082,042	8,535,330
Fire department	6,369,763	5,930,240
Other public safety	1,909,304	2,106,118
Protective inspection	433,700	473,860
Public works	6,284,490	6,145,067
Public services	32,746	31,950
Health and welfare	386,403	573,179
Cultural and recreation	1,119,164	1,138,931
Interest on long-term debt	861,792	773,234
Water and sewer	-	-
Total expenses	28,607,429	27,980,163
Transfers	1,036,864	238,504
Increase (decrease) in net position	(397,343)	2,392,490

Revenue – Governmental Activities

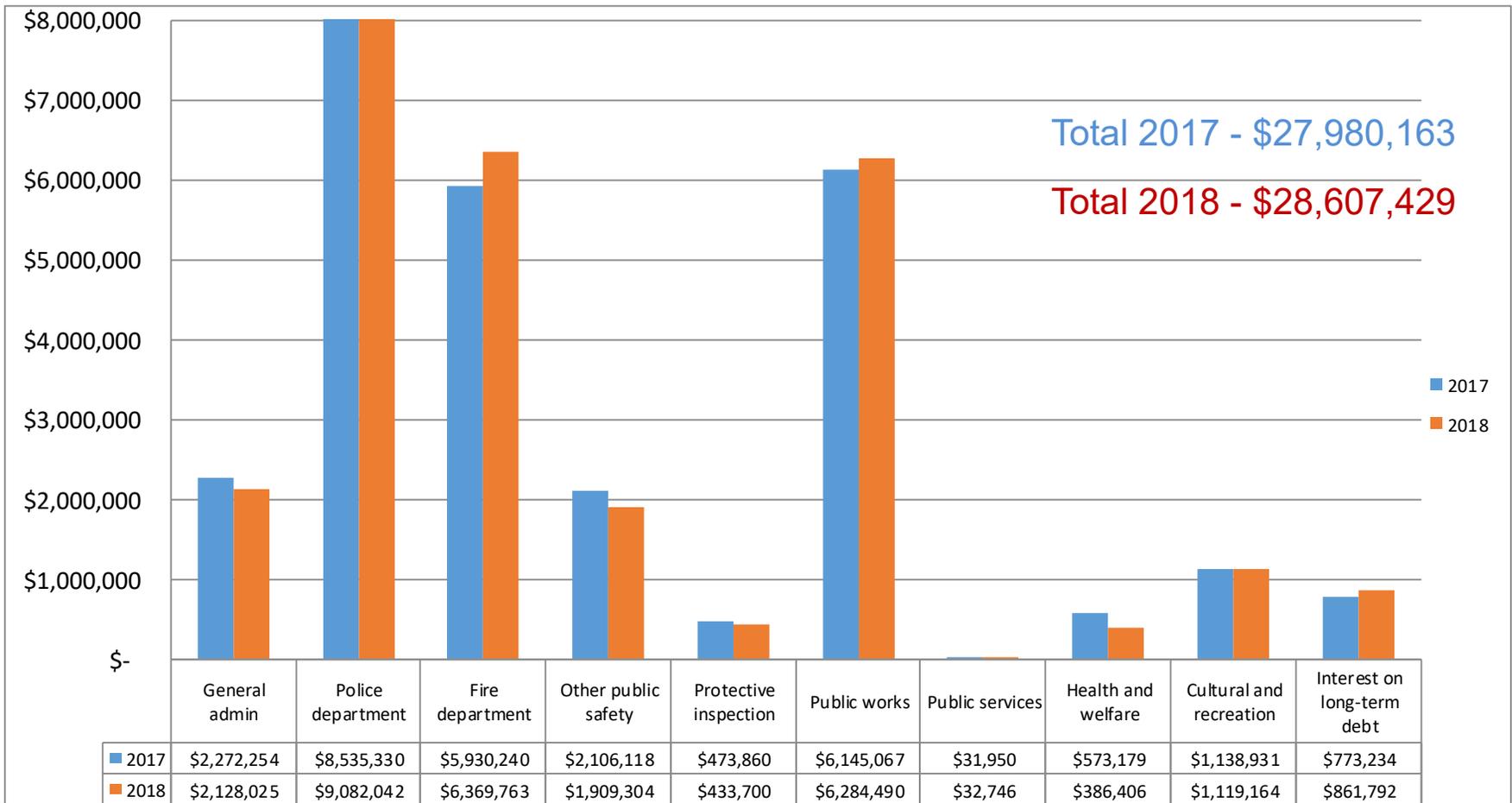




2018 Governmental Activities Revenue by Source

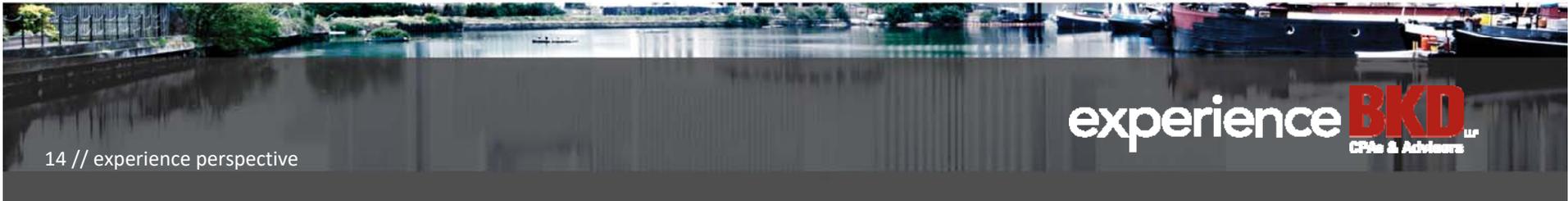
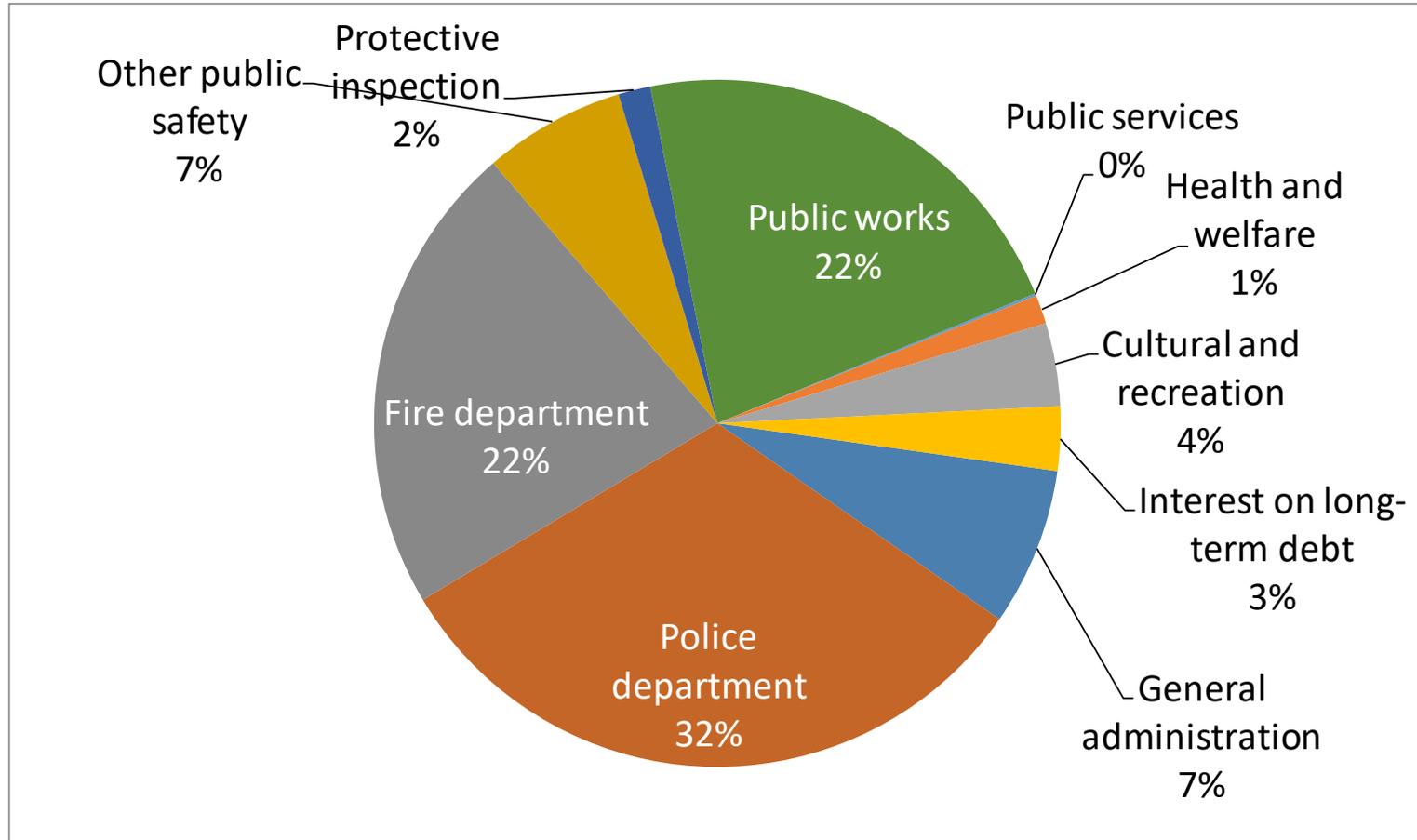


Expenses – Governmental Activities





2018 Expenses by Source Governmental Activities





Financial Highlights

Number of Days Expenditures in General Fund Unrestricted Fund Balance

The adequacy of unassigned fund balance in the general fund should be assessed based upon a government's own specific circumstances.

Nevertheless, GFOA recommends, at a minimum, that general-purpose governments, regardless of size, maintain unassigned fund balance in their general fund of no less than two months (or 60 days) of regular general fund operating revenues or regular general fund operating expenditures

	<u>2018</u>	<u>2017</u>
Total expenditures	\$17,379,349	17,616,846
Average expenditures per day	\$47,615	\$48,265
Unassigned general fund balance	\$5,309,483	\$3,684,175
Number of days expenditures in unassigned general fund balance	112	76



Other Auditor's Reports

Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*

- No material weaknesses or significant deficiencies noted

Examination of City's Compliance With Certain Arkansas State Acts

- Unmodified opinion on City's compliance with specific state requirements



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The Firm's Choice



CPAs & ADVISORS

experience **perspective** //

Questions?



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Approval of the minutes of the regular meeting September 16, 2019. (CCD)
AGENDA DATE:	October 7, 2019
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : Minutes
DEPARTMENT:	City Clerk
PREPARED BY:	Heather Soyars, City Clerk
REQUEST:	Approval of meeting minutes.
EMERGENCY CLAUSE:	N/A
SUMMARY:	Approval of meeting minutes.
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A
RECOMMENDED ACTION:	The City Clerk recommends approval.
EXHIBITS:	Meeting minutes.



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Monday, September 16, 2019 - 6:00 PM

Mayor Allen Brown called the meeting to order.

PRESENT: Mayor Allen Brown, Ward 1 Assistant Mayor Linda Teeters, Ward 2 Director Laney J. Harris, Ward 3 Director Steven Hollibush, Ward 4 Director Travis Odom, Ward 5 Director Barbara S. Miner, and Ward 6 Director Terri Peavy.

ALSO PRESENT: City Manager Dr. Kenny Haskin, City Attorney George Matteson, and City Clerk Heather Soyars.

ABSENT: Deputy City Clerk Jenny Narens.

Invocation and Pledge of Allegiance given by Director Terri Peavy

PRESENTATION(S)

1. Mayor Brown presented a proclamation to TWU-IT Manager Kevin Davenport for IT Professionals Day, September 17, 2019.

[Director Odom left his seat at the dais and went into the audience at 6:03 PM.]

CONSENT

Director Harris requested Item 3. Adopt a Resolution to amend the year end 2019 Budget to include a 2% pay increase for all City employees. (FIN) to be removed from the Consent Agenda for discussion.

Motion to approve the Consent Agenda made by Director Hollibush, Seconded by Director Miner.

The motion carried unanimously, and Mayor Brown declared the Consent Agenda approved. The items approved was:

2. Approval of the minutes of the rescheduled regular meeting September 3, 2019. (CCD)

REGULAR

[Director Odom returned to his seat at 6:10 PM]

3. Resolution No. 2019-33 amended the year end 2019 Budget to include a 2% pay increase for all City employees. (FIN)

Director Harris said he was glad all City employees were going to receive a pay increase.

Motion to adopt the resolution made by Director Harris, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

Mayor Brown declared the resolution adopted by a 7-0 vote

4. The Mayor opened the Public Hearing to hear public comments regarding the condemnation of a substandard residential structure located at 307 Charles Street.

Building Official Shawn Maxey said the structure at 307 Charles Street had a fire and was destroyed and now the City was maintaining the property. He was asking the Board to condemn the residence.

Director Harris said behind the property was a dumping ground and asked how the City was going to handle this situation.

Building Official Shawn Maxey said unless the City caught the person in the process of dumping trash or someone told the City who was doing it, there was nothing the City could do.

Director Harris asked when the two houses were going to be torn down.

Building Official Shawn Maxey said the houses were scheduled right now to be torn down.

Director Harris asked when the house that was burned down on the corner of Dudley and Cleveland, and another house on Spring Street and Grape Street was going to be brought before the Board for condemnation.

Building Official Shawn Maxey said he had one hundred and fifty tagged structures and thirty five were burned. He said he would bring them before the Board around the first of the year for condemnation.

Director Miner asked if the person dumping trash on the property had anything to do with the homeowners.

Building Official Shawn Maxey said he had been told it was the son of the property owners.

Mayor Brown asked if anyone had any comments. No one came forward and the Mayor closed the Public Hearing.

Resolution No. 2019-34 condemned a residential structure located at 307 Charles Street. (PWD)

Motion to adopt the resolution made by Director Hollibush, Seconded by Director Harris.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

Mayor Brown declared the resolution adopted by a 7-0 vote.

5. Mayor Brown opened the Public Hearing to hear public comments concerning the Community Development Block Grant (CDBG) Section 108 Loan in the amount of \$885,000 to rehabilitate #1 Legion Drive to provide youth, adult and senior recreational services to our citizens. (PWD)

Jim Fowler, Rose Law Firm said this was a Housing and Urban Development (HUD) program to extend money to local governments. It allowed them to borrow money at the rate the Federal government did. He said there were issues with the standard HUD forms, but he and Assistant Public Works Director Tracie Lee had been able to negotiate and approve better documents for the City. Jim Fowler said he had not received the documents yet and would like to table the ordinance until the next meeting and hopefully he would have the documents.

Motion to table the ordinance until the next meeting, motion made by Assistant Mayor Teeters, Seconded by Director Peavy.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Hollibush, Director Miner and Director Peavy.

Director Harris voted present.

Director Odom refrained from voting.

Mayor Brown declared the ordinance was tabled by a 5-2 vote.

6. TABLED - Adopt an Ordinance to establish an Entertainment District that allowed open containers of alcohol and consumption in the district. (SECOND READING) *(This item recommended for Board approval by the Planning Commission)* (PWD-Planning)

Mayor Brown recommended tabling the original ordinance due to several changes that were made and read for the first time the new ordinance. He said he had been contacted by several citizens and they would like this ordinance to be passed tonight if possible.

City Planner Mary Beck listed some of the changes made to the ordinance: State Statute stating there would be no open containers allowed in motorized vehicles; a licensee may allow carryout of an open container in the entertainment district but no one would be able to carry an open container into a business establishment; the City was to provide trash cans and daily pick up as needed; there would be a review in June 2020 and January 2021 the Planning Commission would gather information from the Public Works Department, Fire Department, and the Police Department and bring a report to the Board.

Director Miner asked if issues were to arise, who would be the ruling party.

City Planner Mary Beck said the Board would be after the Planning Commission prepared the report.

City Manager Dr. Kenny Haskin said in the event there needed to be action taken, the Board would be able to take immediate action to address issues.

Director Peavy asked if issues arose would the Board have to wait six months before anything would be done.

City Planner Mary Beck said no.

City Manager Dr. Kenny Haskin said if there were any concerns from citizens, Board members or businesses, it would be addressed promptly. The City would not wait six months to address any issues.

Director Miner said she thought it would need to be monitored closely at first.

Mayor Brown said once the ordinance had been adopted then the Board had the option to change and review anything. He said he accepted the changes and the one statement he would add would be the district would be reviewed annually after January 2021.

Director Peavy asked if it could say reviewed as needed.

Director Harris said he had citizens ask him a few years ago if Texarkana, Arkansas, could get a street like Beale Street in Memphis and he thought it was against the law at that present time. He said another citizen asked him about getting a daiquiri shop and he was not sure if the law allowed it.

Mayor Brown said the State Legislative adopted the law that allowed the entertainment district this past session.

City Attorney George Matteson said the Alcohol Beverage Control (ABC), in Little Rock, Arkansas, was the one who regulated the sale and distribution of alcohol. If that type of business would fit in the zoning regulations yes, you could have that type of business.

Director Harris said he had not had anyone from his ward ask him to deny this ordinance.

Assistant Mayor Teeters asked if a business wanted to be open and sell alcohol on Sunday it would be up to the business.

City Attorney George Matteson said again it was governed by the state and most of the businesses were private clubs.

Assistant Mayor Teeters said if the City had a festival downtown on a Sunday and the business had the permit, liquor could be sold.

City Attorney George Matteson said yes.

Assistant Mayor Teeters said you could not walk into another business that did not have the permits.

Director Peavy asked who granted permits for Sunday sells of alcohol.

Mayor Brown said ABC would.

Director Peavy asked if the signs and trash cans would be ready to go within the thirty days of the ordinance being adopted.

Public Works Director Tyler Richards said yes.

Motion to table the original ordinance made by Assistant Mayor Teeters, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Hollibush, Director Harris, Director Odom, Director Miner and Director Peavy.

Mayor declared the original ordinance tabled by a vote of 7-0.

Ordinance No. 20-2019 established an Entertainment District that allowed open containers of alcohol and consumption in the district. *(This item recommended for Board approval by the Planning Commission)* (PWD-Planning)

The ordinance was read in its entirety.

Motion to suspend the rules and place the ordinance on its second reading in abbreviated form made by Director Hollibush, Seconded by Assistant Mayor Teeters.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The ordinance was read the second time in abbreviated form.

Motion to further suspend the rules and place the ordinance on its third and final reading in abbreviated form made by Director Harris, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The ordinance was read the third and final time in abbreviated form.

Motion to adopt the ordinance made by Director Hollibush, Seconded by Director Harris.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The Mayor declared the ordinance adopted.

Director Peavy asked what the fifty mile radius was from the previous meeting regarding competitive pay.

City Manager Dr. Kenny Haskin said the fifty mile radius was not part of the ordinance that was adopted, the City addressed the region, not the fifty mile radius.

Director Harris asked when the Iron Mountain Center would be cleaned up. He asked when the entire City would have a clean up to remove all the dumped furniture on the sides of streets.

Public Works Director Tyler Richards said his department picked up furniture every day and it was impossible to get it all. He said as people complain, Public Works immediately got it picked up.

Director Harris asked if the residents got charged for the pickup of furniture due to the ordinance that was adopted.

Public Works Director Tyler Richards said if a resident set any furniture out on their curb to pick up, they would be charged for it through the Dial A Truck program.

Director Harris asked when the City wide cleanup was.

Public Works Director Tyler Richards said the City did not organize the city wide cleanup.

Director Harris said he thought the City needed to have a cleanup since there was a lot of trash and furniture especially around the railroad tracks.

Mayor Brown said maybe the City could address this in the budgeting process and could allocate funds for a cleanup.

Assistant Mayor Teeters said the trash issue was a problem with the citizens not the City officials. She said Public Works could go out and pick up the trash every day and it would be back the next day.

Director Harris said he just wanted each ward to help in the cleanup of the City.

CITIZEN COMMUNICATION

Ina McDowell, Mainstreet, thanked the Board for the continued support of the downtown area as well as Mainstreet. She said Dine on the Line was October 4, 2019, from 5:00 PM – 9:00 PM. Ms. McDowell said the theme was “date night,” and dinner would be served this year instead of standing in line for it. She said there would be plenty of local entertainment and the unveiling of the Dr. Pepper mural next to TLC. Ms. McDowell said Mainstreet would have design staff in town next Tuesday from Little Rock, Arkansas.

Mayor Brown said he was scared to death this past weekend going “Over the Edge” for Alzheimer but once he realized the rope had him, it was better. He said it was for a great cause and he would let Assistant Mayor Teeters do it next year.

George Dodson, Hopkins Icehouse, thanked the Board for adopting the ordinance for the entertainment district and the confidence the Board had in the businesses downtown. He said if there were any problems or anything he could help with, please come and find him.

Animal Care and Adoption Center Director Charles Lokey said he wanted to give an update on the plans for the new shelter. He said last month he sent out proposals for architectural services and received two proposals back. Mr. Lokey said one proposal left out some major details and the other proposal covered everything from beginning to the end and offered to oversee the construction process and biddings.

NEXT MEETING DATE: Monday, October 7, 2019

ADJOURN

Motion to adjourn made by Director Miner, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The meeting adjourned at 6:57 PM.

APPROVAL of the minutes on this 7th day of October, 2019.

Allen L. Brown, Mayor

Heather Soyars, City Clerk



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt a Resolution accepting the year end 2018 Audit report. (FIN)
AGENDA DATE:	10/7/2019
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Finance
PREPARED BY:	TyRhonda Henderson, Finance Director

REQUEST:	N/A
EMERGENCY CLAUSE:	N/A

SUMMARY:	The year end 2018 Audit is presented for acceptance by the Board of Directors. All audit recommendations will be seriously reviewed considering the costs and benefits of implementation. Copies of the audit report and auditor's management letter have been made available for Directors prior to the meeting.
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EXPENSE REQUIRED:	\$0
AMOUNT BUDGETED:	\$0
APPROPRIATION REQUIRED:	\$0

RECOMMENDED ACTION:	The City Manager and staff recommend that the City Board of Directors approve the attached resolution.
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EXHIBITS:	Resolution and Year End 2018 Audit Report.
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RESOLUTION NO. _____

WHEREAS, the 2018 Audit has been prepared; and

WHEREAS, the Audit has been reviewed by the Board of Directors; and

WHEREAS, the City Manager and staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Texarkana, Arkansas, the 2018 Audit is accepted.

PASSED AND APPROVED this 7th day of October, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt a Resolution authorizing the City Manager to enter into a Purchase Agreement with Davis Playgrounds for Five (5) Shade Structures. (PWD)

AGENDA DATE: 10/7/2019

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Public Works Department

PREPARED BY: Tracie Lee, Assistant Public Works Director

REQUEST: Adopt a Resolution to Enter into a Purchase Agreement with Davis Playgrounds for Five (5) Shade Structures.

EMERGENCY CLAUSE: This item will be approved by a resolution; therefore, it will not need an emergency clause.

SUMMARY: A resolution authorizing the purchase of five (5) shade structures from Davis Playgrounds in the amount of thirty-eight thousand six hundred eighty-nine dollars and eighty-four cents (\$38,689.84).

The City solicited sealed bids on September 17, 2019 for five shade structures to be installed at Ermer Dansby Pondexter Sports Complex. Only one bid was received.

Authorization of this purchase meets all bidding requirements. Funds were budgeted and are available for the purchase.

EXPENSE REQUIRED: \$38,689.84

AMOUNT BUDGETED: \$38,689.84 (CDBG Public Facilities Line Item)

**APPROPRIATION
REQUIRED:** \$0.00

**RECOMMENDED
ACTION:** City Manager and staff recommend board approval.

EXHIBITS: Resolution, Bid Ad and Davis Playgrounds Bid.

RESOLUTION NO. _____

WHEREAS, after advertisement by the Public Works Department, one bid was submitted by Davis Playgrounds for five (5) Shade Structures in the amount of \$38,689.84; and

WHEREAS, the funding for the purchase is budgeted; and

WHEREAS, the City Manager and staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Texarkana, Arkansas, that the City Manager is authorized and directed to enter into a contract with David Playgrounds in the amount and for the purposes set forth above.

PASSED AND APPROVED this 7th day of October, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



ADVERTISEMENT FOR BIDS

Sealed Bids will be received at the Office of Public Works Director, City Hall, 216 Walnut Street, City of Texarkana, Arkansas 71854 until 11:00 AM on September 17, 2019, for furnishing like or similar SkyWays shade structures as listed:

1. Three 10'x15' HIP Shade- 10' Entry – 4 Post, 1 Top, 90MPH Wind load
2. Two 10'x30' Extended HIP Shade 10' Entry – 6 Post, 1 Top, 90 MPH Wind load

For more information, please call (870) 779-4943.

9/12/2019

Texarkana Parks & Rec
 PO Box 2711
 Texarkana, AR 75504



Wayne Davis
 104 Orchid Dr.
 Maumelle, AR 72113

Office: 501.851.0756
 Fax: 501.851.4130
 Cell: 501.658.0732
 Toll Free: 888.571.3116
wayne@davisplaygrounds.com

PROPOSAL

Want Date:

Contact #1: Adam Dalby

Phone:
 Mobile:

Fax:
 E-mail: adam.dalby@txkusa.org

Item #	Description/Colors/Mounting/etc...	Unit Price	Freight	Extended Amount
3	Custom Rectgangular Hip Shade 15' X 10' X 10' Entry. 4 Columns on Base Plates at 3.5" W/ Rafters 2.5" W/ Glide Elbows & 93 MPH Wind Protection Engineered Drawings if Needed: \$600	\$3,444.00	\$1,512.00	\$11,844.00
2	Custom Rectgangular Hip Shade 30' X 10' X 10' Entry. 6 Columns on Base Plates at 3.5" W/ Rafters 2.5" W/ Glide Elbows & 93 MPH Wind Protection Engineered Drawings if Needed: \$850	\$6,176.00		\$12,352.00
1	TIPS TAPS Contract 18070401 Discount Dumpster must be on site for trash.	-\$1,700.00		-\$1,700.00
	Texarkana 2.5%			
	Miller 1.25%			
	Arkansas 6.5%			
	This proposal consists of 2 pages. By signing customer acknowledges and agrees with the terms as set forth. No orders of equipment will be done without signature.			

Date: _____

Quote is valid for 30 days on all equipment and install. Quote is valid for 10 days on all freight. Quote excludes site preparation. Customer is responsible for arranging for the off-loading of equipment & check-in. Work done or installations by Davis Playgrounds Inc conforms to all requirements of participating companies. All warranties pertaining to equipment are those of the manufacturer and not Davis Playgrounds Inc. Work done or installations performed by Davis Playgrounds Inc conforms to the requirements of the manufacturers and to the Consumer Product Safety Commission. Davis Playgrounds Inc is certified by National Recreation and Park Association and is a licensed general contractor with the state of Arkansas.

Subtotal	\$22,496.00
Install	\$13,888.00
Tax	\$2,305.84
Total	\$38,689.84

50% Deposit required upon receipt of order:	\$19,344.92
Balance of equipment, surfacing, and the install is due upon completion:	\$19,344.92



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt a Resolution authorizing the City Manager to enter into an agreement with Vessel Church for the purchase of 108 East Broad Street. (PWD)
AGENDA DATE:	10/7/2019
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Public Works Department
PREPARED BY:	Tracie Lee, Assistant Public Works Director

REQUEST:	Adopt a Resolution to Enter into a Purchase Agreement with Vessel Church for the purchase of 108 East Broad Street.
EMERGENCY CLAUSE:	This item will be approved by a resolution; therefore, it will not need an emergency clause.

SUMMARY:	<p>A resolution authorizing the purchase of 108 East Broad Street from Vessel Church in the amount of two thousand dollars and zero cents (\$2,000.00).</p> <p>The City will be demolishing the Regency Building located at 110 East Broad Street. In order to safely demolish 110 East Broad, the City must also demolish 108 East Broad. Purchasing this building will also allow the City to expand Pocket Park.</p> <p>Authorization of this purchase meets all legal requirements. Funds were budgeted and are available for the purchase.</p>
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EXPENSE REQUIRED:	\$2,000.00
AMOUNT BUDGETED:	\$2,000.00 (Public Works Streets Capital Outlay Line Item)
APPROPRIATION REQUIRED:	\$0.00

RECOMMENDED ACTION:	City Manager and staff recommend board approval.
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EXHIBITS:	Resolution, Purchase Agreement, Real Estate Certificate and Warranty Deed.
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RESOLUTION NO. _____

WHEREAS, in order to safely demolish the property located at 110 Broad Street, it is necessary to acquire the property immediately to the east at 108 Broad Street; and

WHEREAS, the owner of said property has agreed to sell the same to the City for \$2,000.00; and

WHEREAS, the City Manager and staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is authorized to acquire the property commonly known as 108 Broad Street for \$2,000.00 and execute such documentation as may be reasonably necessary to effectuate such acquisition.

PASSED AND APPROVED this 7th of October, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT (this “Agreement”) is entered into by and between Vessel Church, Inc., a Texas corporation (hereinafter referred to as “Seller”), and, the City of Texarkana, Arkansas (hereinafter referred to as “Buyer”).

1. Property. Seller will sell and Buyer will buy the property described as follows (collectively, the “Property”):

The East 13.65 feet of Lot Numbered Eight (8) in Block Numbered Seventy-five (75) of the ORIGINAL CITY of Texarkana, Miller County, Arkansas,

along with any and all appurtenances, easements, improvements, fixtures, appliances and mechanical aspects thereof.

2. Purchase Price. The Purchase Price shall be \$2,000.00, payable at Closing.

3. Inspection and Due Diligence Period. Buyer shall have 40 days (the “Due Diligence Period”) from the Effective Date to inspect and otherwise perform its diligence on the subject property. Buyer may, at any time prior to Closing terminate this Agreement for any reason or no reason, in Buyer’s sole and absolute discretion.

4. Conveyance. Conveyance shall be by general warranty deed conveying insurable, good, marketable and merchantable title, free and clear of all liens, encumbrances, easements, rights-of-way, restrictions, and other matters, except all matters of record, current real estate ad valorem taxes not yet due and payable and all matters that might be disclosed or discovered by accurate survey and visual inspection. In the event that the condition of the title to the Property is not as required by this paragraph at Closing, or if Buyer objects in any way to the condition of title or the property at the time of Closing, Buyer shall have the option to terminate this Agreement as its sole remedy. Notwithstanding the above, Buyer acknowledges that ad valorem taxes for 2018 are currently due and payable and that the same, along with ad valorem taxes for all of 2019 shall be the responsibility of Buyer should Closing occur.

5. Closing Costs. Buyer shall be responsible for all costs of closing, except Seller’s attorneys’ fees.

7. Closing, Possession, Risk of Loss. The “Closing” shall take place at a mutually agreed-upon time within sixty (60) days from the date of acceptance of this Agreement by Seller. Possession shall be transferred to Buyer upon closing. Risk of loss shall remain with Seller until Closing.

8. Property Inspection and Survey. Buyer may, at a time approved by the Seller and at Buyer’s expense, cause the survey of the Property or the inspection of the physical condition of any improvements on the Property, including, without limitation, structural, electrical, mechanical, and plumbing aspects of such improvements. Notwithstanding anything in this agreement to the contrary, conveyance of any improvements shall be AS IS, WHERE IS, WITH ALL FAULTS and Seller makes no representations or warranties as to the same.

9. Agency. Notwithstanding anything contained in this Agreement to the contrary: Buyer represents and warrants to Seller that Buyer has not engaged any real estate broker, agent or other similar professional in connection with the purchase and sale of the Property and agrees to indemnify Seller from and against any claim hereafter made by or through the same for any commission, finder's fee or any other similar fee claimed by a third party arising by or through Buyer. Likewise, Seller represents and warrants that there is no commission, finder's fee or similar fee owed to any broker, agent or similar professional in connection with Buyer's purchase of the Property and Seller agrees to indemnify Buyer from and against any claim hereafter made or claimed by a third party arising by or through Seller. The terms of this paragraph shall survive Closing or termination of this Agreement.

10. Representations. Notwithstanding anything contained in this Agreement to the contrary, (i) Seller represents and warrants to Buyer that Seller is unaware of any environmental condition on or about the subject property which may constitute a violation of applicable law; and, (ii) Seller and the undersigned individual signing on behalf of Seller, represent and warrant to Buyer that the person signing this Agreement on behalf of Seller is duly authorized by Seller to enter into this Agreement and bind Seller to the terms of the same. The terms of this paragraph shall survive Closing or termination of this Agreement.

11. Miscellaneous. This Agreement contains the entire understanding between the parties, and supersedes any prior or contemporaneous oral or written agreements and representations. No amendment to this Agreement shall be binding unless the same is in writing and signed by both parties. The captions or paragraph headings are for convenient reference only and shall not be used in the interpretation of this Agreement. Faxed copies or photocopies of signed documents shall have the same force and effect as originals. Time is of the essence with respect to all terms of this Agreement.

12. Offer. This Agreement shall constitute an offer to sell the Property until accepted by the Seller and shall expire, if not so accepted or otherwise withdrawn by Buyer, at 5:00 p.m. on the seventh day following the date of the Seller's signature below.

SELLER:

Vessel Church, Inc.,
a Texas corporation

By: _____
Name: _____
Title: _____
Date: _____

BUYER:

The City of Texarkana, Arkansas

By: _____
Name: _____
Title: _____
Date: _____

Prepared by:

George M. Matteson
Attorney at Law
Moore, Giles & Matteson
1206 Stateline
Texarkana, Arkansas 71854
(870) 774-5191
(870) 773-1102 (facsimile)
george@mgmlawllp.com

WARRANTY DEED

KNOW ALL BY THESE PRESENTS:

THAT VESSEL CHURCH, a Texas corporation, GRANTOR, by its undersigned officer, duly authorized so to act by proper resolutions of its Board of Directors, for and in consideration of the sum of TEN Dollars (\$10.00) and other good and valuable consideration, paid by the City of Texarkana, Arkansas, GRANTEE, the receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys unto the Grantee, and unto its heirs and assigns forever, the following described lands located in the County of Miller, State of Arkansas:

The East 13.65 feet of Lot Numbered Eight (8) in Block Numbered Seventy-five (75) of the ORIGINAL CITY of Texarkana, Miller County, Arkansas

To have and to hold unto the Grantee and unto its heirs and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

And Grantor hereby covenants with the Grantee that it will forever warrant and defend the title to such lands against all lawful claims whatsoever.

IN WITNESS WHEREOF, the name of the Grantor is hereunto affixed by its undersigned officer this ____ day of _____, 2019.

Vessel Church, Inc.
A Texas Corporation

ATTEST:

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

STATE OF _____

§

COUNTY OF _____

§

§

On this ____ day of _____, before me, a Notary Public, duly commissioned, qualified and acting, within and for this County and State, appeared in person _____ and _____ being the within named being the person or persons authorized by such corporation to execute such instrument, stating their respective capacities in that behalf, to me personally well known, who stated that they were the _____ and the _____ of Vessel Church. executed and delivered the fore going instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this ____ day of _____, 2019.

Notary Public, State of Arkansas

My commission expires: _____



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt a Resolution accepting the proposal of Trull-Hollingsworth Architects for architectural services and entering into an agreement for the Animal Care and Adoption Center improvements. (ACAC)

AGENDA DATE: October 7, 2019

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Animal Care and Adoption Center

PREPARED BY: Charles Lokey

REQUEST: Request for qualifications for architectural services.

EMERGENCY CLAUSE: N/A

SUMMARY: Request for qualifications for architectural services was sent out with a deadline of August 20, 2019. Two responses were received in a timely manner. Upon review of the proposals it was determined that Trull-Hollingsworth, Architects was best qualified and capable of performing the architectural services and future construction management. Cost of such services is 6% of the cost of the new shelter building (excluding kennels and kennel installation, security cameras, computers, and other office furnishings, and landscaping).

EXPENSE REQUIRED: \$39,000

AMOUNT BUDGETED: \$39,000

**APPROPRIATION
REQUIRED:** \$39,000

**RECOMMENDED
ACTION:** The City Manager and staff recommend Board approval.

EXHIBITS: Resolution and Proposal.

RESOLUTION NO. _____

WHEREAS, upon review of timely responses to a request for qualifications for professional services in connection with Animal Care and Adoption Center improvements, it was determined that Trull-Hollingsworth is best qualified and capable of providing architectural, engineering and construction management services; and

WHEREAS, said architects propose a fee for services of 6% of the cost of the new shelter building (excluding kennels and kennel installation, security cameras, computers, other office furnishings, and landscaping); and

WHEREAS, the total estimated cost of the shelter building is \$650,000.00, six percent of which is \$39,000.00; and

WHEREAS, such amounts have been budgeted; and

WHEREAS, the City Manager and staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Texarkana, Arkansas, that the City Manager is authorized and directed to enter into a professional services agreement for the purposes and upon the terms set forth above.

PASSED AND APPROVED this 7th day of October, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

August 19, 2019

Mr. Charles Lokey, Director
Animal Care and Adoption Center
203 Harrison Street
Texarkana, AR 71854
Project #19-018

Charles:

I spoke with Tyler Richards today and he asked me to send to you a proposal for Architectural/Engineering services for the proposed New Animal Care & Adoption Center.

Trull-Hollensworth Architects, Inc. will provide the following Design & Drawings to submit to State and Local authorities:

- *Site Plan: showing grade elevations, parking areas, sidewalks, utility locations, drainage swales, etc.
- *Floor Plans: showing dimensions, wall schedule, door & window schedule, finish schedule, etc.
- *Four (4) Exterior Elevations and a Building Section
- *Reflected Ceiling Plan
- *Wall Sections/Interior Elevations showing millwork, toilets, etc.
- *Foundation Plan & Details
- *Plumbing Plan & Details
- *HAC Plan & Details
- *Electrical Lighting, Power Plans & Details

We propose to have five (5) phases in the project as follows:

- *Schematic Design
- *Design Development
- *Construction Drawings (Plans & Specifications)
- *Bidding/Negotiation (We handle all the bidding process)
- *Construction Administration

At each phase, we normally have a review meeting with you to analyze the construction documents as we develop them. During the Construction Administration Phase, we will be your agent on the jobsite, observing the construction, reviewing shop drawings and reviewing and approving pay request.

Trull-Hollensworth Architects, Inc. proposes to do this work for a total fee of 6% of the cost of construction.

The City will be responsible for furnishing a soils report and any cost related to public notifications, cost of distributing the plans and specifications and any state and local review fees.

Charles, this a a very simple explanation of our scope of work. If you have any additional questions, please let me know. Thank you for this opportunity.



Wayne Trull



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt a Resolution approving Texarkana Water Utilities (TWU) FY 2019/2020 Budget. (TWU) Executive Director JD Phillips and TWU Finance Director Jim Cornelius
AGENDA DATE:	October 7, 2019
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	TWU
PREPARED BY:	JD Phillips, Executive Director
REQUEST:	Adopt TWU Budget
EMERGENCY CLAUSE:	N/A
SUMMARY:	TWU Budget
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A
RECOMMENDED ACTION:	The City Manager and TWU staff recommend approval.
EXHIBITS:	Resolution, PowerPoint, and Budget

RESOLUTION NO. _____

WHEREAS, the FY 2019/2020 Texarkana Water Utilities (TWU) budget has been submitted to the Board of Directors for review; and

WHEREAS, TWU recommends approval of the budget as presented to the board in bound volume, with the income and expense allocations set forth therein; and

WHEREAS, the City Manager and Utility staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Texarkana, Arkansas, that the TWU budget for fiscal year 2019/2020, attached hereto and made a part hereof, is hereby approved.

PASSED AND APPROVED this 7th day of October, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George M. Matteson, City Attorney



ARKANSAS BUDGET SUMMARY
FY 2020

AR/TX Ratio:

FY 19 37.19/62.81%

FY 20 36.78/63.22%

TMRS Contribution:

FY 19 16.07%

Jan 1, 2020 16.12%

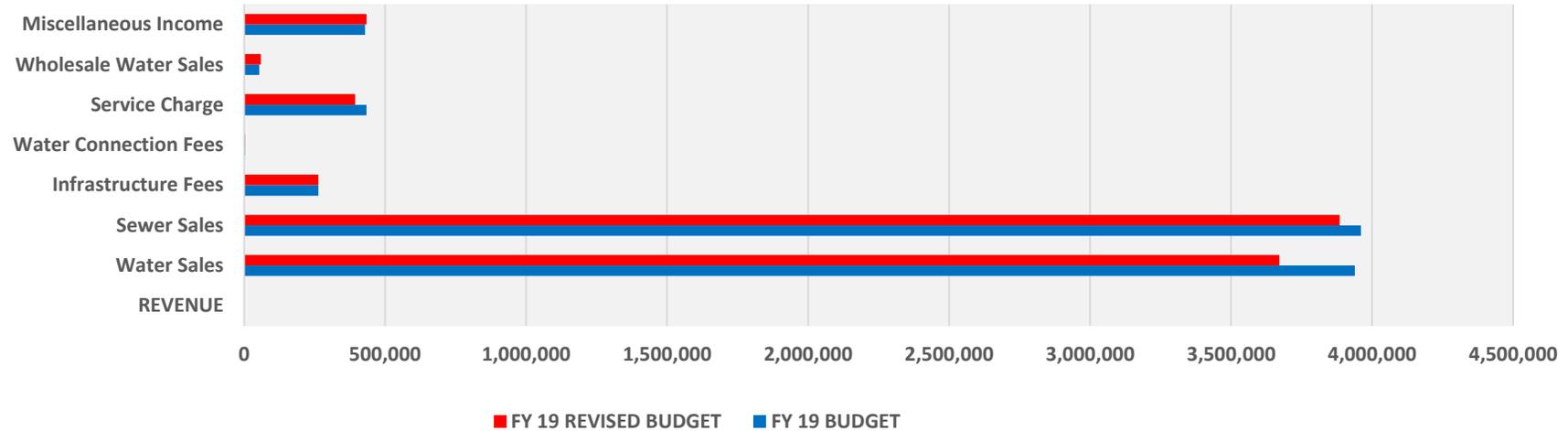
Master Fee List Recommendation:

Division	Fee Item	AR/TX	FY 19 Rate	FY 20 Rate	Explanation
410	Emergency Sample Test Fee	AR/TX	\$50	\$150.00	After hours BacT sampling requires 4 hrs OT lab labor

Other Fee Changes:

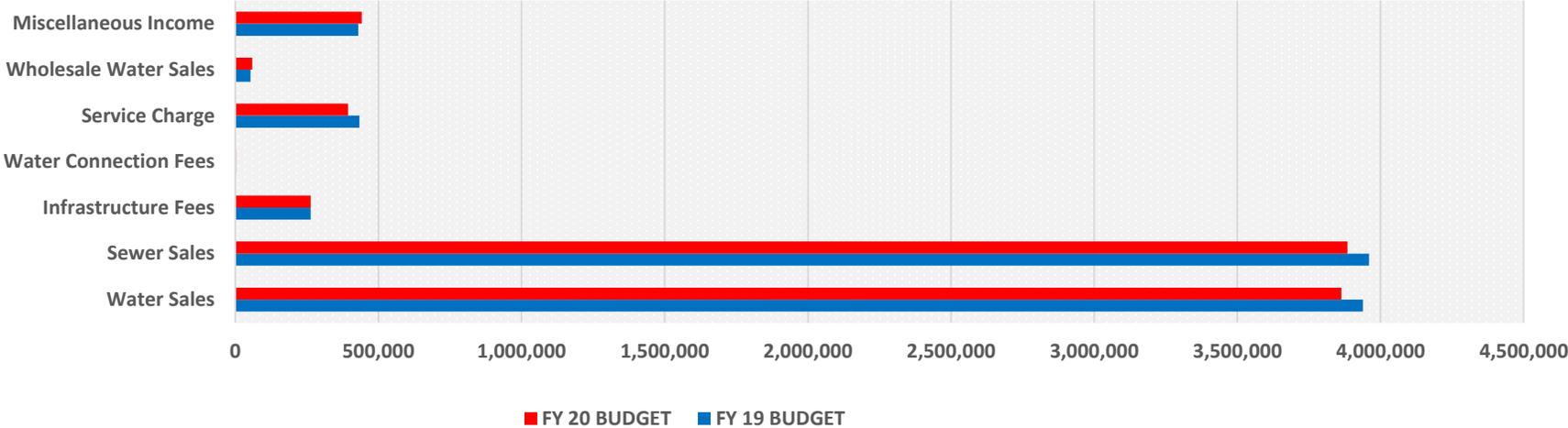
Fee Item	FUND	FY 19 Rate	FY 20 Rate	Explanation
Arkansas Public Water System Service Fee	A,M,U	\$.30	\$.40	State increased fee for monitoring compliance with SDWA

ARKANSAS REVENUE COMPARISON- FY 19 TO FY 19 REVISED



REVENUE	FY 19 BUDGET	FY 19 REVISED BUDGET	INCR/(DECR)
Water Sales	3,938,490	3,670,980	(267,510)
Sewer Sales	3,960,482	3,884,838	(75,644)
Infrastructure Fees	263,670	264,000	330
Water Connection Fees	3,100	3,650	550
Service Charge	434,133	393,700	(40,433)
Wholesale Water Sales	53,700	59,300	5,600
Miscellaneous Income	<u>429,335</u>	<u>434,102</u>	<u>4,767</u>
	9,082,910	8,710,570	(372,340)

ARKANSAS REVENUE COMPARISON- FY 19 TO FY 20



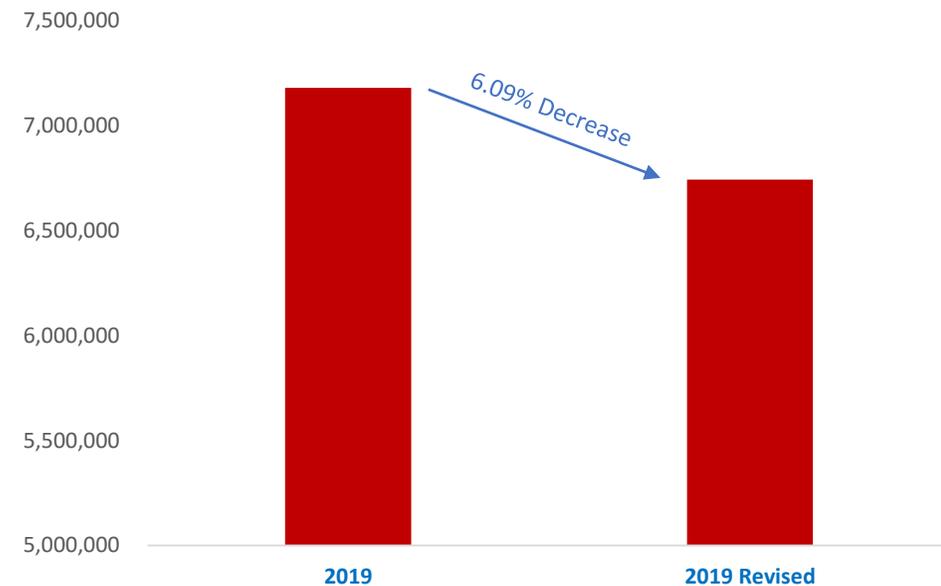
REVENUE	FY 19 BUDGET	FY 20 BUDGET	INCR/(DECR)
Water Sales	3,938,490	3,863,325	(75,165)
Sewer Sales	3,960,482	3,884,838	(75,644)
Infrastructure Fees	263,670	262,884	(786)
Water Connection Fees	3,100	3,650	550
Service Charge	434,133	393,700	(40,433)
Wholesale Water Sales	53,700	59,300	5,600
Miscellaneous Income	<u>429,335</u>	<u>442,202</u>	<u>12,867</u>
	9,082,910	8,909,899	(173,011)

OPERATING DIVISION BUDGET COMPARISONS

FY 19 BUDGET TO FY 19 REVISED BUDGET

Division		Arkansas FY 19 Revised	Arkansas FY 19	Increase/ (Decrease)
110	Admin	214,631	217,055	(2,424)
210	Acctg/Personnel	166,177	179,021	(12,844)
230	IT	388,264	353,212	35,052
310	Customer Service	357,556	410,293	(52,737)
330	Field Services	241,527	274,332	(32,805)
420	Water Prod-MW	1,393,332	1,435,003	(41,671)
530	SRWWTP	1,394,903	1,476,308	(81,405)
540	NTWWTP	240,029	230,602	9,427
580	Composting	129,355	128,515	840
610	Ops Admin	102,900	96,789	6,111
612	Utility Constr	277,718	355,455	(77,737)
620	Water Distr	483,347	526,954	(43,607)
630	Sewer Collection	361,730	413,334	(51,604)
640	Fleet Services	175,250	188,184	(12,934)
643	AR Police Veh	36,250	32,250	4,000
644	AR Fire Veh	38,250	34,800	3,450
645	AR PW Veh	96,550	110,300	(13,750)
646	AR Other Veh	8,600	11,100	(2,500)
710	Engineering	270,215	247,875	22,340
720	Engineering I&I	84,099	87,341	(3,242)
740	GIS Development	117,221	170,786	(53,565)
750	Environmental Svc	155,499	164,767	(9,268)
833/834	Miller Cty PWA	9,337	35,591	(26,254)
	Total	6,742,740	7,179,867	(437,127)

Arkansas FY19 to FY19 Revised Expenditures

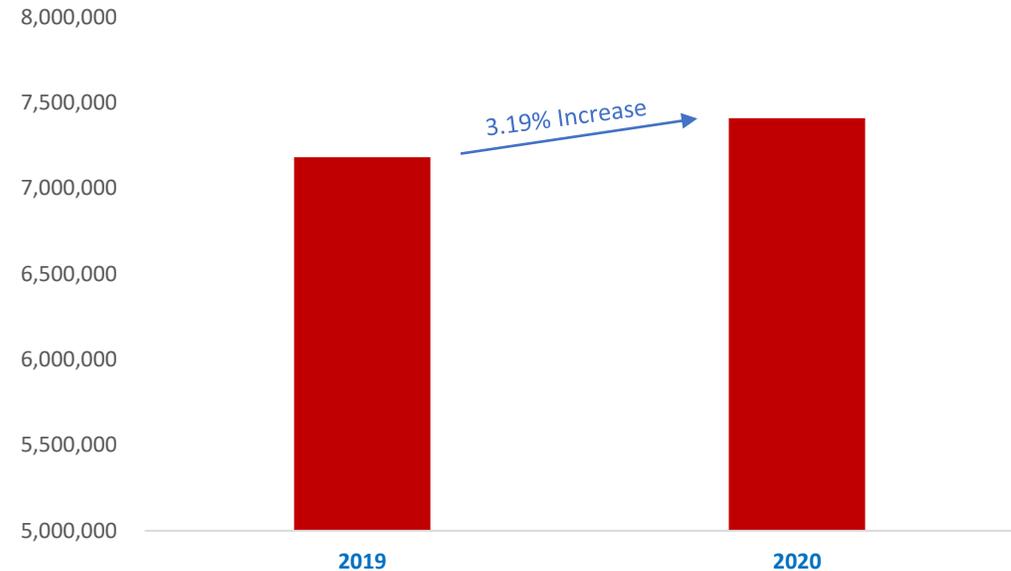


OPERATING DIVISION BUDGET COMPARISONS

FY 20 BUDGET TO FY 19 BUDGET

Division		Arkansas FY 20 Budget	Arkansas FY19 Budget	Increase/ (Decrease)
110	Admin	218,597	217,055	1,542
210	Acctg/Personnel	178,180	179,021	(841)
230	IT	381,349	353,212	28,137
310	Customer Service	403,695	410,293	(6,598)
330	Field Services	286,199	274,332	11,867
420	Water Prod-MW	1,472,877	1,435,003	37,874
530	SRWWTP	1,560,601	1,476,308	84,293
540	NTWWTP	262,101	230,602	31,499
580	Composting	133,255	128,515	4,740
610	Ops Admin	94,580	96,789	(2,209)
612	Utility Constr	342,890	355,455	(12,565)
620	Water Distr	550,492	526,954	23,538
630	Sewer Collection	424,304	413,334	10,970
640	Fleet Services	200,896	188,184	12,712
643	AR Police Veh	36,250	32,250	4,000
644	AR Fire Veh	40,750	34,800	5,950
645	AR PW Veh	115,300	110,300	5,000
646	AR Other Veh	11,100	11,100	0
710	Engineering	282,087	247,875	34,212
720	Engineering I&I	90,269	87,341	2,928
740	GIS Development	138,253	170,786	(32,533)
750	Environmental Svc	154,431	164,767	(10,336)
833/834	Miller Cty PWA	30,562	35,591	(5,029)
	Total	7,409,018	7,179,867	229,151

Arkansas FY 20 Budget Increase from FY 19



FY 20 Budgeted Expenditures

Chemical Costs:

- Alum- 17% increase
- Chlorine- 8% increase

Salary Costs:

- 25 Position pay grade adjustments
- 3 Promotions
- 1 New project manager position in IT- funded from freezing vacant GIS manager position
- Overall Cost \$330,666; AR portion = \$123,367

AR Contributions to other Funds:

- SRWWTP Depr Fund \$106,513; \$59,227 decrease
- AR Infrastructure \$263,016; \$70,000 decrease
- Equip Acquisition \$165,510; \$38,922 increase
- Technology \$257,460; \$112,493 increase
- Capital Impr \$150,000; \$178,000 decrease

FY 20 Depreciation Fund Projects

	Total	AR Amount
South Regional WWTP:		
Replace 700 Methane Controller/Sensors	\$7,500	\$2,759
Pumps/Motors/VFD Replacements-2020	\$61,000	\$22,436
SO2 Evaporator Replacement	\$35,000	\$12,873
Grit Basin 401, 402 Repairs	\$80,000	\$29,424
Barscreen 222 Rebuild	\$50,000	\$18,390
Roof Repairs, 400, 700, 1500, 1800 Bldgs	\$50,000	\$18,390
Plant Wireless SCADA	\$30,000	\$11,034
Boiler Rebuilds	\$35,000	\$12,873
Replace Generator Main Breaker	<u>\$10,000</u>	<u>\$3,678</u>
	\$358,500	\$131,857
North Texarkana WWTP:		
Pump/Motor/VFD Replacement-2020	\$42,000	\$25,620
Aeriation Tanks Cleaned/Joints Resealed	<u>\$17,500</u>	<u>\$10,675</u>
	\$59,500	\$36,295
Millwood Water Treatment Plant:		
Storage Shed	\$20,000	\$7,356
Basin Lining	\$375,000	\$137,925
Replace Security Cameras	\$7,000	\$2,575
Replace Valves- Filters 7 & 8	\$300,000	\$110,340
Low Service Control Panel Replacement	\$75,000	\$27,585
Repair High Service Pump/Motor/Actuator	\$95,000	\$34,941
SCADA Upgrade	\$60,000	\$22,068
Mixer Gearbox Repair	\$10,000	\$3,678
Repair Primary Disconnect	<u>\$15,000</u>	<u>\$5,517</u>
	\$957,000	\$351,985
Grand Total	\$1,375,000	\$520,137

FY 20 Arkansas Capital Improvement and Infrastructure Projects

Capital Improvement:

Water System Improvements- 2020	35,000
Sewer System Improvements- 2020	30,000
Loop Dead End Water Mains- 2020	40,000
Chlorine Conversion Project- 2020	78,000
N. Sanderson Ln Sewer Extension	50,000
Tennessee Rd Sewer Extension	<u>85,000</u>
	\$318,000

Infrastructure:

U of A Way- Reloc Wtr/Swr in R.O.W.	65,000
Nix Creek Swr Trunk Main-Engin./Design	150,000
Replace/Upsize Water Mains	70,000
Replace Brick Manholes	<u>25,000</u>
	\$310,000

LTWSC Capital Improvement Projects:

	Total	AR Amount
TCEQ Item: Basin Lining (1 Basin)	\$215,000	\$49,963
High Service Pump/Motor Repair	\$90,000	\$20,915
Rate of Flow Venturies for 4 Filter Effluent Lines	\$49,000	\$11,387
#2 Influent Valve/Actuator	\$17,000	\$3,951
Pump/Motor Rebuild	\$80,000	\$18,591
Replace Pump Room Flooring	\$16,000	\$3,718
PC Replacements (2)	\$8,200	\$1,906
Replace Security Cameras	\$7,000	\$1,627
MCC Control Panel Replacement in Lime Bldg	\$373,000	\$86,680
Repair Parking Lot	\$75,000	\$17,429
Low Service Power Upgrade	\$30,000	\$6,972
New Boston Transfer Switch	\$10,000	\$2,324
TCEQ-Clearwell Top Cleaning	\$6,000	\$1,394
SCADA Upgrades-Patman	\$50,000	\$11,619
SCADA Upgrades-All Sites	\$45,000	\$10,457
Replace Ferris Mower	\$15,000	\$3,486
Replace Side-by-Side (ROW Maint.)	\$15,000	\$3,486
Replace 1/2 Ton Truck	\$30,000	\$6,972
I-30 Valve	\$60,000	\$13,943
Replace Basin Tower and Rakes	<u>\$48,000</u>	<u>\$11,155</u>
	\$1,239,200	\$287,975

FY20 Budget Projected Ending Cash Balances:

AR	\$988,592	32 days
MNDVL	\$21,469	94 days
UN	\$155,317	127 days



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt an Ordinance granting the request for prerequisite municipal approval of a private club application for 511 E. 51st Street. (Bill Davis) (CCD)

The applicant requests an emergency clause. An emergency clause requires a separate and distinct vote of the board and is valid only if there is a two-thirds vote of approval by the board. (Hdbk. Const. Amend 7)

AGENDA DATE: October 7, 2019

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: City Clerk

PREPARED BY: Heather Soyars, City Clerk

REQUEST: Private Club license.

EMERGENCY CLAUSE: An emergency clause is requested by the applicant Bill Davis. The ordinance **must be effective** before submitting the application to the Alcoholic Beverage Control Administration.

SUMMARY: Bill Davis is requesting prerequisite approval to continue the application process through the State.

Pursuant to ACT 112 of 2017, all new private club applications must be submitted with an ordinance from the governing body of the county or municipality in which the private club wishes to be located, approving the application.

EXPENSE REQUIRED: N/A

AMOUNT BUDGETED: N/A

**APPROPRIATION
REQUIRED:** N/A

**RECOMMENDED
ACTION:** The City Manager and staff recommend approval.

EXHIBITS: Ordinance

ORDINANCE NO. _____

AN ORDINANCE GRANTING THE REQUEST FOR PREREQUISITE MUNICIPAL APPROVAL OF A PRIVATE CLUB APPLICATION BY BILL DAVIS, AS APPLICANT, ON BEHALF OF 511 E. 51ST STREET; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Ark. Code Ann. §3-9-222 and Rules and Regulations adopted by the Arkansas Alcoholic Beverage Control Division (the “ABC”) in accordance therewith requiring prior municipal approval by ordinance as a prerequisite to submittal of certain applications to the ABC or its Director relating to private clubs, request has been made that this Board of Directors of the City of Texarkana, Arkansas, approve the application of Bill Davis as applicant for 511 E. 51st Street, Texarkana, Arkansas 71854; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas, that:

Section 1. The request of Bill Davis on behalf of 511 E. 51st Street, for prerequisite municipal approval of an application for a private club at 511 E. 51st Street, Texarkana, Arkansas 71854 as required by Ark. Code Ann. §3-9-222 and the Rules and Regulations of the ABC is hereby granted.

Section 2. Nothing contained herein shall be deemed to be a municipal endorsement of any business operation, nor a waiver of the application of any City ordinance or other local, state or federal law, rule or regulation, now or hereafter adopted.

Section 3. This action being necessary for the preservation of the public peace, health and safety, and a separate and distinct vote having been taken on this emergency clause, an emergency is therefore declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 7th day of October, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt an Ordinance amending the <i>City of Texarkana, Arkansas Code of Ordinances</i> to allow food trucks in commercial and industrial zones. (This agenda item sponsored by Director Steven Hollibush) (PWD-Planning) City Planner Mary Beck <i>The applicant requests an emergency clause. An emergency clause requires a separate and distinct vote of the board and is valid only if there is a two-thirds vote of approval by the board. (Hdbk. Const. Amend 7)</i>
AGENDA DATE:	October 7, 2019
ITEM TYPE:	Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Planning
PREPARED BY:	Mary Beck, City Planner
REQUEST:	Amend the Code to allow food trucks in commercial and industrial zones.
EMERGENCY CLAUSE:	Yes
SUMMARY:	Amend the Code to allow food trucks in commercial and industrial zones.
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A
RECOMMENDED ACTION:	The City Manager, Planning Commission and Staff recommend approval.
EXHIBITS:	Ordinance and Memo.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE K-286, CHAPTER 28, ARTICLE III, SEC. 28-22; & SEC. 28-23, TO ADD MOBILE FOOD VEHICLES ALSO KNOWN AS FOOD TRUCKS AS A LAND USE IN VARIOUS ZONES; AND ARTICLE XI, SEC. 28-142 DEFINITIONS RELATED TO MOBILE FOOD VENDORS

WHEREAS, the City desires to provide opportunities for increased business activities to support cultural and art events; and to provide opportunities for increased business activities to serve food to the public at large; and

WHEREAS, the Planning Commission does recommend incorporating applicable regulations for permitting and operations on private property to follow regulations stated in Chapter 13 of the *City of Texarkana, Arkansas, Code of Ordinances*; with the addition to Chapter 28, the zoning chapter, such definitions that are applicable to privately owned land; namely amendments to:

ARTICLE XI, SEC. 28-142 definitions related to Mobile Food Vehicles aka food trucks:

- *Food trucks.* A type of mobile food vehicle which is motorized, and operationally self-contained equipped with enclosed facilities for cooking, preparing, and selling prepared food and/or beverages and does not include ice cream trucks or other types of food delivery trucks operating under a hawker's license selling door to door.
- *Food trailers.* A type of mobile food vehicle which is designed to be towed on public roads equipped with enclosed, self-contained, facilities for cooking, preparing, and selling prepared food and/or beverages.
- *Commissary.* A location designated by the city at which a mobile food vendor holding a valid mobile food permit pursuant to this chapter may dispose of wastewater from storage tanks and/or clean any utensils or kitchenware associated with mobile vendor's operations under this chapter.

- *Mobile food vendor.* A person or entity holding a mobile food vendor permit in accordance with regulations stated in Chapter 13.
- *Mobile food vendor permit.* A permit issued to a mobile food vendor pursuant to Chapter 13.
- *Ice Cream Trucks.* A traditional type of motorized vehicles operating for the sole purpose of selling ice cream, frozen dessert-type snacks, snow cones and popsicles; not to include sales of any other food types or products, subject to Article II, Sec. 13 (37-41), otherwise known as a hawkers license.
- *General pushcarts.* A wagon-type, non-motorized vending vehicle subject to Article II, Sec. 13 (37-41), otherwise known as a hawkers license.

WHEREAS, suitable zoning districts in Article III, Sec. 28-22 and Sec. 28-23, that is, all industrial and commercial zones except O-1 Office commercial. Notes: Customer parking needs will be determined by the building official at the time permits are issued in order that business be conducted in an orderly manner without negative impact to adjacent land uses;

NOW THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas, these regulations are hereby adopted and incorporated into the *City of Texarkana, Arkansas, Code of Ordinances*.

PASSED AND APPROVED this 7th day of October, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



CITY OF TEXARKANA, ARKANSAS

DEPARTMENT OF PUBLIC WORKS

216 WALNUT STREET 71854-6024

P.O. BOX 2711 – TEXARKANA, ARKANSAS 75504-2711

PHONE (870) 779-4971 – FAX (870) 773-2395

MEMORANDUM

TO: Dr. Kenny Haskin, City Manager
FROM: Mary L. Beck, City Planner/Historic Preservation Officer
DATE: September 17, 2019
SUBJECT: **Board of Directors Agenda Item for 10-07-2019 meeting** - Request by Director Steven Hollibush to evaluate and make recommendations to amend the Texarkana Code of Ordinances to add food trucks to the zoning chapter as a land use; and, to add definitions from chapter 13 of the municipal code.

COMPATIBILITY WITH EXISTING DEVELOPMENT:

Commercial sale of foods is an important economic generator and is a land use currently approved in all commercial zones other than O-1 Office quiet; and, can be a suitable land use in areas of industrialization and with that suitability, portable availability of food choices is seen as a benefit for many such as workers in manufacturing areas, business people with short lunch hours, participants at public events, family outings, visitors to the city, etc.

Process:

Request received from City Board of Directors, citizen, developer, company, or initiated by the staff – Requests for a zoning ordinance text amendment can be made at any time. These requests may be initiated by the City Board of Directors, a citizen, a commercial developer, a company, or the staff itself. Many times, these requests are the result of new land uses, changes in residential housing types or densities, omissions in the original zoning ordinance, etc.

Staff Research - Research and development of draft regulations;

Staff Recommendation - Planning Division staff researches and makes a staff recommendation to Planning Commission;

Legal Notice – Publish legal notice in the Texarkana Gazette one time fifteen days prior to the public hearing;

Public Hearing – The Planning Division staff presents staff



recommendation to Planning Commission during required public hearing;

Planning Commission – Makes one of the following determinations:

1. Reject the staff recommendation and request further study/analysis;
2. Recommend denial of the Zoning Ordinance text amendment;
3. Recommend approval of the Zoning Ordinance text amendment;

City Board of Directors – If recommended for approval by the Planning Commission, the City Board of Directors considers adopting an ordinance enacting/accepting the Zoning Ordinance text amendment. The proposal could also be heard by the City Board of Directors if the Planning Commission's recommendation of denial was appealed to the City Board of Directors. The City Board of Directors makes one of the following determinations:

1. Reject the Planning Commission's recommendation and request further study/analysis;
2. Recommend denial of the Planning Commission's Zoning Ordinance text amendment(s);
3. Recommend approval of the Planning Commission's Zoning Ordinance text amendment(s);

Ordinance – Becomes effective in thirty (30) days or with adoption of an emergency clause as part of the ordinance, the ordinance would become effective immediately; and

City Clerk - Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the city clerk.

CONFORMANCE WITH APPLICABLE ORDINANCES AND/OR STATE STATUTES:

The *Arkansas Code of 1987 Annotated (14-56-422 1B)* requires the following - "All plans, recommended ordinances, and regulations shall be adopted through the following procedure for adoption of plans and regulations:

- (1) (A) The Planning Commission shall hold a public hearing on the plans, ordinances, and regulations proposed under this subchapter.

(B) Notice of public hearing shall be published newspaper of general circulation in the city, at least one (1) time fifteen (15) days prior to the hearing.
- (2) Following the public hearing, proposed plans may be adopted, and proposed ordinances and regulations may be recommended as presented, or in modified form, by a majority vote of the entire commission.



- (3) Following its adoption of plans and recommendation of ordinances and regulations, the commission shall certify adopted plans or recommended ordinances and regulations to the legislative body of the city for its adoption.
- (4) The legislative body of the city may return the plans and recommended ordinances and regulations to the commission for further study or rectification, or, by a majority vote of the entire membership, may, by ordinance or resolution, adopt the plans and recommended ordinances or regulations submitted by the commission. However, nothing in this subchapter shall be construed to limit the city board's authority to recall the ordinances and resolutions by a vote of a majority of the council.
- (5) Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the City Clerk. The City Clerk shall file, with the county recorder of the counties in which territorial jurisdiction is being exercised such plans, ordinances, and regulations as pertain to the territory beyond the corporate limits.

The required statutory notice was published fifteen (15) days prior to the public hearing as required by the *Arkansas Code of 1987 Annotated 14-56-422* (Adoption/amendment of plans, ordinances, & regulations) on Sunday, August 25, 2019 for the September meeting.

OPPOSITION TO ZONING ORDINANCE TEXT AMENDMENT:

No opposition has been received.

Support has been indicated in other venues from local business owners including DeAnna O'Malley, George Dodson, and other downtown business owners and had no opposition from the Commission.

ADDITIONAL ACTION BY CITY BOARD OF DIRECTORS:

The City Board of Directors could review the Planning Commission's recommendation at their regularly scheduled meeting and may adopt, amend, return, or deny the request. It is anticipated the Board will consider the ordinance at the regularly scheduled October 7, 2019 meeting.

PLANNING COMMISSION RECOMMENDATION:

To amend the Texarkana Municipal Code, Ordinance K-286, zoning

regarding Chapter 28, Article III, Sec. 28-22 & 23 to recommend addition of food trucks as defined below as an allowed land use in all commercial and industrial zones except O-1 Office quiet.

Adopt the definitions from Chapter 13 of the *Municipal Code of the City of Texarkana, Arkansas*; to be included in Chapter 28, the zoning chapter, such definitions that are applicable.

ARTICLE XI, SEC. 28-142 definitions related to Mobile Food Vehicles aka food trucks:

- *Food trucks.* A type of mobile food vehicle which is motorized, and operationally self-contained equipped with enclosed facilities for cooking, preparing, and selling prepared food and/or beverages and does not include ice cream trucks or other types of food delivery trucks operating under a hawker's license selling door to door.
- *Food trailers.* A type of mobile food vehicle which is designed to be towed on public roads equipped with enclosed, self-contained, facilities for cooking, preparing, and selling prepared food and/or beverages.
- *Commissary.* A location designated by the city at which a mobile food vendor holding a valid mobile food permit pursuant to this chapter may dispose of wastewater from storage tanks and/or clean any utensils or kitchenware associated with mobile vendor's operations under this And, to add the following definitions to the zoning chapter under Article XI, Sec. 28-142.
- *Mobile food vendor.* A person or entity holding a mobile food vendor permit in accordance with regulations stated in Chapter 13.
- *Mobile food vendor permit.* A permit issued to a mobile food vendor pursuant to Chapter 13.
- *Ice Cream Trucks.* A traditional type of motorized vehicles operating for the sole purpose of selling ice cream, frozen dessert-type snacks, snow cones & popsicles; not to include sales of any other food types or products, subject to Article II, Sec. 13 (37-41), otherwise known as a hawker's license.
- *General pushcarts.* A wagon-type, non-motorized vending vehicle subject to Article II, Sec. 13 (37-41), otherwise known as a hawker's license.

After conducting the required statutory public hearing, the Planning Commission certifies a recommendation for approval on a motion by Adger Smith to approve, seconded by Randall Hickerson.

Boots Thomas, Chairperson	Yes
Bertha Dunn, Vice-chairperon	Yes
Jason Dupree	Absent
George Coker	Yes
Anderson Neal, Jr.	Yes
Adger Smith	Absent
Randall Hickerson	Yes



BOARD ACTION REQUESTED:

The Board action requested is to consider an ordinance amending the text of the Zoning Ordinance to allow food trucks in commercial and industrial zones with the exception of O-1 Office quiet zones and to add definitions to the zoning chapter from Chapter 13 regarding sales of food from mobile vehicles.

An emergency clause is requested.





CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt an Ordinance to rezone property located at 4203 Preston Street from R-2 Single-family Residential to O-1 Office Quiet Commercial. (Animal League) <i>(This item recommended for Board approval by the Planning Commission)</i> (PWD-Planning) City Planner Mary Beck
AGENDA DATE:	October 7, 2019
ITEM TYPE:	Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Planning
PREPARED BY:	Mary Beck, City Planner

REQUEST:	To rezone property located at 4203 Preston Street from R-2 Single-family Residential to O-1 Office Quiet Commercial
EMERGENCY CLAUSE:	None needed.

SUMMARY:	To rezone property located at 4203 Preston Street from R-2 Single-family Residential to O-1 Office Quiet Commercial
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EXPENSE REQUIRED:	N/A
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AMOUNT BUDGETED:	N/A
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APPROPRIATION REQUIRED:	N/A
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RECOMMENDED ACTION:	The City Manager and staff recommend approval.
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EXHIBITS:	Ordinance, Memo, and Map.
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ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. K-286, AS AMENDED; AND FOR OTHER PURPOSES

WHEREAS, an application to amend the Land Use Plan was filed with the Planning Commission of the City of Texarkana, Arkansas, requesting to rezone the following tract of land from R-2 Single-Family Residential to O-1 Office Quiet Commercial for business development:

**LOT 1, BLOCK 1, WHEELINGTON SUBDIVISION, Texarkana,
Miller County, Arkansas.**

WHEREAS, the Planning Commission, after public hearing, has approved said application and recommended that the Board of Directors of the City of Texarkana, Arkansas, adopt the ordinance affecting said rezoning request; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas:

Ordinance No K-286, as amended, is hereby amended to rezone the above described property in the City of Texarkana, Arkansas, from R-2 Single-Family Residential to O-1 Office Quiet Commercial for business development. This is solely a rezoning and no other action, conveyance or release of interest.

PASSED AND APPROVED this 7th day of October, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



CITY OF TEXARKANA, ARKANSAS
DEPARTMENT OF PUBLIC WORKS
216 WALNUT STREET 71854-6024
P.O. BOX 2711 – TEXARKANA, ARKANSAS 75504-2711
PHONE (870) 779-4971 – FAX (870) 773-2395

MEMORANDUM

TO: Dr. Kenny Haskin, City Manager
FROM: Mary L. Beck, City Planner
DATE: August 15, 2019
SUBJECT: **Board of Directors Agenda Item for 09-03-2019 meeting** – Request by Texarkana Animal League, CO Andrea Chewning, President, 5820 Richmond Road, Texarkana, TX 75503-0417 to rezone property from R-2 Single family residential to O-1 Office quiet commercial in order to conduct medical billing. The property is located at 4203 Preston Street.

LEGAL DESCRIPTION:

The property is legally described as Lot 1, Block 1, WHEELINGTON SUBDIVISION, Texarkana, Miller County, Arkansas, and contains 1 acre more or less.

REASON FOR REQUEST:

Rezoning would allow the existing commercial style prefab metal building to be used for office activities, medical billing services. The structure was originally part of a conditional use permit for a square dance club in a residential zone.

EXISTING LAND USES:

Site: Vacant
North: Vacant undeveloped land
South: Single family residence
East: Masonic lodge
West: Fire station

EXISTING ZONING:

Site: R-2 Single-family residential
North: R-2 Single-family residential
South: R-2 Single-family residential
East: R-2 Single-family residential
West: R-2 Single-family residential

AVAILABLE UTILITIES:



Municipal Water:	6" in Preston Street ROW.
Municipal Sanitary Sewer:	Municipal sanitary sewer in Preston Street.
Fire hydrant	Approx. 200' from the building to the east and one approx. 400' to the west

TRANSPORTATION NETWORK:

Local Street(s):	None
Collector Street(s):	Preston turns into Magee Street, a minor collector.
Arterial Street (s):	None

COMPATIBILITY WITH EXISTING DEVELOPMENT:

The site consists of a commercial metal building that has been vacant for several years. It is not suitable for a residence without alteration. The previous use of the building operated under a conditional use permit for a square dance club that was called Guys and Dolls and functioned as a community building. Since closing, the land and building were deeded to the Animal League for use as an asset to their cause. Many animal related land uses would be problematic to the adjacent fire station and the building is under contract for sale for a quieter land use as an office to do billing. Office activities are very appropriate in residential zones and near fire stations.

Current zoning:

R-2 single-family residential zoning district is defined as follows:

This is the most restrictive urban residential district. The principal use of land is for detached single-family dwellings and related recreational, religious, and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

Proposed zoning:



O-1 office and quiet business district is defined as follows:

This district is established to accommodate offices and associated administrative, executive and professional uses, together with specified limited commercial and accessory uses. It is anticipated these office uses will be located in relatively close proximity to apartments and other residential uses; and area regulations are designated to assure that these uses will be compatible with adjacent residential district. The district is characterized by freestanding buildings and ancillary parking, and should generally be limited to arterial and collector street locations or other carefully selected areas where public utilities, community facilities and other public services are adequate to support general office and limited commercial development.

The 1988 Long term comprehensive plan shows this area recommended for single family residential. O-1 Office is appropriate for all residential zones as the nature of office practices has low traffic counts and low noise land uses.

CONFORMANCE WITH APPLICABLE ORDINANCES AND/OR STATE STATUTES:

The *Arkansas Code of 1987 Annotated (14-56-422 1B)* requires the following - "All plans, recommended ordinances, and regulations shall be adopted through the following procedure for adoption of plans and regulations:

- (1) (A) The Planning Commission shall hold a public hearing on the plans, ordinances, and regulations proposed under this subchapter.

(B) Notice of public hearing shall be published newspaper of general circulation in the city, at least one (1) time fifteen (15) days prior to the hearing.
- (2) Following the public hearing, proposed plans may be adopted, and proposed ordinances and regulations may be recommended as presented, or in modified form, by a majority vote of the entire commission.
- (3) Following its adoption of plans and recommendation of ordinances and regulations, the commission shall certify adopted plans or recommended ordinances and regulations to the legislative body of the city for its adoption.
- (4) The legislative body of the city may return the plans and recommended ordinances and regulations to the commission for further study or rectification, or, by a majority vote of the entire membership, may, by ordinance or resolution, adopt the plans and recommended ordinances or regulations submitted by the commission. However, nothing in this subchapter shall



be construed to limit the city board's authority to recall the ordinances and resolutions by a vote of a majority of the council.

- (5) Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the City Clerk. The City Clerk shall file, with the county recorder of the counties in which territorial jurisdiction is being exercised such plans, ordinances, and regulations as pertain to the territory beyond the corporate limits.

The required notice was published in the Sunday, July 28, 2019 edition of the *Texarkana Gazette*. The City notified nine (9) adjacent property owners within three hundred feet (300') as required by the *Texarkana, Arkansas Code of Ordinances*.

OPPOSITION TO REZONING:

None to date

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission met on August 13, 2019, to consider the request and make a recommendation. A motion to approve the item was made by Commissioner Hickerson and seconded by Commissioner Smith. The motion was passed by rollcall vote 6-0 with 1 absence:

Boots Thomas, Chairman	Yes
Bertha Dunn, Vice-chairperson	Yes
Adger Smith	Yes
Jason Dupree	Yes
George Coker	Absent
Randall Hickerson	Yes
Anderson Neal	Yes

BOARD ACTION REQUESTED:

The Board action requested is as follows:

1. On September 3, 2019, consider adopting an **ordinance** to rezone the property described in the attached ordinance from R-2 Single-family residential to O-1 Office quiet commercial.
2. No emergency clause is requested.

Enclosure: Location Map



