

1. 6/23/22 Agenda (Pdf)

Documents:

[06-23-22 AGENDA.PDF](#)

2. City Council Regular Meeting Agenda Packet (PDF)

Documents:

[6-23-22 AGENDA PACKET.PDF](#)



AMENDED AGENDA

**CITY OF MARSHALL, TEXAS
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL, 401 SOUTH ALAMO
JUNE 23, 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, 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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**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 June 9, 2022 Regular meeting.

- B. Consider approval of a resolution authorizing the submittal of a Hazard Mitigation Grant for emergency back-up generators at the Wastewater Treatment Plant, all lift stations, Convention Center; and one mobile generator. (Public Works Director)
- C. Consider approval of a resolution authorizing the City of Marshall to submit an application to the Texas Water Development Board for grant funding for the Parker Creek Stormwater Project. (Public Works Director)
- D. Consider approval of a resolution designating the City Manager and/or Finance Director as the Authorized Official(s) for required signatures for grants. (Finance Director)
- E. Consider approval to award a contract to provide water and sewer pipe supplies to the City of Marshall. (Public Works Director)
- F. Consider approval of a resolution of the Marshall City Council setting rates and fees for ambulance service provided by City. (Fire Chief)

6. **ORDINANCE**

- A. Consider approval of an ordinance amending Chapter 14, Garbage, Trash, and Weeds of the Code of Ordinances, revising the schedule of refuse rates, providing for monthly charges, and establishing an effective date of January 1, 2023. (Public Works Director)
- B. Consider approval of an ordinance amending the 2021 Annual Budget. (Finance Director)
- C. Consider approval of an amendment to the Vacant Property Registration Ordinance. (Community Development Director)

7. **RESOLUTION**

- A. Discuss and take possible action to approve a Resolution authorizing the submittal of one or more DR-4485 HMGP applications to the Texas Division of Emergency Management, authorizing the Mayor and City Manager to act as the City authorized representative in all matters pertaining to the application, and committing matching funds. (Public Works Director)

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

- A. Consider approval to award a contract for the 2022 Street Improvement Program. (Public Works Director)
- B. Consider approval for formal acceptance of the completed 100 block E. Houston St. Redevelopment Project, including release of final payment and retainage to the contractor. (Public Works Director)
- C. Consider approval of the Community Development Block Grant Program Year 2022. (Community Development Director)

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

10. **ADJOURNMENT**

Posted: June 17, 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 make arrangements for these services, please call the City Secretary's Office at 903-935-4446.



AMENDED AGENDA

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C. Consider approval of a resolution authorizing the City of Marshall to submit an application to the Texas Water Development Board for grant funding for the Parker Creek Stormwater Project. (Public Works Director)

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D. Consider approval of a resolution designating the City Manager and/or Finance Director as the Authorized Official(s) for required signatures for grants. (Finance Director)

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Posted: June 14, 2022
5:00 p.m.
N. Smith

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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 JUNE 9, 2022
REGULAR MEETING**

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MARSHALL
JUNE 9, 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	Leo Morris, District 2
Jennifer Truelove, District 3	Reba Godfrey, District 5
Amanda Abraham, District 6	Micah Fenton, District 7

ADMINISTRATIVE STAFF PRESENT:

Terrell Smith, City Manager	Reggie Cooper, Fire Chief
Scott Rectenwald, Acting City Attorney	Cliff Carruth, Police Chief
Nikki Smith, City Secretary/Payroll Accountant	
Garnett Johnson, Community Development Director	

INVOCATION & PLEDGE: Mayor Ware

146. **CITIZEN COMMENTS**

Kenneth Bain, 1002 Shadowwood, spoke addressed safety concerns regarding the Special Use Permit for 1609 Sedberry Street.

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

There were no items withdrawn from the Consent Agenda.

148. **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 26, 2022 Regular meeting.

PUBLIC HEARING AND ORDINANCE

149. **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.**

Garnett Johnson, Community Development Director, asked for the approval of an ordinance regarding a rezoning request for 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. Garnett Johnson stated six notices were sent with no responses. The Planning and Zoning Commission approved the change by a vote of 4:0.

Mayor Ware opened the public hearing.

No one spoke.

Mayor Ware closed the public hearing.

Councilmember Godfrey made a motion to approve an ordinance regarding a rezoning request for 1.409 acres of land from A&E (Agriculture and Estate) to R-6 (Duplex, Triplex, Quadraplex) located at 200 Oakley Drive. Councilmember Bonner seconded the motion, which passed with a vote of 7:0.

150. 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.

Garnett Johnson asked for the approval of an ordinance regarding a Special Use Permit request for an arcade being a 1.240 acre tract of land located at 1609 Sedberry Street. Garnett Johnson stated two responses were sent with no responses. The Planning and Zoning Commission approved the change by a vote of 4:0.

Mayor Ware opened the public hearing.

No one spoke.

Mayor Ware closed the public hearing.

Councilmember Godfrey made a motion to approve an ordinance regarding a Special Use Permit request for an arcade being a 1.240 acre tract of land located at 1609 Sedberry Street. Councilmember Fenton seconded the motion, which passed with a vote of 7:0.

PROCLAMATION

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

Mayor Ware read a proclamation declaring June 19, 2022 as “Juneteenth” in the City of Marshall.

RESOLUTION

152. 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.

Cliff Carruth, Police Chief, asked for approval of a resolution to authorize 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.

Councilmembers asked questions and discussed.

Councilmember Godfrey made a motion to approve a resolution to authorize 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. Councilmember Fenton seconded the motion, which passed with a vote of 7:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

153. PRESENTATION ON MARSHALL POLICE DEPARTMENT’S PREPARATION AND TRAINING FOR ACTIVE SHOOTER THREAT.

Cliff Carruth presented information on Marshall Police Department’s preparation and training for active shooter threat. Cliff Carruth stated joint training is ongoing and continual with Marshall Independent School District, the local colleges, private schools and other law enforcement agencies.

Councilmembers asked questions and discussed.

154. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

155. ADJOURNMENT

Councilmember Godfrey made a motion for adjournment. Councilmember Truelove 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-22-12
O-22-13
Resolution: R-22-18**

ITEM 5B

CONSENT AGENDA

**CONSIDER APPROVAL OF A
RESOLUTION AUTHORIZING THE
SUBMITTAL OF A HAZARD
MITIGATION GRANT FOR
EMERGENCY BACK-UP GENERATORS
AT THE WASTEWATER TREATMENT
PLANT, ALL LIFT STATIONS,
CONVENTION CENTER; AND ONE
MOBILE GENERATOR**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARSHALL, TEXAS, AUTHORIZING THE SUBMISSION OF A HAZARD MITIGATION GRANT PROGRAM (HMGP) APPLICATION THROUGH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO ACT AS THE CITY’S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY’S PARTICIPATION IN THE DR-4485 HAZARD MITIGATION GRANT PROGRAM.

WHEREAS, the City Council of the City of Marshall, Texas desires to reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters; and

WHEREAS, the City desires to develop a viable community, including decent housing and a suitable living environment; and

WHEREAS, it is necessary and in the best interests of the City to apply for funding under the DR-4485 Hazard Mitigation Grant Program;

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

1. That one or more Hazard Mitigation Grant Program applications is hereby authorized to be filed on behalf of the City with the Texas Division of Emergency Management for eligible projects.
2. That the City’s application(s) be placed in competition for funding under the COVID-19 Pandemic DR-4485 program.
3. That the application(s) be for up to \$xxx,xxx of grant funds to construct improvements, project engineering, acquisition, and grant administration.
4. That the City Council directs and designates the Mayor and Finance Director as the City’s Chief Executive Officers and Authorized Representatives to act in all matters in connection with this application and the City’s participation in the Hazard Mitigation Grant Program.
5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
6. That it further be stated that the City is committing up to \$xxx,xxx from its General Operating Fund as a cash contribution and/or in-kind services toward the administration and construction activities of the selected project.

Passed and approved this 23rd day of June 2022.

Amy Ware
Mayor

ATTEST:

Nikki Smith
City Secretary

ITEM 5C

CONSENT AGENDA

**CONSIDER APPROVAL OF A
RESOLUTION AUTHORIZING THE
CITY OF MARSHALL TO SUBMIT AN
APPLICATION TO THE TEXAS WATER
DEVELOPMENT BOARD FOR GRANT
FUNDING FOR THE PARKER CREEK
STORMWATER PROJECT**

Application Filing and Authorized Representative Resolution

A RESOLUTION by the _____ of the _____ requesting financial assistance from the Texas Water Development Board; authorizing the filing of an application for assistance; and making certain findings in connection therewith.

BE IT RESOLVED BY THE _____ OF THE _____:

SECTION 1: That an application is hereby approved and authorized to be filed with the Texas Water Development Board seeking financial assistance in an amount not to exceed \$_____ to provide for the costs of _____.

SECTION 2: That _____ be and is hereby designated the authorized representative of the _____ for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the Texas Water Development Board.

SECTION 3: That the following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of such application and appear on behalf of and represent the _____ before any hearing held by the Texas Water Development Board on such application, to wit:

Financial Advisor: _____

Engineer: _____

Bond Counsel: _____

PASSED AND APPROVED, this the _____ day of _____, 20____.

ATTEST: _____

By: _____

(Seal)

ITEM 5D

CONSENT AGENDA

**CONSIDER APPROVAL OF A
RESOLUTION DESIGNATING THE
CITY MANAGER AND/OR FINANCE
DIRECTOR AS THE AUTHORIZED
OFFICIAL(S) FOR REQUIRED
SIGNATURES FOR GRANTS**

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MARSHALL

RESOLUTION NO. _____

A Resolution of the governing body of the City of Marshall passed and approved at a meeting of the City Council held on Thursday, June 23, 2022. The meeting was duly posted and advertised and at which a quorum of the council was present. The purpose of this resolution being the redesignation of authorized officials for various grants.

WHEREAS, the city council of the City of Marshall designates the City Manager and/or the City Finance Director as the authorized officials on grant funding to include the following grants:

- 4511201 – Crime Scene & Criminal Investigation Equipment
- 4511401 – 2023 Rifle Resistant Vest Program
- 4147401 – Coronavirus Emergency Supplemental Funding
- 4233201 – Community Policing
- B-21-MC-48-0034 – CDBG
- FAW-166151 Edward Byrne
- FAW-28764 Bureau of Justice Assistance

WHEREAS, the authorized officials are given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City of Marshall.

THEREFORE LET IT BE RESOLVED that the City Council of Marshall, Harrison County, Texas does hereby authorize the designation of the City Manager and/or the City Finance Director as Authorized Officials for grant funding..

Passed and approved this 23rd day of June 2022.

Amy Ware, Mayor

ATTEST:

Nikki Smith, City Secretary

ITEM 5E

CONSENT AGENDA

**CONSIDER APPROVAL TO AWARD A
CONTRACT TO PROVIDE WATER AND
SEWER PIPE SUPPLIES TO THE CITY OF
MARSHALL**

2022 Water and Sewer Pipe Supply Bid

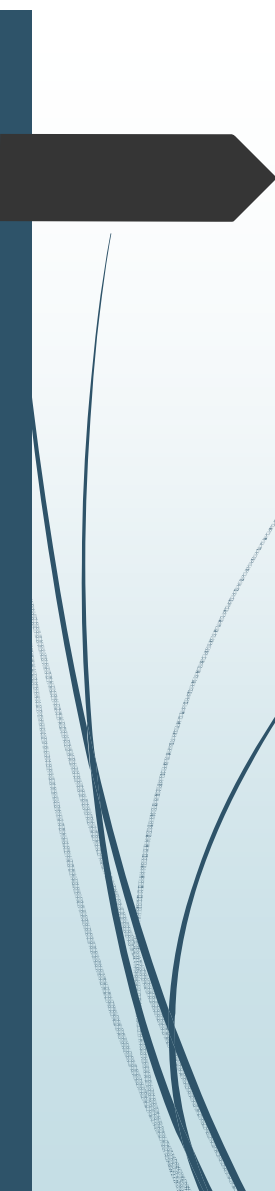


C900 Water Pipe



SDR26 Sewer Pipe

Review and Contract Award



Reasons for Bidding:

1. Provides for transparency in purchasing by having a public bid.
2. Follows established State of Texas and City of Marshall procurement rules.
3. Allows City to acquire a fixed price for the commodities over a contract period.

Uniqueness of Contract (COVID):

1. Normal contracts for this type of service or supply run for 12-months with a fixed price.
2. Due to unique circumstances regarding supply chain and raw material issues the can only hold their prices for 30-days.

Bid Results

BID TABULATION

City Project: 2022 Water/Sewer Pipe Supplies
City Project Number: 2022-WSU-001
Bid Opening Time/Date: June 2, 2022 @ 2:00pm
Prepared By: Eric G. Powell, PE, Director/City Engineer

Underground Utility Supply 3815 S. Eastman Rd Longview, TX 75602											
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENDED COST	UNIT PRICE	EXTENDED COST	UNIT PRICE	EXTENDED COST	UNIT PRICE	EXTENDED COST
A1	4" PVC Pipe C-900 DR 18	LF	1,000	\$ 7.24	\$ 7,240.00						
A2	6" PVC Pipe C-900 DR 18	LF	5,000	\$ 14.80	\$ 74,000.00						
A3	8" PVC Pipe C-900 DR 18	LF	3,000	\$ 25.35	\$ 76,050.00						
A4	10" PVC Pipe C-900 DR 18	LF	1,000	\$ 38.00	\$ 38,000.00						
A5	12" PVC Pipe C-900 DR 18	LF	1,000	\$ 51.75	\$ 51,750.00						
A6	16" PVC Pipe C-900 DR 18	LF	500	\$ 101.10	\$ 50,550.00						
A7	20" PVC Pipe C-900 DR 18	LF	300	\$ 136.80	\$ 78,400.00						
A8	4" ductile iron	LF	500	\$ 30.33	\$ 15,265.00						
A9	6" ductile iron	LF	500	\$ 23.26	\$ 11,630.00						
A10	8" ductile iron	LF	500	\$ 52.38	\$ 26,190.00						
A11	10" ductile iron	LF	500	\$ 35.77	\$ 17,885.00						
A12	12" ductile iron	LF	500	\$ 45.97	\$ 22,985.00						

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENDED COST	UNIT PRICE	EXTENDED COST	UNIT PRICE	EXTENDED COST	UNIT PRICE	EXTENDED COST
B1	4" PVC Pipe SDR26 w/ Bell & Gasket	LF	1,000	\$ 3.92	\$ 3,920.00						
B2	6" PVC Pipe SDR26 w/ Bell & Gasket	LF	5,000	\$ 8.50	\$ 42,500.00						
B3	8" PVC Pipe SDR26 w/ Bell & Gasket	LF	3,000	\$ 15.62	\$ 46,860.00						
B4	10" PVC Pipe SDR26 w/ Bell & Gasket	LF	1,000	\$ 23.92	\$ 23,920.00						
B5	12" PVC Pipe SDR26 w/ Bell & Gasket	LF	1,000	\$ 34.42	\$ 34,420.00						

As Read


Eric G. Powell, PE
Director of Public Works and Utilities/City Engineer

6/2/2022

Date

ITEM 5F

CONSENT AGENDA

**CONSIDER APPROVAL OF A
RESOLUTION OF THE MARSHALL CITY
COUNCIL SETTING RATES AND FEES
FOR AMBULANCE SERVICE PROVIDED
BY CITY**



City of Marshall

Fire Department

P.O. Box 698

Marshall, Texas 75671

903-935-4580 / FAX 903-935-3568

REGINALD K. COOPER, EFO FIRE CHIEF

June 23, 2022

Marshall City Manager
Marshall City Council
City of Marshall
401 S. Alamo St.
Marshall, Texas 75670

Dear City Manager and Council Members:

The Marshall Fire Department respectfully requests the adoption of a Resolution offering increases and adjustments to our current Ambulance Rates. The City of Marshall and Marshall Fire Department EMS division has a continued agreement and contract with Emergicon as its ambulance billing and collection agency.

As part of Emergicon's continual assessment of our billing and collections status, it has been recommended that a rate increase be implemented to bring us in line with other ambulance providers. This rate increase request is based on an analysis including our current base rate in relation to Private Pay, Insured, Medicare and Medicaid patient billing and collections status. Additional changes include a new flat rate fee of \$400 billed to the hospital for patients being transferred as a result of a helicopter transfer requested by the hospital.

Understanding that increases and protocol changes are not always popular, the recommendations made by Emergicon and our EMS Supervisor are felt necessary in order to adequately compensate the City for its costs in providing ambulance services. Our last rate increase was in 2017, following an initial contract agreement with Emergicon. It is our recommendation that you would support this resolution to increase and make the suggested changes to our ambulance rates as advised by our EMS Supervisor and billing and collections agency.

Attached, inside your packets are comparisons of our current and recommended status, charges and adjustments along with projected outcomes.

Thank you and please feel free to contact me for any questions or concerns.

Chief Cooper, EFO

Marshall Fire Department

Agency Analysis

The Client Success team wants to update you on your agency's collections activity. As can be seen in the comparison on the next page, your agency's gross charges and cash collections have increased along with an increase in volume. Your agency's cash per transport (CPT) has also increased slightly. There has been a change in your payer mix. The Medicare population has decreased, and the Medicaid population has increased. Level of service and payer mix shifts can affect your cash per transport.

We will continue to monitor these factors and update your agency periodically.



Marshall Fire Department

Ambulance Rate and Fee Changes

Billing Overview

- ▶ Ambulance billing is performed by Emergicon
- ▶ Last rate structure implemented in 2017
- ▶ Periodic reviews and recommended updates provided by Emergicon based on industry standards

Proposed Changes

	Current	Proposed
Specialty Care Transport (SCT)	\$1,400	\$1,800
ALS-2	\$1,400	\$1,600
ALS-Emergent	\$1,000	\$1,400
ALS-Non emergent	\$1,000	\$1,400
BLS-Emergent	\$850	\$1,200
BLS-Non emergent	\$850	\$1,200
ALS Disposables	\$400	\$400
BLS Disposables	\$250	\$300
O2 (Oxygen)	\$125	\$125
Mileage	\$15/mile	\$24/mile
Treat-no-transport (TNT)	\$100 City / \$150 County	\$150 City / \$200 County

Additional Changes

- ▶ Prompt pay collection
 - Increase from 25% discount to 25-50% discount. Emergicon will start at a 25% reduction in the bill, and negotiate up to 50% to incentivize prompt payment
- ▶ Write-off negotiation
 - Allow Emergicon to write off oxygen and disposable charges as options for negotiation of payment
- ▶ These changes will primarily affect self-pay payers.
 - 18% of payer mix

New Hospital Fee

- ▶ \$400 flat rate for patients being transferred from the hospital to another facility via helicopter
- ▶ Hospital billed directly
 - Currently, Emergicon bills the patient

Rationale for Hospital Fee

- ▶ Patient is transferring from hospital care to flight crew to receiving facility
 - Patient care remains with the flight crew; not “our” patient

- ▶ Patient is currently billed in triplicate
 - Hospital
 - Us
 - Flight service

- ▶ Our involvement is essentially a service provided directly to the hospital

Questions?

- ▶ Reggie Cooper, EFO
 - Fire Chief rcooper@marshalltexas.net; 903-935-4582

- ▶ Travis Gibson
 - EMS Chief gibson.travis@marshalltexas.net; 903-935-4585

Agency Recommendations

Fee schedule: Your agency's fee schedule has not been revisited since 2017.

Recommendation: The proposed fee schedule below would bring Marshall in line with current industry standards. We would also recommend increasing your county TNT rate to \$200.00

Current Fee Schedule		Proposed Fee Schedule	
ALS-E - A0427	\$1,000.00	ALS-E - A0427	\$1,400.00
ALS-Non - A0426	\$1,000.00	ALS-Non - A0426	\$1,400.00
ALS 2 - A0433	\$1,400.00	ALS 2 - A0433	\$1,600.00
BLS-E - A0429	\$850.00	BLS-E - A0429	\$1,200.00
BLS-Non - A0428	\$850.00	BLS-Non - A0428	\$1,200.00
SCT - A0434	\$1,400.00	SCT - A0434	\$1,800.00
ALS Disp - A0398	\$400.00	ALS Disp - A0398	\$400.00
BLS Disp - A0382	\$250.00	BLS Disp - A0382	\$300.00
O2 - A0422	\$125.00	O2 - A0422	\$125.00
Mileage - A0425	\$15.00	Mileage - A0425	\$24.00
TNT - A0998	\$100.00	TNT - A0998	\$150.00

Flight Service*

Current

Emergicon bills the flight service at our BLS rate (one run – helipad to hospital), and bills the patient at a rate according to the treatments the patient is receiving (a separate run – hospital back to helipad). We don't actually take over patient care on these, patient care remains with the flight service.

Proposed

Create only 1 run, using disposition of "assist agency", and bill only the hospital a flat fee of \$400.

According to Emergicon, we received an average collection of \$295/run for 2020 and 2021. Assuming hospital payments and similar volume of flight service calls, we will generate about \$3000/yr more in revenue.

* This change proposed by BC Gibson, not Emergicon.

Prompt Pay Collections: With deductibles increasing across the board for many insurance payers, one effective way to counteract this is to increase the 25% prompt pay discount you all currently provide.

Recommendation: We recommend implementing a prompt pay discount range of 25-50%, which allows our team to start on the low end and work up if needed. This is recommended to all agencies because it is an effective method to encourage patients to pay, thereby increasing cash receipts.

Disposables and oxygen charges: You currently do not allow us to write-off oxygen and disposable charges as a means of negotiation. This is a widely accepted practice because of the increased revenue potential.

Recommendation: . Allow our team to write-off oxygen and disposables charges, when needed during negotiation of payment.

Year-Over-Year Comparison

City of Marshall 03/01/20 to 02/28/21 03/01/21 to 02/28/22

	12 Months	12 Months	Variance
Gross Charges	\$3,941,436.39	\$4,844,612.91	\$903,176.52
Cash Collections	\$1,212,031.60	\$1,540,134.74	\$328,103.14

Gross charges and cash collections have increased

Gross Charge/Txp	\$1,102.19	\$1,208.13	\$105.94
Cash/Txp (CPT)	\$338.94	\$384.07	\$45.13

Cash per Transport (CPT) has increased

Total Volume	3576	4010	434
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Volume has increased

Payer Mix

Medicare	59.59%	50.87%	-8.72%
Medicaid	13.59%	17.51%	3.92%
Insurance	9.84%	10.25%	0.41%
Private Pay	16.28%	18.73%	2.45%

Medicare has decreased

Medicare has increased

Level of Service

SCT	0.00%	0.02%	0.02%
ALS2	1.54%	1.62%	0.08%
ALS-Emergent	52.82%	59.05%	6.23%
ALS-Non	0.03%	0.02%	0.00%
BLS-Emergent	45.44%	37.11%	-8.33%
BLS-Non	0.03%	0.07%	0.05%

ALS Emergent runs are up

BLS Emergent runs are down

12 Month Look-Back

City of Marshall

	21-Mar	21-Apr	21-May	21-Jun	21-Jul	21-Aug	21-Sep	21-Oct	21-Nov	21-Dec	22-Jan	22-Feb	Total/Avg.
Gross Charges	\$419,160.0	\$355,805.0	\$401,019.9	\$426,177.3	\$411,173.7	\$492,363.4	\$448,845.0	\$399,997.0	\$300,401.2	\$364,818.6	\$463,156.9	\$361,695.0	\$4,844,612.9
Cash Collections	\$75,103.3	\$181,927.8	\$109,940.4	\$112,802.3	\$141,454.4	\$126,122.2	\$120,726.2	\$118,777.9	\$139,493.5	\$129,022.2	\$125,406.0	\$159,358.5	\$1,540,134.7
Gross Charge/Txp	\$1,164.3	\$1,423.2	\$1,179.5	\$1,193.8	\$1,195.3	\$1,192.2	\$1,181.2	\$1,269.8	\$1,182.7	\$1,154.5	\$1,235.1	\$1,182.0	\$1,208.1
Cash/Txp (CPT)	\$208.6	\$727.7	\$323.4	\$316.0	\$411.2	\$305.4	\$317.7	\$377.1	\$549.2	\$408.3	\$334.4	\$520.8	\$384.1

Payer Mix

	21-Mar	21-Apr	21-May	21-Jun	21-Jul	21-Aug	21-Sep	21-Oct	21-Nov	21-Dec	22-Jan	22-Feb	Avg.
Medicare	57.5%	52.0%	47.9%	51.8%	56.7%	46.5%	41.8%	51.4%	52.4%	48.7%	53.1%	52.6%	50.9%
Medicaid	15.8%	20.0%	20.3%	17.7%	16.3%	12.4%	17.4%	17.1%	20.1%	20.9%	17.6%	17.3%	17.5%
Insurance	8.3%	7.6%	9.7%	9.0%	8.1%	9.9%	11.8%	13.0%	10.6%	11.7%	11.7%	11.1%	10.3%
Private Pay	16.1%	19.2%	19.7%	19.3%	15.4%	27.4%	23.2%	14.9%	15.8%	16.8%	16.0%	18.0%	18.7%

Level of Service

Level of Service

	21-Mar	21-Apr	21-May	21-Jun	21-Jul	21-Aug	21-Sep	21-Oct	21-Nov	21-Dec	22-Jan	22-Feb	Avg.
SCT	0.0%	0.0%	0.0%	0.0%	0.0%	0.2%	0.0%	0.3%	-0.4%	0.0%	0.0%	0.0%	0.0%
ALS2	0.6%	2.8%	1.8%	1.7%	0.6%	1.5%	1.3%	2.6%	2.4%	1.0%	1.3%	2.9%	1.6%
ALS-Emergent	61.4%	76.0%	61.5%	61.1%	68.9%	57.4%	53.2%	67.0%	59.9%	53.4%	46.5%	52.0%	59.3%
ALS-Non	0.0%	0.4%	0.0%	-0.3%	0.0%	0.2%	-0.3%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%
BLS-Emergent	38.1%	20.8%	34.7%	33.1%	26.5%	38.3%	40.0%	29.7%	38.1%	45.7%	52.1%	45.1%	37.3%
BLS-Non	0.0%	0.0%	0.3%	0.0%	0.3%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%

Level of Service Volume

	21-Mar	21-Apr	21-May	21-Jun	21-Jul	21-Aug	21-Sep	21-Oct	21-Nov	21-Dec	22-Jan	22-Feb	Total
SCT	-	-	-	-	-	1	-	1	(1)	-	-	-	1
ALS2	2	7	6	6	2	6	5	8	6	3	5	9	65
ALS-Emergent	221	190	209	218	237	237	202	203	151	167	174	159	2,368
ALS-Non	-	1	-	(1)	-	1	(1)	1	-	-	-	-	1
BLS-Emergent	137	52	118	118	91	158	152	90	96	143	195	138	1,488
BLS-Non	-	-	1	-	1	1	-	-	-	-	-	-	3
Facility	-	-	6	16	13	9	22	-	-	-	-	-	66
Total	360	250	340	357	344	413	380	303	252	313	374	306	3,992
Transport Mileage	1,922	1,163	1,874	1,715	1,776	2,256	2,138	1,933	1,306	1,584	1,754	1,398	20,819

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS, SETTING THE RATES AND FEES FOR AMBULANCE SERVICE PROVIDED BY CITY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS CONDUCTD IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Commission has determined that setting rates and fees to be charged for ambulance service by resolution will save money and staff time by eliminating the need for continual updates to the Code of Ordinances to reflect changes in such fees and charges;

WHEREAS, the City Commission has amended Section 2B-19 of the Code of Ordinances of the City of Marshall, Texas, to allow the Ambulance Service fees and charges to be set by resolution of the Commission; and,

WHEREAS, the City Commission desires to adopt fees and charges that accurately compensate the City for its costs in providing ambulance services, including ambulance runs that do not result in a patient transport; **NOW, THERFORE**,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS:

Section 1. That the findings set out in the preamble to this resolution are hereby in all things approved.

Section 2. Fees to be charged for ambulance service. In accordance with Section 2B-19 of the Code of Ordinances of the City of Marshall, Texas, the following rates shall be the schedule of rates for ambulance services of the city:

Marshall Ambulance Services Rate schedule.

- (a) Base rate non-emergency BLS \$1200.00
(City, County, out of county or contract)
plus mileage charge, one-way per mile \$24.00
- (b) Base rate emergency BLS \$ 1200.00

plus mileage charge, one-way per mile \$ 24.00
- (c) Base rate non-emergency ALS \$ 1400.00

plus mileage charge, one-way per mile \$ 24.00
- (d) Base rate emergency ALS \$ 1400.00

plus mileage charge, one-way per mile \$ 24.00
- (e) Base rate emergency ALS II \$ 1600.00

plus mileage charge, one-way per mile \$ 24.00

(f) Helicopter transfer charge \$400.00

Marshall Ambulance Services Rate schedule for ambulance completed runs where patient is not transported.

(a) Rate for within the City..... \$150.00

(b) Rate for outside of City limits \$200.00

Section 3. That the meeting at which this resolution was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

Section 4. That 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.

Section 5. That the repeal of any resolution or portion of a resolution by this resolution shall not affect the validity of any pending enforcement action or fees outstanding and due and payable for services rendered on or before the effective date of this resolution.

Section 6. That this resolution shall be effective on the 1st day of July, 2022.

PASSED AND APPROVED this _____ day of _____, 2022.

CHAIRMAN OF THE CITY COMMISSION OF
THE CITY OF MARSHALL, TEXAS

ATTEST:

Nikki Smith, City Secretary

ITEM 6A

ORDINANCE

**CONSIDER APPROVAL OF AN
ORDINANCE AMENDING CHAPTER 14,
GARBAGE, TRASH, AND WEEDS OF THE
CODE OF ORDINANCES, REVISING THE
SCHEDULE OF REFUSE RATES,
PROVIDING FOR MONTHLY CHARGES,
AND ESTABLISHING AN EFFECTIVE
DATE OF JANUARY 1, 2023**



TO: Members of the City Council

FROM: Eric Powell, PE *EP*
Director of Public Works & Utilities/City Engineer

DATE: June 13, 2022

SUBJECT: Approval of an Ordinance amending Chapter 14, Garbage, Trash, and Weeds of the Code of Ordinances, revising the schedule of refuse rates, providing for monthly charges, and establishing an effective date of January 1, 2023

In a letter dated May 20, 2022, Republic Services notified the City of Marshall of a pending rate increase of 3%, to begin on January 1, 2023. The attached rate Ordinance provides for this increase, as a result of an allowed Consumer Price Index (CPI) annual adjustment provided for in Section 14 of the Solid Waste Contract with Republic Services:

14.00 RATE ADJUSTMENTS

Annual CPI

Any other provision of this Contract notwithstanding, beginning on January 1, 2019 and continuing on January 1 of each succeeding year during the term of this Contract, the rate schedule and fees charged by Contractor for refuse service in the City (collectively, the "Rates") shall be adjusted according to the change in the United States Department of Labor's published Consumer Price Index – All Urban Consumers (Dallas-Fort Worth, TX), but such adjustment shall not exceed 3% annually. The Rates will be adjusted using the most recent March index value compared to the preceding year's March index value. Contractor shall provide City with notice of changes by the June 1st preceding the effective date of the increase.

This 3% rate of increase will apply to all residential and commercial waste services.



May 20, 2022

City of Marshall
PO Box 698
Marshall, Texas 75671

Dear: Eric Powell

In accordance with provisions in our contract for Solid Waste Collection & Disposal with the City of Marshall notice is required in June with respect to 14.00 of the executed contract agreement the rate adjustment for January 2023 will be 3%. That is based on the March Consumer Price Index All Urban Consumers Dallas Ft. Worth which is 9%.

14.00 RATE ADJUSTMENTS

Annual CPI

Any other provision of this Contract notwithstanding, beginning on January 1st, 2019 and continuing on January 1st of each succeeding year during the term of this Contract, the rate schedule and fees charged by Contractor for refuse service in the City (collectively, the "Rates") shall be adjusted plus or minus (+ or -), according to the change in the United States Department of Labor's published Consumer Price Index – All Urban Consumers (Dallas – Fort Worth, TX). Such adjustment shall not exceed 3%, plus or minus (+ or -), annually. The Rates will be adjusted using the most recent March index value compared to the preceding year's March index value. Contractor shall provide City with notice of changes by the June 1st preceding the effective date of the increase.

This annual adjustment is necessary to maintain the quality and assurance in service the citizens of Marshall expect and to keep pace with maintenance, fuel, insurance and labor expenses to provide the best possible solid waste collection.

The effective date of the 3% adjustment will be effective January 1, 2023. A copy of the U.S. Bureau of Labor Statistics March CPI publication is attached for your review. Feel free to contact me with any questions. Republic Services appreciates the City of Marshall's partnership.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gene Keenon", written over a horizontal line.

Gene Keenon
Manager Government Affairs
903-986-0463



Southwest Consumer Price Index Indicators

CPI for All Urban Consumers (CPI-U): U.S. City Average, Dallas-Fort Worth-Arlington, and Houston-The Woodlands-Sugar Land, March 2022
(1982-84=100 unless otherwise noted)

Item and group	U.S. City Average				Dallas-Fort Worth-Arlington				Houston-The Woodlands-Sugar Land			
	Index	Percent change			Index	Percent change			Index	Percent change		
	Mar. 2022	12-month	1-month	2-month	Mar. 2022	12-month	1-month	2-month	Mar. 2022	12-month	1-month	2-month
All items	287.504	8.5	1.3	2.3	269.347	9.0		3.0				
Food and beverages	294.064	8.5	1.0	2.0	296.052	8.5		3.7				
Food	295.728	8.8	1.0	2.1	290.933	9.8		3.9				
Food at home	278.612	10.0	1.5	2.9	250.567	13.7	3.5	5.3	256.222	8.6	2.7	2.8
Cereals and bakery products	311.606	9.4	1.8	3.1	286.711	10.2		2.9				
Meats, poultry, fish, and eggs	305.116	13.7	1.3	2.2	306.135	22.1		3.9				
Dairy and related products	245.258	7.0	1.2	2.8	214.372	8.1		4.5				
Fruits and vegetables	337.503	8.5	1.1	3.1	225.090	13.5		9.8				
Nonalcoholic beverages and beverage materials ⁽¹⁾	194.342	8.0	1.1	3.0	208.721	4.7		5.1				
Other food at home	241.804	10.3	2.0	3.4	237.991	13.8		5.1				
Food away from home	321.689	6.9	0.3	0.7	350.266	5.5		2.1				
Alcoholic beverages	270.352	3.7	0.5	1.4	360.966	-5.4		1.5				
Housing	293.577	6.4	0.7	1.3	261.709	7.9		1.6				
Shelter	346.618	5.0	0.6	1.2	290.198	6.7	0.6	1.7	285.111	3.9	0.8	1.4
Rent of primary residence	361.083	4.4	0.4	0.9	311.352	7.0	0.5	1.8	282.623	4.3	0.9	1.0
Owners' equivalent rent of residences ⁽²⁾	354.968	4.5	0.4	0.8	310.877	5.2	0.2	0.9	265.208	3.5	0.7	0.4
Owners' equivalent rent of primary residence ⁽²⁾	354.980	4.5	0.4	0.8	310.877	5.2	0.2	0.9	265.208	3.5	0.7	0.4
Fuels and utilities	283.376	12.5	1.6	1.7	296.973	18.6		1.2				
Household energy	238.029	15.4	2.0	2.0	275.561	25.9	0.8	1.6	176.640	2.1	-3.8	3.6
Energy Services	237.825	13.5	1.2	0.8	270.835	25.8	0.7	1.4	172.967	1.5	-4.0	3.4
Electricity	240.558	11.1	1.7	1.0	252.975	26.3	-0.1	0.4	169.721	-2.2	-4.7	1.9
Utility (piped) gas service	225.679	21.6	-0.4	0.2	292.147	23.4	4.5	6.6	171.891	24.2	0.0	11.1
Household furnishings & operations	141.358	10.1	0.7	1.6	133.698	6.6		1.4				
Apparel	128.919	6.8	0.8	3.9	118.002	7.5		5.1				
Transportation	264.525	22.6	4.5	6.5	261.079	23.3		10.4				
Private transportation	264.669	23.2	4.4	6.3	269.546	23.7		10.2				
New and used motor vehicles ⁽³⁾	126.417	21.7	-0.3	0.2	133.749	19.2		2.9				
New vehicles ⁽¹⁾	168.056	12.5	0.0	0.3	215.920	5.2		2.9				
Used cars and trucks ⁽¹⁾	208.216	35.3	-1.8	-1.0	486.841	34.3		-0.8				
Motor fuel	368.440	48.2	19.8	26.3	359.843	48.4	18.6	27.7	340.652	52.7	23.4	33.4
Gasoline (all types)	366.499	48.0	19.8	26.2	357.251	48.2	18.6	27.6	340.659	52.6	23.4	33.4
Motor vehicle insurance ⁽¹⁾	589.143	4.2	0.8	2.6								
Medical care	539.739	2.9	0.5	0.9	493.586	3.4		1.4				
Recreation ⁽³⁾	129.437	4.8	0.2	1.2	124.091	1.3		1.0				
Education and communication ⁽³⁾	143.475	1.5	-0.3	-0.3	134.493	-0.4		-1.6				
Tuition, other school fees, and childcare ⁽¹⁾	799.517	2.5	0.0	0.1	1296.393	1.9		0.1				
Other goods and services	498.538	5.5	0.5	1.6	476.290	6.5		-2.6				
SPECIAL INDEXES (CPI-U)												
Energy	298.246	32.0	11.4	14.4	318.040	37.4	10.0	14.6	248.567	27.2	10.7	19.4
All items less shelter	267.420	10.3	1.7	2.8	260.564	10.4		3.8				
All items less food and energy	289.305	6.5	0.4	1.2	266.862	6.5		1.7				
All items (1967 = 100)	861.235				844.927							
CPI FOR URBAN WAGE EARNERS AND CLERICAL WORKERS (CPI-W)												
All items	283.176	9.4	1.5	2.5	278.519	10.0		3.2				
All items (1967 = 100)	843.495				858.859							

(1) Dallas indexes on a February 1978=100 base. Houston indexes on an April 1978=100 base.

(2) Indexes on a December 1982=100 base.

(3) Indexes on a December 1997=100 base.

Note: The CPI measures changes in prices of all goods and services purchased for consumption by urban households. The indexes for food at home, energy, and shelter are compiled monthly for the Dallas and Houston areas. Full surveys, which produce the All Items Indexes and major components, are compiled every two months. These full surveys are published for the odd-numbered months for Dallas and for the even-numbered months for Houston.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 14, GARBAGE, TRASH, AND WEEDS OF THE CODE OF ORDINANCES OF THE CITY OF MARSHALL, TEXAS, REPEALING AND AMENDING CERTAIN SECTIONS REGARDING GARBAGE AND INCREASING THE SOLID WASTE COLLECTION AND DISPOSAL FEES BY 3%; 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 OF JANUARY 1, 2023.

WHEREAS, Chapter 363 of the Texas Health and Safety Code and Section 80 (15) of the City Charter of the City of Marshall, Texas, authorizes the City Council to regulate the collection, transportation and disposal of solid waste within the corporate City limits of Marshall, Texas; and,

WHEREAS, the City's solid waste contractor, Republic Services, has increased its fees and rates of service to the City by the March 2022 CPI Index, in accordance with the current Solid Waste Contract; and,

WHEREAS, the City Commission finds and determines that an increase of the current rates for solid waste collection is necessary in order to accurately compensate the City for its costs of providing this service; **NOW, THEREFORE,**

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

Section 1. That the findings set out in the preamble to this ordinance are hereby in all things approved.

Section 2 That Article I of Chapter 14, Section 14-9, of the Code of Ordinances of the City of Marshall is hereby repealed in its entirety and that there is hereby adopted in place of said ordinances a new Section 14-9, Chapter 14 of the Code of Ordinances of the City of Marshall, Texas, said section to read as follows:

"Sec. 14-9. Rates for city collection - all rates will be assessed sales tax:

- (a) The following rates shall be charged for each monthly period to all customers of the garbage collection of the system of Marshall based on the attached rate sheet.

MARSHALL RATE SHEET

(Effective January 1, 2023)

I. RESIDENTIAL RATE SCHEDULE – Initial seven (7) year period (Residential Carts:

A. Automated Solid Waste & Recycling Collection - Residential

96 gallon rolling cart — City Resident \$ 15.82/Monthly Per Unit
 Once per week Residential Collection
 Once per week Brush/Bulky Collection
 Extra Carts — Limit of 4 per \$ 3.00 /Extra Monthly Fee Ea..
 Residential Unit.Weekly Bulk/Brush
 Limited to 3 Cu. Yds.

***No Side Trash Allowed - Cart Contents Only**

IIB. COMMERCIAL CART RATE SCHEDULE

Rolling cart service — Automated (For business with less than two (2) yards of trash per week):

A. One Cart \$25.43/Monthly Per Unit
 B. Two Carts \$33.07/Monthly Per Unit
 C. Cart Service Downtown - Four (4) times \$36.36/Monthly Per Unit
 per week (Four Days Trash Service & One
 Day Recycling) - South of Grand Avenue;
 East of Franklin Street North of Bowie
 Street; West of Lafayette Street)

III.FRONT LOAD CONTAINERS RATE SCHEDULE

Size/ Freq.	1X\WK	2X\WK	3X\WK	4X\WK	5X\WK	6X\WK	Extra pickup
2 yd	\$69.02	\$120.10	\$190.13	\$242.31	\$286.33	\$336.77	\$31.62
3 yd	\$99.14	\$172.31	\$245.66	\$328.41	\$402.44	\$462.21	\$44.28
4 yd	\$127.57	\$221.80	\$314.35	\$418.79	\$510.59	\$594.89	\$56.94
6 yd	\$176.86	\$305.26	\$430.41	\$558.68	\$700.44	\$796.56	\$69.59
8 yd	\$218.72	\$370.59	\$456.20	\$673.75	\$834.50	\$900.52	\$82.24

Monthly - 4yd Compactor 1X\Week = \$ 444.68

Monthly - 6yd Compactor 2X\Week = \$ 661.69; 4X\Week \$ 1056.59; 6X\Week = \$1,854.91

IV. ROLL OFF CONTAINERS AND 42 YD COMPACTOR RATE SCHEDULE:

Delivery Fee: \$100.00

SIZE	RENTAL/MONTH	PER HAUL
20 YD OPEN TOP	\$126.50	\$611.18
30 YD OPEN TOP	\$126.50	\$670.69
40 YD OPEN TOP	\$126.50	\$749.19
42 YD COMPACTOR	Negotiable	\$917.99

With respect to apartments and duplexes, where the owner provides reasonable space for and access to a bulk container, commercial-type service shall be provided by the city; otherwise, residential-type service shall be provided.”

Section 3. That the meeting at which this ordinance was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

Section 4. That all other prior ordinances or portions of ordinances of the City of Marshall in conflict with the terms and provisions of this ordinance are hereby repealed to the extent of such conflict only.

Section 5. That the repeal of any ordinance or portion of an ordinance by this ordinance shall not affect the validity of any pending enforcement action or fines outstanding and due and payable on or before the effective date of this ordinance.

Section 6. That if any section, paragraph, subdivision, clause, phrase or provision of this ordinance is hereafter determined to be invalid or in violation of the laws of the State of Texas or the Constitution of the United States by a court of appropriate jurisdiction, such finding of invalidity shall affect the continued enforcement only of the provision so determined to be invalid, it being the intent of the City Council of the City of Marshall that all other terms and provisions of this ordinance not affected thereby shall remain in full force and effect.

Section 7. That this ordinance shall be effective on January 1, 2023 and after its passage and publication as required by law.

PASSED AND APPROVED this _____ day of _____ 2022.

AYES:

NOES:

ABSTAINED:

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

ATTEST:

City Secretary

ITEM 6B

ORDINANCE

**CONSIDER APPROVAL OF AN
ORDINANCE AMENDING THE 2021
ANNUAL BUDGET**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. O-20-23 TO AMEND THE
2021 ANNUAL BUDGET OF THE CITY OF MARSHALL, TEXAS**

WHEREAS, on September 24, 2020 the City of Marshall, Texas passed Ordinance No. O-20-23 adopting the 2021 annual budget; and

WHEREAS, the appropriations for the fiscal year beginning January 1, 2021 and ending December 31, 2021 be amended as follows:

- Hotel Occupancy Tax Fund – Transfer \$12,188 from Maintenance & Operating (M&O) to Salaries & Wages (S&W)
- Municipal Drainage Fund – Transfer \$5,955 from M&O to S&W
- Pet Adoption Fund – Transfer \$344,298 from fund balance to Buildings
- Street Improvement, General Fund – Transfer \$502,247 from fund balance to Street Improvement line

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

The City of Marshall, Texas desires to amend the 2021 annual budget.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2022.

AYES: _____

NOES: _____

ABSTAINED: _____

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

ATTEST:

CITY SECRETARY

ITEM 6C

ORDINANCE

CONSIDER APPROVAL OF AN AMENDMENT TO THE VACANT PROPERTY REGISTRATION ORDINANCE

Vacant Property Registration Ordinance

Chapter 7 ARTICLE VII “Vacant Structure Registration”

**Garnett Johnson (Director of Community Development
Aleena Sepulvado (Code Enforcement Officer Supervisor)**

Introduction To Vacant Property Registration

- Why Register?
- What's the Purpose?
- Registration Process
- Registrant Requirements
 - General Update:
Current Ordinance vs. Proposed Ordinance
- Questions???

Why Register?



- Dilapidated and unmaintained properties pose increased health, life and safety risks to the neighboring residents:
 - Increased likelihood of fires and illegal activity due to vagrancy
 - Declining property values
 - Mold and water damage
 - Provide breeding ground for rodents and pests that often carry diseases

What's The Purpose???



The vacant property registration ordinance aims to eliminate blight from our neighborhoods by ensuring that vacant structures are maintained and functional:

- Adding value to our community
- Beautifying Marshall
- Attracting new residents and businesses
- Increasing our quality of life
- Boosting property values
- Creating a community we can take pride in

Registration Process

What to Expect

- Identification of vacant structures
 - Property owner information retrieved from HCAD
- Information sent will include:
 - Code Enforcement Notice to Register Letter
 - Registration Checklist
 - Registration Application

Notification Process

- Initial Notice includes notification to register, registration checklist & application through postal mail, email and phone call (if available), local Realtor or information received from the public – No Response...
- 2nd Notice: Postal mail, email and phone call (if available), local Realtor or information received from the public – No Response...
- Final Notice: Certified Mail, posting on property and posting in local newspaper – No Response...
- Citation issued – Sent to Municipal Court

Registrant Requirement



Property owners must submit the following documentation and applicable payments in order to register. Failure to comply will result in a \$50 late fee being applied and/or incurring applicable fines as determined by the Municipal Court Judge.

- Completed application
- Building Inspection
- Comprehensive plan of action
- Proof of liability insurance
- Floor Plan
- Criminal trespass affidavit
- Fee Waiver Request (if applicable)

General Update...

Current Ordinance

- Section 3.02 – Did not provide a standard of care section
- Conflicting information regarding renewal date of registration (one place stated year to date while another stated on or before Oct. 31st annually)
- Sect. 3.03(A)
 - Fees
 - Properties of 2,500 SF or less - \$500.00
 - Properties of 2,500 SF up to 10,000 SF - \$750.00
 - Properties above 10,000 SF - \$1,000.00
 - Renewal Fees
 - Properties of 2,500 SF or less – \$1,000.00
 - Properties over 2,500 SF up to 10,000 SF - \$1,500.00
 - Properties above 10,000 SF - \$2,000.00

Proposed Ordinance

- Section 7-91(a-m) – Provides detailed standard of care information from currently utilized 2015 International Building Codes
- Renewal date of registration is year to date
- Sect. 7-88(b)4
 - Fees (Initial Registration)
 - Commercial Structure - \$500.00
 - Residential Structure - \$200.00
 - Fees (Annual Renewal)
 - Commercial Structure - \$250.00
 - Residential Structure - \$100.00
 - Late Fees
 - A \$50.00 late fee will be applied if the property owner fails to complete the registration within the specified time from notification to register.

Requesting Approval



It is the recommendation of city staff that the Council grant approval to repeal the current adopted Vacant Property Registration Ordinance and replace it with the proposed version containing the changes depicted on the previous pages.

Questions?

All applications, required documents, fees and questions regarding the application process should be directed to:

City of Marshall

Attn: Vacant Property Registration Ordinance
401 S. Alamo Blvd, Marshall, TX 75671

Carol Huffman

Administrative Assistant

Huffman.carol@marshalltexas.net

903-934-7994

Aleena Sepulvado

Code Enforcement Supervisor

Sepulvado.aleena@marshalltexas.net

903-935-4512

Ordinance No. _____

An Ordinance of the City Council of Marshall, Texas repealing and replacing Chapter 7 ARTICLE VII “Vacant Structure Registration” with an Ordinance of the same name, creating a new registration program for all vacant buildings within the city limits; providing a penalty clause; providing a savings clause; providing a severability clause; providing for governmental immunity; and providing an effective date.

WHEREAS, the City contains a significant number of vacant structures, many of which are old and/or in disrepair; and

WHEREAS, such properties that are not properly and routinely maintained and repaired represent a threat to the life, health, and safety of City residents and visitors; and

WHEREAS, such properties that are not properly and routinely maintained and repaired often constitute a fire hazard; and

WHEREAS, such properties that are not properly and routinely maintained and repaired often attract vagrants, illegal activity, and other trespassers who may use the locations for criminal activity; and

WHEREAS, in the case of emergency at any such building, it is vital that the City be able to contact the owners thereof; and

WHEREAS, the City Council has determined that the public health, safety, and welfare are served by adopting an ordinance to require registration of vacant structures, maintenance plans, and registration fees in the City of Marshall; and

WHEREAS, ARTICLE VII that currently exist in Chapter 7, “Buildings,” of the Code of Ordinances does not accomplish the goals set forth herein and therefore should be repealed and replaced with the following ordinance;

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

Section 1. That the Code of Ordinances for the City of Marshall, Texas Chapter 7 “Building” is repealing and replacing Article VII, entitled “Vacant Structure Registration” and is hereby adopted to read as follows:

ARTICLE VII – VACANT STRUCTURE REGISTRATION

“7-84”. TITLE. This Chapter of the Code of Ordinances of the City of Marshall is hereby designated and shall be known and referred to as the Vacant Structure Registration Ordinance.

“7-85”. PURPOSE. The purpose of this chapter is to protect the public health, safety and welfare of the citizens of Marshall, Texas by requiring the registration of all vacant structures, the submission of a vacant structure plan of action and the payment of an annual registration fee in order for the City to monitor, inspect and record the condition of vacant structures. The provisions in this chapter are cumulative of all City Ordinances and its goal is to ensure that a vacant property owner puts property to its best and highest use.

“7-86”. APPLICABILITY AND ADMINISTRATION.

- (a) The requirements of this chapter shall be applicable to each owner of a structure that has been vacant for more than 90 days except as to a structure that is owned by a federal, state, or local governmental entity.
- (b) The City manager or his/her designee is authorized to administer and enforce the provisions of this article.
- (c) The City manager or his/her designee shall have the authority to render interpretations of this title and to adopt policies and procedures in order to clarify the application of its provisions. The City manager or his/her designee, at his/her sole discretion, may also enter into an agreement with a registered property owner to obtain compliance with this article by a specific date.

“7-87”. DEFINITIONS. The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Notice of Determination” means the written notice by the City manager or his/her designee to an owner that the structure is a vacant structure, a state of the factual basis for the determination, and the obligations of the owner of the structure to register it.

“Occupied” means where one or more persons actually conduct a lawful business or reside in all or any part of the structure as the licensed business-occupant, or as the legal or equitable owner or occupant/tenant on a permanent, non-transient basis, or any combination of the same.

“Owner” means any person, agent, firm or corporation, bank, mortgagee, etc. having a legal or equitable interest in the property; owner or owners recorded in the Official Public Records of Real Property, owner or owners recorded in the records of the Harrison Central Appraisal District; or any person, agent, firm or corporation otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person.

“Registration Fee” means the non-refundable annual fee as established by City Council resolution that an owner of a vacant structure is required to remit to the City manager or his/her designee, each year the structure is vacant. The registration fee is applied to the costs incurred by the City manager or his/her designee in the enforcement of this ordinance and for services that are required such as the inspection of the vacant structure.

“Registration Form” means the form provided by the City manager or his/her designee, for an owner to register a vacant structure with the City of Marshall.

“Reinspection Fee” means the fee as established by the City Council resolution which may be assessed for each reinspection when such violation was not corrected after initial inspection.

“Structure” refers to anything that is constructed or built from to provide support, shelter, enclosure or partial enclosure of people.

“Vacant” means **ALL** lawful activity has ceased, or reasonably appears to have ceased in the structure, for ninety (90) days.

“Lawful Activity” means that for which the structure was built or intended to be used for.

“Vacant Structure Plan of Action Form” means that form provided by the City manager or his/her designee for an owner to provide an Action Plan for returning the structure to its best and highest use.

“Temporarily secured” means all accessible means of ingress and egress to the vacant structure, including but not limited to all exterior doorways and windows are covered with plywood (or other appropriate material) that has been nailed or bolted in place so as to prevent unauthorized entry.

“7-88”. REGISTRATION.

- (a) The vacant structure property owner shall have ninety (90) days in which to register from the date written notice is issued to the property owner. Written notice shall be issued to the owner of the vacant structure by means of postal service and/or Certified Mail to his/her last known address according to the county appraisal district records, by posting on the property and by publishing once in the local newspaper. Thereafter, the owner of the vacant structure shall annually register that vacant structure by completing and filing with the City manager or his/her designee the registration form, completing and filing with the City the vacant structure plan of action form and remitting to the City the registration fee in the amount as established by City Council resolution each year until such structure becomes occupied or the ownership is transferred.

(b) Upon the issuance of notice by the city to register a vacant property, and prior to the issuance of a certificate of registration for any vacant building, the owner shall register with the City manager or his/her designee and provide the following information:

1. The address and legal description of the property.
2. The current name, physical address, mailing address, telephone number and email information for any owner(s) with an ownership interest in the property.
Corporations or corporate entities shall submit the same information pertaining to their registered agent.
3. The contact information for a local manager of the properties and/or improvements located on said property, as applicable.
4. Proof of liability insurance, no less than one million dollars (\$1,000,000) for the property. If insurance cannot be obtained, a surety bond for the value of the property as valued by the Harrison Central Appraisal District (HCAD).
5. A written comprehensive plan of action detailing a timeline for correcting violations, rehabilitation, and maintenance while vacant, and future use(s) of the structure. Said plan of action must be updated every six (6) months.
6. A complete floor plan of the property for use by first responders in the event of a fire or other catastrophic event.
7. Written notice to the city, including a copy of the deed, of a change in:
 - a. Ownership of the property;
 - b. Contact information for the owner or the designated manager. Written notice must be provided to the city no later than thirty (30) days after said changes have occurred.
 - c. Continued annual registration of the property by the vacant structure property owner until said structure is deemed occupied and in compliance with all relevant code requirements by the city.

“7-89”. REGISTRATION FEES. Vacant structure property owners shall tender an **initial registration and inspection** fee of five hundred dollar (\$500) for each vacant commercial structure and two hundred dollars (\$200) for each vacant residential structure. Subsequent annual **registration renewal** fees shall be two hundred-fifty dollars (\$250) for vacant commercial structures and one hundred dollars (\$100) per vacant residential structure and shall be due on a year to date basis from the date of the initial registration. A late fee of fifty dollars (\$50) will be due upon registration if the property owner did not register the vacant structure within the allotted 90 days or failed to renew their annual registration on time.

“7-90”. PROPERTY MANAGER OR AGENT.

- (a) Vacant structure property owners must designate a local manager for said properties and include the relevant contact information for the designated manager upon registering the property with the city. The property manager shall serve as agent for the property owner for purposes of accepting legal service; however, the vacant property owner remains personally liable in criminal prosecutions for code violations.
- (b) The property manager or agent must be available at the number listed at all times in the event of an emergency or catastrophe.

“7-91”. STANDARD OF CARE FOR VACANT PROPERTY. The standard of care, subject to approval by the city manager or his/her designee, shall include, but is not limited to:

- (a) Window, skylight and door. Every window, storefront, skylight and exterior door part, including but not limited to the frame, the trim, window screens and hardware shall be kept in sound condition and good repair. All broken or missing windows shall be replaced with glass and secured in a manner so as to prevent unauthorized entry. All broken or missing doors shall be replaced with appropriately sized doors which shall be secured to prevent unauthorized entry. All glass shall be maintained in sound condition and good repair. All exterior doors, door assemblies and hardware shall be maintained in good condition and secured. Locks at all exterior doors, exterior attic access, windows, or exterior hatchways shall tightly secure the opening. Windows and doors shall not be secured by plywood or other similar means mounted on the exterior except as a temporary securing measure, and the same shall be removed within a period of time designated by the city manager or his/her designee.
- (b) Structure. All structural members and foundation shall be maintained free from deterioration, and shall be capable of safely supporting the imposed loads.
- (c) Exterior walls. All exterior walls shall be kept in good condition and shall be free from holes, breaks, and loose or rotting materials. Exterior walls shall be maintained weatherproof and properly surface-coated where necessary to prevent deterioration.
- (d) Roof and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent accumulation, dampness or deterioration. Roof drains, gutters and downspouts shall be maintained in good repair, and operational.
- (e) Interior and exterior areas. The property must be kept free of junk, trash, debris and combustible materials.
- (f) Vegetation and landscaping. Shall be maintained in good and healthy condition.
- (g) Premises identification. The property shall have address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background.
- (h) Overhang extensions and awnings. Overhand extensions including, but not limited to canopies, marquees, signs, awnings, and fire escapes shall be maintained in good repair and be properly anchored and supported as to be kept in a sound and safe condition.

- (i) Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage, and capable of supporting the imposed loads.
- (j) Handrails and guards. Every exterior handrail and guards shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
- (k) Protective treatment. Exterior surfaces, including but not limited to doors, door and window frames, porches, balconies, decks and fences, shall be maintained in good condition, weather tight and in such condition so as to prevent the entry of rodents and other pests. All exposed surfaces subject to rust or corrosion, other than decay-resistant woods or surfaces designed for stabilization by oxidation, shall be protected from the elements and against decay or rust by periodic application of weather coating materials such as paint or similar surface treatment. All siding, cladding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and watertight.
- (l) Repairs. All repairs shall be subject to approval by the city. All required permits and final inspections prior to and/or following repairs shall be in accordance with applicable laws and rules.
- (m) Violation. Failure to maintain the vacant property to the standard of care specified by the city is a violation of this article.

“7-92”. FEE WAIVERS. All fee waivers must be applied for on an annual basis, and are subject to approval by the city manager or his/her designee. A fee waiver is valid for no more than twelve (12) months, and may be issued for a shorter period of time.

- (a) Property which has been devastated by a catastrophe such as fire or flood: the owner has thirty (30) days to register from the date of the disaster but may be exempt from the fees. This exemption is for the duration of one year from the date of the catastrophe; thereafter all applicable fees are due.
- (b) A property owner who is indigent must register and is otherwise subject to this article but may be exempt from the fees.
- (c) Representatives of a property owner who is deceased or is no longer legally competent must register the property and are otherwise subject to this article, but may be exempt from the registration fees. If representatives of the property owner cannot be identified and provisions of this article are required to be carried out by the city to protect the property, then the city reserves the right to make corrections and charge the cost to the owner(s) by filing appropriate liens with the county clerk.
- (d) Where the owner of the property has obtained a building permit and is progressing in an expedient manner to prepare the premises for occupancy, the owner must register the property and is otherwise subject to this article but may be exempt from the registration fees.

- (e) Where the structure is being actively marketed for sale or lease for less than twelve (12) months by a licensed real estate broker or an owner who is regularly advertising the property, the owner must register the property and is otherwise subject to this article but may be exempt from the registration fees.
- (f) Where the structure is under a contract for sale or lease for less than twelve (12) months, the owner must register the property and is otherwise subject to this article but may be exempt from the registration fees.
- (g) Where the vacant structure is owned by a member of the armed services that uses the structure as a primary residence or business when not on active duty, the owner must register the property and is otherwise subject to this article but may be exempt from the registration fees.
- (h) Where the structure is owned by an economic development corporation, the owner must register the property and is otherwise subject to this article but may be exempt from the registration fees.

“7-93”. JURISDICTION, ENFORCEMENT AND PENALTIES.

- (a) Written notice of violation will precede the issuance of a citation, in which the vacant property owner will be given a reasonable length of time, as determined by the city manager or his/her designee, to remedy the violation. Written notice shall be issued to the vacant structure property owner by means of postal service, or by Certified Mail to his/her last known address according to the county appraisal district records, and by posting on the property.
- (b) Failure to register with the city after written notice to the vacant structure property owner, as is hereinafter specified, is a violation of this article.
- (c) Any person, firm, or corporation found guilty of violating any of the provisions of this ordinance shall be deemed guilty of a Class C misdemeanor and each offense is punishable by a fine not to exceed five hundred dollars (\$500) and each day that the violation continues shall constitute a separate offense. Administrative, civil, and criminal enforcement are alternative remedies which may be sought independently of each other

Section 2. Penalty Clause. As an alternative to imposing the criminal penalty prescribed in “7-93(c)”, the city may impose administrative penalties, fees, and court costs as authorized by Section 54.044 of the Texas Local Government Code, for an offense under this chapter. The alternative administrative penalty range for an offense is the same as prescribed for a criminal offense in “7-93(c)”. In the event that the City or its designee determines that is necessary and appropriate to file a lien against a property for unpaid registration and inspection fees, the City or its designee shall mail a notice to the owner and lien holder of the property for which there are delinquent registration and inspection fees. The notice must advise the owner and lien holder that the city proposes to assess its costs against the property and place a lien on the property to collect the fees as specified in “7-89”. Any lien filed pursuant to this section shall be security for the expenditures made and interest accruing at the rate of ten percent (10%) per year on the amount due from the date of payment by the city. The lien shall be superior to all other liens except tax liens and liens for street improvements.

Section 3. Savings Clause. This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Marshall, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

Section 4. Severability. That the sections, paragraphs, sentences, phrases, clauses and words of this ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this ordinance or application thereof to any person, firm or corporation, or to any circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council hereby declares that it would have adopted such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. Effective Date. This ordinance shall take effect immediately; repealing and replacing Chapter 7 ARTICLE VII "Vacant Structure Registration".

PASSED AND GIVEN READING on the ____ day of _____, 2022, at a regular meeting of the City Council of the City of Marshall, Texas, and passed and approved on said date by a vote of ____ yeas and ____ nays.

Amy Ware, Mayor

ATTEST:

Nikki Smith, City Secretary

APPROVED AS TO FORM:

Scott Rectenwald, City Attorney

ITEM 7A

RESOLUTION

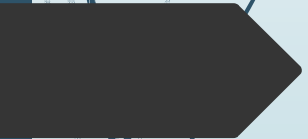
**DISCUSS AND TAKE POSSIBLE ACTION
TO APPROVE A RESOLUTION
AUTHORIZING THE SUBMITTAL OF
ONE OR MORE DR-4485 HMGP
APPLICATIONS TO THE TEXAS
DIVISION OF EMERGENCY
MANAGEMENT, AUTHORIZING THE
MAYOR AND CITY MANAGER TO ACT
AS THE CITY AUTHORIZED
REPRESENTATIVE IN ALL MATTERS
PERTAINING TO THE APPLICATION,
AND COMMITTING MATCHING FUNDS**

ITEM 8A

**CONSIDER APPROVAL TO AWARD A
CONTRACT FOR THE 2022 STREET
IMPROVEMENT PROGRAM**

2022 Street Improvement Program

Review and Contract Award



Proposed Street List

CITY OF MARSHALL DEPARTMENT OF PUBLIC WORKS 2022 STREET IMPROVEMENT PROGRAM									
FINAL 2022 STREETS GROUP 'A'									
PCI Index	ST Prefix	STREET NAME	ST Suffix	FROM	TO	Length	Width (Avg.)	Area	Tonnage
19		ACADIA	ST	LAUREL ST	W CAROLANNE ST	344	36	1,376	158
25		AINSLEY	ST	E HOUSTON ST	E BOWIE ST	444	20	987	113
20	N	ALAMO	BLVD	REPOSE LN	GRAND AVE (HWY 80)	696	28	2,165	249
24		ALBERT	ST	E HOUSTON ST	E TRAVIS ST	1205	24	3,213	370
22		BOONE	ST	KARNACK HWY (NWY43)	E TEDDY ST	422	20	938	108
20		BRIMM	ST	BENITA ST	MURPHEY ST	866	28	2,694	310
23		CENTER	ST	WAUSAU ST	N FRANKLIN ST	365	20	811	93
23		CHARLOTTE	ST	FRANK ST	FAIR ST	544	22	1,330	153
25	S	COLUMBUS	ST	E BOWIE ST	E FANNIN ST	301	22	736	85
25	N	COLUMBUS	ST	REPOSE LN	GRAND AVE (HWY 80)	744	24	1,984	228
20		ESPLANADE	AVE	EAST AVE	VALE ST	618	18	1,236	142
21		FIELD	ST	HOWARD ST	SL390	867	20	1,927	222
24		FORREST	TERR	BOMAR ST	S GROVE ST	274	20	609	70
25		FRANK	ST	SL390	CHARLOTTE ST	257	24	685	79
17		GREENWOOD	AVE	N ALAMO BLVD	N COLUMBUS ST	359	24	957	110
17	N	GRISMORE	ST	KARNACK HWY (HWY43)	E TEDDY ST	517	20	1,149	132
25		HANKS	ST	ROBERTSON ST	SUMMITT ST	546	20	1,213	140
25		HARGROVE	ST	SLEDGE ST	TOLIVAR ST	1181	24	3,096	356
21	S	HAZELWOOD	ST	E HOUSTON ST	E TRAVIS ST	1196	22	2,924	336
18		HIGHLAND	DR	S ALLEN BLVD	S CALLUM ST	510	18	1,020	117
20		IDA	ST	HENDERSON ST	LAKE ST	836	24	2,229	256
21		JOHN REAGAN	ST	JASPER DR	CADDO ST	837	30	2,790	321
15		LAKE	ST	GEORGIA ST	IDA ST	2448	22	5,984	688
16		LANE	ST	IDA ST	MAY ST	277	20	616	71
23		LOUISIANA	ST	SUMMIT ST	POPLAR ST	603	22	1,474	170
12	N	MARION	ST	MANES ST	KATHERINE ST	340	24	907	104
		MARTIN LAKE	RD	HWY59	I20 FRONTAGE	4297	28	13,368	1,537
20		MOCKINGBIRD	LN	END	SANFORD ST	214	22	523	60
20		MORRISON	ST	HENDRIX ST	PARKER ST	1126	22	2,752	317
15		ORIS	ST	SPEED ST	END	877	22	2,144	247
21		REPOSE	LN	N ALAMO BLVD	N COLUMBUS ST	357	20	793	91
17		ROBERTSON	ST	HANKS ST	SLEDGE ST	338	18	676	78
15		SANFORD	ST	W EMORY ST	MOCKINGBIRD ST	656	22	1,604	184
17		TALLIAFERRO	ST	HARGROVE ST	SEDBERRY ST	550	20	1,222	141
23		WAUSAU	ST	CENTER ST	W WRIGHT ST	310	22	758	87

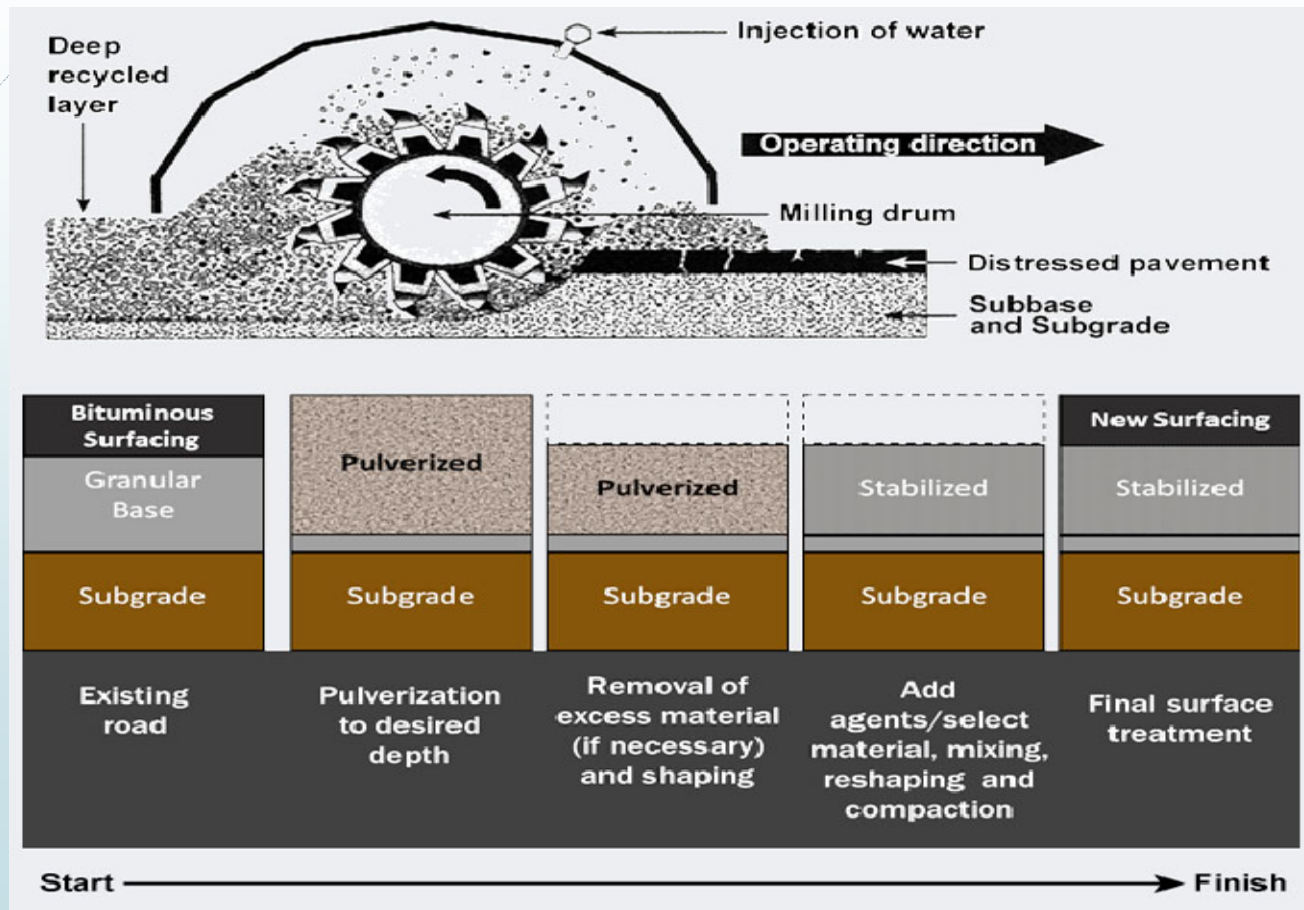
TOTALS: 68,890 7,922

Pictures of Selected Roads



Sanford to W Emory and Mockingbird
(PCI of 15)

Full Depth Reclamation - Example



Bid Results

BID TABULATION

City Project: 2022 Street Improvement Program

City Project Number: 2022-PW-003

Bid Opening Time/Date: May 26, 2022 @ 2:00pm

Prepared By: Eric G. Powell, PE, Director/City Engineer

ITEM NO.	DESCRIPTION	QUANTITY	UNITS	Engineers Estimate		East Texas Bridge Longview, TX		L.S. Equipment Co. Henderson, TX		Rayford Truck & Tractor Marshall, TX	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	FURNISH, INSTALL, MAINTAIN & REMOVE BARRICADES, SIGNS & TRAFFIC CONTROL	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 150,000.00	\$ 150,000.00	\$ 10,000.00	\$ 10,000.00	\$ 25,000.00	\$ 25,000.00
2	FURNISH AND INSTALL HMAC TYPE "D" SURFACE COURSE, INCLUDING ASPHALT PRIME	7,922	TONS	\$ 110.00	\$ 871,420.00	\$ 150.00	\$ 1,188,300.00	\$ 135.00	\$ 1,069,470.00	\$ 125.00	\$ 990,250.00
3	PULVERIZE, CEMENT STABILIZE, RESHAPE AND RECOMPACT BASE	68,890	SY	\$ 8.00	\$ 551,120.00	\$ 12.00	\$ 826,680.00	\$ 6.50	\$ 447,785.00	\$ 7.75	\$ 533,897.50
4	ADJUST VALVE BOX TO OVERLAY GRADE	30	EA	\$ 200.00	\$ 6,000.00	\$ 400.00	\$ 12,000.00	\$ 500.00	\$ 15,000.00	\$ 300.00	\$ 9,000.00
5	ADJUST MANHOLE TO OVERLAY GRADE	36	EA	\$ 200.00	\$ 7,200.00	\$ 500.00	\$ 18,000.00	\$ 500.00	\$ 18,000.00	\$ 400.00	\$ 14,400.00
TOTALS:				\$	1,440,740.00		\$ 2,194,980.00		\$ 1,560,255.00		\$ 1,572,547.50

As Read



Eric G. Powell, PE
Director of Public Works/City Engineer

5/26/2022

ITEM 8B

**CONSIDER APPROVAL FOR FORMAL
ACCEPTANCE OF THE COMPLETED 100
BLOCK E. HOUSTON ST.
REDEVELOPMENT PROJECT,
INCLUDING RELEASE OF FINAL
PAYMENT AND RETAINAGE TO THE
CONTRACTOR**



TO: Members of the City Council

FROM: Eric Powell, PE 
Director of Public Works & Utilities/City Engineer

DATE: June 13, 2022

SUBJECT: Consider approval for formal acceptance of the completed 100 block
E. Houston St. Redevelopment Project, including release of final payment
and retainage to the contractor

The 100 block E. Houston St. Redevelopment Project is now complete and ready for formal acceptance by the City Council. All work was completed to the satisfaction of myself and the design engineer, Mr. Stan Hayes, PE. The final payment request and release of retainage to the contractor has also been reviewed and verified by myself and Mr. Hayes.

ITEM 8C

**CONSIDER APPROVAL OF THE
COMMUNITY DEVELOPMENT BLOCK
GRANT PROGRAM YEAR 2022**

**City Council Approval of Program Year 2022
Community Development Block Grant Program
Funded by U. S. Department of Housing & Urban Development (HUD)
June 1, 2022 – May 31, 2023**

June 23, 2022

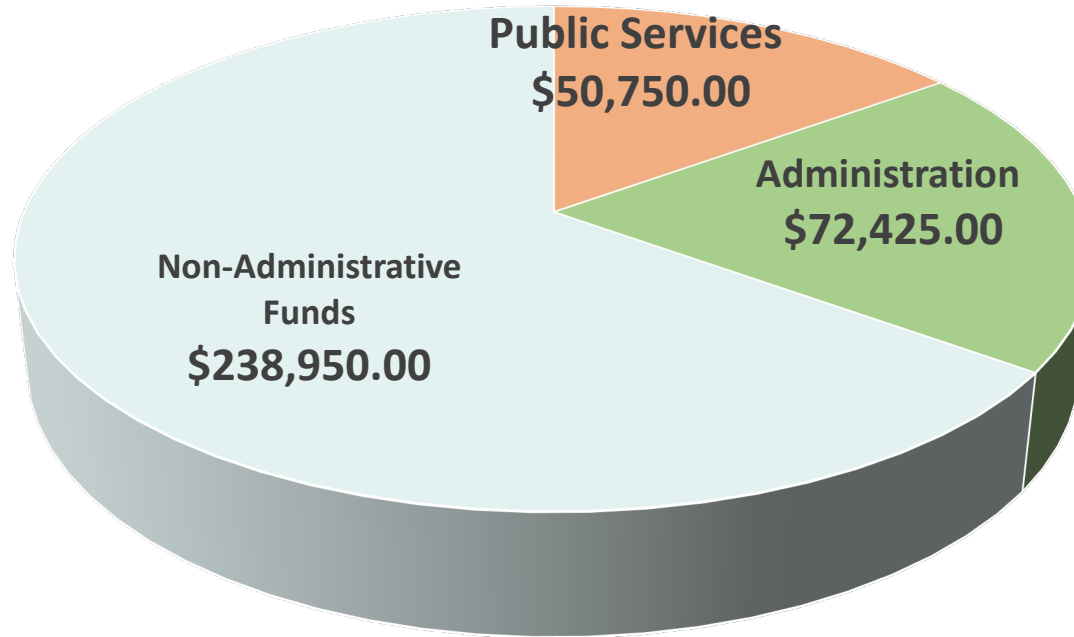
What is the Community Development Block Grant Program (CDBG)?

The *Community Development Block Grant (CDBG)* Program provides annual *grants* on a formula basis to states, cities, and counties to develop viable urban *communities* by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons

Program and Intent

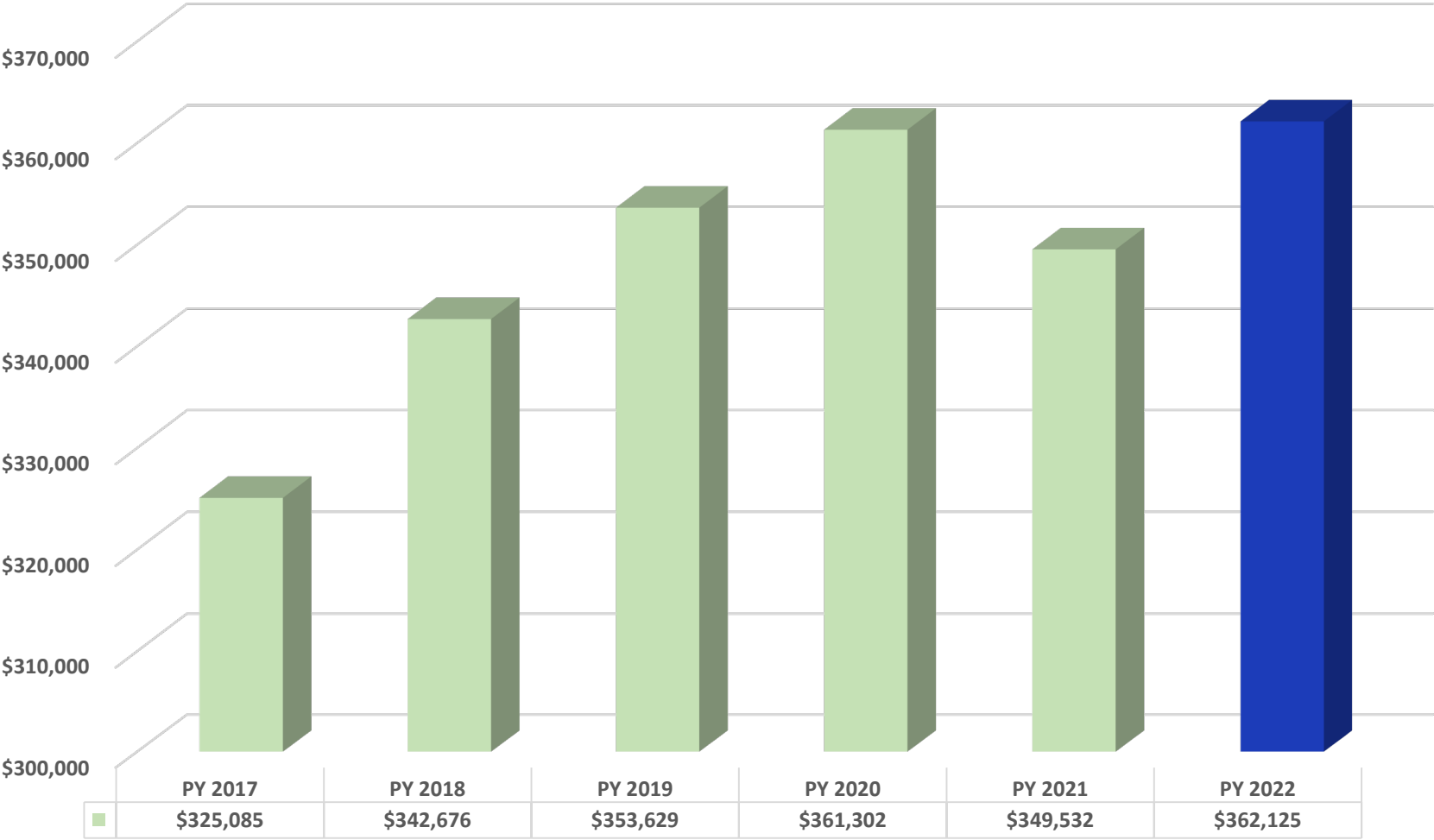
- To reduce poverty and its effects
- By meeting at least ONE of HUD's National Objectives:
 - Benefitting Low- to Moderate-Income residents
 - Reducing or eliminating Slum and Blight
 - Meeting an Urgent Need
- At least 70% of non-administrative funds must benefit low- to moderate income residents

Proposed Distribution: \$362,125



- ➡ **Only 15% can be used for Public Services/Social Services**
- ➡ **Only 20% can be used for Program Administration**
- ➡ **At least 70% of the non-Administrative funds must serve low-to moderate-income residents**

PY 2017 - 2022 Awards



Program Year 2022 Budget

Organizations	Request Funds	Staff Recommendations based on PY 21	Services Provided	Active Grant Amount Award for COVID (PY 2020)
Public Service				
Boys & Girls Club of Big Pine	\$156,429.00	\$16,250.00	Youth & Children Services	\$28,000.00
Mission Marshall- Food Pantry	12,000.00	12,000.00	Food Services	\$28,000.00
Marshall- Harrison County Literacy Council	\$7,000.00	\$6,000.00	Education Services	\$15,500.00
Communities in School	\$18,500.00	\$10,000.00	Youth & Children Services	N/A
Anointed Grace/ GWC	\$60,000.00	N/A	Youth & Children Services Citizens Services	\$72,000.00
Neighborhood Cleanups		\$6,500.00	City Project	N/A
Total:	\$253,929.00	\$50,750.00		

Program Year 2022 Budget

Non-Public				
Housing Rehab- North East Texas Habitat for Humanity	\$167,200.00	\$72,160.00	Rehabilitation Service/Residential	N/A
Tracy Andrus Foundation	\$150,000.00	\$30,000.00	Rehabilitation Service/Residential	25,000.00
Total:	\$317,200.00	\$102,160.00		
Category	2021 Allocation	2022 Allocation		
Administration	\$69,907.00	\$72,425.00		
Code Enforcement	\$68,000.00	\$83,790.00		
Demo/ Blight	\$73,000.00	\$53,000.00		
Total:		\$136,790.00		
Grand Total: PY 2022			362,125.00	



Summary of Public Hearings/Evaluation of past performance

Public Hearings related to PY2022

- February 2, 2022 (No public comments received)
- June 7, 2022 (No public comments received)

The draft Annual Action Plan which includes past performances is available on the City's website at marshalltexas.net/336/Community-Development-Block-Grant or available for review at City Hall (401 S. Alamo) between 9:00 AM – 11:30 AM and 1:30 PM – 4:30 PM Monday through Thursday.

Approval Request

ITEM 9

CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

ITEM 10

ADJOURNMENT