1. 5/27/2021 Agenda (PDF)

   Documents:

   05-27-21 AGENDA.PDF

2. 5/27/2021 Agenda Packet (PDF)

   Documents:

   5-27-21 AGENDA PACKET.PDF

CITY OF MARSHALL, TEXAS
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL, 401 SOUTH ALAMO
THURSDAY, MAY 27, 2021, 6:00 P.M.

This meeting will be conducted utilizing a video and audio conferencing tool, as well as, a standard conference call. Instructions and direct links to view the meeting or speak during Citizen Comment can be found at www.marshalltexas.net.

****
AGENDA INFORMATION PACKET IS AVAILABLE FOR THE PUBLIC TO REVIEW ON THE CITY'S WEB SITE AFTER 8:00 A.M. ON WEDNESDAY BEFORE THE MEETING AT
www.marshalltexas.net
****

1. **CALL TO ORDER AND ROLL CALL**

2. **INVOCATION AND PLEDGES**

3. **CITIZEN COMMENTS**

   Texas Government Code, Sec. 551.007 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on an agenda the opportunity to do so before or during the body's consideration of the item. The "Citizens Comments" portion of the meeting meets the requirements of this law and is the public's opportunity to speak on any item on, or not on, the agenda. Those who wish to speak will have three minutes to do so unless additional time has been requested.

4. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

5. **CONSENT AGENDA**

   The items on the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations, a copy of which is filed with the minutes of the meeting. A Councilmember may remove items from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.

   A. Consider approval of the minutes from the May 13, 2021 Regular meeting.

   B. Public Works Activity Report (Public Works Director)

C. Fire Department Activity Report. (Fire Chief)

D. Police Department Activity Report. (Police Chief)

E. Community & Economic Development Activity Report. (Community & Economic Development Director)

F. Monthly Financial Report. (Finance Director)

G. Consider approval of a temporary contract extension between the City of Marshall and Texas Bank and Trust. (Finance Director)

6. **PUBLIC HEARING AND ORDINANCE**

A. Conduct a public hearing and consider an ordinance amending the official zoning map from C-3 (General Business), and A&E (Agriculture and Estate) to MF (Multi-Family) located in the 2500 Block of East End Boulevard South. (Community & Economic Development Director)

7. **PRESENTATIONS & PROCLAMATIONS**

A. Presentation of a proclamation declaring May 31, 2021 as “World No Tobacco Day” in the City of Marshall, Texas. (Mayor)

8. **ORDINANCE**

A. Consider approval of an amendment to the existing No Parking ordinance. (Police Chief)

B. Consider approval of on an ordinance regulating the speed of motor vehicles upon a certain section of FM 1997 within the corporate limits of the City of Marshall, authorizing the Texas Department of Transportation to erect signs, prescribing penalties, repealing all ordinances in conflict herewith and providing a savings clause; and declaring an emergency passage. (Police Chief)

C. Consider approval of an ordinance designating a geographic area within the City as Tax Increment Reinvestment Zone Number One; describing the boundaries of the zone; creating a board of directors for the zone; establishing a tax increment fund for the zone; containing findings related to the creation of the zone; providing a termination date for the zone; providing for immediate effectiveness of the zone. (Community & Economic Development Director)

9. **CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION**

A. Presentation of the semi-annual report by the Marshall Economic Development Corporation. (MEDCO)

B. Presentation and discussion on remaining Adoption Center expenses. (City Manager)

C. Consider approval of an Interlocal Agreement between the City of Marshall and the Housing Authority defining their respective roles, addressing future Payment In Lieu of Taxes

Payments, and reiterating the Council's previous resolution that no PILOT taxes are due for the years prior to December 31, 2020. (Acting City Attorney)

10. **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**

11. **ADJOURNMENT**

Posted: May 24, 2021
5:00 p.m.
N. Smith

This meeting will be conducted in accordance with the Americans with Disabilities Act. Requests for sign interpretive services will be available with at least 72-hour notice prior to the meeting. To make arrangements for these services, please call the City Secretary's Office at 903-935-4446.

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Page 5

B. Public Works Activity Report (Public Works Director)
Page 11

C. Fire Department Activity Report. (Fire Chief)
Page 14

D. Police Department Activity Report. (Police Chief)
Page 16

E. Community & Economic Development Activity Report. (Community & Economic Development Director)
Page 18

F. Monthly Financial Report. (Finance Director)
Page 24

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Page 32

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Page 34

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Page 66

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Page 72

9. **CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION**

A. Presentation of the semi-annual report by the Marshall Economic Development Corporation. (MEDCO)
Page 103

B. Presentation and discussion on remaining Adoption Center expenses. (City Manager)
Page 105

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Page 107

10. **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**
Page 115

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Page 116

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ITEM 1

CALL TO ORDER AND ROLL CALL

ITEM 2

INVOCATION AND PLEDGES

ITEM 3

CITIZEN COMMENTS

ITEM 4

ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA

ITEM 5A

CONSENT AGENDA

CONSIDER APPROVAL OF THE MINUTES FROM THE MAY 13, 2021 REGULAR MEETING

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MARSHALL
THURSDAY, MAY 13, 2021
6:00 PM

Mayor Terri Brown called the Regular meeting to order in the Council Chambers, City Hall at 6:00 p.m.

PRESENT:

MAYOR: Terri Brown, District 3

COUNCIL MEMBERS:

Marvin Bonner, District 1	Leo Morris, District 2
Jennifer Truelove, District 3	Amy Ware, District 4
Vernia Calhoun, District 5	Amanda Abraham, District 6
Micah Fenton, District 7	

ADMINISTRATIVE STAFF PRESENT:

Mark Rohr, City Manager	Cliff Carruth, Police Chief
Scott Rectenwald, Acting City Attorney	Reggie Cooper, Fire Chief

Randy Pritchard, Support Services Superintendent
Dawn Jones, Finance Director
Eric Powell, Public Works Director
Mallori James, Tourism & Cultural Arts Director
Jasmine Rios, Communications Coordinator
Fabio Angell, Community & Economic Development Director
Nikki Smith, City Secretary/Payroll Accountant

INVOCATION & PLEDGE: Mayor Brown

MINUTES

101. CONSIDER APPROVAL OF THE MINUTES FROM THE APRIL 22, 2021 REGULAR MEETING.

Councilmember Calhoun made a motion to approve the minutes from the April 22, 2021 Regular meeting. Councilmember Ware seconded the motion, which passed with a vote of 7:0.

PRESENTATION

102. PRESENTATION OF PLAQUES TO OUTGOING CITY COUNCIL MEMBERS.

Councilmember Ware presented a plaque to Mayor Terri Brown and thanked her for her service to the City of Marshall.

OATH OF OFFICE AND BOND APPROVAL

103. ISSUE OATH OF OFFICE FOR COUNCIL MEMBERS REPRESENTING DISTRICTS 1, 2, 3 AND 4.

Scott Rectenwald, Acting City Attorney, administered the Oath of Office for the Council members representing Districts 1, 2, 3, and 4.

104. CONSIDER APPROVAL OF BONDS FOR COUNCIL MEMBERS REPRESENTING DISTRICTS 1, 2, 3 AND 4.

Nikki Smith, City Secretary, asked for approval of new and renewed bonds for Council members representing Districts 1, 2, 3, and 4.

Councilmember Fenton made a motion to approve the bonds for Council members representing Districts 1, 2, 3, and 4. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

105. **EXECUTIVE SESSION**

A. Pursuant to the Open Meetings Act, Texas Government Code, Section 551.074 (Personnel) – Discussion of Chairman, or Mayor, and Acting Chairman, or Mayor Pro-Tem, for the City Commission.

The Council convened into Executive Session, the time was 6:09 p.m.

The Council reconvened from Executive Session, the time was 6:20 p.m.

ELECTION OF CHAIRMAN AND ACTING CHAIRMAN

106. CONSIDER ELECTION OF THE CHAIRMAN, OR MAYOR, FOR THE CITY COUNCIL.

Councilmember Calhoun nominated Councilmember Ware for the position of Chairman, or Mayor, for the City Council. Councilmember Bonner seconded the nomination, which passed with a vote of 7:0.

107. CONSIDER ELECTION OF THE ACTING CHAIRMAN, OR MAYOR PRO-TEM, FOR THE CITY COUNCIL.

Councilmember Truelove nominated Councilmember Abraham for the position of Acting Chairman, or Mayor Pro-Tem, for the City Council. Councilmember Calhoun seconded the nomination, which passed with a vote of 7:0.

108. **CITIZEN COMMENTS**

Tony Crosby, 211 N. Bolivar, stated May is Historic Preservation Month and invited the Council members to attend the ceremony to be held on May 16, 2021 at 2:00 pm at the Historic Harrison County Courthouse.

Jerry Tate, Tyler, Texas, Marshall Mall Investors, introduced members of the Marshall Mall Investors, stated mistakes and discrepancies were made in the agreement with the City and asked the Council to consider modifying the agreement.

109. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

110. **CONSENT AGENDA**

Councilmember Calhoun made a motion to approve the Consent Agenda. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

A. Street Sweeping Activity Report.

B. Municipal Court Activity Report.

C. Monthly Financial Report.

D. Consider approval of a Resolution to update the authorized City of Marshall Representatives at TEXPOOL.

E. Consider approval of appointments to the Civil Service Board.

PUBLIC HEARING

111. PUBLIC HEARING OF THE PROJECT PLAN AND FINANCING PLAN AND CREATION OF THE TAX INCREMENT REINVESTMENT ZONE (TIRZ) NUMBER ONE AND APPROVAL OF SAME.

Fabio Angell, Community & Economic Development Director, explained the use of Tax Increment Reinvestment Zones and the process for creation He stated this was the 2nd of five steps in the process.

Mayor Ware opened the public hearing.

No one came forward.

Mayor Ware closed the public hearing.

PRESENTATION & PROCLAMATION

112. PRESENTATION OF THE KEEP MARSHALL BEAUTIFUL BEAUTIFICATION AWARD WINNER FOR THE MONTH OF MAY 2021.

Mallori James, Tourism & Cultural Arts Director, stated the City of Marshall has partnered with Keep Marshall Beautiful and the Greater Marshall Chamber of Commerce for a new program, the “Beautification Awards”, to recognize residential and commercial properties in the city limits of Marshall. Mallori James presented a certificate to the winners for the month of May; residential property at 4422 Jeff Davis Street owned by Mr. James Ellis & the commercial property 215 S Washington (Love Cosmetic & General Dentistry).

113. PRESENTATION OF A PROCLAMATION DESIGNATING THE WEEK OF MAY 9-15, 2021 AS “POLICE WEEK” AND MAY 15, 2021 AS “PEACE OFFICERS MEMORIAL DAY” IN MARSHALL, TEXAS.

Mayor Ware read a proclamation designating the week of May 9th – 15th, 2021 as “Police Week” and May 15, 2021 as “Peace Officers Memorial Day” in Marshall, Texas.

114. PRESENTATION OF A PROCLAMATION DESIGNATING MAY 16TH – 23RD, 2021 AS “NATIONAL PUBLIC WORKS WEEK” IN THE CITY OF MARSHALL.

Mayor Ware read a proclamation designating May 16th – 23rd, 2021 as “National Public Works Week” in the City of Marshall.

ORDINANCE

115. CONSIDER APPROVAL OF AN ORDINANCE DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS TAX INCREMENT REINVESTMENT ZONE NUMBER ONE; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A TERMINATION DATE FOR THE ZONE; PROVIDING FOR IMMEDIATE EFFECTIVENESS OF THE ZONE.

Fabio Angell asked for approval of an ordinance designating a geographic area within the City as Tax Increment Reinvestment Zone Number One.

Council members asked questions and discussed.

Councilmember Calhoun made a motion to approve an ordinance designating a geographic area within the City as Tax Increment Reinvestment Zone Number One. Councilmember Morris seconded the motion, which failed with the following vote:

Ayes: 3, Council members Calhoun, Morris and Bonner
Nays: 4, Mayor Ware, Council members Abraham, Fenton and Truelove

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

116. PRESENTATION OF AND CONSIDERATION OF QUALITY OF LIFE PLAN.

Mark Rohr, City Manager, introduced Ashli Dansby and Colin Brady, co-chairs of the Quality of Life Taskforce. Ashli and Colin detailed the two-phase Quality of Life Plan developed by the Quality of Life Taskforce and asked for approval.

Council members asked questions and discussed.

Councilmember Fenton made a motion to approve the two-phase Quality of Life Plan. Councilmember Truelove seconded the motion, which passed with a vote of 7:0.

117. DISCUSSION OF AND ACTION REGARDING TERMINATING, MODIFYING OR CONTINUING CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT WITH MARSHALL MALL INVESTORS.

Scott Rectenwald provided information regarding the Chapter 380 Economic Development Agreement with Marshall Mall Investors.

Council members asked questions and discussed.

Councilmember Truelove made a motion to convene to Executive Session pursuant to the Open Meetings Act, Texas Government Code, Section 551.071. Councilmember Abraham seconded the motion, which passed with a vote of 7:0. The time was 7:47 p.m.

The Council reconvened from Executive Session, the time was 8:01 p.m.

Councilmember Truelove made a motion to terminate the Chapter 380 Economic Development Agreement with Marshall Mall Investors. Councilmember Fenton seconded the motion, which passed with a vote of 7:0.

118. CONSIDER APPROVAL OF SMALL BUSINESS GRANT FUND APPLICATIONS.

Fabio Angell provided an update regarding total expenditures and asked for approval of the completed applications received between March 19, 2021 and May 3, 2021.

Councilmember Bonner made a motion to approve the application for Clark's Barber Shop for $2,500. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0.

Councilmember Truelove made a motion to approve the application for B & E Tees Print Shop for $2,500. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

Councilmember Abraham made a motion to approve the application for Vicky's Divine (Salon) for $2,500. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0.

119. CONSIDER APPROVAL OF AMENDMENT TO APPROVED OAK LAWN GOLF COURSE RATES.

Mallori James provided information regarding the need for changes and asked for approval of an amendment to approved Oak Lawn Golf Course rates.

Councilmember Abraham made a motion to approve an amendment to approved Oak Lawn Golf Course rates. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0.

120. **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

121. **ADJOURNMENT**

Councilmember Calhoun made a motion for adjournment. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

APPROVED:

____
Mayor of the City Council
of the City of Marshall, Texas

ATTEST:

____
City Secretary

Ordinances: O-21-09
Resolutions: R-21-12

ITEM 5B

CONSENT AGENDA

PUBLIC WORKS ACTIVITY REPORT

City of MARSHALL TEXAS

TO: Members of the City Council

FROM: Eric Powell, PE EGP 5·19·21
Director of Public Works/City Engineer

DATE: May 19, 2021

SUBJECT: Public Works Department Monthly Activity Report

The Public Works Department Activity Report for the month of April 2021 is attached for your review.

PUBLIC WORKS DEPARTMENT
MONTHLY ACTIVITY REPORT
April 2021

DEPARTMENT DIVISIONS	NUMBER OF REQUESTS
DISTRIBUTION/COLLECTION	
Water main breaks/service leaks	23
Water meters (leaks/repairs/replacements)	21
Sewer issues (wash service/repairs/surcharging manholes/preventive maintenance, camera sewer lines)	185
Water taps	2
Emergency water meter cut-off/turn-on for residential & business customers	5
Fire hydrant repairs/replacements	4
STREETS	
Pothole patching/dress-ups/other repair	218
Right of way mowing/clearing blind intersections	1
Illegal dumping	6
Clearing fallen trees/limbs from City streets	6
Street repairs at water main break sites	16
Trim low hanging limbs	7
ROW/COMMUNITY APPEARANCE	
Litter pick-up (medians, cemeteries, City facilities)	149
General lawn care (City facilities, cemeteries, median maintenance)	48
Illegal dumping	1
DRAINAGE	
Cleaning/digging ditches	15 (2900 ft.)
Checking traps & drains	16
Storm drain clearing/repairs/sinkhole repairs	22
Culvert installation/repairs	6
Sidewalk/curb repairs	1
INFORMATION TECHNOLOGY	
Computer, internet, phone, email, alarm issues, Zoom meetings, etc.	287
BUILDING MAINTENANCE	
HVAC, electrical, plumbing, other miscellaneous issues	105

ITEM 5C

CONSENT AGENDA

FIRE DEPARTMENT ACTIVITY REPORT

MARSHALL FIRE DEPARTMENT
601 S. GROVE STREET
MARSHALL, TEXAS 75670
(903) 935-4580

April 2021 Summary Report

FIRE PREVENTION

Burn Permits Issued for April 2021: 52

Burn Permits Issued Year-to-Date 2021: 155

FIRE SUPPRESSION

Fire Incident Response for April 2021: 88 Calls for Service

(Fire, Rescue and EMS Assist, Hazardous Condition, Service Call, Good Intent Call, False Alarm and False Call).

Fire Incident Response Year-to-Date 2021: 353 Calls for Service

(Fire, Rescue and EMS Assist, Hazardous Condition, Service Call, Good Intent Call, False Alarm and False Call).

EMERGENCY MEDICAL SERVICES

EMS Response for April 2021: 447 Calls for Service

EMS Response Year-to-Date 2021: 1,855 Calls for Service

EMERGENCY MANAGEMENT

Severe weather awareness and community notification, as needed.

ITEM 5D

CONSENT AGENDA

POLICE DEPARTMENT ACTIVITY REPORT

Marshall Police Department

Cliff Carruth
Chief of Police

Date: 05/17/2021

To: City Council Members

From: Chief Cliff Carruth

Re: Monthly Activity Report

The Marshall Police Department responded to the following Calls for Service:

Calls for Service April 2021:	2,387
Calls for Service May 17, 2021:	1,433
Animal Service Calls April 2021:	51
Animal Service Calls May 17, 2021:	26
Motor Vehicle Crashes April 2021:	75
Motor Vehicle Crashes May 17, 2021:	53
New criminal cases assigned to detective April 2021:	47
New criminal cases assigned to detective May 17, 2021:	20

"Keeping our Community Safe"

ITEM 5E

CONSENT AGENDA

COMMUNITY & ECONOMIC DEVELOPMENT ACTIVITY REPORT

Community & Economic Department

Fabio Angell, Director

Date: 4/30/2021

To: CITY COUNCIL MEMBERS

From: FABIO ANGELL

Re: MONTHLY ACTIVITY REPORT

The CDBG Division of the Community & Economic Development Department completed the following activities during the month of April:

ACTIVITY	ACTIVITY TOTAL
Inquires about Grants/CDBG	20 Calls, Walk-ins
Small Business Grant Fund Disbursements	N/A
Reimbursement Requests. TOTAL:	$26,726.75
1. Sub-Recipient Habitat for Humanity	$ 20,099.01
2. Sub-Recipient Food Pantry	$2,947.20
3. Sub-Recipient Literacy Council	$ 3,680.54
IDIS (Integrated Disbursement Information System) Total Drawdown: 22 Line items	Pending HUD approval
Purchase Orders (Any purchase or invoice over $5,000)	1
Submittal: Housing Demolition Intake Application based on HUD requirements (e.g. Lien & Lien Release provisions) Submitted to City Attorney for review	1
Small Business Grant Fund Application (Door to Door distribution)	3
SF-424 Preparation (Application for Federal Assistance)	1
Monthly Expense Report Bookkeeping/Reconciliation	N/A

Community & Economic Department

Fabio Angell
Director

Date: 4/30/2021

To: CITY COUNCIL MEMBERS

Re: MONTHLY ACTIVITY REPORT

The Code Enforcement Division of the Economic Development Department completed the following activities during the month of April:

Open	121
Closed	24
Initial Inspections	107
Re-Inspections	61
Court Action	13
Plan of Action	10

In addition, Code Enforcement is working to develop a Plan of Action for New Town in partnership with the New Town Association. Goals for the 2021-2022 H.U.D. /CDBG fiscal year include a Paint Program, a Clean Up Program and a Façade Program.

Community & Economic Department

Fabio Angell
Director

Date: 4/30/2021

To: CITY COUNCIL MEMBERS

Re: MONTHLY ACTIVITY REPORT

The Health Permits Division of the Community & Economic Development Department completed the following activities during the month of April:

Health Inspections April 2021:	CITY	COUNTY
Routine:	41	3
Compliance:	5	0

"Open for Business, Keeping Our Community Growing… Always"

Community & Economic Department

Fabio Angell
Director

Date: 4/30/2021

To: CITY COUNCIL MEMBERS

Re: MONTHLY ACTIVITY REPORT

The Building Permits Division of the Community & Economic Development Department completed the following activities during the month of April:

	City Permits
Permits Residential	129
Permits Commercial	20
Permits Educational	1
Permits Misc	1
Permit Total=	151

“Open for Business, Keeping Our Community Growing… Always”

Community & Economic Department

Fabio Angell
Director

Date: 4/30/2021

To: City Council Members

Re: Monthly Activity Report

The Planning & Zoning Division of the Community & Economic Development Department completed the following activities during the month of April:

ACTIVITY	ACTIVITY TOTAL
Inquires about Property Zoning	32 Calls, 30 +Walk-ins
Subdivision plats	2
Rezone request	2
Issuance of 911 addresses	10
Calls to assist public works with locations of city services	30+
Plan Reviews	25
Water and sewer tap work orders	4
Culvert work orders	2
Planning Conferences (Rezoning and Design Standards)	2
Certificate of Occupancy	4
Special projects for director	9

"Open for Business, Keeping Our Community Growing… Always"

ITEM 5F

CONSENT AGENDA

MONTHLY FINANCIAL REPORT

Memo

To: Mark Rohr, City Manager

From: Dawn I. Jones, Finance Director

cc: Nikki Smith

Date: 5/20/2021

Re: April Revenue and Expense Report Summaries – General Fund and Water and Sewer Enterprise Fund

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Attached you should find the Revenue and Expense Report Summaries for April. This report provides current month, year-to-date, and budgeted amounts for major revenue categories and expenditures by department. The report also provides a percent of current budget.

City of MARSHALL TEXAS

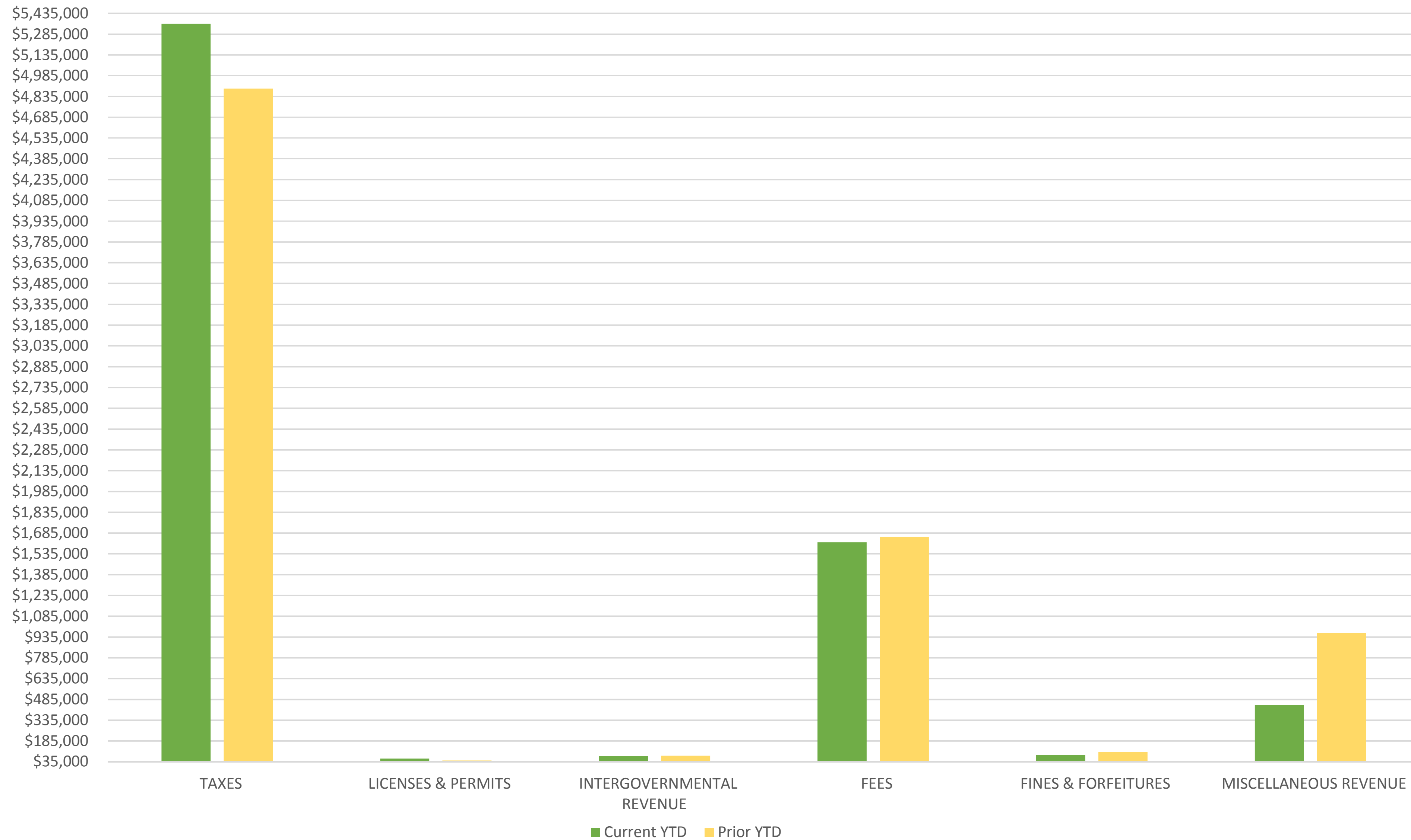
FINANCIAL REPORT - GENERAL FUND

Revenues and Expenditures - Unaudited

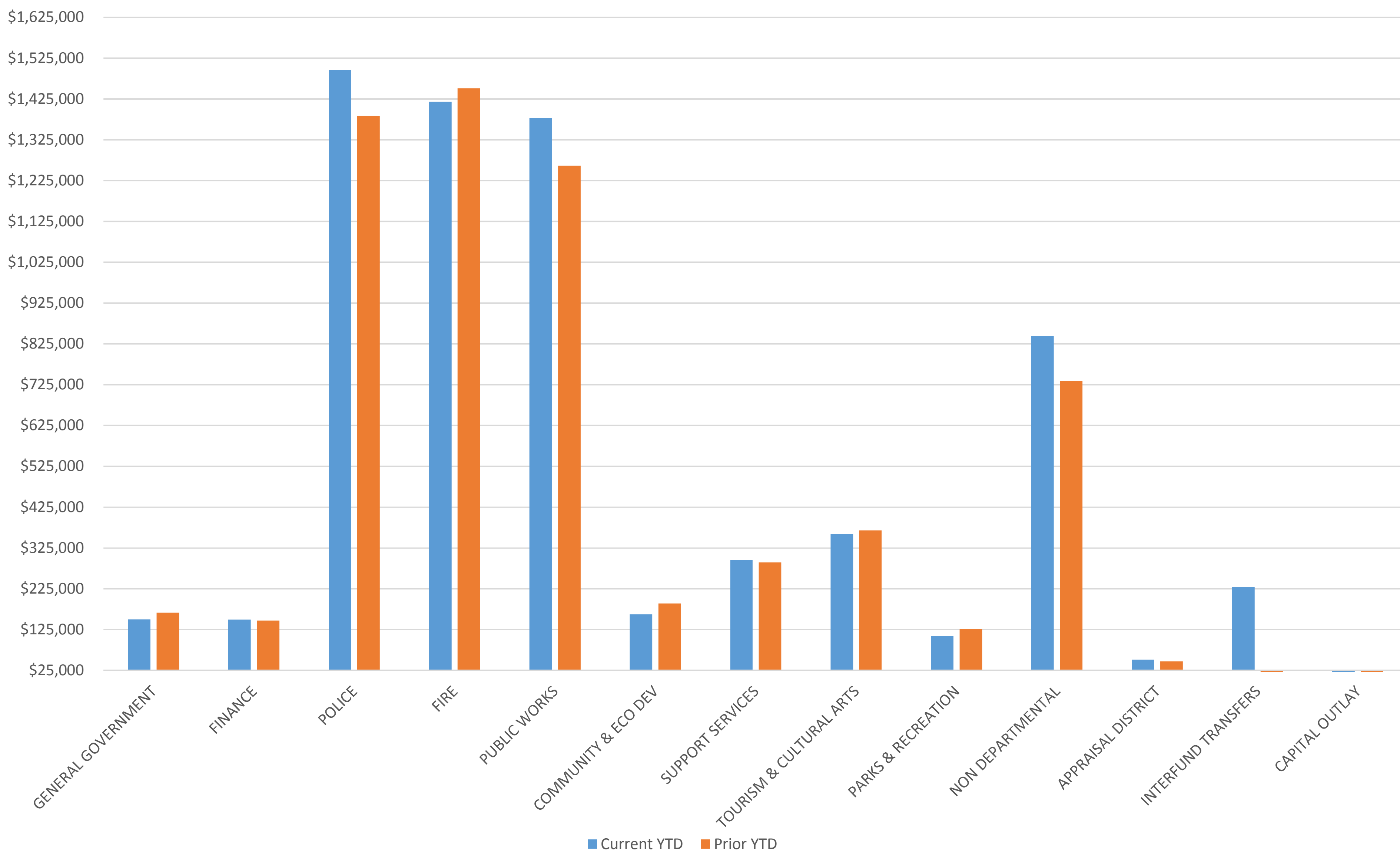
Period Ending: April 2021

GENERAL FUND	CURRENT MONTH	CURRENT YTD	PRIOR YTD	REVISED ADOPTED BUDGET	ADOPTED BUDGET	4/12 OF ADOPTED BUDGET	PERCENT OF ADOPTED BUDGET	REMAINING BUDGET
REVENUES:								
TAXES	$ 764,643	$ 5,360,174	$ 4,893,257	$ 12,701,087	$ 12,701,087	$ 4,233,696	42.20%	$ 7,340,913
LICENSES & PERMITS	20,134	58,803	44,746	195,000	195,000	65,000	30.16%	136,197
INTERGOVERNMENTAL REVENUE	11,798	76,372	78,352	166,235	166,235	55,412	45.94%	89,863
FEES	436,324	1,617,824	1,657,075	5,393,687	5,393,687	1,797,896	29.99%	3,775,863
FINES & FORFEITURES	28,123	86,251	105,193	500,000	500,000	166,667	17.25%	413,749
MISCELLANEOUS REVENUE	4,361	443,856	963,324	2,318,163	2,318,163	772,721	19.15%	1,874,307
TOTAL GENERAL FUND REVENUE	**$ 1,265,383**	**$ 7,643,280**	**$ 7,741,947**	**$ 21,274,172**	**$ 21,274,172**	**$ 7,091,391**	**35.93%**	**$ 13,630,892**
EXPENSES:								
GENERAL GOVERNMENT	$ 42,680.75	$ 149,930	$ 166,087	$ 549,766.00	$ 549,766.00	$ 183,255.33	27.27%	$ 399,836
FINANCE	55,739	149,011	147,117	531,062	531,062	177,021	28.06%	382,051
POLICE	518,493	1,496,684	1,384,024	5,160,503	5,160,503	1,720,168	29.00%	3,663,819
FIRE	430,509	1,418,240	1,451,172	4,280,100	4,251,100	1,417,033	33.36%	2,832,860
PUBLIC WORKS	333,281	1,378,869	1,261,979	5,338,400	5,080,400	1,693,467	27.14%	3,701,531
COMMUNITY & ECO DEV	69,294	161,797	188,648	742,049	667,049	222,350	24.26%	505,252
SUPPORT SERVICES	70,384	295,065	289,120	858,934	858,934	286,311	34.35%	563,869
TOURISM & CULTURAL ARTS	122,006	359,091	367,734	1,223,593	1,211,093	403,698	29.65%	852,002
PARKS & RECREATION	39,001	108,353	126,323	445,832	425,832	141,944	25.45%	317,479
NON DEPARTMENTAL	261,607	844,085	734,613	2,287,121	2,282,121	760,707	36.99%	1,438,036
APPRAISAL DISTRICT	-	50,757	46,654	101,513	101,513	33,838	50.00%	50,757
INTERFUND TRANSFERS	228,994	228,994	-	383,793	154,799	51,600	147.93%	(74,195)
CAPITAL OUTLAY	-	-	-	-	-	-		-
TOTAL GENERAL FUND EXPENSES	**$ 2,171,990**	**$ 6,640,875**	**$ 6,163,470**	**$ 21,902,666**	**$ 21,274,172**	**$ 7,091,391**	**31.22%**	**$ 14,633,297**
TOTAL GENERAL FUND	**$ (906,607)**	**$ 1,002,405**	**$ 1,578,477**					**$ (1,002,405)**

FINANCIAL REPORT - GENERAL FUND
ACTUAL REVENUES
FY 21 vs FY 20 YTD
Period Ending: April 2021



FINANCIAL REPORT - GENERAL FUND
ACTUAL EXPENDITURES
FY 21 vs FY 20 YTD
Period Ending: April 2021



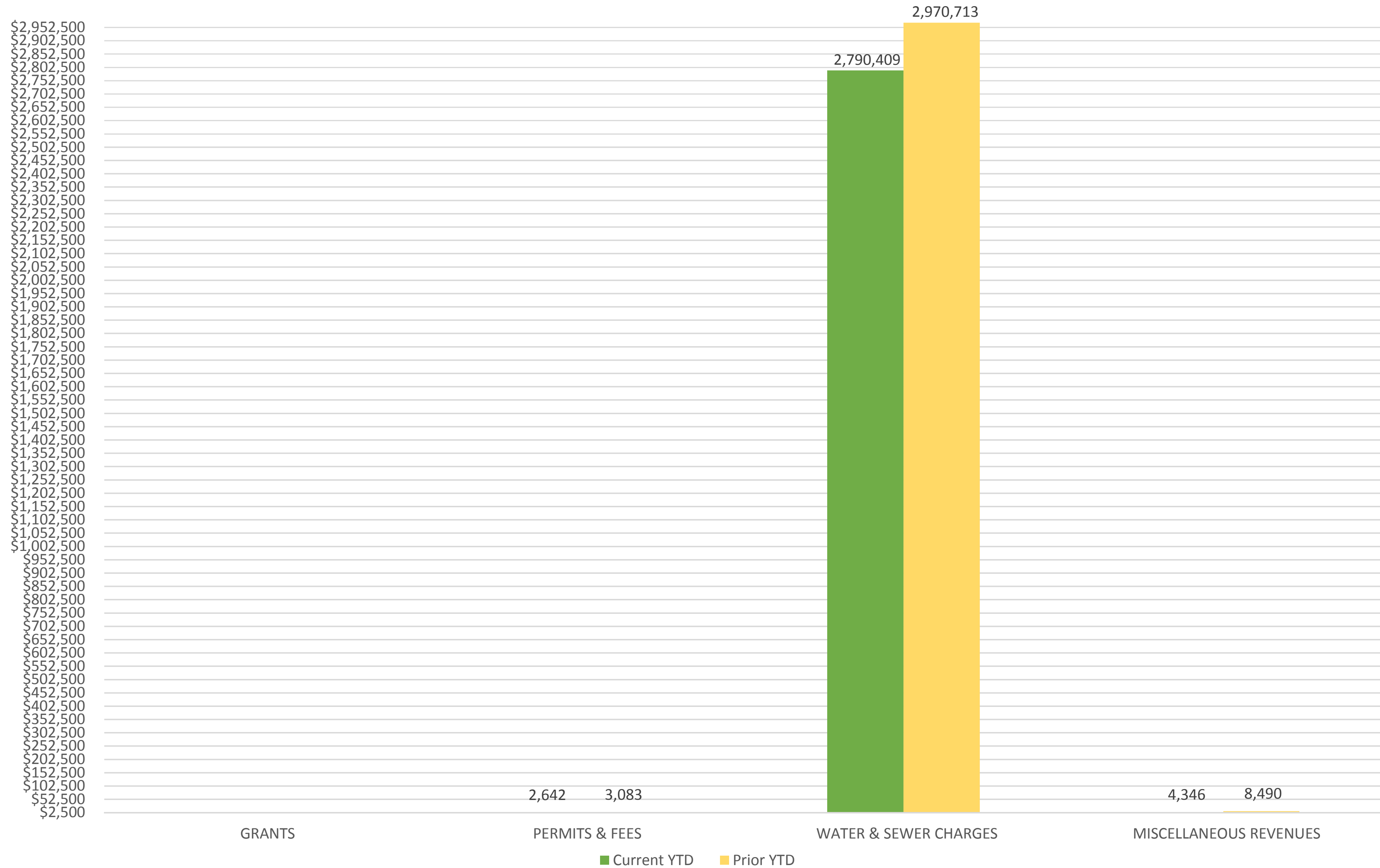
FINANCIAL REPORT - WATER & SEWER ENTERPRISE FUND

City of MARSHALL TEXAS

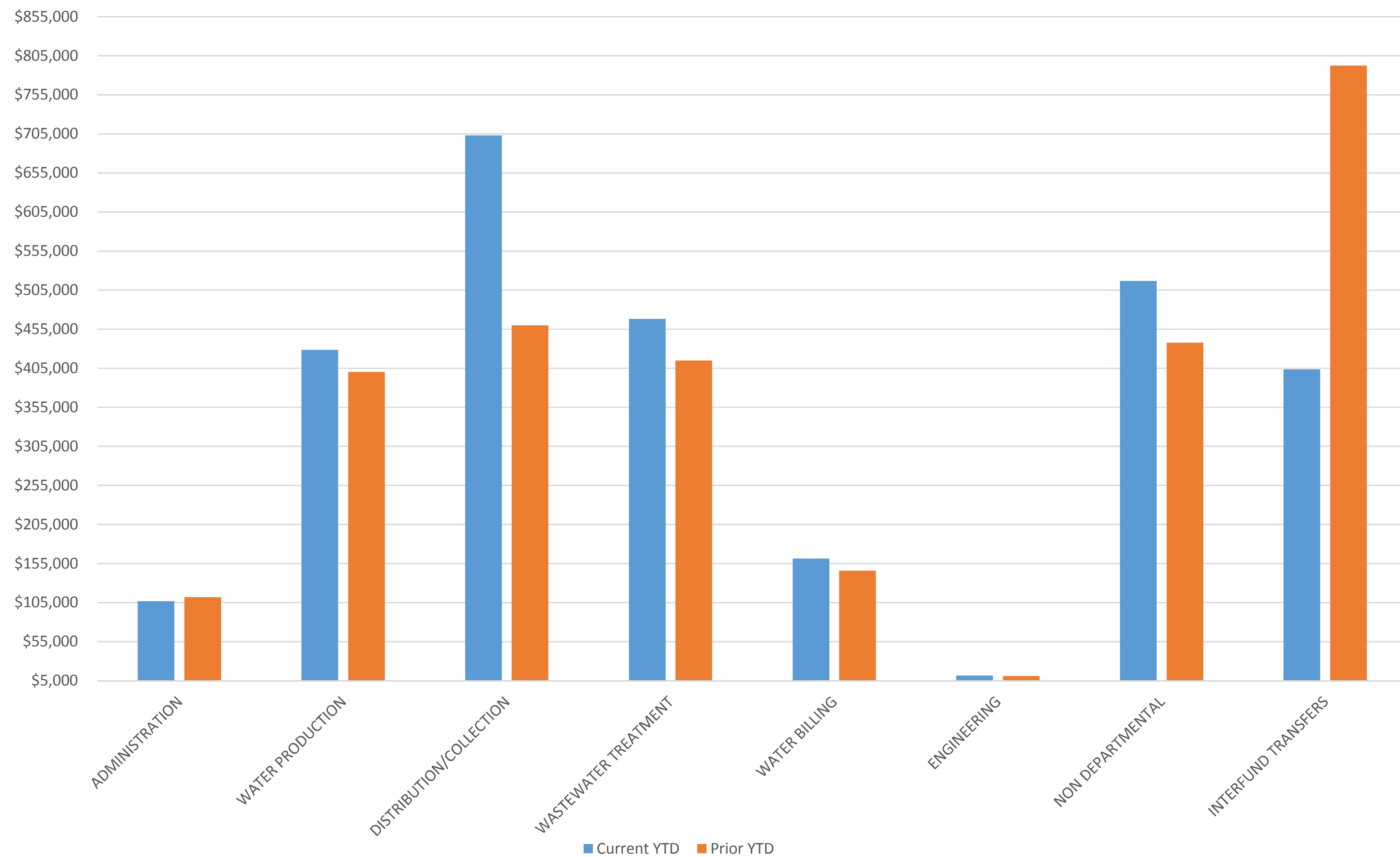
Revenues and Expenditures - Unaudited
Period Ending: April 2021

	CURRENT MONTH	CURRENT YTD	PRIOR YTD	REVISED ADOPTED BUDGET	ADOPTED BUDGET	4/12 OF ADOPTED BUDGET	PERCENT OF ADOPTED BUDGET	REMAINING BUDGET
WATER & SEWER ENTERPRISE FUND								
REVENUES:								
GRANTS	$ -	$ -	$ -	$ -	$ -	$ -	0.00%	$ -
PERMITS & FEES	767	2,642	3,083	11,400	11,400	3,800	23.18%	8,758
WATER & SEWER CHARGES	695,408	2,790,409	2,970,713	9,487,993	9,487,993	3,162,664	29.41%	6,697,584
MISCELLANEOUS REVENUES	676	4,346	8,490	42,000	42,000	14,000	10.35%	37,654
TOTAL WATER & SEWER REVENUE	**$ 696,851**	**$ 2,797,397**	**$ 2,982,285**	**$ 9,541,393**	**$ 9,541,393**	**$ 3,180,464**	**29.32%**	**$ 6,743,996**
EXPENSES:								
ADMINISTRATION	$ 36,573	$ 106,585	$ 112,054	$ 322,998	$ 322,998	$ 107,666	33.00%	$ 216,413
WATER PRODUCTION	133,119	428,492	400,068	1,242,498	1,242,498	414,166	34.49%	814,006
DISTRIBUTION/COLLECTION	172,764	703,066	460,297	2,723,210	2,723,210	907,737	25.82%	2,020,144
WASTEWATER TREATMENT	141,790	468,267	414,594	1,350,104	1,350,104	450,035	34.68%	881,837
WATER BILLING	54,813	161,220	145,901	521,343	521,343	173,781	30.92%	360,123
ENGINEERING	4,841	11,449	11,095	32,093	32,093	10,698	35.67%	20,644
NON DEPARTMENTAL	123,054	516,802	437,621	1,110,336	1,110,336	370,112	46.54%	593,534
INTERFUND TRANSFERS		403,383	792,500	2,238,811	2,238,811	746,270	18.02%	1,835,429
TOTAL WATER & SEWER EXPENSES	**$ 666,954**	**$ 2,799,263**	**$ 2,774,130**	**$ 9,541,393**	**$ 9,541,393**	**$ 3,180,464**	**29.34%**	**$ 6,742,130**
TOTAL WATER & SEWER FUND	**$ 29,898**	**$ (1,866)**	**$ 208,155**					**$ 1,866**

FINANCIAL REPORT - WATER & SEWER ENTERPRISE FUND
ACTUAL REVENUES
FY 21 vs FY 20 YTD
Period Ending: April 2021



FINANCIAL REPORT - WATER & SEWER ENTERPRISE FUND
ACTUAL EXPENDITURES
FY 21 vs FY 20 YTD
Period Ending: April 2021



ITEM 5G

CONSENT AGENDA

CONSIDER APPROVAL OF A TEMPORARY CONTRACT EXTENSION BETWEEN THE CITY OF MARSHALL AND TEXAS BANK AND TRUST

DEPARTMENT OF THE FINANCE

MEMORANDUM

To: Mark Rohr, City Manager

From: Dawn I. Jones, Finance Director

cc: Nikki Smith, City Secretary

Date: 5/20/2021

Re: Depository Contract Extension

Attached is a Contract Extension Agreement for Texas Bank and Trust. The previous contract is will expire on May 31, 2021. This Contract extends the Original Depository Contract for a temporary period ending December 31, 2021. All terms and conditions of the Original Contract remain unchanged. I recommend approval of this Contract Extension.

ITEM 6A

PUBLIC HEARING AND ORDINANCE

CONDUCT A PUBLIC HEARING AND CONSIDER AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FROM C-3 (GENERAL BUSINESS), AND A&E (AGRICULTURE AND ESTATE) TO MF (MULTI-FAMILY) LOCATED IN THE 2500 BLOCK OF EAST END BOULEVARD SOUTH

City Council Agenda Information Sheet
May 27, 2021

A. **Agenda Item Z-21-03**-Conduct a public hearing to consider a rezoning request of a 12.43 acre tract of land from C-3 (General Business), and A&E (Agriculture and Estate) to MF (Multi-Family). Located at 2560 East End Blvd. South.

The Planning and Zoning Commission recommended approval by a vote of 5-0-0.

Applicant:	Marshall Crossing L.P. 809 S. Lamar Blvd. Suite-A Austin Tx. 78704
Property Owner	David Blackburn P.O. Box 530 Marshall, Tx. 75671
Surrounding Property Notices	4 Notices Sent within 200 ft. of the Site 0 Responses back
Location Map:	

Z-21-03

Background & Summary of Request:

The applicant is requesting the zoning be changed from C-3 (General Business) and A&E (Agriculture and Estate) to MF (Multifamily). The Applicant is proposing to construct a Senior Living complex. Staff presented an overview of the report. and informed the Planning and Commission that a resolution (R-21-06) was approved by City Council on February 11th 2021, in support of this project. Michael Fogel (Developer/applicant) came forward to speak in favor of the project and gave a presentation of the project. No one came forward to speak against the rezone. The Planning and Zoning Commission recommended approval by a vote of 5-0-0.

Picture of the Site:

Existing Conditions:

The property is currently vacant and slopes to the south.

The table below outlines the surrounding zoning and land uses:

	Zoning Classification	Land Use
North of the Property	C-3(General Business) MF and (Multifamily)	Commercial
East of the Property	A&E (Agriculture and Estate)	Vacant
South of the Property	PS (Public Service)	College
West of the Property	R-1 (Single Family Residential)	Residential

Water service is provided to the site by an existing 12” water main along the right-of-way of East End Blvd. South (U.S. Highway 59). The property is served by an existing 12” Sewer main crossing the southwest corner of the property.

Zoning Classification Analysis:

The applicant is requesting a zoning change from C-3 (General Business) and A&E Agriculture and Estate to MF (Multifamily). The Applicant is proposing to construct a Senior Living complex.

Comprehensive Plan and Future Land Use Map Analysis:

The Future Land Use map identifies this property as Commercial, Office, Service. And the request also complies with the Mobilize Marshall Strategic Plan, Improve Economic Development, Goal Number 4 which states, Establish alternatives for senior housing(full spectrum).

The following questions should be answered when determining if a zoning change is appropriate:

1. Will the proposed change be in compliance with the goals of the Comprehensive Plan?
   The request of MF (Multifamily) will be in keeping with the Comprehensive Plan since it abuts like zoning. And the front portion along East End Blvd. is already zoned for commercial use.

2. Will there be an adverse impact on surrounding property if the request is approved? In evaluating this question, consideration should be given to all permitted uses in the proposed new zoning and the impact it could have on surrounding property.
   The surrounding property is mostly commercial which would not be immediately affected by a MF (Multifamily) zoning classification or the proposed use.

3. Is the property suitable for use as it is currently zoned or does the zoning need to be changed to allow the property to be put to use in a way that is in keeping with the surrounding activities.
   As already stated, the property is currently surrounded by commercial uses so changing the zoning would be a consistent use of the zoning district. That being said, as growth occurs and the area transitions to more commercial development it will be inevitable that the zoning will change.

4. What is the relationship of the proposed change to the health, safety and welfare of the general community? In other words, will the change make the community better or is it merely for the convenience of the owner? Will surrounding property owners suffer or lose any enjoyment in the area of their property as a result of this change? Does the proposed change seem to be a logical extension of similar types of development?
   Based on existing conditions the proposed change/use will not have an immediate negative effect on the community.

Suggested Motions:

1. Motion to recommend approval of case number Z-21-03 as requested.
2. Motion to recommend denial of case number Z-21-03.
3. Motion to recommend approval of case number Z-21-03 with Conditions.

Attachments:

1. Original P&Z Packet
2. Concept plan
3. Site plan
4. Z-21-03 Pon Map
5. Copy of City Council Resolution supporting project

City of MARSHALL TEXAS

P&Z Agenda Information Sheet

March 8, 2021

A. **<u>Agenda Item Z-21-03</u>**-Conduct a public hearing to consider and make a recommendation to the City Council regarding a rezoning request of a 12.43 acre tract of land from C-3 (General Business), and A&E (Agriculture and Estate) to MF (Multi-Family). Located at 2560 East End Blvd. South.

Applicant:	Marshall Crossing L.P. 809 S. Lamar Blvd. Suite-A Austin Tx. 78704
Property Owner	David Blackburn P.O. Box 530 Marshall, Tx. 75671
Surrounding Property Notices	4 Notices Sent within 200 ft. of the Site 0 Responses back
Location Map:	

Z-21-03

Background & Summary of Request:

The applicant is requesting the zoning be changed from C-3 (General Business) and A&E (Agriculture and Estate) to MF (Multifamily). The Applicant is proposing to construct a Senior Living complex.

Picture of the Site:

Existing Conditions:

The property is currently vacant and slopes to the south.

The table below outlines the surrounding zoning and land uses:

	Zoning Classification	Land Use
North of the Property	C-3(General Business) MF and (Multifamily)	Commercial
East of the Property	A&E (Agriculture and Estate)	Vacant
South of the Property	PS (Public Service)	College
West of the Property	R-1 (Single Family Residential)	Residential

Water service is provided to the site by an existing 12” water main along the right-of-way of East End Blvd. South (U.S. Highway 59). The property is served by an existing 12” Sewer main crossing the southwest corner of the property.

Zoning Classification Analysis:

The applicant is requesting a zoning change from C-3 (General Business) and A&E Agriculture and Estate to MF (Multifamily). The Applicant is proposing to construct a Senior Living complex.

<u>Comprehensive Plan and Future Land Use Map Analysis:</u>

The Future Land Use map identifies this property as Commercial, Office, Service.

The following questions should be answered when determining if a zoning change is appropriate:

1. Will the proposed change be in compliance with the goals of the Comprehensive Plan?
   The request of MF (Multifamily) will be in keeping with the Comprehensive Plan since it abuts like zoning. And the front portion along East End Blvd. is already zoned for commercial use.

2. Will there be an adverse impact on surrounding property if the request is approved? In evaluating this question, consideration should be given to all permitted uses in the proposed new zoning and the impact it could have on surrounding property.
   The surrounding property is mostly commercial which would not be immediately affected by a MF (Multifamily) zoning classification or the proposed use.

3. Is the property suitable for use as it is currently zoned or does the zoning need to be changed to allow the property to be put to use in a way that is in keeping with the surrounding activities.
   As already stated, the property is currently surrounded by commercial uses so changing the zoning would be a consistent use of the zoning district. That being said, as growth occurs and the area transitions to more commercial development it will be inevitable that the zoning will change.

4. What is the relationship of the proposed change to the health, safety and welfare of the general community? In other words, will the change make the community better or is it merely for the convenience of the owner? Will surrounding property owners suffer or lose any enjoyment in the area of their property as a result of this change? Does the proposed change seem to be a logical extension of similar types of development?
   Based on existing conditions the proposed change/use will not have an immediate negative effect on the community.

<u>Suggested Motions:</u>

1. Motion to recommend approval of case number Z-21-03 as requested.
2. Motion to recommend denial of case number Z-21-03.
3. Motion to recommend approval of case number Z-21-03 with Conditions.

<u>Attachments:</u>

1. Concept plan
2. Site plan
3. Aerial of Site
4. Pictures of the Site
5. 200 Foot Notification Map

TRINITY
HOUSING DEVELOPMENT

MARSHALL CROSSING

A PROPOSED AFFORDABLE SENIOR LIVING TAX CREDIT DEVELOPMENT

Affordable Housing Tax Credits?

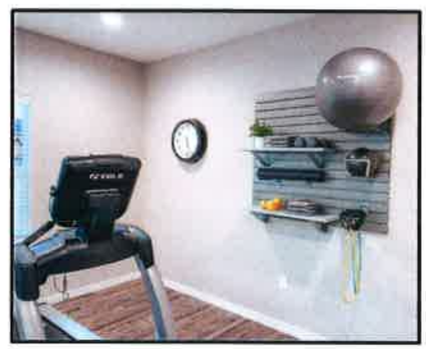
- Funding mechanism that provides equity for residential development
- In exchange for partial project funding, developments are rent & income restricted
- Credits awarded annually by the Texas Dept. of Housing & Community Affairs in a competitive process
- Potential tenants subject to criminal background screening & credit checks
- Not public housing or Section 8
- Not a property tax exemption
- **Resolution of support requested from the City Council**
  - Needed in order to secure the tax credit funding
  - Enough credits available in the region to support two deals

TRINITY
HOUSING DEVELOPMENT

Trinity Affordable Properties

TRINITY
HOUSING DEVELOPMENT

TRINITY
HOUSING DEVELOPMENT

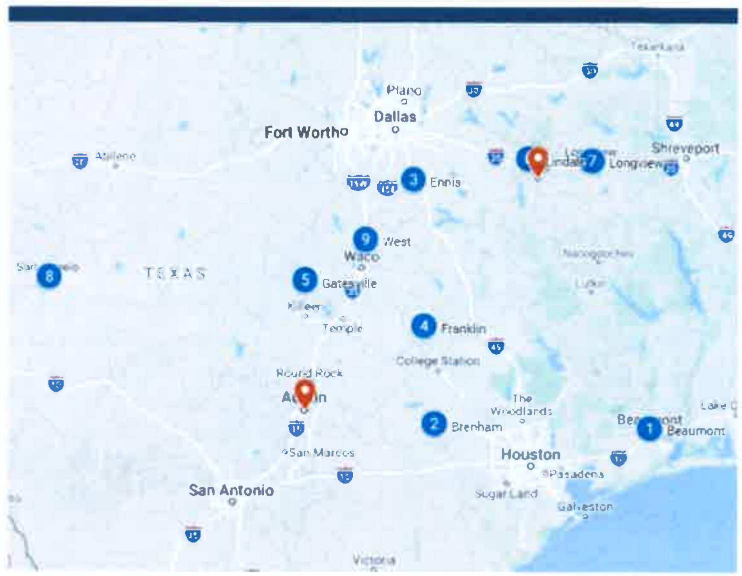


TRINITY
HOUSING DEVELOPMENT

Trinity Developments

1. Beaumont
2. Brenham
3. Ennis
4. Franklin
5. Gatesville
6. Lindale
7. Longview
8. San Angelo
9. West

Local offices: Austin & Tyler



TRINITY HOUSING DEVELOPMENT

Site Location

TRINITY
HOUSING DEVELOPMENT

Site Aerial

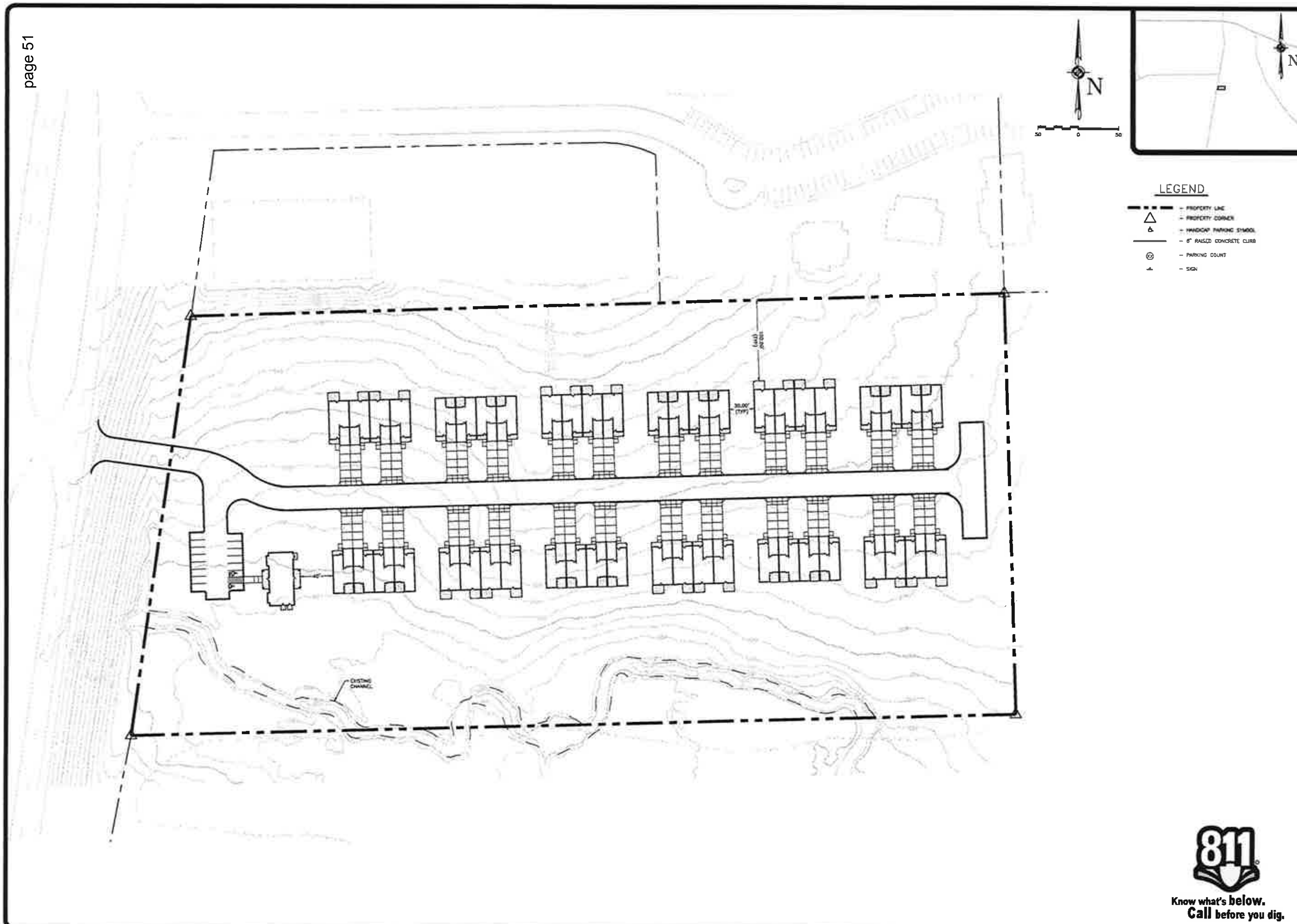

Whataburger
Decker Place Apartments
Texas State Technical College

Project Specifics

- 50 to 75 units on 12+ acres
  - Final unit count to be finalized no later than March 1
  - Mix of one and two-bedroom units
- All units for persons 55+
- Communities Amenities to include a fitness room, library, internet café, kitchen and gathering/entertainment room.
- Outdoor amenities
  - Outdoor amenity area with tables and benches, covered pavilion and bbq area,
- Free resident activities and programming organized by management

TRINITY HOUSING DEVELOPMENT

Thank You



NO	REVISIONS

CARLSON CONSULTING ENGINEERS, INC.

CONCEPTUAL SITE PLAN

MARSHALL CROSSING
MARSHALL, TEXAS

TRINITY
HOUSING DEVELOPMENT
3556 S. CULPEPPER CIRCLE, SUITE 4
SPRINGFIELD, MO 65908
PH. (417) 882-1701

DRAWN	SAE
CHECKED	DLC
DATE	01/18/21
SCALE	1"=50'
JOB No.	N/A
SHEET	1 OF 1 SHEET

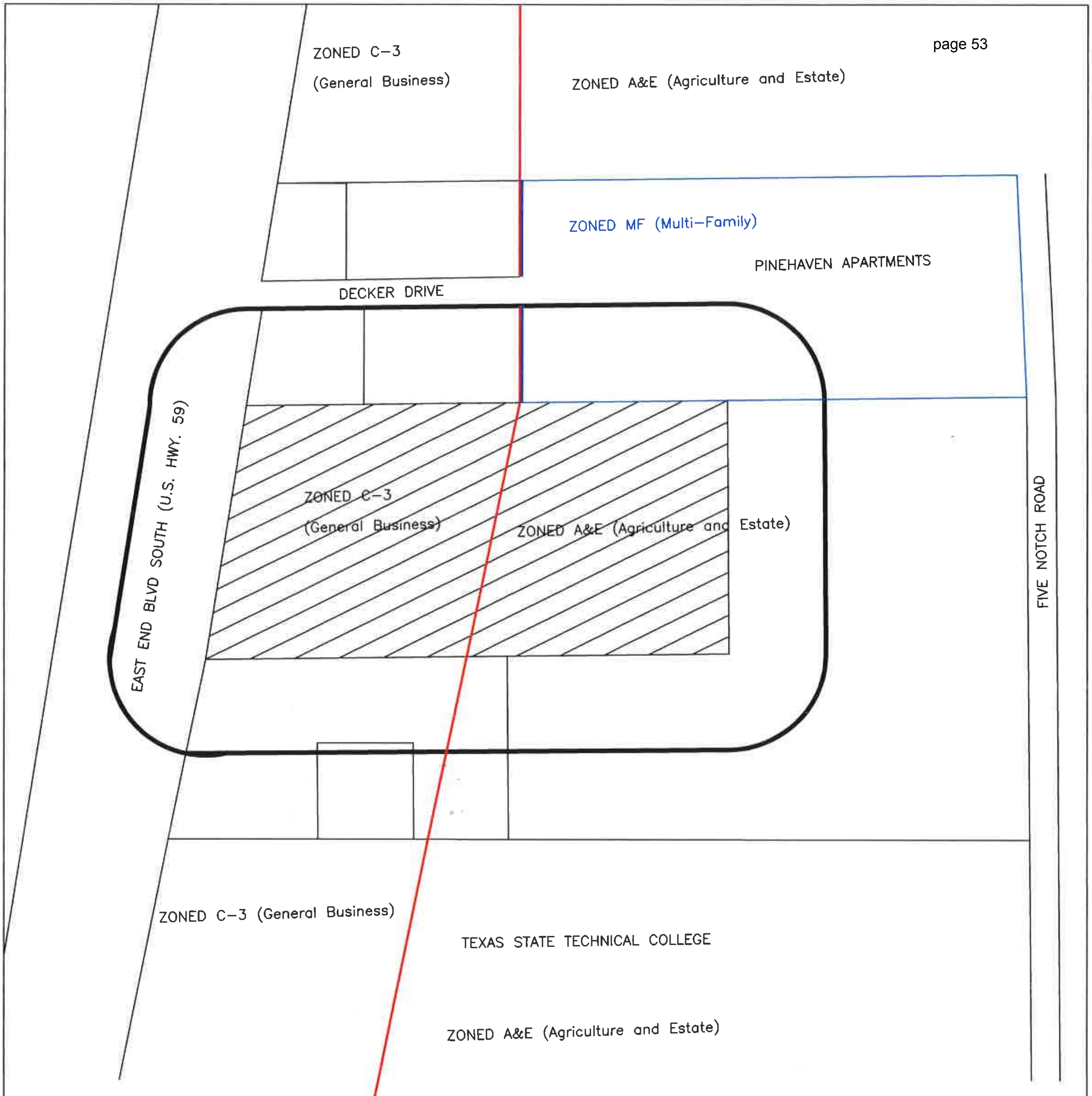
Z-21-03
Site Pictures

College to the south

MF multi family Residential to the north

commercial to the north

Commercial to the north



Case No. Z-21-03
Scale: 1"=300'
Date: 3-08-2021

PLANNING DEPARTMENT
CITY OF MARSHALL,TEXAS

Remarks: a request to rezone a 12.43 acre tract of land in A. Langford Survey, from C-3 (General Business) and A&E (Agriculture and Estate) to MF (Multi-Family)

N

Applicant: David and Cynthia Blackburn
Location: 2560 East End Blvd. South

RESOLUTION NO. R-21-06

A RESOLUTION BY THE CITY COUNCIL OF MARSHALL TEXAS SUPPORTING A PROPOSED AFFORDABLE SENIOR LIVING DEVELOPMENT (MARSHALL CROSSING)

WHEREAS, the City of Marshall (hereinafter "the City") is committed to promoting economic growth, redevelopment and community improvement; and

WHEREAS, a primary goal of the City's "Mobilize Marshall Strategic Plan" is to Improve Economic Development in the short term; and

WHEREAS, one important objective of the City under said primary goal is to establish alternatives for Senior Housing; and

WHEREAS, such alternative may be to increase the availability, financial accessibility, and support for safe, decent, and affordable senior housing in order to ultimately enhance the quality of life and quality of place of our senior citizens in the City; and

WHEREAS, Cobblestone Marshall Crossing, LP has proposed a 12-acre development for affordable rental housing at the southeast quadrant of Decker Dr. and East End Blvd S to be named Marshall Crossing in the City of Marshall; and

WHEREAS, Marshall Crossing will be a 48-75 unit age-restricted development whereby all residents must be 55 or older; and

WHEREAS, Cobblestone Marshall Crossing, LP has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2021 Competitive 9% Housing Tax Credits for Marshall Crossing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, THAT:

The City of Marshall acting through its governing body, hereby confirms that it supports the proposed Marshall Crossing (Application # 21099) and that this formal action has been taken to put on record the opinion expressed by the City on February 11th, 2021, and;

That for and on behalf of the Governing Body, Mr. Mark Rohr, City Manager, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs (TDHCA); and

This Resolution shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council.

PASSED, APPROVED AND ADOPTED BY THE CITY OF MARSHALL CITY COUNCIL ON THIS 11TH DAY OF FEBRUARY, 2021

Terri W. Brown

Terri Brown, Mayor

ATTEST:

N. Smith

Nikki Smith, City Secretary

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 0-87-13 TO REZONE A 12.43 ACRE TRACT OF LAND FROM C-3 (GENERAL BUSINESS), AND A&E (AGRICULTURE AND ESTATE) TO MF (MULTI-FAMILY). LOCATED AT 2560 EAST END BLVD. SOUTH IN THE CITY OF MARSHALL, TEXAS.

WHEREAS, the City of Marshall enacted zoning on December 13, 1951 and amended said ordinance on July 7, 1963 and on March 26, 1987 repealed and replaced all ordinance with Ordinance No. 0-87-13 amending the Code of Ordinances of the City of Marshall to add Chapter 32 regarding Zoning; and

WHEREAS, a Zoning District Map was adopted as a part of Ordinance No. 0-87-13; and

WHEREAS, Chapter 32, Section 14 of the Code of Ordinances established a procedure for a property owner, his agent, or the City to request zoning district map amendments; and

WHEREAS, the Planning & Zoning Commission, after due and proper notice in the manner and for the length of time required by law, held a public hearing for the purpose of considering proposed changes to the Zoning District Map; and

WHEREAS, after the close of said public hearing and pursuant thereto, the Planning & Zoning Commission filed a written report with the City Council, recommending changes in the Zoning District Map; and

WHEREAS, pursuant to said report and after notice in the manner and for the length of time required by law, the City Council held a public hearing in Marshall, Texas at City Hall on the 27th day of May, 2021, at 6:00pm for the purpose of considering the requested Zoning Map change, and at which hearing all property owners, interested parties, and interested citizens had an opportunity to be heard; and

WHEREAS, the City Council, after considering the proposed changes and after hearing all parties and citizens desiring to be heard, deems that the following changes are necessary and for the best interest of the general welfare of the citizens of the City of Marshall, Texas.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS THAT:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. REZONE A 12.43 ACRE TRACT OF LAND FROM C-3 (GENERAL BUSINESS), AND A&E (AGRICULTURE AND ESTATE) TO MF (MULTI-FAMILY). LOCATED AT 2560 EAST END BLVD. SOUTH IN THE CITY OF MARSHALL, TEXAS.

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED on the 27th day of May, 2021.

AYES: __
NOES: __
ABSTAINED: __

____
MAYOR OF THE CITY COUNCIL
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

____
CITY SECRETARY

ITEM 7A

PRESENTATIONS & PROCLAMATIONS

PRESENTATION OF A PROCLAMATION DECLARING MAY 31, 2021 AS “WORLD NO TOBACCO DAY” IN THE CITY OF MARSHALL

PROCLAMATION

World No Tobacco Day

WHEREAS, World No Tobacco Day provides an opportunity to increase outreach and education about the dangers of teen tobacco usage; and

WHEREAS, every day nearly 2,500 children under the age of 18 will try their first cigarette with more than 400 of them becoming a new, regular daily smoker; and

WHEREAS, if current tobacco use patterns persists, over 5.5 million of today's youth under the age of 18 will die prematurely from a smoking-related disease; and

WHEREAS, the City of Marshall recognizes the importance of parents talking to their children about tobacco in order to reduce underage tobacco use; and

WHEREAS, parents are the number one reason why teens choose not to use tobacco and a supportive family environment is associated with lower rates of tobacco use amongst teens; and

WHEREAS, prevention efforts revolving around tobacco and substance abuse can lower the rate in which teens choose to use tobacco; and

WHEREAS, all citizens are encouraged to join in our local efforts to raise awareness of the importance of parents talking to their teens about underage tobacco use in order to lower the risks to teens and their community.

NOW, THEREFORE, I, Amy Ware, Mayor of the City of Marshall, do hereby proclaim May 31, 2021 as

WORLD NO TOBACCO DAY

and call upon all local citizens, parents, schools, public and private institutions, and businesses in the City of Marshall to support efforts that will reduce underage tobacco use. Through these efforts, we can promote Hope, Health, and Strength for this community.

Amy Ware, Mayor
Marshall City Commission

City of MARSHALL TEXAS

ITEM 8A

ORDINANCE

CONSIDER APPROVAL OF AN AMENDMENT TO THE EXISTING NO PARKING ORDINANCE

CITY OF MARSHALL

COMMISSION AGENDA INFORMATION SHEET

MEETING DATE: May 27, 2021

PROJECT: Request from Police Department to modify the existing no parking ordinance.

DESCRIPTION: The Police Department requests the addition of The East and West side of the 1500 and 1600 block of Pecan St. adjacent to MISD property. No parking on school days between the hours of 7:30AM and 4:00PM.to **Sec. 27-15.2. - No parking—In designated areas; placement of signs.**

COST:
The only cost of the program will be placing signage on the right of way in the new area.

RECOMMENDED ACTION:

Authorize modification of **Sec. 27-15.2. - No parking—In designated areas; placement of signs** to include "The East and West side of the 1500 and 1600 block of Pecan St. adjacent to MISD property. No parking on school days between the hours of 7:30AM and 4:00PM."

CITY CONTACT: Cliff Carruth – Chief of Police

cc: File

ORDINANCE NO.__________________

AN ORDINANCE Al\1ENDING SECTION27-15.2 OF CHAPTER 27, "TRAFFIC," ARTICLE IA, "PARKING GENERALLY," ENTITLED "NO PARKING IN DESIGNATED AREAS; PLACEMENT OF SIGNS." WHICH ESTABLISHES CERTAIN PORTIONS OF CITY STREETS AND HIGHWAYS UPON WHICH IT IS UNLAWFUL TO PARK; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Marshall adopted an ordinance on 3-22-12 amending chapter 27 of the Code of Ordinances, and which designated certain portions of city streets and highways upon which it is unlawful to park; and

WHEREAS, that ordinance was incorporated into the Code of Ordinances for the City of Marshall, Texas as Sec. 27-15.2, entitled" No parking-In designated areas; placement of signs .. (herein called "Sec. 27-15.2;") and

WHEREAS, the City of Marshall has determined that in addition to the portions of streets and highways already designated under 27-15.2, that the East and West side of the 1500 and 1600 blocks of Pecan Street should also be designated under the ordinance as no parking area from 7:30AM to 4:00PM on school days;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS:

SECTION 1. The Code of Ordinances of the City of Marshall, Texas, Chapter 27 "Traffic", Article IA "Parking Generally" Section 27-15.2 "No parking-In designated areas; placement of signs" is hereby amended to read as follows:

Sec. 27-15.2. - No parking—In designated areas; placement of signs.

(a) It shall be unlawful for any person to park a motor vehicle or trailer of any weight or size on a roadway or shoulder within the following designated "no parking" zones:

(1) North four hundred (400) feet along the western-most shoulder of U.S. Highway 59, beginning with the centerline of Poplar Street.

(2) South four hundred (400) feet along the eastern-most shoulder of U.S. Highway 59, beginning with the centerline of Poplar Street.

(3) On either the west or the east side of U.S. Highway 59, South between Cox Road and Martin Lake Road.

(4) The inside perimeter of the old County Courthouse Square (Peter Whetstone Square). This area is bound on the south by eastbound Houston Street, on the east by northbound Bolivar

Street, on the north by westbound Houston Street, and on the west by southbound Wellington Street.

(5) The east side of Bolivar Street from an extension of a line from the south curb line of Peter Whetstone Square to the south curb line of East Houston Street.

(6) The west side of Wellington Street from an extension of a line from the North curb line of Peter Whetstone Square to the north curb line of West Houston Street.

(7) On either the north or south side of West Grand Avenue from a point fifty (50) feet west of the driveway of 3612 West Grand Avenue (La Casa Motel) to a point fifty (50) feet east of the driveway of 3508 West Grand Avenue.

(8) On either the north or south side of W. Merritt Street from its intersection with S. Washington Street to its intersection with Elsie Street, except for two (2) parking spaces on the south side of W. Merritt Street beginning approximately one hundred eighty (180) feet west of its intersection with S. Washington Street (said parking spaces to be marked by painted lines and each parking space to be twenty-two (22) feet in length and eight (8) feet in width).

(9) On either the north or south side of Johnson Street from its intersection with East End Boulevard (US Hwy 59) to its intersection with S. Garrett Street.

(10) On either the west side or the east side of U.S. Highway 59 South between the 2300 Block to the 2500 Block of South Highway 59.

(11) On either the east or west side of Evans Street from its intersection with Herndon Street to its intersection with Rainey Street.

(12) On either the east side or west side of Jasper Drive from its intersection with Fitzgerald to John Reagan between the hours of 7:00 a.m. and 4:00 p.m. on school days.

(13) On the west side of Wiley Avenue between University Avenue to Moore Street; in addition, it be unlawful for any person to operate, stop or park a vehicle in this same area so as to needlessly, unnecessarily and unwarrantedly block, obstruct or interfere with the orderly flow of traffic, vehicular and/or pedestrian. Proof that such traffic was blocked, obstructed or interfered with shall be prima facie evidence that such blocking, obstructing and interference was needless, unnecessary and unwarranted.

(14) Parking shall be limited to a one (1) hour time limit from 8:00 a.m. to 5:00 p.m. Monday through Friday for parking on the west side of South Wellington Street from the intersection with West Bowie Street to a point one hundred (100) feet north of West Bowie Street and on the north side of West Bowie Street from the intersection with South Wellington Street to a point sixty-five (65) feet west of South Wellington Street.

(15) On the north side of Moore Street from its intersection with Grove Street to its intersection with Francis Street.

(16) On the north side of East Merritt Street and Henley Perry Drive in their entirety.

(17) The East and West side of the 1500 and 1600 block of Pecan St. adjacent to MISD property. No parking on school days between the hours of 7:30AM and 4:00PM.

(b) *Exception:* The following are deemed to be exceptions to this ordinance [subsections (a)(4)-(6)] and parking in strict compliance herewith shall not be unlawful or in violation of this section:

(1) The inset area north of the Old Courthouse is designated as a parking and waiting area for licensed taxicab only; and

(2) The inset area south of the Old Courthouse is designated for tour bus parking only.
(c) The city will place, or cause to be placed, signs to specifically designate "no parking" zones.

SECTION 2. All ordinances of the City of Marshall in conflict with the provisions of this ordinance shall be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict herewith shall remain in full force and effect. Nothing contained herein shall be construed to conflict with any other state and/or federal law.

SECTION 3. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. This ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

PASSED AND APPROVED this ______day of _____________,2021

AYES:________

Noes:________

ABSTAINED:________

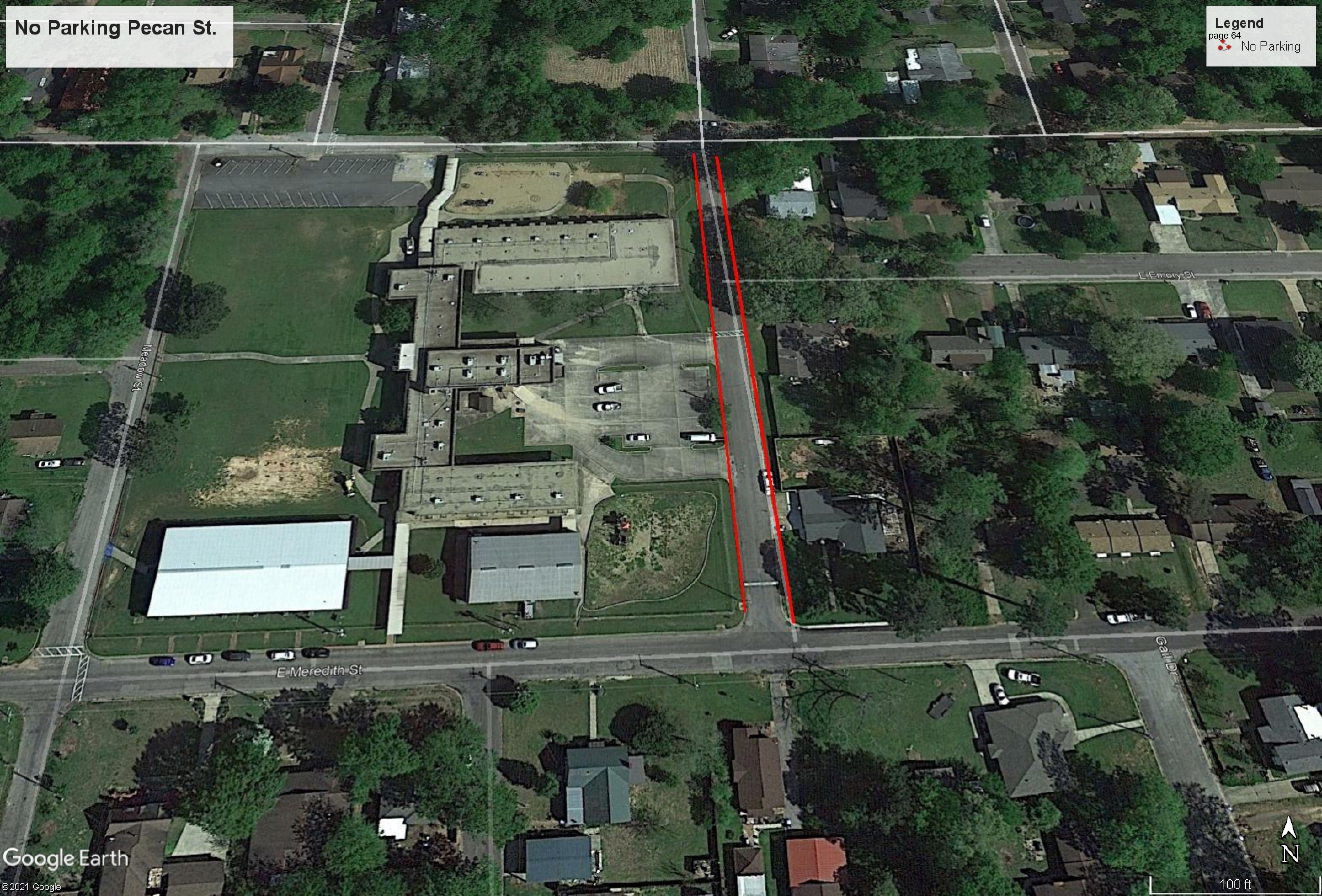
____

CHAIRMAN OF THE CITY COUNCIL
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

____

City Secretary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NO
PARKING
SCHOOL DAYS
7:30 A.M.
TO
4:00 P.M.

ITEM 8B

CONSIDER APPROVAL OF AN ORDINANCE REGULATING THE SPEED OF MOTOR VEHICLES UPON A CERTAIN SECTION OF FM 1997 WITHIN THE CORPORATE LIMITS OF THE CITY OF MARSHALL

ORDINANCE NO.______________

AN ORDINANCE OF THE CITY OF MARSHALL, TEXAS REGULATING THE SPEED OF MOTOR VEHICLES UPON A CERTAIN SECTION OF FM 1997 WITHIN THE CORPORATE LIMITS OF THE CITY OF MARSHALL TEXAS. AUTHORIZING THE TEXAS DEPARTMENT OF TRANSPORTATION TO ERECT SIGNS, PRESCRIBING PENALTIES, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Marshall, Texas and the Texas Department of Transportation have conducted engineering studies and traffic investigations to determine the reasonable and safe prima facie maximum speeds for motor vehicles upon that section of FM 1997 within the corporate limits of the City of Marshall, Texas; and

WHEREAS, it has been determined by engineering studies and traffic investigations that the reasonable and safe prima facie maximum speeds for motor vehicles traveling upon said section of the hereinabove mentioned highway in the City of Marshall, Texas should be as set out hereinafter; and

WHEREAS, said section with said reasonable and safe prima facie speed limits as hereinafter set forth has been approved by the Texas Department of Transportation upon its own independent investigations; and

WHEREAS, the Texas Department of Transportation has indicated a willingness to erect signs indicating the reasonable and safe facie maximum speed limits, along said portions of the above mentioned highways within the City of Marshall, Texas; and **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS:**

SECTION 1.

That the following prescribed section of FM 1997 as indicated on the attached plan marked "**EXHIBIT A**" is regulated as to the speed of motor vehicles traveling thereon in the direction indicated, and it shall be unlawful for the driver of any motor vehicle to drive said vehicle within said section in the direction stated at a speed in excess of the following:

A. FOR TRAFFIC TRAVELING IN A SOUTHTHERLY DIRECTION ON FM 1997.

1. Fifty-five (55) miles per hour from the north city limits of Marshall (MP 10.543 - Cont. 1919-02), south for a distance of 0.098 miles, to a point at the intersection of SL 390 (West Intersection) (MP 10.641 - Cont. 1919-02).
2. Fifty-five (55) miles per hour from the intersection of SL 390 (East Intersection) (MP 10.958 - Cont. 1919-02), south for a distance of 0.321 miles, to a point 975 feet north of Mathewson Dr. (MP 11.279 – Cont. 1919-02).
3. Forty-five (45) miles per hour from a point 975 feet north of Mathewson Dr. (MP 11.279 – Cont. 1919-02), south for a distance of 0.416 miles, to a point 140 feet north of Hickory St. (MP 11.695 – Cont. 1919-02).
4. Thirty-five (35) miles per hour from a point 140 feet north of Hickory St. (MP 11.695 – Cont. 1919-02), south for a distance of 0.976 miles to a point at the intersection of US 80 (MP 12.671 – Cont. 1919-02) said point also being the point of termination.

B. FOR TRAFFIC TRAVELING IN A NORTHERLY DIRECTION ON FM 1997.

1. Thirty-five (35) miles per hour from the intersection of US 80 (MP 12.671- Cont. 1919-02) north for a distance of 0.976 miles, to a point 140 feet north of Hickory St. (MP 11.695 – Cont. 1919-02).

2. Forty-five (45) miles per hour from a point 140 feet north of Hickory St. (MP 11.695 – Cont. 1919-02) north for a distance of 0.416 miles, to a point 975 feet north of Mathewson Dr. (MP 11.279 – Cont. 1919-02).

3. Fifty-five (55) miles per hour from a point 975 feet north of Mathewson Dr. (MP 11.279 – Cont. 1919-02) north for a distance of 0.321 miles, to a point at the intersection of SL 390 (East Intersection) (MP 10.958 - Cont. 1919-02).

4. Fifty-five (55) miles per hour from a point at the intersection of SL 390 (West Intersection) (MP 10.641 - Cont. 1919-02) north for a distance of 0.098 miles to a point at the north city limits of Marshall (MP 10.543 – Cont. 1919-02) said point also being the point of termination.

SECTION 2.

That the hereinabove speeds for vehicular traffic traveling upon the hereinabove designated section of FM 1997 in the direction herein specified be and they are hereby found to be reasonable and safe prima facie speed limits therefore. The fact that this regulation of the speed of motor vehicles is needed, creates an emergency which is for the immediate preservation of public safety and general welfare, requires that this ordinance take effect immediately from and after its passage and it is accordingly so ordained.

SECTION 3.

The Texas Department of Transportation is authorized to erect signs indicating the speed limits herein designated.

SECTION 4.

That any person violating any provisions of this ordinance shall upon conviction be deemed guilty of a misdemeanor and shall be fined in any sum not to exceed two hundred dollars ($200.00)

SECTION 5.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6.

If any portion of this ordinance shall be judicially determined to be invalid such invalidity shall affect only that portion thereby so found and it shall not be construed so as to affect or otherwise impair the validity of the remaining portions thereof.

PASSED, EXAMINED AND APPROVED this the _______________ day of _____________,

20__________ A.D.

____
Mayor

ATTEST:

____
City Secretary

APPROVED AS TO FORM AND LEGALITY:

____
City Attorney

ITEM 8C

ORDINANCE

CONSIDER APPROVAL OF AN ORDINANCE DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS TAX INCREMENT REINVESTMENT ZONE NUMBER ONE AND ALL RELATED ITEMS

TO: Mark Rohr, City Manager

FROM: Fabio Angell, Director
Community and Economic Development

DATE: May 27th, 2021

SUBJECT: Consider approval of an ordinance designating a Tax Increment Reinvestment Zone for downtown: The Banjo Zone

---

City staff asks that City Council considers approval of an ordinance designating a geographic area within the City as Tax Increment Reinvestment Zone (TIRZ) Number One; describing the boundaries of the zone; creating a board of directors for the zone; establishing a tax increment fund for the zone; containing findings related to the creation of the zone; providing a termination date for the zone; providing for immediate effectiveness of the zone.

The proposed TIRZ plan for the Original Townsite and adjacent properties seeks to promote development and redevelopment. This zone involves an area of about 157 acres.

This TIF mechanism will raise money in the form of increment tax revenues over the next 15 years so the City can pay for infrastructure projects deemed necessary.

The proposal is to create a TIF area better known as a Tax Increment Reinvestment Zone (TIRZ). Any "tax increments" accrued over and above a tax base at Year 0 over the following 15 years of the life of the TIF will be captured into a TIF Fund. In turn, these monies will be used for "reinvestment" purposes. Namely, to fund the infrastructure projects needed is this proposed "tax increment reinvestment" zone. Hence, its name.

TIFs are used by city governments to finance such projects by pointing to the tax revenue that will accrue once said projects are completed. Statute allows City Council to create such a zone upon determining that development or redevelopment, in a particular blighted area in need of economic revitalization, would not occur solely through private investment in the reasonable foreseeable future, that the zone is feasible, and that creation of the zone is in the best interest of the City and the property in the zone.

It is estimated that these projects will lead businesses to set up shop inside the Zone, opening offices, restaurants and hotels, as well as adding housing. The projections call for the City to collect plenty of revenue from the new businesses that arise (refer to Exhibit B for Project Plan & Financing Plan).

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARSHALL, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS TAX INCREMENT REINVESTMENT ZONE NUMBER ONE; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A TERMINATION DATE FOR THE ZONE; PROVIDING FOR IMMEDIATE EFFECTIVENESS OF THE ZONE.

WHEREAS, the City of Marshall, Texas (the "City"), pursuant to Chapter 311 of the Texas Tax Code, as amended (the "Act"), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, pursuant to the Act, the City Council of the City (the "City Council") prepared a Preliminary Project and Financing Plan for Reinvestment Zone Number One, City of Marshall, Texas (the “Zone”); and

WHEREAS, notice of a public hearing on the creation of the Zone was published in the Marshall Enterprise, a newspaper of general circulation in the City, not later than the seventh (7th) day before the public hearing held on May 13, 2021; and

WHEREAS, a public hearing was held on May 13, 2021 on the designation and creation of the Zone and its benefits to the City and to property in the Zone, and interested persons were allowed to speak for or against the designation and creation of the Zone, the boundaries of the Zone, and the concept of tax increment financing, and owners of property in the Zone were given a reasonable opportunity to protest the inclusion of their property in the Zone, which hearing was then closed; and

WHEREAS, at such hearing, the City Council allowed any interested person, or his representative, to appear and contend for or against the preliminary project and financing plan attached hereto as Exhibit “A” and the establishment of the Zone, whether all or part of the territory which is described in the boundaries of the Zone as shown in Exhibit “A” should be included in such proposed Project and Financing Plan, and the creation of the Zone; and

WHEREAS, all owners of property located within the proposed boundaries of the Zone and all other taxing units and other interested persons were given the opportunity at such public hearing to protest the proposed Project and Financing Plan, and creation of the boundaries of the Zone and/or the inclusion of their property in such Zone.

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

Section 1**.** The City Council of the City finds that the facts and recitations contained in the preamble of this Ordinance are true and correct.

Section 2. The City Council hereby designates the Zone as a tax increment reinvestment zone. The name assigned to the zone for identification is Reinvestment Zone Number One, City of Marshall, Texas. The Zone is designated pursuant to Section 311.005(a)(1)(B), (C) and (E) of the Act.

Section 3. The City Council, after conducting such hearing and having heard such evidence and testimony, makes the following findings and determinations based on the evidence and testimony presented to it:

(a) The public hearing on the proposed Project and Financing Plan, and creation of the boundaries of the Zone has been properly called, held and conducted and that notice of such hearing has been published as required by law.

(b) Adoption of the Project and Financing Plan, and establishing the boundaries of the Zone as described in Exhibit "Awill result in benefits to the City, its residents and property owners, in general, and to the property, residents and property owners in the Zone.

(c) In compliance with Section 311.006 of the Act, the proposed boundaries of the Zone as depicted in Exhibit "A", meet the criteria for designating the boundaries of the Zone in that:

(i) Not more than thirty percent (30%) of the property in the Zone, excluding property that is publicly owned, is used for residential purposes.

(ii) The total appraised value of taxable real property in the Zone does not exceed twenty-five percent (25%) of the total appraised value of taxable real property in the City and in the industrial districts created by the City.

(d) The property to be included in the Zone is contiguous and is located wholly in the corporate limits of the City.

(e) It is found that the area to be included in the Zone contains the predominance of defective or inadequate sidewalk or street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness and the deterioration of site or other improvements that otherwise would enable or attract development or redevelopment of the area, substantially impairs or arrests the sound growth of the City.

(f) It is found that the improvements to the property to be included in the Zone as described in the attached Project and Financing Plan will significantly enhance the value of all taxable real property in the Zone and will be of general benefit to the City by providing infrastructure improvments and other facilities, improvements and other incentives that will encourage the development and redevelopment of the property within the Zone that will attract visitors and consumers to the area encompassed by the Zone and to commercial and retail enterprises within the Zone.

(g) The improvements within the Zone as described in the attached Project and Financing Plan will significantly enhance the value of all taxable real property in the Zone and will be of general benefit to the City by providing improvements that will attract visitors and consumers to the area encompassed by the Zone and will attract commercial and retail development within the Zone.

(h) The development or redevelopment of the property to be included in the Zone will not occur solely through private investment in the reasonable foreseeable future.

(i) The total appraised value of taxable real property in the Zone is $ 30,998,393, based upon the appraisal roll provided to the City for the 2020-21 tax year.

Section 4. The City Council establishes the boundaries of the Zone over the area described by the descriptions in Exhibit "A" attached hereto and depicted in the map attached hereto as Exhibit "A", and adopts the Project and Financing Plan of the Zone as described in Exhibit "A" attached hereto.

Section 5. There is hereby established a board of directors for the Zone (the "Board") which will consist of seven (7) members. The Board shall be appointed as follows:

(a) The seven members shall be the members of the City Council as of the date of adoption of this Ordinance, as set forth in (c) below. At the expiration of each of the initial terms set forth in (c), the City Council, at its discretion, may continue to appoint the members of City Council to the Board or the City Council may appoint an individual to the Board who is not a member of the council.

(b) The terms of the Board members shall be for two-year terms and shall be staggered, except as set forth in (c) below. Each year, the City Council shall appoint a member to serve as the chairman of the Board for a one-year term that begins on January 1 of the following year. The Board is authorized to elect a vice-chairman to preside in the absence of the chairman or when there is a vacancy in the office of chairman. The Board may elect other officers as determined by the Board. A vacancy on the Board shall be filled for the unexpired term by appointment by the City Council.

(c) The initial members of the Board and their terms are as follows:

Place 1: (Name) (Term shall be from August 1, 2021 to August 1, 2022)
Place 2: (Name) (Term shall be from August 1, 2021 to August 1, 2023)
Place 3: (Name) (Term shall be from August 1, 2021 to August 1, 2022)
Place 4: (Name) (Term shall be from August 1, 2021 to August 1, 2023)
Place 5: (Name) (Term shall be from August 1, 2021 to August 1, 2022)
Place 6: (Name) (Term shall be from August 1, 2021 to August 1, 2023)
Place 7: (Name) (Term shall be from August 1, 2021 to August 1, 2022)

(c) To be eligible for appointment to the Board, an individual must meet the requirements specified in the Act, as it may be amended from time to time.

(d) The Board shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. The City Council hereby delegates to the Board all powers necessary to implement the Project and Financing Plan as approved by the City Council, including the power to employ consultants and enter into agreements that the Board considers necessary or convenient to implement the Project and Financing Plan and to administer, operate, and manage the Zone.

Section 6. The Zone shall take effect immediately upon the passage and approval of this Ordinance. The Zone shall terminate on the earlier of (1) April 30, 2031; or (2) the date on which all project costs, tax increment bonds and interest on those bonds, and other obligations have been paid in full.

Section 7. The Tax Increment Base for purposes of calculating the tax increment of the City means the total appraised value of all real property in the Zone that is taxable by the City as of January 1, 2021. The tax increment participation of the City is 100% of the total adopted (or voter ratified) tax.

Section 8. (a) There is hereby created and established a Tax Increment Fund for the Zone. Funds in the Tax Increment Fund shall be used to pay any project costs that benefit the Zone, in accordance with the Act. Within the Tax Increment Fund, there may be maintained subaccounts as necessary and convenient to carry out the purposes of the Act. The tax increment of the City shall be deposited into the Tax Increment Fund, as of the effective date of the Zone.

(b) The Tax Increment Fund and all subaccounts shall be maintained at the depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas municipalities. In addition, all revenues from the sale of any tax increment bonds and notes hereafter issued by the City, revenues from the sale of any property acquired as part of the tax increment financing plan and other revenues to be dedicated to and used in the Zone shall be deposited into such fund or subaccount from which money will be disbursed to pay project costs for the Zone or to satisfy the claims of holders of tax increment bonds or notes issued for the Zone.

Section 9. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 10. The creation of the boundaries and adoption the Project and Financing Plan of the Zone shall take effect immediately upon the passage of this Ordinance.

PASSED, APPROVED AND ADOPTED ON MAY ____, 2021.

AYES: ____
NOES: ____
ABSTAINED: ____

____
CHAIRMAN OF THE COMMISSION OF
THE CITY OF MARSHALL

ATTEST:

____
CITY SECRETARY

{SEAL}

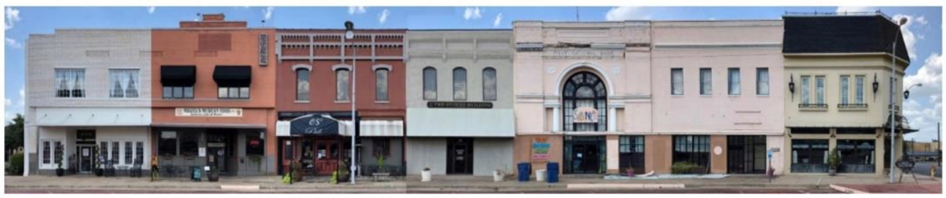
EXHIBIT A

Project and Financing Plan
For Reinvestment Zone Number One, City of Marshall, Texas
(Tax Increment Reinvestment Zone)

(see attached)

Houston Street Streetscape Improvements:

- Expanded sidewalk with brick accents
- Variety of seating options
- Trees and plantings
- Historic style pedestrian lights with hanging flower baskets
- Shade umbrellas
- Flower pots



City of MARSHALL TEXAS

EAST HOUSTON STREET STOREFRONT STREETSCAPE

Downtown

Tax Increment Reinvestment Zone, City of Marshall, Texas

Preliminary Project & Financing Plan

Table of Contents

May 13rd, 2021

INTRODUCTION

Authority and Purpose. The City of Marshall, Texas, a Texas home-rule municipality (the "City"), has the authority under Chapter 311, Texas Tax Code, as amended (the "Act") to designate a contiguous or noncontiguous geographic area within the corporate limits or extraterritorial jurisdiction ("ETJ") of the City as a tax increment reinvestment zone to promote development or redevelopment of the area. The City Council (the "City Council") may create such a zone upon determining that development or redevelopment would not occur solely through private investment in the reasonable foreseeable future, that the zone is feasible, and that creation of the zone is in the best interest of the City and the property in the zone.
The City has created its Tax Increment Reinvest Zone (the "Zone") as described in this Project and Financing Plan (the "Plan"). The purpose of the Zone is to facilitate development and redevelopment of public improvements by financing the costs of public works, public improvements including maintenance and upkeep programs, and other redevelopment projects benefiting the Zone.

There continues to be a need for economic incentives to attract development and redevelopment in the Zone for the purpose of providing long-term economic benefits including increased real property values, increased sales and use tax, and increased job opportunities for residents of the City. This Plan is intended as a guide for the City to implement the public works, public improvements, programs and other redevelopment projects so that the Zone will be developed and redeveloped to take full advantage of the opportunity to bring to the City a substantially increased tax base and job opportunities for its citizens.

Ultimately, the goal for the Zone is to encourage the development and redevelopment of downtown Marshall and adjoining areas into a mixed use, pedestrian oriented-environment consistent with the goals of the City's Downtown Redevelopment Plan and the City's Mobilize Marshall Strategic Plan.

Throughout this Plan, the following definitions are used. Capitalized terms not defined herein have the definitions assigned in the Act.

"*Captured Appraised Value*" means the total taxable value of all real property taxable by the City located in the Zone for each year less the Tax Increment Base.

"*Tax Increment*" for a taxing unit participating in the Zone means (i) the amount of property taxes levied and assessed by the unit for that year on the captured appraised value of real property taxable by the unit and located in the Zone or (ii) the amount of property taxes levied and collected by the unit for that year on the captured appraised value of real property taxable by the unit and located in the Zone.

"*Tax Increment Base*" for a taxing unit participating in the Zone means the total taxable value of all real property taxable by the unit and located in the Zone for the base tax year 2021.

"*Zone Securities*" means bonds, notes, certificates of obligation, or any other evidence of indebtedness authorized to be issued by the City, whether or not secured by revenues in the Tax Increment Fund, issued to fund Project Costs.

THE ZONE

Eligibility Requirements for the Zone. The Zone is eligible under the Act to be designated as a tax increment reinvestment zone because property within the Zone substantially impairs or arrests the sound growth of the commercial city center because of its challenges to development with a deterioration of structures and a lack of site improvements, a need for redevelopment (e.g. streetscape, lighting, paving, curb and gutter, landscaping, etc.), a substantial number of substandard structures, the predominance of defective or inadequate sidewalks or street layout and grading, and some conditions that endanger life or property by fire or other cause.

Additionally, no more than 30 percent of the property in the Zone, excluding property that is publicly owned, is "used for residential purposes", as defined in the Act and total appraised value of taxable real property in the Zone does not exceed 50 percent of the total appraised value of taxable real property in the City. The City has not previously created any other tax increment reinvestment zone nor any other special taxing districts or industrial districts.

<u>Zone Boundaries</u>.

The Zone includes approximately 156.65 acres and is generally enclosed within the following boundaries:

Beginning at the intersection of Alamo Boulevard and Grand Avenue

West to Grove Street

South to Houston Street

Southwest along Houston Street approximately 1740 feet

South approximately 459 feet to Whetstone Street

Easterly along Whetstone Street to College Street

North to Bowie Street

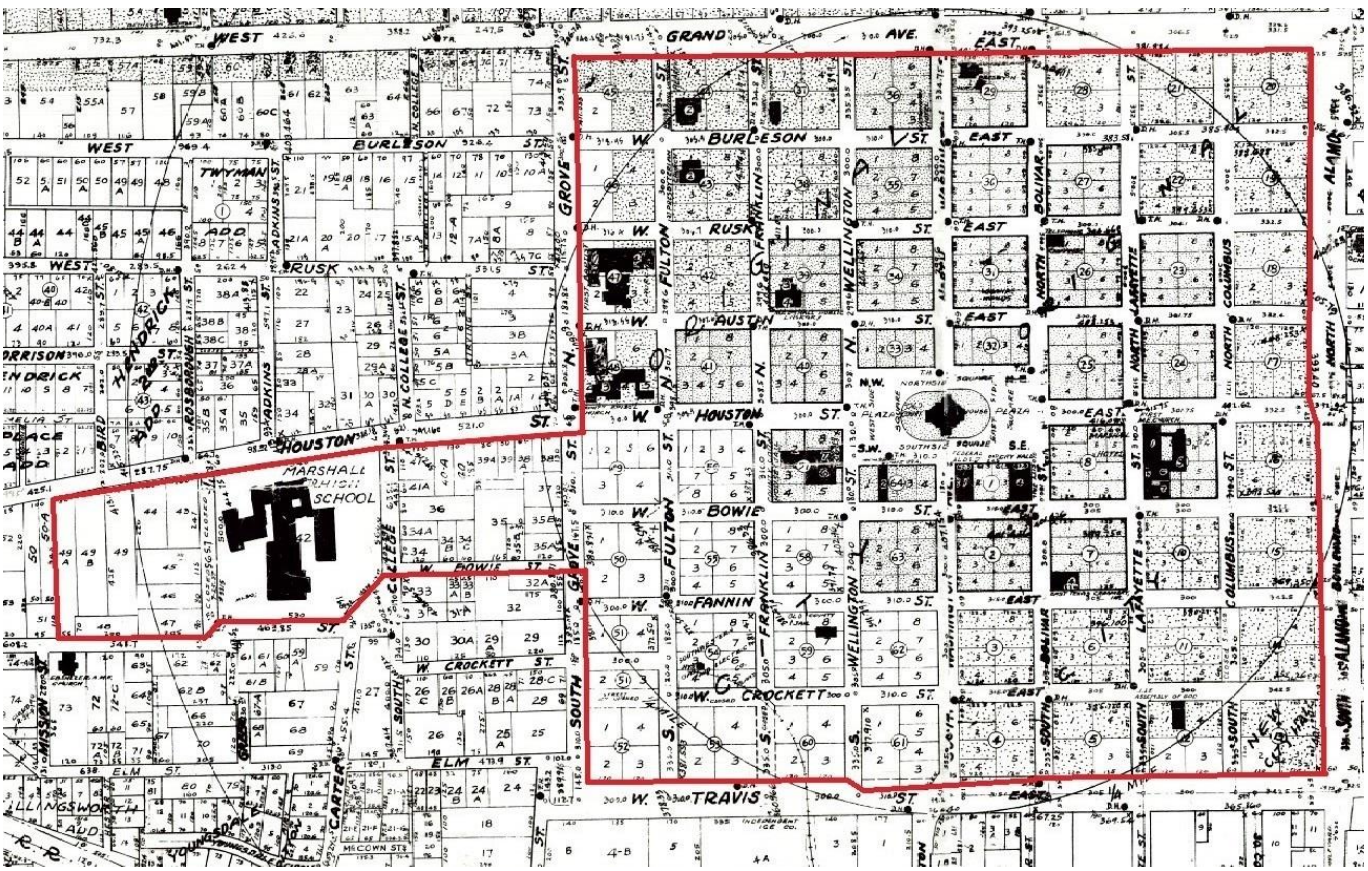
East to Grove Street

South to Travis Street

East to Alamo Boulevard

North to beginning point

MAP OF THE ZONE



Contributions to the Zone. The City is the only taxing unit participating in the Zone, unless an additional taxing unit becomes a participant in the future. The City will contribute 100 percent of its tax rate increment attributable to the increased taxable value of existing and new development in the Zone into a tax increment fund created by the City and segregated from all other funds of the City (the "TIF Fund"). The TIF Fund shall be used to pay the costs of public works, public improvements, maintenance and upkeep, and other projects and programs benefiting the Zone. The TIRZ Board will also make recommendations to the City Council concerning any development and reimbursement agreement ("TIF Reimbursement Agreement").

Existing Uses and Conditions. The Zone is located entirely within the City's corporate limits. Current property use within the Zone include mixed-use Residential and Commercial with some light industrial being no more than 10% of total area. The area may include, a high-end retail development and compact housing development on as-needed basis, especially in areas with low build out rates. A boundary map of the Zone and existing zoning uses is provided on **Exhibit B.**

Proposed Uses. The proposed uses will be established by existing zoning in most cases, but there may be areas where revised zoning will be requested. If so, any revisions will be made through the standard process and procedures of the City.

PROPOSED CHANGES TO ORDINANCES, PLANS, CODES, RULES, AND REGULATIONS. Any changes in ordinances, plans, codes, rules and regulations which are required or requested will be made through the standard process and procedures of the City. As of May 13th, 2021, there are no known proposed changes of zoning ordinances, the City's Comprehensive Plan, the City's Mobilize Marshall Strategic Plan, building codes, other municipal ordinances, and subdivision rules and regulations.

RELOCATION OF DISPLACED PERSONS. Although not anticipated, in the process of development and redevelopment in the Zone, any relocation will be made through the standard process and procedures of the City.

PROJECT OVERVIEW AND PROJECT COSTS

1. Infrastructure supporting cohesive redevelopment

Tax Increment Revenues shall be made available to facilitate investment in infrastructure or other improvements allowed by law that facilitate the following potential projects. This Project and Finance Plan will be amended as may be required by law to accommodate additional uses of the tax increment revenues within the TIF zone:

a. Projects that support infrastructure improvements and overall enhancement and aesthetic projects including sidewalks, furniture and other streetscape projects (e.g. lighting and safety features). See Table 1 below for more details.
b. Amounts shall be allocated to include operation and maintenance costs.
c. Acquisition of property by the private sector for parking and other economic priorities such as redevelopment and new construction projects shall be encouraged.
d. Annual marketing costs anticipated to be $65,000 over the term of the TIF

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Table 1 – COSTS: Proposed Public Improvements & Other Expenditures (Pay-as-you-go) Schedule

ITEM	Proposed Activity	ESTIMATED TIF's PROJECT COSTS
1	Phase 1. First Block (Projected Year 4) Overall enhancement of downtown including streetscape, lighting, trees, safety, and other aesthetic features	$400,000
2	Phase 2. Second Block (Projected Year 5) Overall enhancement of downtown including streetscape, lighting, trees, safety, and other aesthetic features	$400,000
3	Phase 3. Third Block (Projected Year 6) Overall enhancement of downtown including streetscape, lighting, trees, safety, and other aesthetic features	$400,000
4	Phase 4. Fourth Block (Projected Year 7) Overall enhancement of New Town's Marshall Lofts area including streetscape, lighting, trees, safety, and other aesthetic features (e.g. painting, façade, neighborhood improvements)	$400,000
5	Maintenance, Upkeep & Administration (Years 2-15) $32,500 x 13	$390,000
6	Marketing Costs (Years 2-15) $5,000 x 13	$65,000
	TOTAL ESTIMATED PROJECT COSTS:	**$ 2,055,000**

This Cost Table 1 summarizes the currently anticipated Project Costs to be financed within the TIRZ.

PROJECT COSTS. The total maximum "Project Costs," including Administrative Costs are $2,055,000. Administrative, Operating & Maintenance Costs shall be paid each applicable year from the TIF Fund before any other Project Costs are paid. Project Costs for administration of the T=Zone shall be the actual direct costs paid or incurred by the City to establish and administer the Zone.

OTHER PROPOSED PUBLIC IMPROVEMENTS. The list of public works and public improvements that could be included or proposed for financing through the TIF Fund pursuant to amendments to this Plan may include:

Additional Maintenance and Upkeep
Additional Administrative and other operational costs
Sidewalks, raised cross walks, pedestrian ramps,
Crossing systems, hike and bike trails and facilities
Curb and gutter
Roadways, asphalt paving & grading
ADA compliant pedestrian ramps and facilities
Water Main Loops, water system improvements
Force Main & Other Sewer Lines
Utility line relocations/installs/replacement
Drainage Improvements
Streetscape fixtures, water fountains, pedestrian signals
Streetscape furniture
Street lights/electrical
Landscaping, works of art
Plazas, squares, pedestrian malls, and other public spaces
Parks & outdoor concert/performance sites
Signage
Parking

Table 1. shows the planned projects and their associated costs at Present Value. Construction of the public improvements is scheduled to take place in phases during the term of the TIF and timed in coordination with new development and redevelopment projects in the TIRZ.

Locations of Public Improvements. The locations of the proposed public works and streetscape improvements all lie within the TIRZ and are generally located as described in Table 1 all within the proposed TIRZ whose boundaries are as shown in "Map of the Zone" (see above).

ESTIMATED TIME WHEN COSTS ARE TO BE INCURRED. Some Administrative and other Operational Costs will be incurred annually, specifically from years 2-15. It is assumed that the remainder of the Project Costs will be incurred during the life of the TIRZ. Debt can and will be considered on as-needed basis. The City reserves the right to enter into agreements with the

TIRZ board for purposes of loaning or financing projects using General Fund for reimbursement by the TIRZ board using the TIF fund.

ESTIMATED NON-PROJECT COSTS. Non-project costs are private or public expenses that are not eligible to be paid by the TIF Fund; these include public works projects that only partly benefit the Zone, and general government operating expenses unrelated to the Zone. Other non-project costs include private improvement costs paid by private development which are projected to be nearly $65.5 million based on the Feasibility Report, a copy of which is attached as **Exhibit C**. Other non-project costs not financed by the Zone include but are not limited to:

> Public improvement made within the Zone boundaries that also benefits property outside the Zone (that is, the portion of the total project costs allocated to the properties outside the Zone is a non-project cost); public improvements made outside the Zone boundaries that also benefit property within the Zone (that is, the portion of the total project costs allocated to the properties outside the Zone is a non-project cost); and, lastly, projects within the Zone as part of the project plan implementation that are paid fully or in part by impact fees, grants, special assessments or revenues other than the TIF Fund.

FINANCE PLAN & ECONOMIC FEASIBILITY.

For purposes of this Plan, economic feasibility has been evaluated by City staff for the Zone. A copy of the report is attached as **Exhibit C.** This report constitutes the "economic feasibility report" required by Section 311.011, Texas Tax Code. This evaluation focuses only on “direct” financial benefits (i.e., tax revenues only from new development in the TIRZ, no value increases from existing development nor value increases from new development after its completion) and does not take into consideration the “multiplier effect” that will result from new development that occurs outside the TIRZ, including increases in taxable sales volume.

The Feasibility Report and Finance Plan use a set of key assumptions for new development and redevelopment which make the overall project economically feasible, especially as all Project Costs are paid only from tax increment revenues accumulated in the TIF fund and as they become available.

Further, economic indicators point to acceleration in development in the region after the pandemic and by extension within the ZONE, as well. We believe the estimates of appraised values as a result of projected redevelopment and new construction projects in the Zone represent a conservative approach when evaluating the debt payment requirements for the Zone.

This report assumes a 2021 taxable value of $30,988,393 as a 'base' and an annual growth of 1.5% in appraised values of the Zone during the TIF's 15-year term. The report also makes the following assumptions as far as potential redevelopment and new construction projects (nearly $68.9 million) toward buildout of the Zone as shows in **Exhibit A** **(i.e. Table 2)**. These are:

- New Commercial, Retail or Office Space in the Zone—192,292 square feet with a projected value of approximately $33 million.
- New Redevelopment/Retrofit Space in the Zone—475,000 square feet with a projected value of approximately $35 million.

During the term of the Zone, the increase in value of new development that occurs in the Zone (which would not have occurred but for the Zone) will generate approximately $6,107,926 million for the TIF Fund in tax revenue over its 15-year term.

Lastly, the financial model in the City's Feasibility Report calculated a Net Present Value (NPV) for the City's TIF of approximately $ 3,910,101. This present value of the benefits exceeds the Present Value of overall costs ($ 2,055,000) incurred by the TIF over its 15-year term. As a result, the City's TIF district will generate a NET positive cash flow of approximately $1,855,101, even at a relatively "modest" property value growth rate of 1.5% per annum, post pandemic.

This satisfies the **"financial viability"** criterion for TIF district. A high risk-adjusted discount rate of 5% is used in order to calculate the lowest possible present value today of all future cash flows during the TIF's 15-year period. This is a very conservative approach, even post pandemic.

Based on the foregoing, the feasibility of the Zone has been demonstrated.

ESTIMATED BONDED INDEBTEDNESS. The City currently anticipates paying Project Costs or reimbursing a developer for qualified Project Costs solely from tax increment revenues on an annual basis. No bond indebtedness is anticipated to be incurred for the Zone, at this time. If initial Project Costs are not advanced by a Developer or property owner, the City or the Marshall EDC (i.e. MEDCO) may consider issuing zone securities and utilizing tax increment funds for either direct repayment to the City (or MEDCO), or to cover debt service so long as TIF funds are available.

FINANCING & EXPECTED SOURCES OF REVENUE

1. About the time when costs or monetary obligations are to be incurred

When payment of costs or reimbursements of costs are to be made is a function of the availability of the tax increment revenues. **Schedule A** of the Feasibility Report is a projection of tax increment revenues which are available and expected to be available in the future to pay or reimburse the TIF Fund for Project Costs on a year to year basis (see Table 1).

2. About Financing, Expected Sources of Revenue

Following is a description of the methods of financing all estimated project costs and the expected sources of revenue (tax increment) to finance or pay for Project Costs.

METHOD OF FINANCING. TIRZ Project Costs will be paid directly for site improvements, as described in Table 1 above. That is, Project Costs will be paid solely from tax increment revenues of the TIRZ, as they are realized by the TIRZ and deposited into the TIF Fund.

SOURCES OF TAX INCREMENT REVENUE. The tax increment revenue necessary to pay the TIRZ Project Costs is expected to come from increased property values in the Zone. **Schedule A** (next page) displays the projected assessed valuations resulting from increases in value, using the most conservative of three (3) development scenarios. That is, a 1.5% growth rate for appraised values in the Zone. These new tax increment revenues will be used to pay for Project Costs.

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Schedule A. "Projected Increment Revenue"

1	2	3	4	5	6	7
	City Tax Rate	0.0054216	NPV Project Costs = $2,055,000			
TIF Year	Calendar Year	Taxable Valuation (*)	Percent Increase	Taxable Value Increment	Projected Tax Increment	Cumulative Projected Tax Increment
0	2020	$30,988,393	1.50%	$0	$0	$0
1	2021	$31,453,219	1.50%	$464,826	$2,520	$2,520
2	2022	$41,045,324	1.50%	$10,056,931	$54,525	$57,045
3	2023	$80,569,453	1.50%	$49,581,060	$268,809	$325,853
4	2024	$95,549,571	1.50%	$64,561,178	$350,025	$675,878
5	2025	$109,207,892	1.50%	$78,219,499	$424,075	$1,099,953
6	2026	$115,259,602	1.50%	$84,271,209	$456,885	$1,556,838
7	2027	$116,988,496	1.50%	$86,000,103	$466,258	$2,023,096
8	2028	$118,743,323	1.50%	$87,754,930	$475,772	$2,498,868
9	2029	$120,524,473	1.50%	$89,536,080	$485,429	$2,984,297
10	2030	$122,332,340	1.50%	$91,343,947	$495,230	$3,479,527
11	2031	$124,167,325	1.50%	$93,178,932	$505,179	$3,984,706
12	2032	$126,029,835	1.50%	$95,041,442	$515,277	$4,499,983
13	2033	$127,920,283	1.50%	$96,931,890	$525,526	$5,025,509
14	2034	$129,839,087	1.50%	$98,850,694	$535,929	$5,561,438
15	2035	$131,786,673	1.50%	$100,798,280	$546,488	$6,107,926

Source: Feasibility Report. Scenario 1 at 1.5% growth rate. Most conservative projection.

Assumptions:
Estimated Years: 15
City Tax Rate: $ .54216

Schedule A: The Taxable Valuation column (3) does not reflect a 1.5% annual growth as it also includes projected increases in appraised values from assumed redevelopment and new construction projects during the 15-year term of the TIF.

This Plan is based on a contribution rate (and current tax rates which are subject to change) shown from the City.

Table No. 3	The City is the only Participating Jurisdiction	
Taxing Jurisdiction	2020 Tax Rate (1)	% Dedicated
City of Marshall	$0.54216	100%

(1) 2020 Tax Rate for purposes of illustration only. Tax Rate will be levied from year to year by the City and will vary.

TOTAL TAXABLE VALUE. The current total appraised value of taxable real property in the Zone as of January 1, 2020 is approximately $ 30 million. It is estimated that upon expiration of the term of the Zone in fifteen (15) years, the total appraised value of taxable real property in the Zone will be approximately $ 131 million.

ESTIMATED CAPTURED APPRAISED VALUE TAXABLE BY THE CITY. The captured taxable value of the Zone—taxable by the City for a year is the total taxable value of the Zone for that year less the tax increment base of the Zone. The Tax Increment Base of the Zone is the total taxable value of the Zone for the year in which the Zone was designated. The estimated captured appraised value of the Zone during each year of existence is shown in Schedule A. The cumulative captured taxable value of the TIF's lifespan of fifteen (15) years is approximately $ 100 million.

DURATION OF THE ZONE. The term of the Zone commences on June 1st, 2021 and will continue until the earlier to occur of: (1) May 31st, 2036 or (2) the date on which all Project Costs, bonds (if any), and other zone securities or obligations (if any) have been paid in full.

EXHIBIT A

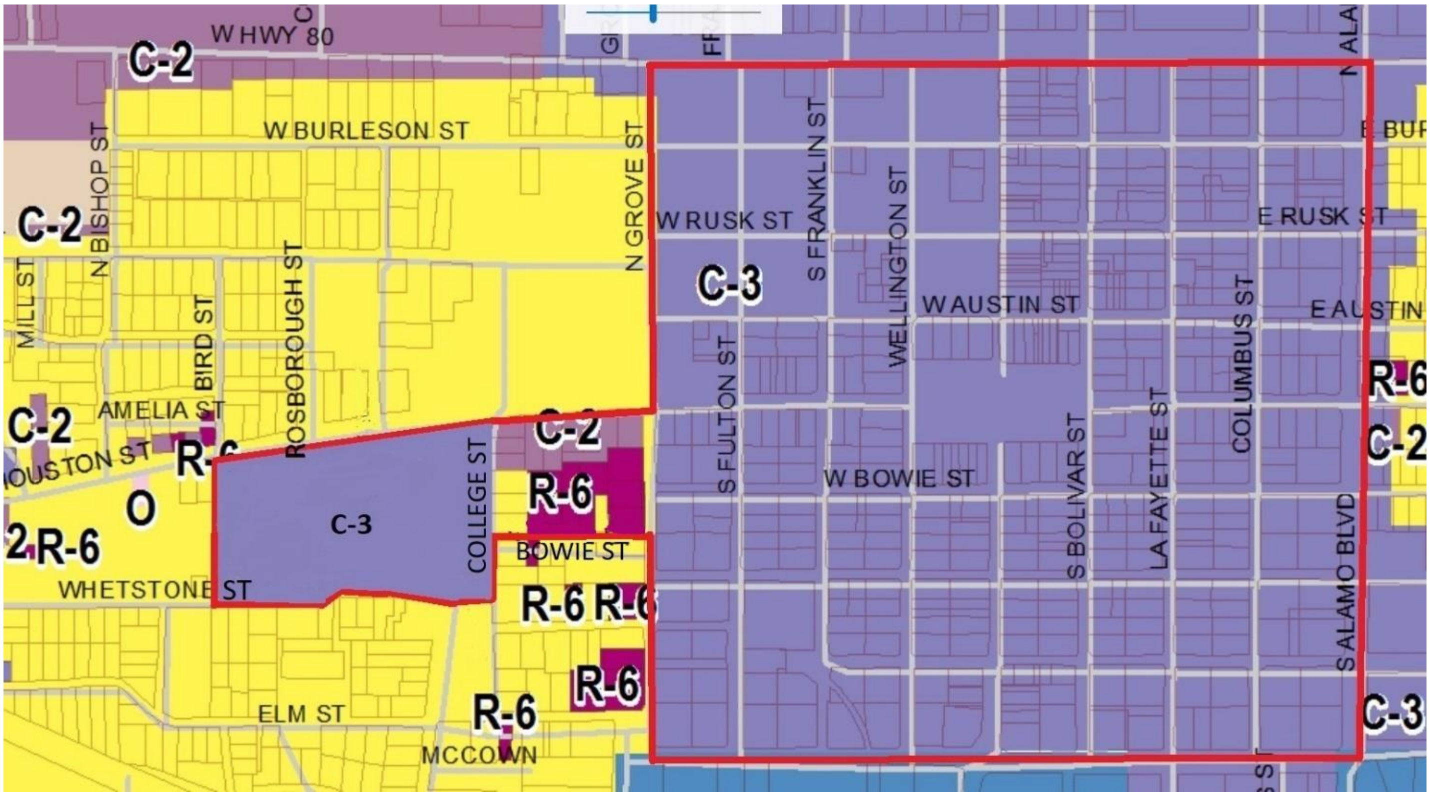
Assumed Redevelopment /New Construction Projects

TABLE 2.	1	2	3 TOTAL SF Available	4 SF Available (Leasable Space)	5 Total SF Available	6 SF Available (Vacant Land)	7 Total SF Available
PROJECT 1.	**Bell Buckle**	Year 3				44,754	44,754
		Year 4		146,000	146,000		
PROJECT 2.	**Capital One**	Year3		28,812	28,812		
						28,800	28800
PROJECT 3.	**Swepco**	year 5				42,034	
		year 6				37,723	79,757
PROJECT 4.	**City**	year2	61,974			19,832	
		year3				19,832	
						21,071	60,735
PROJECT 5.	**Hist District**	year 2	170,000				
		year 3		45,000			
		year 4		55,000			
		year 5		70,000	170,000		
PROJECT 6.	*** M. Lofts**	year 2	129,240	25,848	0		
		year 3		103,392	129,240		
			SubTotal SF Available		474,052		214,046
						Total SF Available	**688,098**

* Pending. Add SF to account for new building

Projected New Development		$33,391,101	
Projected Redevelopment	$35,553,900.00		
Projected TOTAL New Investment			**$68,945,001**

EXHIBIT B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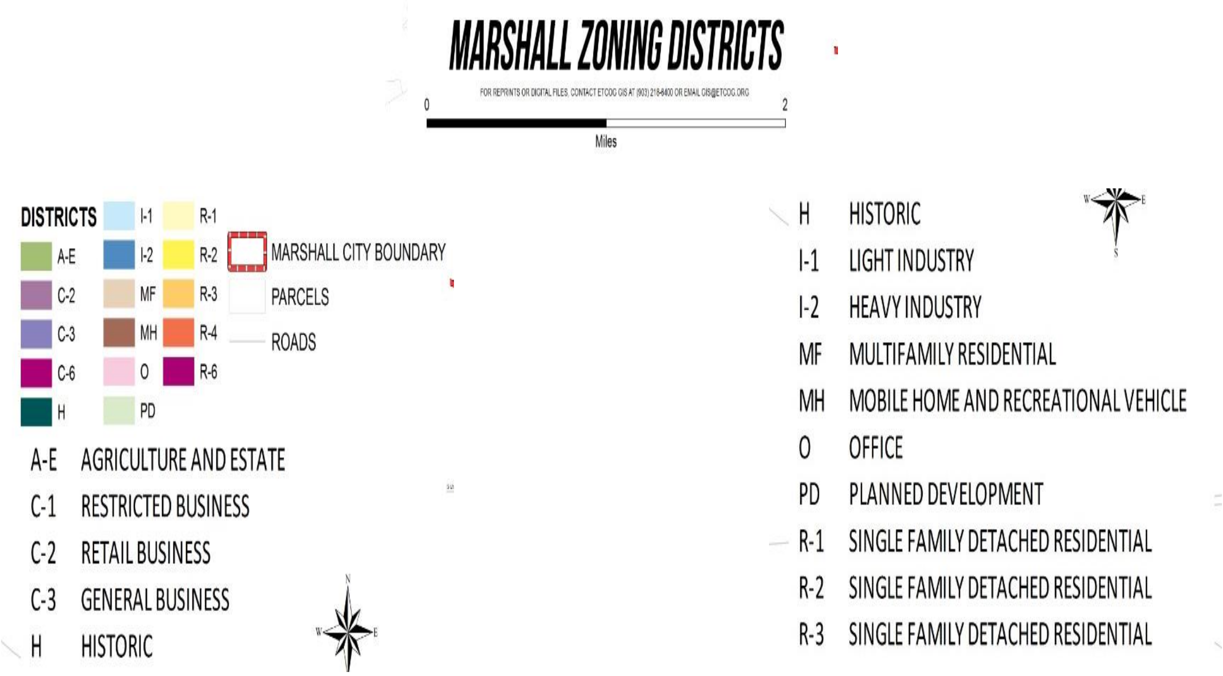
MARSHALL ZONING DISTRICTS
0
2
Miles
DISTRICTS
A-E
C-2
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H
I-1
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MF
MH
O
PD
R-1
R-2
R-3
R-4
R-6
MARSHALL CITY BOUNDARY
PARCELS
ROADS
A-E AGRICULTURE AND ESTATE
C-1 RESTRICTED BUSINESS
C-2 RETAIL BUSINESS
C-3 GENERAL BUSINESS
H HISTORIC
H HISTORIC
I-1 LIGHT INDUSTRY
I-2 HEAVY INDUSTRY
MF MULTIFAMILY RESIDENTIAL
MH MOBILE HOME AND RECREATIONAL VEHICLE
O OFFICE
PD PLANNED DEVELOPMENT
R-1 SINGLE FAMILY DETACHED RESIDENTIAL
R-2 SINGLE FAMILY DETACHED RESIDENTIAL
R-3 SINGLE FAMILY DETACHED RESIDENTIAL

EXHIBIT C

Feasibility Report Attached

EXHIBIT C - Feasibility Report

CITY OF MARSHALL
Community & Economic Development
Fabio Angell, Director

Date: 4/5/2021

To: MARK ROHR, CITY MANAGER

Re: CASH FLOW FORECAST FOR PROPOSED TIF ZONE (INTERNAL DOCUMENT)

- PRELIMINARY -

City staff completed three (3) scenarios of annual City taxes generated in the area where a tax increment financing ("TIF") program is being proposed by the City. A fourth scenario that did not include such TIF program was unnecessary. That is, 15-year projections of appraised values in the proposed TIF area would yield negative growth rates based on previous 10-year trends in the area of minus 4%.

On the other hand, the most conservative forecast (i.e. 1.5% growth rate) models annual municipal tax flow with creation of a TIF program to stimulate private sector investment and complete public improvements in key areas of the TIF zone.

The following assumptions are made:

- A TIF zone is created pursuant to Texas law in 2021 for a term of 10 years, with boundaries conforming to the accompanying map. For ten years, 100% of City real property tax on the increased value of real property starting in 2021 flows to a TIF fund. Real property tax on the 2021 'base" value never flows to the TIF fund, nor does any business personal property tax, sales tax or any other municipal tax.
- Real property tax dedicated to the TIF fund is used to facilitate development of the zone, whether by reimbursing expenses for public improvements or paying debt service on bond for land acquisition and /or public improvements. The later, however, is not anticipated. That is, no bond indebtedness is anticipated to be incurred for the Zone. TIRZ Project Costs will be paid directly for site improvements, as described in Table 1 above. That is, Project Costs will be paid solely from tax increment revenues of the TIRZ, as they are realized by the TIRZ and deposited into the TIF Fund.
- A large sample section of the proposed TIF area was surveyed by city staff, or about 29%. That is, 20 city blocks surveyed of nearly 70 in the proposed Zone.

It was found that a total of approximately 690,000 SF of space was either vacant or available for new construction and redevelopment projects in the Zone.

- Based on this square footage available, It is assumed that approximately $68 million in private sector investments can be generated over the course of the TIF's 15-year term, as follows:

  1. New Commercial, Retail or Office Space in the Zone—214,000 square feet with a projected value of approximately $33 million.
  2. New Redevelopment/Retrofit Space in the Zone—474,000 square feet with a projected value of approximately $35 million.

- Using these anticipated projects, three (3) development scenarios are included according to types, volumes and timing over the course of 15 years. One scenario assumes a rate increase of 1.5% in appraised values over and above the "base" appraised value at the start of the TIF (or Year 0). A second one assumes a rate increase of 2.25%, and a third one assumes a rate of increase of 3.5%.
- In all scenarios, taxable value assumptions per square foot of added floor or leasable area are identical.

With realization of these development assumptions, constant property and sales tax rates and moderate average annual inflation (even post pandemic), the most conservative TIF scenario (i.e. 1.5% growth rate) would produce approximately $ 144 million in total appraised value of taxable real property in the Zone to be used for tax increment financing during the TIF's term of fifteen (15) years.

The preceding forecasts of municipal revenue are expressed in nominal dollars but also in regard for the time value of money. That is, the Net Present Value (NPV) of the TIF is calculated to be **$ 4.17 million**, after total project costs of about $**2,050,000** are factored in and incorporated to the financial models using three (3) separate scenarios, as cited above. This is to say that when tax revenues are discounted at municipal interest rates for TIFs of, say, 5%, the forecasts are greater than without the TIF zone.

In general, the TIF zone will generate a positive cash flow at a relatively low property value growth rate of 1.5% per annum, and even more substantial positive cash flows across two (2) additional scenarios, as explained above.

The main implication of this analysis is:

> *If all or part of the stream of cash flowing to the hypothetical TIF fund were applied to public improvements in order to generate the anticipated new construction and redevelopment projects causing taxable property values to increase as assumed, the City would benefit financially.*

Revised development plans and changing market conditions may impact these scenarios pro formas.

Tax increment financing programs may apply cash received by a TIF fund to (1) reimbursement of developer expenditures for specified public improvements or (2) debt service on cash advanced by bonds of loans of City funds. There is ordinarily no market for bonds secured by TIF fund revenue alone until the taxable value within the TIF zone has risen sufficiently to support debt service payments. Consequently, tax increment financing typically requires (1) a developer to pay expenses for TIF project costs in exchange for a contract awarding reimbursement (with or without interest) for such costs as cash is received by the TIF fund or 92) a secondary source (municipal general fund, economic development fund, special district with demonstrated power to tax, etc.) to pay debt service if and when cash in the TIF fund is insufficient. At any rate, no bond indebtedness is anticipated to be incurred for the Zone.

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Schedule A

Projected Assessed Valuations

Scenario 1. 1.5% growth rate assumed (Most Conservative)

1	2	3	4	5	6	7
	City Tax Rate	0.0054216	NPV Project Costs = $2,055,000			
TIF Year	Calendar Year	Taxable Valuation (*)	Percent Increase	Taxable Value Increment	Projected Tax Increment	Cumulative Projected Tax Increment
0	2020	$30,988,393	1.50%	$0	$0	$0
1	2021	$31,453,219	1.50%	$464,826	$2,520	$2,520
2	2022	$41,045,324	1.50%	$10,056,931	$54,525	$57,045
3	2023	$80,569,453	1.50%	$49,581,060	$268,809	$325,853
4	2024	$95,549,571	1.50%	$64,561,178	$350,025	$675,878
5	2025	$109,207,892	1.50%	$78,219,499	$424,075	$1,099,953
6	2026	$115,259,602	1.50%	$84,271,209	$456,885	$1,556,838
7	2027	$116,988,496	1.50%	$86,000,103	$466,258	$2,023,096
8	2028	$118,743,323	1.50%	$87,754,930	$475,772	$2,498,868
9	2029	$120,524,473	1.50%	$89,536,080	$485,429	$2,984,297
10	2030	$122,332,340	1.50%	$91,343,947	$495,230	$3,479,527
11	2031	$124,167,325	1.50%	$93,178,932	$505,179	$3,984,706
12	2032	$126,029,835	1.50%	$95,041,442	$515,277	$4,499,983
13	2033	$127,920,283	1.50%	$96,931,890	$525,526	$5,025,509
14	2034	$129,839,087	1.50%	$98,850,694	$535,929	$5,561,438
15	2035	$131,786,673	1.50%	$100,798,280	$546,488	$6,107,926

(*) The Taxable Valuation column (3) does not reflect a 1.5% annual growth as it also includes projected increases in appraised values from assumed redevelopment and new construction projects during the 15-year term of the TIF.

Schedule B

Projected Assessed Valuations

Scenario 2. 2.25% growth rate assumed (Post-Pandemic Moderate Growth)

1	2	3	4	5	6	7
	City Tax Rate	0.0054216	NPV Project Costs = $2,055,000			
TIF Year	Calendar Year	Taxable Valuation	Percent Increase	Taxable Value Increment	Projected Revenue	Cumulative Projected Revenue
0	2020	$30,988,393	2.25%	$0	$0	$0
1	2021	$31,685,632	2.25%	$697,239	$3,780	$3,780
2	2022	$41,518,865	2.25%	$10,530,472	$57,092	$60,872
3	2023	$81,361,489	2.25%	$50,373,096	$273,103	$333,975
4	2024	$96,963,698	2.25%	$65,975,305	$357,692	$691,667
5	2025	$111,370,460	2.25%	$80,382,067	$435,799	$1,127,466
6	2026	$118,289,886	2.25%	$87,301,493	$473,314	$1,600,780
7	2027	$120,951,408	2.25%	$89,963,015	$487,743	$2,088,523
8	2028	$123,672,815	2.25%	$92,684,422	$502,498	$2,591,021
9	2029	$126,455,453	2.25%	$95,467,060	$517,584	$3,108,605
10	2030	$129,300,701	2.25%	$98,312,308	$533,010	$3,641,615
11	2031	$132,209,967	2.25%	$101,221,574	$548,783	$4,190,398
12	2032	$135,184,691	2.25%	$104,196,298	$564,911	$4,755,309
13	2033	$138,226,347	2.25%	$107,237,954	$581,401	$5,336,710
14	2034	$141,336,439	2.25%	$110,348,046	$598,263	$5,934,973
15	2035	$144,516,509	2.25%	$113,528,116	$615,504	$6,550,477

(*) The Taxable Valuation column (3) does not reflect a 2.25% annual growth as it also includes projected increases in appraised values from assumed redevelopment and new construction projects during the 15-year term of the TIF.

Schedule C

Projected Assessed Valuations

Scenario 3. 3.5% growth rate assumed (Post-Pandemic High Growth)

1	2	3	4	5	6	7
	City Tax Rate	0.0054216	NPV Project Costs = $2,055,000			
TIF Year	Calendar Year	Taxable Valuation	Percent Increase	Taxable Value Increment	Projected Revenue	Cumulative Projected Revenue
0	2020	$30,988,393	3.50%	$0	$0	$0
1	2021	$32,072,987	3.50%	$1,084,594	$5,880	$5,880
2	2022	$42,315,848	3.50%	$11,327,455	$61,413	$67,293
3	2023	$82,705,352	3.50%	$51,716,959	$280,389	$347,682
4	2024	$99,371,615	3.50%	$68,383,222	$370,746	$718,428
5	2025	$115,074,700	3.50%	$84,086,307	$455,882	$1,174,311
6	2026	$123,515,905	3.50%	$92,527,512	$501,647	$1,675,958
7	2027	$127,838,962	3.50%	$96,850,569	$525,085	$2,201,043
8	2028	$132,313,325	3.50%	$101,324,932	$549,343	$2,750,386
9	2029	$136,944,292	3.50%	$105,955,899	$574,451	$3,324,837
10	2030	$141,737,342	3.50%	$110,748,949	$600,437	$3,925,273
11	2031	$146,698,149	3.50%	$115,709,756	$627,332	$4,552,605
12	2032	$151,832,584	3.50%	$120,844,191	$655,169	$5,207,774
13	2033	$157,146,725	3.50%	$126,158,332	$683,980	$5,891,754
14	2034	$162,646,860	3.50%	$131,658,467	$713,800	$6,605,554
15	2035	$168,339,500	3.50%	$137,351,107	$744,663	$7,350,216

(*) The Taxable Valuation column (3) does not reflect a 3.5% annual growth as it also includes projected increases in appraised values from assumed redevelopment and new construction projects during the 15-year term of the TIF.

ITEM 9A

PRESENTATION OF THE SEMI-ANNUAL REPORT BY THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION

MEMORANDUM

To: Members of the City Council

From: Mark Rohr, City Manager

Date: May 18, 2021

Subject: Marshall EDC Semiannual Report

Marshall Economic Development Corporation (EDC) provides two reports to the City Council of Marshall each year regarding the activities of the EDC. Rush Harris, Executive Director of Marshall EDC, will attend the Thursday meeting to make the presentation.

ITEM 9B

PRESENTATION AND DISCUSSION ON REMAINING ADOPTION CENTER EXPENSES

M E M O R A N D U M

To: Members of the City Council

From: Mark Rohr, City Manager

Date: May 19, 2021

Subject: Presentation and discussion on remaining Adoption Center expenses

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This agenda item will be provided at the meeting on Thursday.

ITEM 9C

CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MARSHALL AND THE HOUSING AUTHORITY

Earlier this year, Council members requested that the City and the Housing Authority for the City of Marshall come to an agreement which defines the roles of each entity in promoting and maintaining affordable housing within the City. Working with Tom McClurg with the Housing Authority, we drafted the attached interlocal agreement which sets out the nature of the parties relationship and their respective roles. The agreement also addresses future Payment In Lieu of Taxes Payments going forward, and reiterates the Council's previous resolution that not PILOT taxes are due for the years prior to December 31, 2020.

THIS CONTRACT AND AGREEMENT entered into by and between the City of Marshall (Marshall), a Texas home rule municipality by and through its duly authorized City Manager, and The Housing Authority for the City of Marshall, an autonomous unit of local government under Texas Local Government Code Chapter 392, by and through its duly appointed Executive Director, both Parties acting herein under the authority and pursuant to the terms of the Texas Government Code, Chapter 791, Interlocal Cooperation Act.

WITNESSETH

WHEREAS The Housing Authority of the City of Marshall ("the Housing Authority") was established by the City of Marshall on March 9, 1939 by a Resolution of the Commission of the City of Marshall; and

WHEREAS City of Marshall ("City") and The Housing Authority for the City of Marshall (Housing Authority) recognize the importance of promoting and maintaining safe, sanitary, and affordable housing within the City of Marshall, in order to better serve the citizens of our community. The Parties desire to make an agreement to better define the roles, and the rights and responsibilities of each of the parties; and

WHEREAS the Housing Authority is a unit of government under Texas Housing Authorities Law, Local Government Code, Section 392.006 and therefore authorized to enter into this interlocal agreement; and

WHEREAS, the governing bodies of The Housing Authority and The City have duly authorized this agreement; and

WHEREAS the parties find that this Agreement serves a public purpose.

NOW, THEREFORE, in consideration of the foregoing and further consideration of the mutual promises, covenants, and conditions herein, The Housing Authority and The City hereby agree as follows:

ARTICLE I.
NATURE OF RELATIONSHIP

A. Nothing contained in this Agreement shall be deemed or constructed to create the relationship of principal and agent or that of partnership or joint venture or any association between the City and the Housing Authority, and any intention to create a joint venture or partnership relationship between the Parties hereto is hereby expressly disclaimed. The City shall maintain exclusive control, direction and management of its own employees, and the Housing Authority shall have no rights with respect thereto, except for the Housing Authority's right to enforce covenants of the City as set forth in this agreement.

B. IMMUNITY: It is expressly understood and agreed that, in the execution of this Agreement, neither the City nor Housing Authority waive, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercising of governmental powers and functions.

ARTICLE II.
ROLE OF THE CITY

The City of Marshall shall exercise the powers and oversight granted to it under Texas Local Government Code Chapter 392, and such other laws of the State of Texas that apply. This includes but is not limited to making such resolutions or findings necessary to the creation of the Housing Authority, establishment of the territory of operation for the Housing Authority through the City's own territorial boundaries, the appointment of commissioners of the Housing Authority, the designation of a chairman for the Housing Authority, the removal of commissioners of the Housing Authority for those causes enumerated by statute and recording such removal procedures as required, cooperating with the Housing Authority in connection with clearing, re-planning, or reconstructing slum areas and providing housing to people of low income, cooperating with the Housing Authority in the exercise of its powers under Chapter 392, and receiving and considering the reports the Housing Authority is required to file by law.

The City of Marshall will continue to administer funds that it receives from the Community Development Block Grant ("CDBG"), and will coordinate with the Housing Authority to increase public awareness and education concerning fair housing laws and prohibited acts of discrimination. Nothing within this provision shall be construed to require the City to allocate or expend CDBG funds for any particular project.

The City may (but is not obligated to) contract with the Housing Authority to carry out future projects as agreed upon by the City and the Housing Authority for the benefit to the whole community of Marshall, Texas.

ARTICLE III.
ROLE OF THE HOUSING AUTHORITY

The role of the Housing Authority of the City of Marshall shall be as described in the State of Texas Local Government Code Chapter 392 as written in its entirety, including the powers and duties enumerated in Subchapter D, Section 392.051- 392.067. These powers include, but are not limited to, the operation, construction and leasing of housing projects within the City, as well as such ancillary acts (such as borrowing money or acquiring property) to further such operations, construction or leasing; appointing such tenant-commissioners as is required by law; holding public meetings; rental or lease of property to persons of low income; adopting such policy guidelines concerning the rental or lease to persons of low income; using or disposing of real property; purchasing equipment or supplies under Federal procurement programs; investment of funds; research and investigation of housing conditions and the improvement of housing conditions in the

City; cooperation with the City in connection with clearing, re-planning, or reconstructing slum areas and providing housing to people of low income; holding hearings and making findings and recommendations concerning buildings or property where conditions dangerous to public health, morals, safety or welfare exist, and delivering such findings and recommendations to the City agencies charged with the duty of abating or correcting nuisances; exercising the power of imminent domain where necessary; issuance of bonds or other obligations; making such contracts as are necessary or convenient to the exercise of the Housing Authority's powers; making, amending and repealing bylaws and rules consistent with the implementation of the Housing Authority's powers under Chapter 392; and undertaking such other actions or obligations as is authorized or required under Chapter 392.

The Housing Authority of the City of Marshall shall accept its duly stated obligations as allowed by the laws of the State of Texas for any purposes delegated to the Housing Authority of the City of Marshall by the City of Marshall as relates to housing for low-income persons. It currently receives funds for public housing and housing vouchers from the Department of Housing and Urban and intends to retain those programs for the benefit of low-income persons in the City of Marshall and in Harrison County. There are only 74 low-income, low-rent apartments funded by HUD in Marshall, augmented by an average of 450 low-income tenant vouchers to private landlords. The Housing Authority's current list of tenant selection is prioritized to include first priority on available slots the homeless, victims of domestic violence, low-income elderly, foster children turning 18 and leaving foster care, and all other low-income applicants determined eligible by date of application.

ARTICLE IV.
PAYMENTS IN LIEU OF TAXES (PILOT)

Pursuant to section 392.005 of the Texas Local Government Code the property of the Housing Authority is public property used for essential public and governmental purposes, and the Housing Authority and the Authority's property are exempt from all taxes and special assessments of a municipality, a county, another political subdivision, or the state. Moreover, the U. S. Department of Housing and Urban Development allocates funds to the Housing Authority to make Payments In Lieu of Taxes (PILOT) under section 392.005. Pursuant to 24 CFR 990.190(c) "each Public Housing Authority will receive an amount for PILOT in accordance with section 6(d) of the 1937 Act, *based on its cooperation agreement* or its latest actual PILOT payment." The parties to this agreement acknowledge that there has been no prior cooperation agreement or prior PILOT payments. Therefore, it is agreed that the the City of Marshall may, but is not required to , provide improvements, services, or facilities, as requested by the Housing Authority, and the City shall have the discretion to allow or deny any such requests by the Housing Authority. In such cases where the City agrees to provide such improvements, services or facilities, the Housing Authority of the City of Marshall shall pay for said improvements, services, or facilities an amount not greater than the cost to the City of Marshall. Where improvements, services or facilities are provided, the City shall issue a statement for the costs of the same to the Housing Authority, and the Housing Authority will pay such costs within thirty (30) days. It is further agreed that no payments in lieu of taxes prior to December 31, 2020 are due from the Housing Authority to the City.

ARTICLE V.
APPLICABLE LAWS

The Housing Authority and The City agree to conduct all activities under this Agreement in accordance with all applicable rules, regulations, ordinances, and laws in effect or promulgated during the term of this Agreement.

ARTICLE VI.
WHOLE AGREEMENT

This Interlocal Agreement, as provided herein, constitutes the complete agreement between the parties hereto, and supersedes any and all oral and written agreements between the parties relating to matters herein. Except as otherwise provided herein, this Agreement cannot be modified without written consent by the parties.

ARTICLE VII.
DURATION

The period of this Interlocal Agreement shall commence upon January 1, 2021 and shall automatically renew. The Housing Authority or The City may cancel this Agreement at any time upon thirty (30) days written notice to the other party to this Agreement.

ARTICLE VIII.
CHANGES AND AMENDMEN TS

Any alterations, additions, or deletions to the terms of this Agreement which are required by changes in federal and state law or regulations are automatically incorporated into this Agreement without written amendment thereto and shall become effective on the date designated by such law or regulation.

ARTICLE IX.
NOTIFICATION

Unless otherwise provided herein, any notice, tender, or delivery to be given hereunder by either party to the other may be affected by personal delivery in writing or by registered or certified mail, postage prepaid, return receipt requested. Mailed notices shall be addressed as set forth below, but each party may change its address by written notice in accordance with this section.

To The Housing Authority of The City of Marshall:
Attn: Executive Director
P.O. Box 609
Marshall, Texas 75671

To The City of Marshall, Texas:
The City Manager
401 S. Alamo Blvd.
Marshall, TX 75670

Any such notice shall be effective upon receipt if delivered in person or upon actual deposit in an official receptacle of the United States Postal Service if mailed.

ARTICLE X.
SEVERABILITY

Both parties agree that should any provision of this Agreement be determined to be invalid or unenforceable, such determination shall not affect any other term of this Agreement, which shall continue in full force and effect.

ARTICLE XI.
FORCE MAJEURE

To the extent that either party to this Agreement shall be wholly or partially prevented from performance within the time specified of any obligation or duty placed on such party by reason of strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, judgment, act of God, or specific cause reasonably beyond the party's control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until disability to perform is removed.

ARTICLE XII.
EXECUTION

This instrument, in duplicate originals, has been executed by the Parties hereto as follows. This Agreement shall not be effective until executed by all parties.

EXECUTED by the Parties hereto, each respective entity acting by and through its duly authorized official as required by law, on the date specified.

APPROVED this ____________ day of , 2021.

The City of Marshall

By: ________________________________
Mark Rohr, City Manager

Attest:

____
City Secretary

The Housing Authority for the City of Marshall

By: R. Michael Hallum
Commissioner R. Michael Hallum, Chairperson for
The Housing Authority for the City of Marshall

ITEM 10

CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

ITEM 11

ADJOURNMENT