

1. 6/9/22 Agenda (PDF)

Documents:

[06-9-22 AGENDA.PDF](#)

2. City Council Regular Meeting Agenda Packet (PDF)

Documents:

[6-9-22 AGENDA PACKET.PDF](#)



**CITY OF MARSHALL, TEXAS
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL, 401 SOUTH ALAMO
JUNE 9, 2022, 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 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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**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 26, 2022 Regular meeting.

6. **PUBLIC HEARING AND ORDINANCE**

- A. Conduct a public hearing and consider approval of an ordinance regarding a rezoning request of 1.409 acres of land in the ASA Langford Survey A-400 from A&E (Agriculture and Estate) to R-6 (Duplex, Triplex, Quadraplex) located at 200 Oakley Drive. (Community Development Director)
- B. Conduct a public hearing and consider approval of an ordinance regarding a Special Use Permit request for an arcade being a 1.240 acre tract of land, Lot 1, Block 1 North Park Unit 1 located at 1609 Sedberry Street. (Community Development Director)

7. **PROCLAMATION**

- A. Presentation of a proclamation declaring June 19, 2022 as “Juneteenth” in the City of Marshall. (Mayor Ware)

8. **RESOLUTION**

- A. Consider the approval of a resolution authorizing the Marshall Police Department to apply for a grant to purchase technology to combat motor vehicle theft, theft from motor vehicles and fraud related motor vehicle crime, violent crimes and other crimes. (Police Chief)

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

- A. Presentation on Marshall Police Department’s preparation and training for Active Shooter threat. (Police Chief)

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 **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**

11. **ADJOURNMENT**

Posted: June 6, 2022
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 arrange for these services, please call the City Secretary’s Office at 903-935-4446.



**CITY OF MARSHALL, TEXAS
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL, 401 SOUTH ALAMO
JUNE 9, 2022, 6:00 P.M.**

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www.marshalltexas.net**

**1. CALL TO ORDER AND ROLL CALL
Page 4**

**2. INVOCATION AND PLEDGES
Page 5**

3. CITIZEN COMMENTS
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**4. ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA
Page 7**

5. **CONSENT AGENDA**

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B. Conduct a public hearing and consider approval of an ordinance regarding a Special Use Permit request for an arcade being a 1.240 acre tract of land, Lot 1, Block 1 North Park Unit 1 located at 1609 Sedberry Street. (Community Development Director)

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7. **PROCLAMATION**

A. Presentation of a proclamation declaring June 19, 2022 as “Juneteenth” in the City of Marshall. (Mayor Ware)

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8. **RESOLUTION**

A. Consider the approval of a resolution authorizing the Marshall Police Department to apply for a grant to purchase technology to combat motor vehicle theft, theft from motor vehicles and fraud related motor vehicle crime, violent crimes and other crimes. (Police Chief)

Page 33

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

A. Presentation on Marshall Police Department’s preparation and training for Active Shooter threat. (Police Chief)

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10. **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**
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11. **ADJOURNMENT**
Page 45

Marshall City Council Meeting
June 9, 2022
Page 3

Posted: April 11, 2022
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 arrange for these services, please call the City Secretary's Office at 903-935-4446.

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 26, 2022
REGULAR MEETING**

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MARSHALL
MAY 26, 2022
6:00 PM

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

PRESENT:

MAYOR: Amy Ware, District 4

COUNCIL MEMBERS:

Marvin Bonner, District 1
Jennifer Truelove, District 3
Amanda Abraham, District 6

Leo Morris, District 2
Reba Godfrey, District 5
Micah Fenton, District 7

ADMINISTRATIVE STAFF PRESENT:

Terrell Smith, City Manager
Reggie Cooper, Fire Chief
Eric Powell, Public Works Director
Scott Rectenwald, Acting City Attorney
Daniel Duke, Tourism & Cultural Arts Director
Nikki Smith, City Secretary/Payroll Accountant
Randy Pritchard, Support Services Superintendent
Garnett Johnson, Community Development Director

Christol Hall, HR Manager
Cliff Carruth, Police Chief

INVOCATION & PLEDGE: Mayor Ware

OATH OF OFFICE AND BOND APPROVAL

135. **ISSUE OATH OF OFFICE FOR COUNCILMEMBER REPRESENTING DISTRICT 5.**

Scott Rectenwald, Acting City Attorney, administered the Oath of Office for the Councilmember representing District 5.

136. **CONSIDER APPROVAL OF BOND FOR COUNCILMEMBER REPRESENTING DISTRICT 5.**

Scott Rectenwald asked for approval of a bond for Councilmember representing District 5.

Councilmember Abraham made a motion to approve the bond for Councilmember representing District 5. Councilmember Truelove seconded the motion, which passed with a vote of 7:0.

137. **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 Council.

Councilmember Truelove made a motion to convene into Executive Session. Councilmember Godfrey seconded the motion, which passed with a vote of 7:0. The time was 6:06 PM.

Councilmember Abraham made a motion to reconvene from Executive Session. Councilmember Truelove seconded the motion, which passed with a vote of 7:0. The time was 6:11 PM.

ELECTION OF CHAIRMAN AND ACTING CHAIRMAN

138. **CONSIDER ELECTION OF THE CHAIR, OR MAYOR, FOR THE CITY COUNCIL.**

Councilmember Truelove nominated Councilmember Ware for the position of Chair, or Mayor, for the City Council. Councilmember Abraham seconded the nomination, which passed with a vote of 7:0.

139. **CONSIDER ELECTION OF THE ACTING CHAIR, OR MAYOR PRO-TEM, FOR THE CITY COUNCIL.**

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

140. **CITIZEN COMMENTS**

There were no Citizen Comments.

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

There were no items withdrawn from the Consent Agenda.

142. **CONSENT AGENDA**

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

A. Consider approval of the minutes from the May 12, 2022 Regular meeting and the May 16, 2022 Special-Called meeting.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

143. **CONSIDER APPROVAL OF APPOINTMENTS TO MARSHALL DOWNTOWN DEVELOPMENT CORPORATION.**

Nikki Smith, City Secretary, asked for approval of Jim Davis and Dinora Harris to Marshall Downtown Development Corporation.

Councilmember Fenton made a motion to approve the recommendation for the appointment of Jim Davis and Dinora Harris to Marshall Downtown Development Corporation. Councilmember Truelove seconded the motion, which passed with a vote of 7:0.

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

There were no items withdrawn from the Consent Agenda.

145. **ADJOURNMENT**

Councilmember Abraham made a motion for adjournment. Councilmember Godfrey 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

ITEM 6A

PUBLIC HEARING AND ORDINANCE

**CONDUCT A PUBLIC HEARING AND
CONSIDER APPROVAL OF AN
ORDINANCE REGARDING A REZONING
REQUEST OF 1.409 ACRES OF LAND
LOCATED AT 200 OAKLEY DRIVE**



City Council Agenda Information Sheet

June 9, 2022

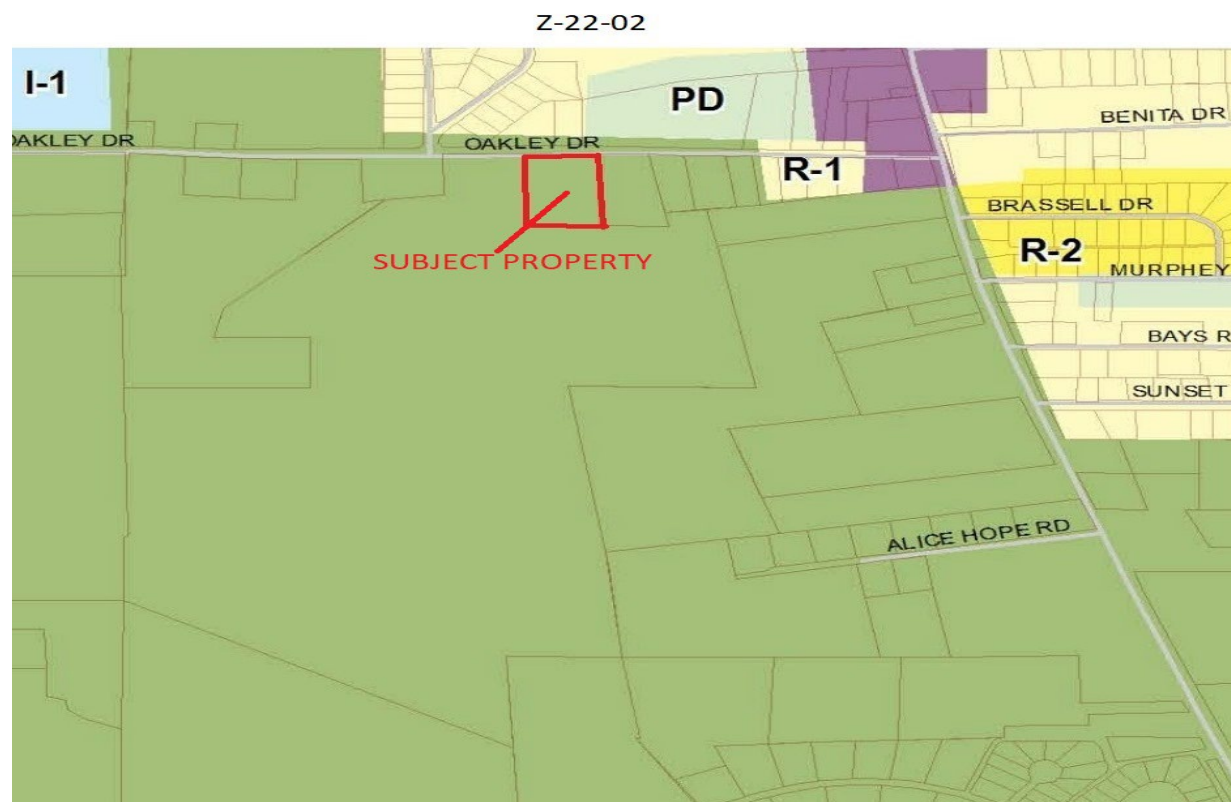
Agenda Item Z-22-02:

Conduct a public hearing and consider a rezoning request of 1.409 acres of land in the Asa Langford Survey A-400. From A&E(Agriculture and Estate) to R-6(Duplex, Triplex, Quadraplex). Located at 200 Oakley Drive.

Applicant	Shane Nafe P.O. Box 1345 Marshall, Texas 75670
Property Owner	Shane Nafe P.O. Box 1345 Marshall, Texas 75670
Surrounding Property Notices	6 Notices Sent within 200 ft of the Site 0 Responses back
Existing Zoning	A&E (Agriculture and Estate)
Proposed Zoning	R-6 (Duplex, Triplex, Quadraplex)

Planning and Zoning Commission approved this request on May 9, 2022 by a vote of 4-0-0.

Location Map:



Background & Summary of Request:

The Applicant is requesting a zoning change to construct duplexes.

Picture of the Site:**Existing Conditions:**

The subject property is vacant.

	Zoning Classification	Land Use
North of the Property	PD (Planned Development) & R-1 (Single Family detached)	Single-family residences and Senior Housing)
East of the Property	A&E (Agriculture and Estate)	Single Family Residential
South of the Property	A&E (Agriculture and Estate)	Vacant
West of the Property	A&E (Agriculture and Estate)	Vacant

Water service to the site is provided by an existing 6" water main along the south side of Oakley Drive. Sewer service is provided by 6" sewer main in Oakley Drive.

Comprehensive Plan and Future Land Use Analysis:

The 2018 Future Land Use Map identifies the property as Moderate Density Residential. The land use may also include well designed compact development such as duplexes and low density multifamily, typically less than 14 units per acre. The future land use designation is to allow for the types of neighborhood development found in Marshall's established single-family neighborhoods, compatibility areas, and adjacent to mixed-use.

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 proposed change would be in compliance with the Comprehensive Plan. Objective 3: Establish the Moderate Density future land use designation to allow for the type of neighborhood development found in Marshall's established single-family neighborhoods, compatibility areas, **and adjacent to mixed-use and commercial areas.** Strategies a. Development may include single-family residential development on small lots, duplexes, townhomes, and **low-density multifamily dwellings.** b. Development should be within and adjacent to Marshall's existing neighborhoods. c. Residential development with a variety of housing styles, types and prices that is compatible with adjacent development is encouraged. d. Infill development should respond to existing development with compatible patterns, and design standards. e. New residential development should be organized to promote walkability, including sidewalks, and ideally should locate all residences a five to ten minute walk from neighborhood-serving retail and other amenities such as parks and school facilities. f. Places of worship, parks, and open space are allowed by right. g. The character of this area should be maintained by ensuring that new development is sensitive to the surrounding built and natural context in scale and form as described above*
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 primarily developed with single-family homes a senior living complex and agricultural uses. There will be more traffic in the area but that is expected with a multi-family development.*
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. *The property is currently surrounded by single-family and agricultural uses and a senior living complex The zoning will need to be changed..*
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? *Through the development standards proposed, the applicant is attempting to protect the surrounding property owners from any possible nuisances the development could impose.*

Suggested Motions:

1. Motion to recommend approval of case number Z-22-02 as requested.
2. Motion to recommend approval of case number Z-22-02 with conditions.
3. Motion to recommend denial of case number Z-22-02.

Attachments:

1. Aerial of Site
2. Pictures of the Site
3. 200 Foot Notification Map



Z-22-02
Site Pictures



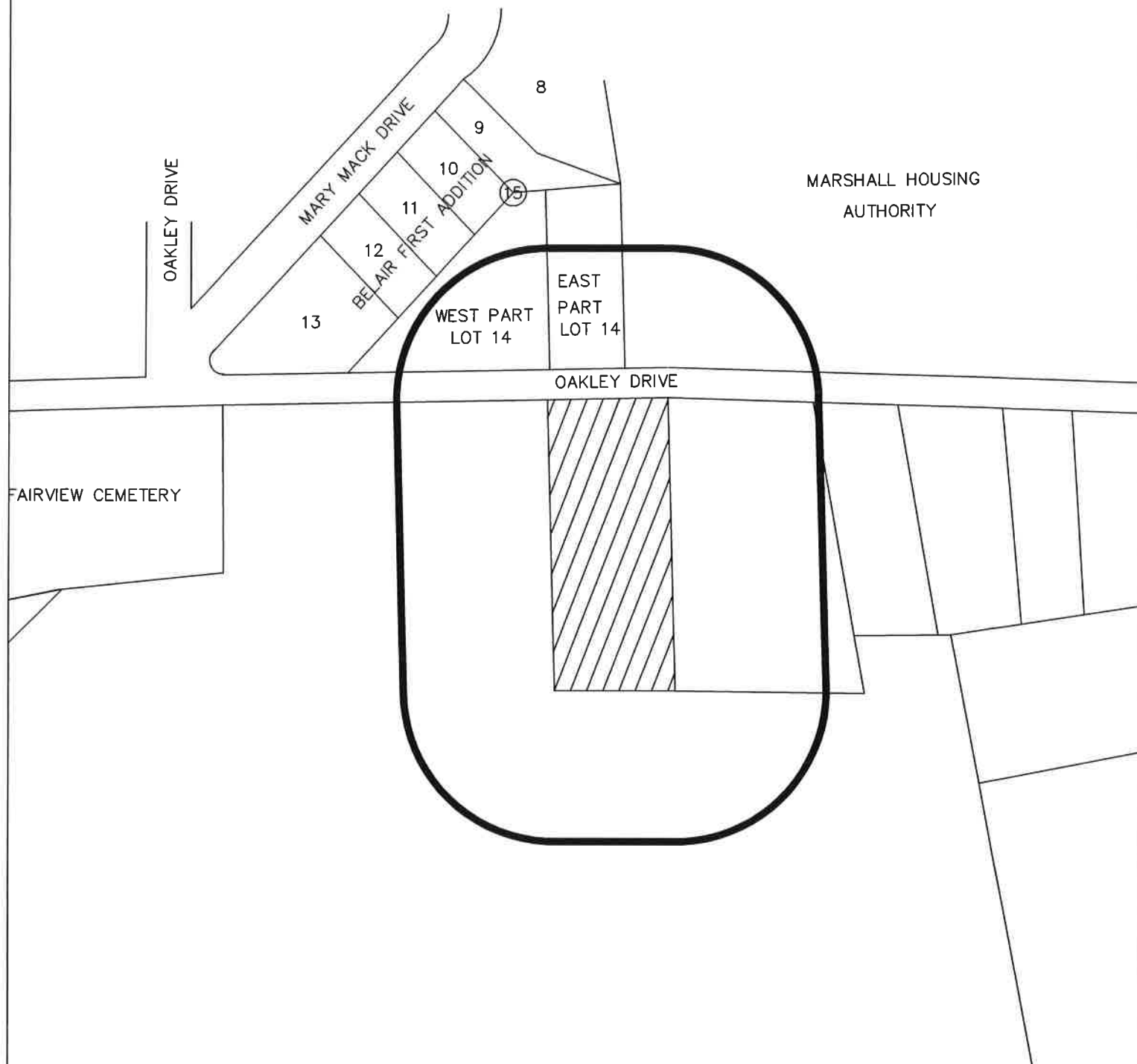
Single Family to the northwest



Senior apartments Residential to the northeast



Single family residential to the east



Case No. Z-22-02

Scale: 1"=200'

Date: 05-09-2022

PLANNING DEPARTMENT
CITY OF MARSHALL, TEXAS

Remarks: a request to
re-zone 1.409 acres of land in
the A. Langford Survey A-400
from A&E (Agriculture and
Estate) to R-6(Duplex, Triplex
Quadrplex)

Applicant: Shane Nafe

Location: 200 Oakley Drive

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 0-87-13 TO REZONE 1.409 ACRES OF LAND IN THE ASA LANGFORD SURVEY A-400. FROM A&E(AGRICULTURE AND ESTATE) TO R-6(DUPLEX, TRIPLEX, QUADRAPLEX). LOCATED AT 200 OAKLEY DRIVE.

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 9th day of June, 2022, 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 1.409 acres of land in the Asa Langford Survey a-400. From A&E(Agriculture and Estate) to R-6(Duplex, Triplex, Quadraplex). Located at 200 Oakley Drive.

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 9th day of June, 2022.

AYES: ____

NOES: ____

ABSTAINED: ____

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

ATTEST:

CITY SECRETARY

ITEM 6B

PUBLIC HEARING AND ORDINANCE

**CONDUCT A PUBLIC HEARING AND
CONSIDER APPROVAL OF AN
ORDINANCE REGARDING A SPECIAL
USE PERMIT REQUEST FOR AN
ARCADE LOCATED AT 1609 SEDBERRY
STREET**



City Council Agenda Information Sheet

June 9, 2022

Agenda Item SUP-22-03:

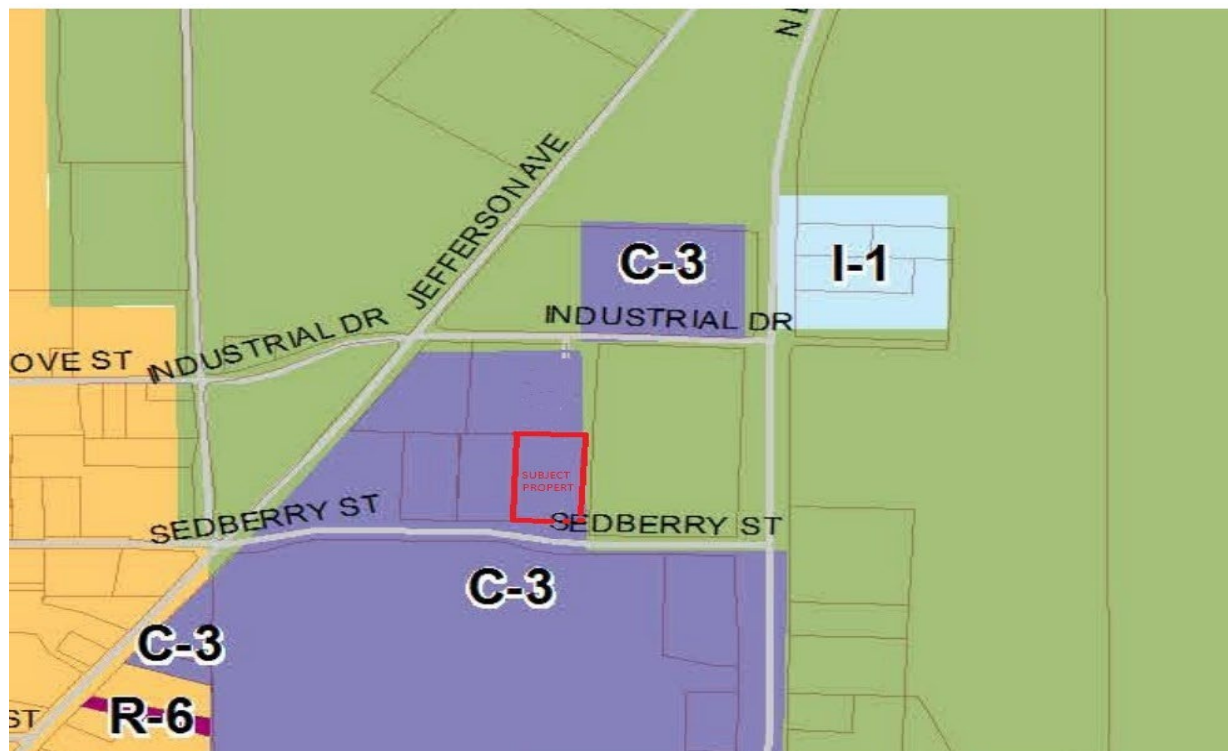
- A. Conduct a public hearing and consider a Special Use Permit request for an arcade. Being a 1.240 acre tract of land, Lot 1, Blk. 1, North Park Unit 1, Located at 1609 Sedberry Street.

Planning and Zoning Commission approved this request on May 9, 2022 by a vote of 4-0-0.

Applicant	Kenneth Bain 1002 Shadowood Drive Marshall, Texas 75672
Property Owner	Richard Cole P.O. Box 541403 Dallas Texas, 75354
Surrounding Property Notices	7 Notices Sent within 200 ft of the Site 2 Responses back
Existing Zoning	C-3 (General Business)

Location Map:

SUP-22-03



Background & Summary of Request:

The Applicant is requesting a Special Use Permit. The Zoning Ordinance requires that arcades in the City obtain a Special Use Permit. Special Use Permits are required in certain instances when a proposed use may be found acceptable on a particular tract, if designed in a manner that protects the existing neighborhood or surrounding properties. For this reason, the Zoning Ordinance requires a site plan be submitted as a part of a special use permit application to ensure the use is developed in a manner to ensure the proposed use will not negatively affect nearby existing uses. In this particular case, the property is already developed and no exterior changes to the site are being proposed by the applicant. Below is a development review analysis of the site:

The subject property is approximately 1.240 acres in size. Currently Zoned C-3(General Business). And developed with one building, being 9680 square feet.

Picture of the Site:



Existing Conditions:

The table below outlines the surrounding zoning and land uses:

	Zoning Classification	Land Use
South of the Property	C-3(General Business)	Commercial Business
East of the Property	PS(Public Service)	Church
North of the Property	C-3(General Business)	Vacant
West of the Property	C-3 (General Business)	Commercial Use

Access/Parking: There is off-street parking provided, the established building enough area for 45 parking spaces. The proposed arcade parking requirements is one space for every 5 participants.

Water & Sewer: The site is serviced by a 10” water line along the south side of Sedberry Street and a 6” sewer is along the north property line.

Suggested Motions:

1. Motion to recommend approval of case number SUP-22-03 as requested.
2. Motion to recommend approval of case number SUP-22-03 with conditions.
3. Motion to recommend denial of case number SUP-22-03.

Attachments:

1. Aerial of Site
2. Pictures of the Site
3. 200 Foot Notification Map
4. Building floor plan layout



SUP-22-03
Site Pictures



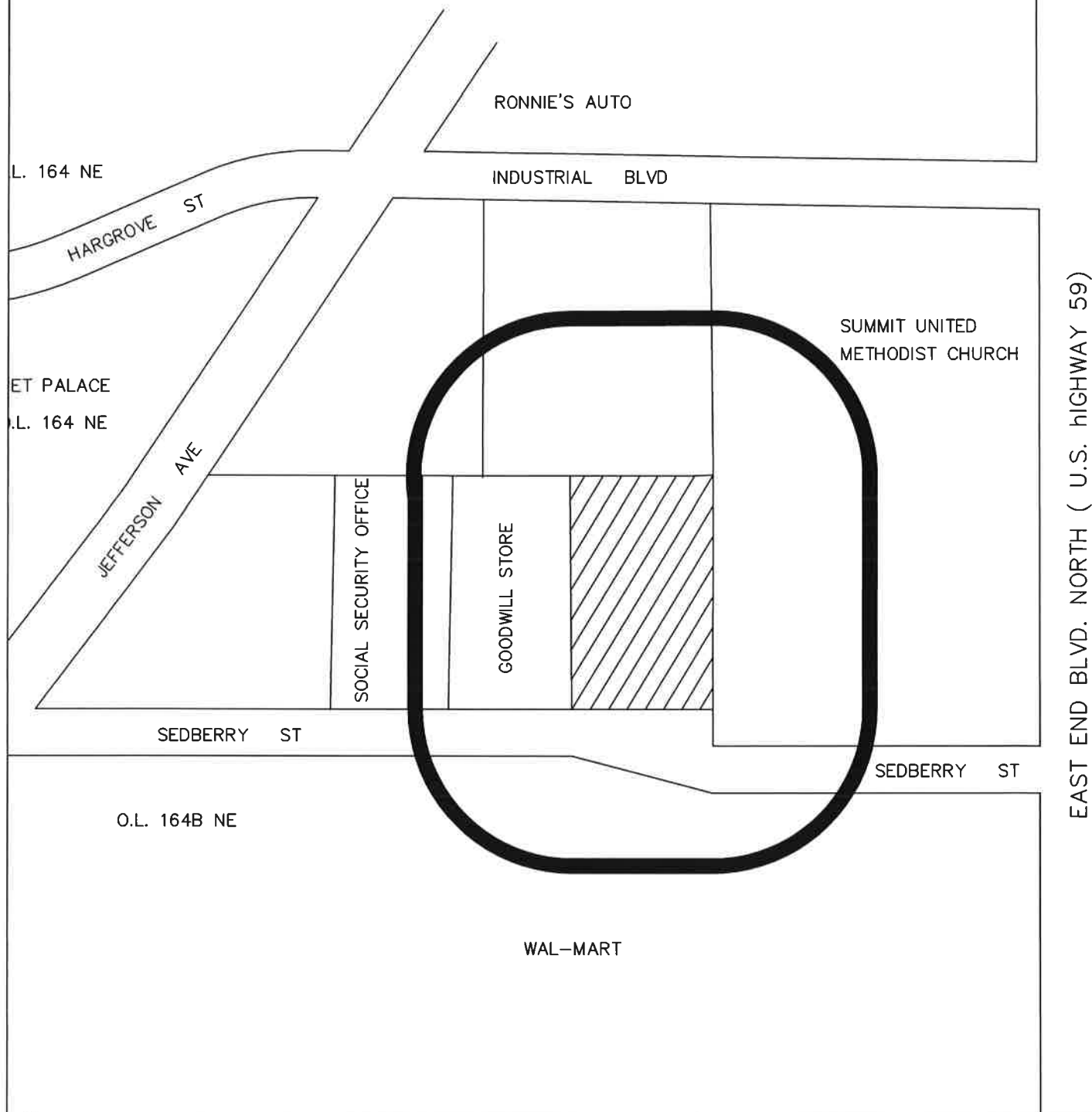
Commercial to the south



Commercial to the west



Church to the east



Case No. SUP-22-03

Scale: 1"=200'

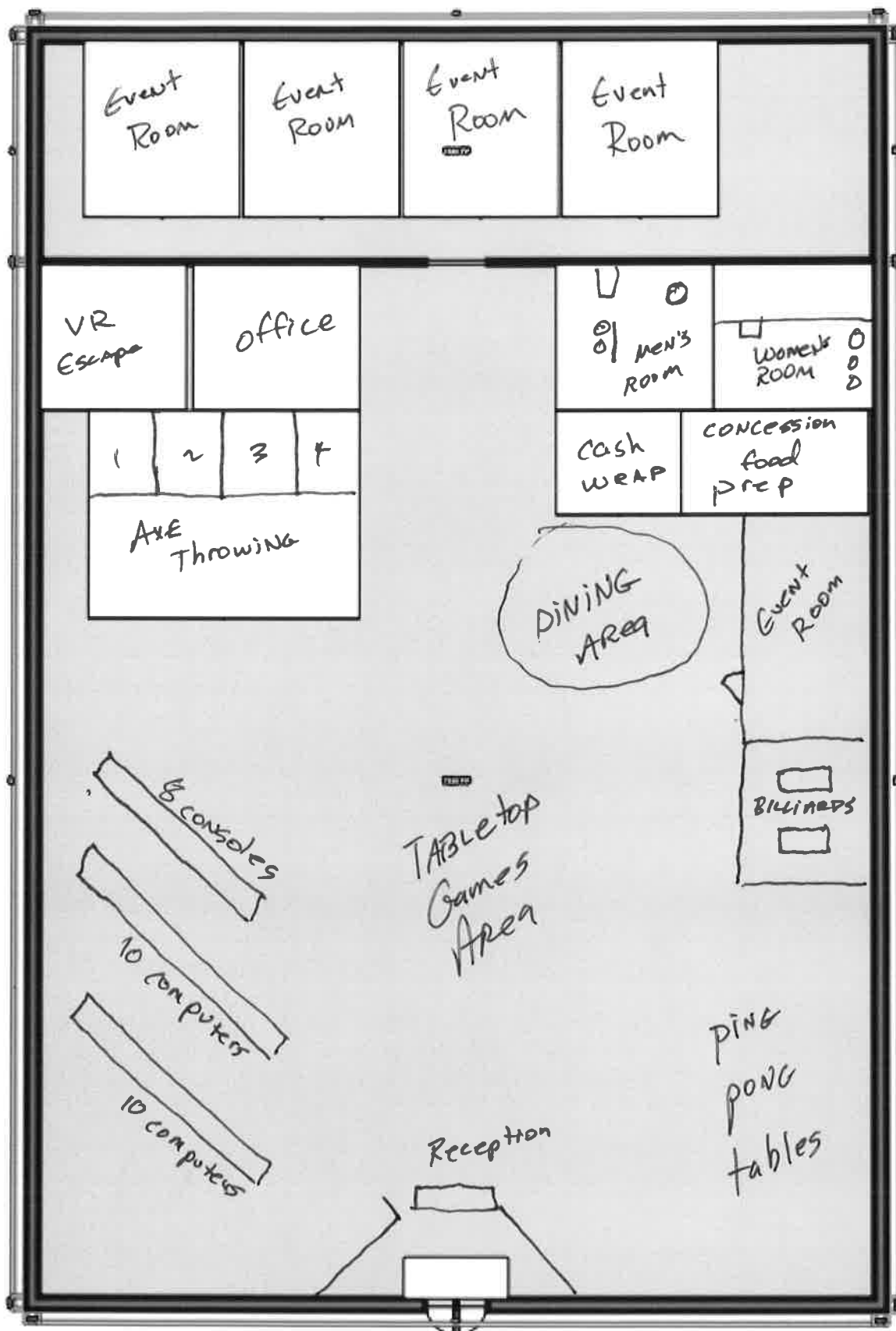
Date: 5-09-2022

PLANNING DEPARTMENT
CITY OF MARSHALL, TEXAS

Remarks: A request for a
Special Use Permit for an Arcade
on 1.240 acres of land being Lot 1
Block 1 North Park Unit 1



Applicant: Kenneth Bain
Location: 1609 Sedberry Street



ORDINANCE NO. _____

AN ORDINANCE FOR A SPECIAL USE PERMIT FOR AN ARCADE BEING A 1.240 ACRE TRACT OF LAND, LOT 1, BLK. 1, NORTH PARK UNIT 1, LOCATED AT 1609 SEDBERRY STREET.

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 22 of the Code of Ordinances established a procedure for a property owner, his agent, or the City to request special use permits; 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 special use permit; 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 approval of the requested special use permit; 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 9th day of June, 2022, at 6:00 p.m. for the purpose of considering the requested special use permit, 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 request and after hearing all parties and citizens desiring to be heard, deems that the following request 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. A special use permit is hereby granted for an arcade being a 1.240 acre tract of land, Lot 1, Blk. 1, North Park Unit 1, located at 1609 Sedberry Street.

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 9th day of June, 2022.

AYES: __

NOES: __

ABSTAINED: __

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

ATTEST:

CITY SECRETARY

ITEM 7A

PROCLAMATION

PRESENTATION OF A PROCLAMATION DECLARING JUNE 19, 2022 AS “JUNETEENTH” IN THE CITY OF MARSHALL

PROCLAMATION



WHEREAS, Juneteenth is celebrated on June 19 to commemorate the emancipation of enslaved people in the United States; and

WHEREAS, on June 19, 1865, in the aftermath of the Civil War, slaves were declared free under the terms of the 1862 Emancipation Proclamation; and

WHEREAS, on January 1, 1980 Juneteenth became an official state holiday in Texas. Today, Marshall families continue to commemorate that important day in American history with a variety of events including a commemorative program, crowning of Miss Juneteenth 2022, parade, fashion show, Black Business Expo and more; and

WHEREAS, Marshall residents Don and Alma Ravenell are now in their seventh year of leading a planning committee comprised of citizens from various entities and organizations; and

WHEREAS, the theme for the 2022 Marshall-Harrison County Juneteenth Celebration is “We Are One.” Community celebrations begin Friday, June 10 and continue through June 18, 2022; and

WHEREAS, the entire community of Marshall and Harrison County are invited to commemorate the significance of Juneteenth. And the City of Marshall is proud to have an active role in the planning of this celebration.

NOW, THEREFORE, The Marshall City Council does hereby proclaim June 19, 2022 as Juneteenth in Marshall and congratulate the organizers and contributors for all they are doing to commemorate the significance of this important time in history.

Amy Ware, Mayor
City of Marshall, Texas



ITEM 8A

RESOLUTION

**CONSIDER APPROVAL OF A
RESOLUTION AUTHORIZING THE
MARSHALL POLICE DEPARTMENT TO
APPLY FOR A GRANT TO PURCHASE
TECHNOLOGY TO COMBAT MOTOR
VEHICLE CRIMES, VIOLENT CRIMES
AND OTHER CRIMES**



CITY OF MARSHALL

COMMISSION AGENDA INFORMATION SHEET

MEETING DATE: 6/9/22

PROJECT: Motor Vehicle Crime Prevention Authority-MVCPA Auxiliary Grant (MAG)

DESCRIPTION: Authorization for MPD to apply for grant to purchase technology to combat motor vehicle theft, theft from motor vehicles and fraud related motor vehicle crime, violent crimes and other crimes.

COST: \$14,000

RECOMMENDED

ACTION: authorize MPD to apply for the MAG grant in budget year 2022

CITY CONTACT: Chief of Police

cc: File



Motor Vehicle Crime Prevention Authority

Fiscal Year 2022 Request for Applications – MVCPA Auxiliary Grant (“MAG”)

March 2, 2022

Notice of Request for Applications

The Motor Vehicle Crime Prevention Authority (MVCPA) authorized the issuance of the Fiscal Year 2022. **Request for Applications (RFA)** at its regularly scheduled meeting held on March 2, 2022. MVCPA is authorized in statute to provide grants to local law enforcement agencies to combat motor vehicle theft, burglary from a motor vehicle and/or fraud-related motor vehicle crime. The purpose of the MVCPA Auxiliary Grant or “MAG” grant is to provide law enforcement agencies with one-time funding for specific interdiction equipment used to combat motor vehicle theft, theft from motor vehicles, and fraud-related motor vehicle crime. This grant opportunity is only for Automatic License Plate Readers (ALPR). Eligible applicants may request funds to buy or lease one or more ALPR and report the results. Funding is subject to the availability of state funds and the application being consistent with the information in this RFA, including the requirements and conditions stated in this RFA. This RFA is posted as required by law for at least thirty (30) days prior to the due date for Applications.

Eligibility

Eligible applicants must meet both of the following conditions: 1) be a Texas municipal police department or a county Sheriff’s office; and 2) not currently receiving funds as a grantee or subgrantee through other MVCPA programs.

Grant Term

All applications submitted will be for FY2022. This is a one-time grant.

The FY22 grant cycle is a one (1) year funding cycle beginning on July 1, 2022, and ending no later than August 31, 2023. No expenses shall be made prior to or after the grant term specified in award documents.

Due Date

Applications must be received on or before **5:00 PM, Friday, May 27, 2022**. The required Resolution and any optional supporting documents must be scanned and submitted in the same location as the application. The Resolution may be submitted with the application up to 90 days after an award has been made.

Applicable Authority and Rules

Motor Vehicle Crime Prevention Authority grant programs are governed by the following statutes, rules, standards and guidelines:

- [Texas Transportation Code Chapter 1006](#)
- [Texas Administrative Code \(TAC\): Title 43; Part 3; Chapter 57](#)
- [Texas Grant Management Standards \(TxGMS\) as promulgated by the Texas Comptroller of Public Accounts](#)
- [The current Motor Vehicle Crime Prevention Authority Grant Administrative Manual and subsequently adopted grantee instruction manuals](#)
- This Request for Applications issued on April 18, 2022

Application Category

Applicants meeting the eligibility requirements may submit a request to fund specific items for:
Law Enforcement, Detection and Apprehension

Law Enforcement, Detection, and Apprehension - provide financial support to law enforcement agencies for the purchase of equipment to combat motor vehicle theft and fraud-related motor vehicle crime through the enforcement of the law. This may include equipment designed to increase recovery of vehicles, clearance of criminal cases, arrest of law violators, and disruption of organized motor vehicle crime.

Eligible Funding

Item	Reimbursement	Maximum Grant Amount
Purchase of one (1) mobile or stationary Automatic License Plate Reader (ALPR)	Reimbursement up to \$20,000 with a required 20% cash match.	\$20,000
Lease a multiple unit stationary Automatic License Plate Reader (ALPR) system. This system must be high-resolution stationary still image license plate reader system with multiple unit connectivity and access to a network that includes machine learning integration*	Reimbursement up to \$20,000 with a required 20% cash match for the first year of the lease.	\$20,000

*grant funded lease for the first year has a condition that the grantee will commit to funding not less than one year following the end of the first year subject to their legal authority and availability of local funds allocated to this purpose.

Cash Match Requirement

All applications for programs must provide at least a twenty (20%) percent cash match (Texas Administrative Code Title 43 §57.36).

Grant Type

Reimbursement – Applicants that are awarded grants will place the order for equipment/lease, including installation, configuration, warranty, and ongoing maintenance for software indicated in the Statement of Grant Award, receive the approved equipment/technology, implement the use of the equipment/technology and complete all payments to the vendor before submitting a request for reimbursement to MVCPA. MVCPA will reimburse 80% of the actual expenses for approved items up to the maximum grant amount.

Method of Application and Due Date

Application is a three-step process:

- 1) **Account Creation** – A qualifying law enforcement agency (municipal police department or county Sheriff's Office) shall send an email to grantsMVCPA@txdmv.gov along with their agency name, Agency ORI and an email address of the applicant's designee that will complete the application. Instructions and login information to create an agency account will be sent to the prospective applicant's designee. The applicant must complete the contact information to create the agency and designate the grant officials required: 1) Authorized official; 2) Program Director; and Financial Officer
- 2) **Grant Application Submission** – Grant application must be completed online and submitted electronically at <https://mvcpa.tamu.edu/> on or before **5:00 PM, Friday, May 27, 2022**. The application consists of:
 - a. providing the number of vehicles stolen in the jurisdiction and the value of the vehicles stolen as reported to the Texas Department of Public Safety for the calendar year 2021.
 - b. Select the eligible funding option - purchase or lease of ALPR
 - c. Submit the application
- 3) The Resolution executed by the respective governmental entity must be uploaded electronically at <https://mvcpa.tamu.edu/> on or before **90th day after the grant award has been announced**. The MVCPA will not reimburse expenses until a resolution has been executed by the governing body or delegated authority of the city or county.

Resolution Required

A Resolution (Order or Ordinance) by the applicant governing body is required to complete a grant. The resolution shall contain three elements: 1) provide that the governing body applies for the funds for the purpose provided in statute (*Texas Transportation Code, Chapter 1006*); 2) a commitment to return the grant funds in the event of loss or misuse; and 3) designate the officials that the governing body chooses as its agents to make uniform assurances and administer the grant awarded.

In the event a governing body has previously delegated the application authority to a city manager, chief of police, sheriff or another official then the applicant must submit a copy of the delegation order (supporting documentation) **along with** the Resolution signed by the designated official into the on-line system. For example, if the city or county has a standing ordinance or order authorizing the chief of police (COP) or sheriff to apply for grants from their department funds up to some amount, then the ordinance or order attached to the Resolution signed by the COP or Sheriff shall be uploaded in the system. A sample Resolution that meets the three elements required is attached as Appendix A.

Priority Funding

The following characteristics will be given priority consideration in evaluating MAG grant applications:

Jurisdictions that are in the top 20 for reported incidents of motor vehicle theft – Applicants that are listed in the top 20 for reported incidents of motor vehicle theft as published in the Texas Department of Public Safety Crime in Texas Report.

Theft Rate – Applicants whose jurisdictions have a high theft rate of motor vehicles may receive prioritization.

Border Jurisdictions – Applicants whose jurisdictions share an international border with Mexico may receive prioritization.

Reporting Requirements

Applicants that are awarded MAG grants will be required to provide:

Quarterly Progress Reports - The MVCPA requires the submission of quarterly progress reports to demonstrate progress toward implementing the program and to meet the goals and activities provided in the grant application. These include: 1) Monthly progress toward statutorily required performance measures; 2) Monthly progress recorded on the *Goals, Strategies and Activities report*; and 3) Quarterly Summary and Success section. Grantees designated as Border/Port Security grants are required to complete additional sections required by the Texas Legislature. Grantee must report for the period of the grant plus one year to demonstrate how equipment helped to combat motor vehicle crime.

Request for Reimbursement (RFR)– An online report of actual expenses is required to request funds. All expenditures must be in accordance with local policies and procedures and grant requirements. Grantees shall review all expenditures, ensure all applicable regulations are followed and maintain documentation that is true and complete. All expenses must be supported by appropriate documentation as determined by the MVCPA which is uploaded with the RFR in the online system.

Grant Closeout – At the end date of the grant period, the grantee shall submit a summary report of the outcomes and successes of the program based on the proposed activities contained in the Statement of Grant Award.

Funding Requirements and Conditions

- **Standard Assurances** – State law requires that all grantees agree to the standard assurances promulgated by the Texas Comptroller of Public Accounts in the Texas Grant Management Standards.
- **State Funds Availability** – All awards by the MVCPA are subject to the availability of state funds.
- **Right of Refusal** –The Authority reserves the right to reject any or all of the applications submitted.
- **Awards** – Publishing the RFA does not obligate the Authority to fund any programs.

- **Application Required** –Registration for online access is required. The MVCPA is not responsible for applicants that cannot complete the registration and application process on time.
- **No Alternative Application Submission** - Paper applications and requests for funding are not accepted in lieu of the online grant application process.
- **Final Selection** –The Authority may select and award programs that best meet the statutory purposes and that reflect its current priorities. No appeal may be made from the Authority’s decisions.
- **Limit on Funding** – The applicant’s jurisdiction economic value losses must exceed \$60,000 as reported as losses to the Texas Department of Public Safety for theft of a motor vehicle category to qualify for this grant.
- **Reporting** – Awarded grant recipients will report data by month every quarter during the term of the grant.
- **Maintenance** – The equipment must be maintained by the grantee through warranty purchases or at grantee expense for the duration of the grant and reporting period.
- **Ownership** – The equipment becomes the exclusive property of the grantee agency after the reporting period is completed.
- **Closeout** – MVCPA will issue a grant close-out and release of asset statement after determining the grant conditions have been met.
- **Effective Procurement** – Awarded grantee may buy additional units when successful procurements result in overall unit cost savings, but the maximum award amount shall not be exceeded.

Selection Process:

Eligible applications will be reviewed. Grant award decisions by MVCPA are final and not subject to judicial review. Grants will be awarded on or before July 1, 2022.

Applications that do not meet the stated requirements of this RFA and that are not eligible for review will be notified ten (10) working days after the due date.

Contact Person

Bryan E. Wilson, MVCPA Director,
Texas Motor Vehicle Crime Prevention Authority
4000 Jackson Avenue
Austin, Texas 78731
(512) 465-1485
GrantsMVCPA@txdmv.gov
Issued in Austin, Texas on April 18, 2022
Bryan E. Wilson, MVCPA Director

MVCPA Application Checklist

Each Applicant must:

- 1) Send an email with Agency Name, ORI, and designee email to grantsMVCPA@txdmv.gov to request an account and follow the creation of account instructions.
- 2) Complete and submit (including standard assurances) the online Application on or before **5:00 PM, Friday, May 27, 2022;**
- 3) Complete the Resolution with the city or county and submit it within 90 days of the award announcement.

Appendix A
Updated Sample Motor Vehicle Crime Prevention Authority Resolution

The language below is a **sample** for their city or county documents to meet the minimum legal elements to execute an agreement with the MVCPA. Cities and counties not wanting to use the sample below must still address all the legal elements required to execute a grant with the MVCPA contained herein.

2022 Blank City/ County Resolution or Order or Ordinance
Motor Vehicle Crime Prevention Authority

2022 BLANK Resolution

MVCPA Auxiliary Grant Program

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57¹, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement agencies for economic motor vehicle theft and fraud-related motor vehicle crime enforcement teams; and

WHEREAS, this grant program will assist this jurisdiction to combat motor vehicle theft, motor vehicle burglary and fraud-related motor vehicle crime²; and

WHEREAS, BLANK has agreed that in the event of loss or misuse of the grant funds, BLANK assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority³.

NOW THEREFORE, BE IT RESOLVED and ordered that TITLE, is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Crime Prevention Authority Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that TITLE, is designated as the Program Director and TITLE, is designated as the Financial Officer for this grant.⁴

Adopted this _____ day of _____, 2022.

NAME

TITLE: County Judge /Mayor/ City Manager/ Police Chief/ Sheriff

¹ Statutory citation required

² Statutory purpose stated required

³ Promise to return funds if lost or misused required

⁴ Designation and authorization of grant officials and duties

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$20,000 FOR THE MOTOR VEHICLE CRIME PREVENTION AUXILIARY GRANT PROGRAM FOR THE 2022 GRANT YEAR.**

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement agencies for economic motor vehicle theft enforcement teams; and

WHEREAS, this grant program will assist this jurisdiction to combat motor vehicle theft, motor vehicle burglary and fraud-related motor vehicle crime, violent crimes and other crimes; and

WHEREAS, City of Marshall has agreed that in the event of loss or misuse of the grant funds, City of Marshall assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUCIL OF THE CITY OF MARSHALL THAT:**1.**

The City Council of the City of Marshall hereby authorizes the submission of a grant application in the amount of \$20,000 for the Motor Vehicle Crime Prevention Auxiliary Grant Program for the 2022 grant year.

2.

Cliff Carruth, Chief of Police, is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Crime Prevention Authority Grant Program and all other necessary documents to accept said grant; and

3.

BE IT FURTHER RESOLVED that William Huffman, Lieutenant, is designated as the Program Director and Dawn Jones, Finance Manager, is designated as the Financial Officer for this grant.

The findings set forth in the preamble to this resolution are hereby in all things approved.

5.

The meeting at which this resolution was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

6.

All other prior resolutions or portions of resolutions of the City of Marshall in conflict with the terms and provisions of this resolution are hereby repealed to the extent of such conflict only.

7.

This resolution shall be effective on and after its passage.

PASSED, APPROVED, AND ADOPTED THIS THE _____ DAY OF _____, 2022.

Amy Ware, Chairman

ATTEST:

Nikki Smith, City Secretary

ITEM 9A

PRESENTATION ON MARSHALL POLICE DEPARTMENT'S PREPARATION AND TRAINING FOR ACTIVE SHOOTER THREAT



CITY OF MARSHALL

COMMISSION AGENDA INFORMATION SHEET

MEETING DATE: 6/9/22

PROJECT: MPD Report on Active Shooter/Active Attacker Response

DESCRIPTION: A report from the Police Department regarding preparations and training made by the Police Department, and coordinating partner agencies for responding to active shooter/active attacker incidents.

COST: N/A

**RECOMMENDED
ACTION:** N/A

CITY CONTACT: Chief of Police

cc: File

ITEM 10

CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

ITEM 11

ADJOURNMENT