



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Agenda - Monday, August 15, 2022 - 6:00 PM

Call to Order

Roll Call

Invocation given by Director Brewer

Pledge of Allegiance led by Fire Chief David Fletcher

CITIZEN COMMUNICATION

Please fill out a Citizen Communication Card with your name and contact information for the City Clerk's records.

A limit of five (5) minutes per person is allotted for citizens to express their concerns to the Board of Directors, with a maximum of fifty (50) minutes reserved for Citizens Communication. The Board of Directors cannot respond to citizens' concerns during this time.

Be respectful of the Board of Directors, city staff, and the public by refraining from abusive conduct, personal charges, or verbal attacks.

CONSENT

1. Approval of the minutes of the regular meeting August 1, 2022. (CCD) City Clerk Heather Soyars
2. Adopt a Resolution authorizing the City Manager to enter into a construction contract with Contech Contractors, Inc., for Tennessee Road, Meadows Road and Union Road Rehabilitation Projects. (PWD) Public Works Director Tyler Richards
3. Adopt a Resolution approving the reimbursement of \$173,598.82 to the Texarkana Regional Airport from American Rescue Act Funds. (FIN) Finance Director TyRhonda Henderson
4. Adopt a Joint Resolution with the City of Texarkana, Texas, to establish a pilot scooter program with Bird Rides, Inc., in Texarkana, USA. (ADMIN) City Manager E. Jay Ellington
5. Adopt a Resolution granting the dissolution of the Arkansas Municipal Auditorium Commission. (ADMIN) City Manager E. Jay Ellington

REGULAR

6. Consider the following action concerning the maintenance of overgrown lots:

Conduct a Public Hearing regarding the placing of liens on (27) twenty-seven overgrown lots.

Adopt a Resolution placing liens on (27) twenty-seven overgrown lots. (PWD) Shawn Maxey Building Official

7. Adopt a Resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) regarding the Bi-State Criminal Justice Center. (ADMIN) City Manager E. Jay Ellington

8. Consider the following action concerning the 2022 Byrne Justice Assistance Grant Program:
Conduct a Public Hearing to allow citizen input regarding the use of Byrne Justice Assistance Grant Program monies for the Texarkana, Arkansas Police Department.

Adopt a Resolution granting permission to submit the 2022 application and further authorizing the City Manager to execute a Memorandum of Understanding (MOU) Interlocal Agreement with Miller County, regarding the Byrne Justice Assistance Grant (JAG-yearly grant). (TAPD) Captain James Atchley

9. Adopt an Ordinance levying the 2022 tax rate. (FIN) Finance Director TyRhonda Henderson

10. Adopt an Ordinance amending Chapter 5 of the *City of Texarkana, Arkansas, Code of Ordinances* as related to animals. (ACAC) Director Lenor Teague

11. Adopt an Ordinance granting the request for prerequisite municipal approval of a private club application on behalf of David Peavy for the Banana Club located at 223 Front Street. (CCD)

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

BOARD OF DIRECTORS' COMMENTARY

CITY MANAGER REPORT

NEXT MEETING DATE: Tuesday, September 6, 2022

ADJOURN

City Calendar

Gateway Farmers Market –Tuesdays, Thursdays & Saturdays - 7AM - Noon

Community Breakfast with the City Manager - Texarkana Rec Center - Thursday, August 18th –
8AM - 9AM

25th Anniversary Celebration for Gateway Farmers Market - Saturday, August 20th –
7AM - Noon

Jaqualyn Light Prevails - Bramble Park - Friday, August 24th - 7PM - 9PM

Hopkins Icehouse - Hot Dog Eating Contest - Friday, August 26th - 4PM

Beast Run - Friday - Sunday - September 2nd - 4th - 6PM - 1PM

Huge Community Rummage Sale - Texarkana Rec Center - Saturday, October 1st - 8AM - 2PM

National Night Out - Tuesday, October 4th - 6PM - 9PM

Texarkana Down Syndrome Society Awareness Walk & Fun Day - Front Street - Saturday,
October 8th - 8AM - 4PM

Dine the Line/Octoberfest - Saturday, October 15th - 10AM - 10PM

Food Festival - Bobby Ferguson Park - Saturday, October 15th - 6AM - 10PM

Universal Vibes - Crossties & Front Street - Saturday, October 15th - 10AM - 11PM

Main Street Christmas Parade - Monday, December 5th - 7PM - 9PM

Texarkana Rec Center August Calendar

Ageless Grace - Mondays – 10AM - 11AM

Gym Open - Mondays, Wednesdays & Fridays – 4PM - 7PM & Saturdays - 8AM - Noon

Texarkana Stompers Drumline - Tuesdays & Thursdays – 5PM - 6PM

Walk with Ease - Tuesdays, Wednesday & Thursdays – 9AM - 10AM

After School Program - Monday - Friday - August 15th – 31st - 3:30PM - 5:30PM

Miller Bowie Health Coalition - Tuesday, August 16th – Noon - 1PM

Careers Moves - Resume & Interview Workshop

Wednesday, August 17th – 6PM - 7PM

Thursday, August 25th – 10AM - 11AM

Encounter YogaFaith - Saturday, August 20th – 9AM - 11AM



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE:	Approval of the minutes of the regular meeting August 1, 2022. (CCD) City Clerk Heather Soyars
AGENDA DATE:	August 15, 2022
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : Minutes
DEPARTMENT:	City Clerk Department
PREPARED BY:	Heather Soyars, City Clerk
REQUEST:	Approval of meeting minutes.
EMERGENCY CLAUSE:	N/A
SUMMARY:	Approval of meeting minutes
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A
RECOMMENDED ACTION:	The City Clerk recommends Board approval.
EXHIBITS:	Meeting minutes.



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Monday, August 01, 2022 - 6:00 PM

Mayor Brown called the meeting to order at 6:00 PM.

PRESENT: Mayor Allen Brown, Ward 1 Director Terry Roberts, Ward 2 Director Laney Harris, Assistant Mayor Ward 3 Steven Hollibush, Ward 4 Director Ulysses Brewer, and Ward 6 Director Jeff Hart.

ALSO, PRESENT: City Attorney George Matteson, and City Clerk Heather Soyars, Deputy City Clerk Jenny Narens.

ABSENT: City Manager E. Jay Ellington and Ward 5 Director Barbara Miner.

Invocation given by Mayor Brown.

Pledge of Allegiance led by Finance Director TyRhonda Henderson.

CITIZEN COMMUNICATION

No one came forward.

PRESENTATION(S)

1. Presentation of the City of Texarkana, Arkansas Employee Service Awards. (ADMIN)

Stephanie Black	TWU	10 years
Amy Smith	TAPD	5 years
Corvette Phillips	TAPD	5 years
Lester Colley	TAPD	15 years

2. Presentation of the January 2022 thru April 2022 Budget Variance Report. (FIN) Finance Director TyRhonda Henderson

CONSENT

Director Harris requested agenda item 5. Adopt a Resolution authorizing the City Manager to enter into a construction contract with Contech Contractors Inc., for the Front Street Stage. (PWD) Public Works Director Tyler Richards, be removed from the Consent agenda for discussion.

Director Hart made the motion to adopt the Consent agenda, Seconded by Director Roberts. The motion carried and the following items were approved:

3. Approval of the minutes of the regular meeting July 18, 2022. (CCD) City Clerk Heather Soyars
4. Resolution No. 2022-44 authorized the City Manager to enter into a contract for the purchase of chemicals for water and wastewater treatment. (TWU) Executive Director Gary Smith
6. Resolution No. 2022-45 authorized the City Manager to enter into a contract with A.L. Franks Engineering for the design of Sanderson Lane, Jefferson Avenue, Stallion Drive and Boyd Road improvements. (PWD) Public Works Director Tyler Richards

REGULAR

7. Ordinance No. 22-2022 amended Chapter 26, Article II, Sections 26-28 and 26-29, of the *City of Texarkana, Arkansas, Code of Ordinances* to provide for revisions to water and sewer rates. (TWU) Executive Director Gary Smith

After a brief discussion the motion to suspend the rules and place the ordinance on its first reading in abbreviated form made by Director Roberts, Seconded by Director Brewer.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, and Director Hart.

The motion carried 6-0 and the ordinance was read the first time in abbreviated form.

Motion to suspend the rules and place the ordinance on its second reading in abbreviated form made by Director Brewer, Seconded by Director Hart.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, and Director Hart.

The motion carried 6-0 and the ordinance was read the second time in abbreviated form.

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

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, and Director Hart.

The motion carried 6-0 and the ordinance was read the third time in abbreviated form.

Motion to adopt the ordinance made by Director Roberts, Seconded by Director Brewer.

Mayor Brown asked if anyone would like to speak for or against this ordinance.

No one came forward.

Voting Yea: Mayor Brown, Director Roberts, Assistant Mayor Hollibush, Director Brewer, and Director Hart.

Voting Nay: Director Harris.

The motion carried 5-1 and the Mayor declared the ordinance adopted.

8. Ordinance No. 23-2022 to rezone a tract of land located at 4800 Parker Lane from R-1 Rural residential to A-1 Mixed use rural zoning in order to build a second home on a 10-acre parcel. (Ward 6) (PWD-Planning) City Planner Mary Beck

After a brief discussion the motion to suspend the rules and place the ordinance on its first reading in abbreviated form made by Director Roberts, Seconded by Director Hart.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, and Director Hart.

The motion carried 6-0 and the ordinance was read the first time in abbreviated form.

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

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, Director Miner, and Director Hart.

The motion carried 6-0 and the ordinance was read the second time in abbreviated form.

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

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, and Director Hart.

The motion carried 6-0 and the ordinance was read the third time in abbreviated form.

Motion to adopt the ordinance made by Director Hart, Seconded by Director Roberts.

Mayor Brown asked if anyone would like to speak for or against this ordinance.

No one came forward.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, and Director Hart.

The motion carried 6-0 and the Mayor declared the ordinance adopted.

BOARD OF DIRECTORS' COMMENTARY

No one came forward.

NEXT MEETING DATE: Monday, August 15, 2022

ADJOURN

Motion to adjourn made by Director Hart, Seconded by Director Roberts.

Voting Yea: Mayor Brown, Director Roberts, Director Harris, Assistant Mayor Hollibush, Director Brewer, and Director Hart.

The motion carried 6-0 and the meeting adjourned at 6:34 PM.

APPROVED this the 15th day of August 2022.

Allen L. Brown, Mayor

Heather Soyars, City Clerk



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE: Adopt a Resolution authorizing the City Manager to enter into a construction contract with Contech Contractors, Inc., for Tennessee Road, Meadows Road and Union Road Rehabilitation Projects. (PWD)
Public Works Director Tyler Richards

AGENDA DATE: 08/15/2022

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Public Works Department

PREPARED BY: Tracie Lee, Assistant Public Works Director

REQUEST: Adopt a Resolution to Enter into a Construction Contract with Contech Contractors, Inc., for Tennessee Road, Meadows Road and Union Road Rehabilitation Projects.

EMERGENCY CLAUSE: N/A

SUMMARY: A resolution for the award of the construction contract to Contech Contractors, Inc., in the amount of one million two hundred ninety-five thousand seven hundred eighty-one dollars and eighty-six cents (\$1,295,781.86), for Tennessee Road, Meadows Road and Union Road Rehabilitation.

The city solicited sealed bids on July 10th and July 17th, 2022. On Thursday July 28, 2022, a bid opening was conducted at City Hall for the referenced projects. three qualified bids were received that met the bidding requirements as listed below.

Contech Contractors Inc.	\$1,295,781.86
Tatum Excavating Company, Inc.	\$1,297,949.00
Francis Excavating	\$1,659,785.20

A.L. Franks Engineering reviewed the bids and found no errors in the submission. The low bid by Contech Contractors, Inc., was accepted by the Public Works Director to be submitted to the Board of Directors for approval.

Contech Contractors, Inc., is licensed in the State of Arkansas and located in Texarkana, Texas.

Award of this contract to Contech Contractors, Inc., meets all bidding requirements. Funds were budgeted and available for the award of this contract.

EXPENSE REQUIRED:	\$1,295,781.86
AMOUNT BUDGETED:	\$2,000,000.00
APPROPRIATION REQUIRED:	\$0.00
RECOMMENDED ACTION:	City Manager and staff recommend board approval.
EXHIBITS:	Resolution, Bid Ads, Bid Tab & Engineer's Recommendation.

RESOLUTION NO. _____

WHEREAS, after advertisement, a low bid in the amount of \$1,295,781.86 was submitted by Contech Contractors, Inc., for the Tennessee Road, Meadows Road and Union Road Rehabilitation Projects; and

WHEREAS, funds for such construction are budgeted; and

WHEREAS, the City Manager and staff recommend Board approval;

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

PASSED AND APPROVED this 15th day of August, 2022.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

4190 Legal Notices

cess-with... or can be obtained from the offices of Tex- Americas Center at 107 Chapel Lane, New Boston, Texas 75750, by contacting Jeff Whitten, P.E., Executive Vice President/Chief Operations Officer for TexAmericas Center at 903.223.9841 or at jwhitten@texamericas.com. TexAmericas Center reserves the right to reject any and all proposals.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a public hearing will be held by the PLANNING AND ZONING COMMISSION of the CITY OF TEXARKANA, TEXAS on MONDAY, the 1ST day of AUGUST, 2022, at 6:00 P.M. and by the CITY COUNCIL of the City of Texarkana, Texas on MONDAY, the 12TH day of SEPTEMBER, 2022, at 6:00 P.M. in the Council Chamber, Second Floor, Municipal Building, located at West Third Street and Texas Boulevard, Texarkana, Texas for the purpose of considering the advisability of amending the zoning map, re-platting of a residential subdivision and an amendment to the Zoning Ordinance of said City. All interested parties will be given an opportunity to be heard regarding the following:

- 1. Amendment to PD-11-4 for site plan approval on lots 17-19, Block 3, Feinberg Addition, located 2.5-756; Specific Use Permit to allow the location of new and used automobiles on PLots 1, 2, and 3, Block 2, Parish Place, located at 2719 Sumnerhill Road.
3. 757; Specific Use Permit to allow the location of a tattoo and art studio on Lot 1, Block 5, Richmond Hills 2nd, located at 3013 Richmond Road.
4. 5758; Specific Use Permit to allow the location of a tattoo studio on an approximate 0.13-acre tract of land (being Lots 231, Thomas Price HRS A-466, located at 3427 New Boston Road.
5. Z-22-10; Lot 1, Block 2, Richmond Lake, located at 10707 Richmond Road, Neighborhood Survey to General Retail.
DATED THIS 14TH day of JULY 2022.

Ami Evans, City Secretary CITY OF TEXARKANA, TEXAS

Invitation for Bid

The City of Texarkana, Texas, will receive sealed Proposals at the Public Works/Contracts Department, 919 Elm Street, Texarkana, Texas 75501.

Oil and Lubricants

Proposal opening will be at 10:00 a.m. CST, Wednesday, July 20th, 2022, at Public Works/Contracts Department, 919 Elm Street, Texarkana, Texas 75501.

Invitation Packets will be available on the City's Website

http://www.ci.texarkana.tx.us/346/Purchasing - Government, Department, Purchasing, Current Bid Opportunities or email amanda.freeland@txksa.org

NOTICE OF PUBLIC SALE

Notice of Public Sale of property to satisfy landlord's lien under chapter 59 of the Texas property code law. The sale will take place for U Store It- 3107 South Lake Drive Texarkana, TX 75501 on-line at www.sellstorageauuc.com

The auction will end at 10:00 am Monday, July 25, 2022 or thereafter. Property will be sold to the highest bidder for cash. If the bidder does not contact the store or pay in allotted time, the property will go to the 2nd highest bidder. Payment will be accepted only at the facility at the end of the on-line auction.

Cleanup & removal deposit is required. Seller reserves the right to withdraw property from sale. All units include household items & misc. items unless otherwise noted; U Store It- 3107 South Lake Drive Texarkana, TX 75501 Jessica K. Johnson Joseph M. Mathis Kim Cooley

4190 Legal Notices

Request for Qualifications The City of Texarkana, Texas, will receive sealed Proposals at the Public Works/Contracts Department, 919 Elm Street, Texarkana, Texas 75501.

RFQ #22-2001-08 Kennedy Lane - Bicycle and Pedestrian Improvements (Sidewalks)

Bid opening will be at 10:00 a.m., Thursday, July 21st, 2022, at the City of Texarkana, Texas, 919 Elm Street, Texarkana, Texas 75501.

Invitation Packets will be available on the City's Website

http://www.ci.texarkana.tx.us/346/Purchasing - Government, Department, Purchasing, Current Bid Opportunities or email amanda.freeland@txksa.org

IN THE CIRCUIT COURT OF MILLER COUNTY, ARKANSAS PROBATE DIVISION

46PR-22-130-1 IN THE MATTER OF THE ESTATE OF JAMET LOUISE JOHNSON Deceased

NOTICE OF APPOINTMENT OF ADMINISTRATOR AND FILING OF CLAIMS

In the Circuit Court of Miller County, Arkansas, Probate Division Estate of Janet Louise Johnson, deceased. Last known address of decedent: 2119 Grove Street, Texarkana, Arkansas 71854.

Date of Death: May 14, 2021. The undersigned was appointed administrator of the estate of the above-named decedent on the 30th day of June 2022.

All persons having claims against the estate must exhibit them, duly verified, to the Miller County Clerk within six (6) months from the date of the first publication of this notice, or they shall be forever barred and precluded from any benefit in the estate. Claims for injury or death caused by the negligence of the decedent shall be filed within six (6) months from the date of the first publication of this notice, or they shall be forever barred and precluded from any benefit in the estate.

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary upon the Estate of Dorothy K. Lee, Deceased, were issued on June 27, 2022, in Cause No. 43424.

IN THE COUNTY COURT OF BOWIE COUNTY, TEXAS

4002 Auction Sale

4002 Auction Sale

4190 Legal Notices

This notice first published the 10th day of July, 2022.

Pamela Foster Administratrix of Estate of Dorothy K. Lee, Texarkana, AR 71854

Stephanie Harvin Miller County Clerk 400 Laurel Street, Texarkana, AR 71854

Ashtown Public School District is seeking fuel bids for the 2022-2023 school year for ultra-low sulfur diesel #2 and unleaded regular gasoline (87 octane). Bids must be received by noon on July 28, 2022. Send to 751 Rankin Street, Ashtown, AR 71822.

Contact David Billingsley at 870-898-4485 ext 1503 for additional information. E.O.E.

Invitation for Bid

The City of Texarkana, Texas, will receive sealed Proposals at the Public Works/Contracts Department, 919 Elm Street, Texarkana, Texas 75501.

IB #22-2001-10 Downtown Sidewalk Project

Proposal opening will be at 2:00 p.m. CST, Thursday, August 4, 2022, at Public Works/Contracts Department, 919 Elm Street, Texarkana, Texas 75501.

Invitation Packets will be available on the City's Website

http://www.ci.texarkana.tx.us/346/Purchasing - Government, Department, Purchasing, Current Bid Opportunities or email amanda.freeland@txksa.org

IN THE COUNTY COURT OF BOWIE COUNTY, TEXAS

4002 Auction Sale

4002 Auction Sale

4190 Legal Notices

pending in the County Court of Bowie County, Texas. All persons having claims against this Estate being administered are hereby required to present same within the time prescribed by law. Claims should be addressed in care of "Representative, Estate of Dorothy K. Lee, Deceased" and may be presented to the attorney for the Estate at the following address:

Hanna Lee West, Webb, Albritton & Gentry, P.C. 1515 Emerald Plaza College Station, Texas 77845 Signed July 15, 2022.

West, Webb, Albritton & Gentry, P.C. 1515 Emerald Plaza College Station, Texas 77845 Telephone: 978-694-7000 Fax: 979-694-8000 By: Original signed: Hanna Lee HANNA LEE State Bar No.: 24122322 Attorneys for KIRK L LEE

Request for Proposals Food & Beverage or Retail Concessions at Texarkana Regional Airport

The Texarkana Regional Airport Authority is seeking proposals for the lease, development, and operation of two food and beverage or retail concessions in the future terminal at the Texarkana Regional Airport. View or Download the Request for Proposals Package (RFP) at www.txairport.com/rfp/. You may contact Tyler Brown at Tyler.Brown@txairport.com with questions. The submission deadline for this RFP is 5:00 PM CST on August 16, 2022.

REQUEST FOR APPLICATION Community Healthcres is accepting applications for the Fiscal Year 2023, for all interested providers in the following community service categories:

- Mental Health
• Early Childhood Intervention
• Intellectual Development Disability

YES Waiver Program

Please visit our website listed below for the full RFA Posting and Instructions, and how to obtain and submit your application.

4002 Auction Sale

4002 Auction Sale

4190 Legal Notices

tion. https://communityhealthcres.com/about-us/contractors/request-for-application/ Community Healthcres reserves the right to accept or reject in part or in whole any application received and waive any formalities, in the best value of Community Healthcres.

PUBLIC ONLINE AUCTION DE KALB ISD

101 Maple St., DeKalb PREVIEW: Mon, 7/18/22 AUCTION ENDS: Tues, 7/19/22

FEATURED ITEMS: John Deere 3 Wheeler, TaylorDunn Golf Cart, Bad Boy ZeroTurf Mowers, Toro Zero Turn Mowers, Brush Hog Reel Mower, Shredder, Lightening Brush Hog, Stroller, Brush Hog Blade Roller, 2005 Suzuki LTV, Weidlers, Drill Press, Sewer Snake, Appliance Push Movers, Edgers, Scoreboard, Tables, Chairs, Weedeaters, Computers, Ladders, Lighted G Display, & More Saws Terms & Conditions - 14% B.P. www.onlinepro.com #7341 www.lemonsautoers.com (800) 243-1113 OR

4142 Apartments Unfinished

4142 Apartments Unfinished

4190 Legal Notices

(281)357-4977

NOTICE OF PUBLIC SALE to satisfy landlord's lien under Chapter 59, Texas Property Code. Sale will be held on July 29, 2022 beginning at 9:30am at Lockaway Storage New Boston, 3626 New Boston Rd.

We will then travel to Lockaway Storage Robson Rd, 927 Robson Rd, around 10:30am. We will conclude the day at Lockaway Storage Wake Village, 5308 W. 7th St. at 11:00am.

Property will be sold for cash to the highest bidder at the time of auction. Clean up and removal deposit may be required. Seller reserves the right to withdraw property from the sale and to reject any bidder. Property will be sold in entire contents of each individual storage unit. Property includes the contents of the spaces of the following:

- Michael Mothershead David Green Aemishia Williams Brianna Harris Terri Waltes Charles Bolt DeMarcus Covington

4142 Apartments Unfinished

4142 Apartments Unfinished

4190 Legal Notices

Kevin Dwyer Jerry Thompson Philip Cook Bobby People Aloks Owens Altal Shahzad Shelby Coats Lana Munoz

NOTICE TO BIDDERS OF THE INTENTION OF THE CITY OF TEXARKANA, ARKANSAS TO LET CONTRACTS FOR CONSTRUCTION OF PAVEMENT REHABILITATION FOR TENNESSEE, MEADOWS, AND UNION STREET

SEALED PROPOSALS addressed to Mr. Tyler Richards, Public Works Director, City of Texarkana, 216 Walnut St., Texarkana, AR 71854, must be received until 2:00 P.M., on Thursday, July 28, 2022, for furnishing all labor, equipment, materials, for street rehabilitation to include asphalt and concrete cement stabilization, ditch grading, striping, and other miscellaneous items. Bids will be opened and read aloud at such time at Texarkana, Arkansas, City Hall Board Chambers, 216 Walnut St., Texarkana, Arkansas.

PLANS AND SPECIFICATIONS may be examined without charge at the office of A.L. Franks Engineering, 118 East Broad Street, Texarkana, Arkansas 71854, or at Public Works Office. One copy of each set of documents may be purchased from A.L. Franks Engineering for \$100.00. Documents may be purchased at a certified or cashier's check, or an acceptable bid bond in an amount not less than five percent (5%) of the total bid shall accompany each bid as the contract. The bidder will promptly enter into contract with the City of Texarkana, Arkansas and furnish bonds on the forms provided.

THE SUCCESSFUL BIDDER OR BIDDERS will be required to furnish a Performance and Payment Bond, each in the amount of the contract, written by a responsible surety company authorized to do business in the State of Arkansas that is satisfactory to the Owner.

BIDDERS ARE expected to inspect the site of the work and to inform themselves of all local conditions. The time of completion shall be 100 calendar days including Saturdays, Sundays and legal holidays.

ATTENTION OF BIDDERS is directed to Section 4 of Act 74 of 1969, requiring that not less than the general prevailing rates

IN THE PROBATE COURT OF MILLER COUNTY, ARKANSAS PROBATE DIVISION

NO. 46PR-22-97-3 IN THE ESTATE OF JACKY GERALD RIVERS DECEASED

Last Known Address: 9785 Ard Rd., Oil City, LA 71061 Date of Death: March 25, 2021

NOTICE OF APPOINTMENT AS EXECUTOR

Terry Thomas Boddie, Jr. was appointed Executor of the estate of the above decedent on June 9, 2022.

All persons having claims against the estate must exhibit them, duly verified, to the undersigned within six (6) months from the date of the first publication of this notice, or they shall be forever barred and precluded from any benefit in the estate. This notice first published on July 17, 2022.

/s/ Michael A. Friedman Michael A. Friedman FRIEDMAN LAW OFFICE 200 W. Broad Street Texarkana, Texas 75501 State Bar No. 78188 Telephone: 903/794-3626 Fax: 903/792-0468

IN THE CIRCUIT COURT OF MILLER COUNTY, ARKANSAS PROBATE DIVISION

NO. 46PR-22-98-1 IN THE ESTATE OF ZELMA BRUMLEY RIVERS DECEASED

Last Known Address: 9785 Ard Rd., Oil City, LA 71061 Date of Death: January 7, 2022

NOTICE OF APPOINTMENT AS EXECUTOR

Terry Thomas Boddie, Jr. was appointed Executor of the estate of the above decedent on June 9, 2022.

All persons having claims against the estate must exhibit them, duly verified, to the undersigned within six (6) months from the date of the first publication of this notice, or they shall be forever barred and precluded from any benefit in the estate. This notice first published on July 17, 2022.

/s/ Michael A. Friedman Michael A. Friedman FRIEDMAN LAW OFFICE 200 W. Broad Street Texarkana, Texas 75501 State Bar No. 78188 Telephone: 903/794-3626 Fax: 903/792-0468

4190 Legal Notices

of per diem wages for work of similar character in the locality where the work is performed shall be paid all laborers, workmen and mechanics employed in the construction of public works. EQUAL OPPORTUNITY IN EMPLOYMENT: All qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

ATTENTION OF BIDDERS is advised that the Contractor who is awarded the contract will have to have an Arkansas State Contractor's License. Evidence of licensure shall be provided to the Owner prior to award of the project.

THE SUCCESSFUL BIDDER will be required to furnish evidence of registration with the State Department of Finance and Administration in compliance with Act 125 of 1965 prior to engaging in the performance of this contract.

NO BID may be withdrawn after the scheduled closing time for receipt of bids for at least 60 calendar days.

IN CASE of ambiguity or lack of clearness stating the price in the bids, the City of Texarkana, Arkansas reserves the right to award the most advantageous construction thereof, or to reject the bid.

THE CITY OF TEXARKANA, ARKANSAS reserves the right to reject any or all bids, waive any or all formalities, and to award the contract to the bidder or bidders who, in the opinion of the Owner, offers the proposal to the best interest of same. Award of the contract may be denied if the Statement of Qualifications is not appropriately completed.

CONTRACTORS are cautioned that qualified bids will be subject to rejection.

CONTRACTORS are specifically advised that any person, firm or other party to whom it is proposed to award a subcontract under this contract must be acceptable to the Owner.

The City of Texarkana hereby notifies all bidders that this contract is subject to applicable labor laws, non-discrimination provisions, wage rate laws and other federal laws including the Fair Labor Standards Act of 1938. The Work Hours Act of 1938 and Title VI of the Civil Rights Act of 1964 also apply.

IN THE PROBATE COURT OF MILLER COUNTY, ARKANSAS PROBATE DIVISION

NO. 46PR-22-97-3 IN THE ESTATE OF JACKY GERALD RIVERS DECEASED

Last Known Address: 9785 Ard Rd., Oil City, LA 71061 Date of Death: March 25, 2021

NOTICE OF APPOINTMENT AS EXECUTOR

Terry Thomas Boddie, Jr. was appointed Executor of the estate of the above decedent on June 9, 2022.

All persons having claims against the estate must exhibit them, duly verified, to the undersigned within six (6) months from the date of the first publication of this notice, or they shall be forever barred and precluded from any benefit in the estate. This notice first published on July 17, 2022.

/s/ Michael A. Friedman Michael A. Friedman FRIEDMAN LAW OFFICE 200 W. Broad Street Texarkana, Texas 75501 State Bar No. 78188 Telephone: 903/794-3626 Fax: 903/792-0468

IN THE CIRCUIT COURT OF MILLER COUNTY, ARKANSAS PROBATE DIVISION

NO. 46PR-22-98-1 IN THE ESTATE OF ZELMA BRUMLEY RIVERS DECEASED

Last Known Address: 9785 Ard Rd., Oil City, LA 71061 Date of Death: January 7, 2022

NOTICE OF APPOINTMENT AS EXECUTOR

Terry Thomas Boddie, Jr. was appointed Executor of the estate of the above decedent on June 9, 2022.

All persons having claims against the estate must exhibit them, duly verified, to the undersigned within six (6) months from the date of the first publication of this notice, or they shall be forever barred and precluded from any benefit in the estate. This notice first published on July 17, 2022.

/s/ Michael A. Friedman Michael A. Friedman FRIEDMAN LAW OFFICE 200 W. Broad Street Texarkana, Texas 75501 State Bar No. 78188 Telephone: 903/794-3626 Fax: 903/792-0468

4190 Legal Notices

CAUSE NO. 43370 IN THE COUNTY COURT OF BOWIE COUNTY, TEXAS

IN THE MATTER OF THE ESTATE OF CONNIE JOE KILGORE DECEASED

NOTICE TO CREDITORS

STEVEN M. KILGORE was appointed Executor of the Estate of the above named Decedent on April 19, 2022.

All persons having claims against the estate of any nature, including injury or death caused by the negligence of the decedent, must exhibit them, duly verified, to the undersigned within six (6) months from the date of the first publication of this notice, or they shall be forever barred and precluded from any benefit in the estate. Dated this 12th day of July, 2022.

/s/ JONATHAN W. BECK Jonathan W. Beck #2009124 Morgan, Co. L.P. c/o e&c 3512 Texas Boulevard Texarkana, Texas 75503-0350

Attorney for Steven M. Kilgore, Executor of the Estate of Connie Joe Kilgore, Deceased

NOTICE OF INTENTION TO ISSUE CITY OF TEXARKANA, TEXAS CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Texarkana, Texas, shall convene at 6:00 o'clock P.M. on September 12, 2022, at the regular meeting place in the City Hall, 220 Texas Boulevard, Texarkana, Texas, and, during such meeting, the City Council may consider the passage of an ordinance authorizing the issuance of certificates of obligation, in one or more series, in a principal amount of up to \$4,000,000.00, \$2,475,000.00 for the purpose of paying contractual obligations to be incurred for (i) constructing, improving and equipping fire-fighting facilities, including the acquisition of vehicles related thereto, (ii) street and bridge improvements, including landscaping, drainage, curbs, gutters, medians, sidewalks, signage, lighting and traffic signalization incidental thereto, the relocation of utilities affected by such street improvements and the acquisition of land and rights-of-way therefor (collectively, the "Projects") and (iii) professional services rendered in relation to such projects and the financing thereof, and such certificates are to be payable from ad valorem taxes and a limited pledge of the surplus net revenues of the City's combined Waterworks and Sewer System. In accordance with Texas Local Government Code Section 271.049, (i) the current principal amount of all of the City's outstanding public securities secured by and payable from ad valorem taxes is \$39,175,000; (ii) the current combined principal and interest required to pay all of the City's outstanding public securities secured by and payable from ad valorem taxes is \$46,414,433.28; (iii) the estimated combined principal and interest required to pay all of the City's certificates of obligation to be authorized on time and in full is \$32,390,625; (iv) the maximum interest rate for the certificates may not exceed the maximum legal interest rate; and (v) the maximum maturity date of the certificates to be authorized is 15, 20, 42. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, City of Texarkana, Texas

NOTICE TO BIDDERS OF THE INTENTION OF THE CITY OF TEXARKANA, ARKANSAS TO LET CONTRACTS FOR FOREST REHABILITATION FOR SCHOOL LANE

SEALED BIDS addressed to Lee Elliot, City Administrator, City of Texarkana, 104 S. Main St., Linden, Texas 75563, shall be received until 2:00 P.M., Thursday, July 26, 2022, for furnishing all labor, equipment, materials, subject to the supervision necessary for the SCHOOL LANE STREET REHAB

Bids will be opened and read aloud at such time at City Hall, Linden, Texas. The bid package may be examined without charge Linden City Hall, 104 S. Main St., Linden, Texas 75563 on the date of A.L. Franks Engineering, 118 East Broad Street, Texarkana, AR 71854. One copy of each set of documents may be purchased from A.L. Franks Engineering for \$100.00. Documents may be ordered at www.afranksgeni-

4190 Legal Notices

MORTGAGEE'S NOTICE OF DEFAULT AND INTENTION TO SELL. YOU MAY LOSE YOUR PROPERTY IF YOU DO NOT TAKE IMMEDIATE ACTION. IF YOUR PROPERTY IS SOLD, YOU WILL REMAIN LIABLE FOR ANY DEFICIENCY AND AN ACTION FOR COLLECTION MAY BE BROUGHT AGAINST YOU. NOTICE IS HEREBY GIVEN that on August 1, 2022, at or about 12:15 PM, the following real property will be sold at the Main Entrance of the Miller County Courthouse, 400 Laurel St., Texarkana, AR 71854, to the highest bidder for cash: All that certain tract or parcel of land being part of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) and a part of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) all in Section Five (5), Township Fifteen (15) South, Range Twentyseven (27) West, Miller County, Arkansas and being part of a 38.44 acre tract as described in Warranty Deed from Christal D. Phiffer Prince to John Nichols dated August 21, 1998, recorded in Volume 389, Page 734 of the Deed Records of Miller County, Arkansas and being more particularly described as follows; COMMENCING: At a found 3/8" square iron rod for corner at the

4190 Legal Notices

pend in the County Court of Bowie County, Texas. All persons having claims against this Estate being administered are hereby required to present same within the time prescribed by law. Claims should be addressed in care of "Representative, Estate of Dorothy K. Lee, Deceased" and may be presented to the attorney for the Estate at the following address:

4190 Legal Notices

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4190 Legal Notices

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4190 Legal Notices

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4190 Legal Notices

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4190 Legal Notices

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4190 Legal Notices

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4190 Legal Notices

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**Bid Tabulation
for
East Tennessee Road, Meadows Road & Union Road Rehabilitation**

				Contech Contracors, Inc. Texarkana, TX		TEC - Tatum Excavating Company, Inc. Texarkana, TX		Francis Excavating Queen City, TX	
Item #	Description	Est Qty	U/M	Unit Price	Total			Unit Price	Total
1	Tennessee Road	1	LS	\$360,507.90	\$360,507.90	\$356,865.00	\$356,865.00	\$462,782.50	\$462,782.50
2	Meadows Road	1	LS	\$364,640.34	\$364,640.34	\$355,553.00	\$355,553.00	\$469,347.78	\$469,347.78
3	Union Road	1	LS	\$570,633.62	\$570,633.62	\$585,531.00	\$585,531.00	\$727,654.92	\$727,654.92
BASE BID					\$1,295,781.86		\$1,297,949.00		\$1,659,785.20

CITY OF TEXARKANA, ARKANSAS
 TENNESSEE, MEADOWS, AND UNION STREET REHABILITATION
 BID DATE: July 28, 2022
 BID TABULATION

ITEM	QTY	UNIT	DESCRIPTION	CONTECH CONTRACTORS		TATUM EXCAVATING		FRANCIS EXCAVATING	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
SCHEDULE A: TENNESSEE ROAD									
1	6640	S.Y.	Perform pulverizing of existing asphalt surface And base to a depth of 8-inches, Furnish & Install Cement and Mixing of existing base at a rate of 40 pounds per square yard. To include all labor and Equipment needed for mixing, watering, compaction, shaping in accordance with the project specifications and Plans for the unit price of	\$ 14.68	\$ 97,475.20	\$ 14.75	\$ 97,940.00	\$ 24.65	\$ 163,676.00
2	12760	S.Y.	Provide and Install ACHM Surface Mix (2" compacted depth) including prime coat All labor and equipment as required per the plans and specifications for the unit price of	\$ 17.00	\$ 216,920.00	\$ 17.50	\$ 223,300.00	\$ 19.60	\$ 250,096.00
3	1300	L.F.	Perform removal of brush / vegetation from Ditchline as noted in the plans to include removal Of debris for the unit price of	\$ 8.96	\$ 11,648.00	\$ 7.00	\$ 9,100.00	\$ 12.00	\$ 15,600.00
4	100	L.F.	Perform fine grading of ditchline to ensure positive Drainage and remove excess silt as noted in the plans for the unit price of	\$ 8.96	\$ 896.00	\$ 10.00	\$ 1,000.00	\$ 10.00	\$ 1,000.00
5	1	L.S.	Perform Testing of materials, compaction, or other items requested by the Engineer and performed by an approved laboratory with a project allowance of \$2,000	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
6	20	L.F.	Provide and Install 15" HDPE (N-12 dual wall pipe) (driveway crossing) to include removal of existing Culvert, excavation, materials, gravel driveway base, all labor and equipment as shown in the plans and specifications for the unit price of	\$ 71.68	\$ 1,433.60	\$ 75.00	\$ 1,500.00	\$ 90.23	\$ 1,804.60
7	52	L.F.	Provide and Install 24" HDPE (N-12 dual wall pipe) (street crossing) to include removal of existing Culvert, excavation, materials, backfill, all labor and equipment as shown in the plans and specifications for the unit price of	\$ 114.24	\$ 5,940.48	\$ 125.00	\$ 6,500.00	\$ 197.46	\$ 10,267.92
8	4	L.F.	Provide and Install straight concrete headwall (single 24" HDPE culvert) to include excavation, materials, backfill, all labor and equipment as shown in the plans and specifications for the unit price of	\$ 2,961.28	\$ 11,845.12	\$ 2,400.00	\$ 9,600.00	\$ 1,969.37	\$ 7,877.48
9	15	TONS	Provide and Install Asphalt Level Up to existing Street surface prior to overlay to include all labor, material and equipment as shown in the plans	\$ 298.66	\$ 4,479.90	\$ 155.00	\$ 2,325.00	\$ 181.50	\$ 2,722.50

CITY OF TEXARKANA, ARKANSAS
 TENNESSEE, MEADOWS, AND UNION STREET REHABILITATION
 BID DATE: July 28, 2022
 BID TABULATION

ITEM	QTY	UNIT	DESCRIPTION	CONTECH CONTRACTORS		TATUM EXCAVATING		FRANCIS EXCAVATING		
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	
10	1	L.S.	Provide and Install Street Pavement Markings (centerline and stop bars) upon completion of Paving to include all labor, material and equipment as shown in the plans and specifications for the	\$ 7,369.60	\$ 7,369.60	\$ 3,100.00	\$ 3,100.00	\$ 7,238.00	\$ 7,238.00	
SCHEUDLE B: MEADOWS ROAD										
11	7660	S.Y	Perform pulverizing of existing asphalt surface And base to a depth of 8-inches, Furnish & Install Cement and Mixing of existing base at a rate of 40 pounds per square yard. To include all labor and Equipment needed for watering, compaction, shaping In accordance with the project specifications and Plans for the unit price of	\$ 14.69	\$ 112,525.40	\$ 15.25	\$ 116,815.00	\$ 24.26	\$ 185,831.60	
12	10030	S.Y.	Provide and Install ACHM Surface Mix (2" compacted depth) including prime coat all labor and equipment as required per the plans and specifications for the unit price of	\$ 17.73	\$ 177,831.90	\$ 17.50	\$ 175,525.00	\$ 19.77	\$ 198,293.10	
13	3010	L.F.	Perform removal of brush / vegetation from Ditchline as noted in the plans to include removal Of debris for the unit price of	\$ 8.96	\$ 26,969.60	\$ 9.80	\$ 29,498.00	\$ 13.50	\$ 40,635.00	
14	245	L.F.	Perform fine grading of ditchline to ensure positive Drainage and remove excess silt as noted in the plans for the unit price of	\$ 8.96	\$ 2,195.20	\$ 7.00	\$ 1,715.00	\$ 10.00	\$ 2,450.00	
15	1	L.S.	Perform Testing of materials, compaction, or other items requested by the Engineer and performed by an approved laboratory with a project allowance of \$2,000 per the project plans and specifications for the lump price of	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	
16	24	L.F.	Provide and Install 15" HDPE (N-12 dual wall pipe) (driveway crossing) to include removal of existing Culvert, excavation, materials, gravel driveway base, all labor and equipment as shown in the plans and specifications for the unit price of	\$ 71.68	\$ 1,720.32	\$ 115.00	\$ 2,760.00	\$ 90.23	\$ 2,165.52	
17	28	L.F.	Provide and Install Double 24" HDPE (N-12 dual wall pipe)(street crossing) to include removal of existing Culvert, excavation, materials, backfill, all labor and equipment as shown in the plans and specifications for the unit price of	\$ 228.48	\$ 6,397.44	\$ 205.00	\$ 5,740.00	\$ 394.92	\$ 11,057.76	
18	2	EA	Provide and Install straight concrete headwall (double 24" HDPE culvert) to include excavation, materials, backfill, all labor and equipment	\$ 6,059.20	\$ 12,118.40	\$ 3,500.00	\$ 7,000.00	\$ 3,374.25	\$ 6,748.50	

CITY OF TEXARKANA, ARKANSAS
TENNESSEE, MEADOWS, AND UNION STREET REHABILITATION
BID DATE: July 28, 2022
BID TABULATION

ITEM	QTY	UNIT	DESCRIPTION	CONTECH CONTRACTORS		TATUM EXCAVATING		FRANCIS EXCAVATING	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
19	28	L.F.	Provide and Install 36" HDPE (N-12 dual wall pipe) (street crossing) to include removal of existing Culvert, excavation, materials, backfill, all labor and equipment as shown in the plans and specifications for the unit price of	\$ 164.64	\$ 4,609.92	\$ 210.00	\$ 5,880.00	\$ 386.32	\$ 10,816.96
20	2	EA	Provide and Install straight concrete headwall (Double 36" culvert) to include excavation, materials, backfill, all labor and equipment as shown in the plans and specifications for the unit price of	\$ 8,886.08	\$ 17,772.16	\$ 4,060.00	\$ 8,120.00	\$ 4,424.67	\$ 8,849.34
SCHEDULE C: UNION ROAD									
21	10380	S.Y.	Perform pulverizing of existing asphalt surface and base to a depth of 8-inches, Furnish & Install Cement and Mixing of existing base at a rate of 40 pounds per square yard. To include all labor and Equipment needed for watering, compaction, shaping In accordance with the project specifications and Plans for the unit price of	\$ 14.68	\$ 152,378.40	\$ 15.75	\$ 163,485.00	\$ 24.68	\$ 256,178.40
22	20970	S.Y.	Provide and Install ACHM Surface Mix (2" compacted depth) including prime coat All labor and equipment as required per the plans and specifications for the unit price of	\$ 16.93	\$ 355,022.10	\$ 17.50	\$ 366,975.00	\$ 19.49	\$ 408,705.30
23	2100	L.F.	Perform removal of brush / vegetation from Ditchline as noted in the plans to include removal of debris for the unit price of	\$ 8.96	\$ 18,816.00	\$ 7.25	\$ 15,225.00	\$ 12.00	\$ 25,200.00
24	700	L.F.	Perform fine grading of ditchline to ensure positive Drainage and remove excess silt as noted in the plans for the unit price of	\$ 8.96	\$ 6,272.00	\$ 6.70	\$ 4,690.00	\$ 10.00	\$ 7,000.00
25	1	L.S.	Perform Testing of materials, compaction, or other items requested by the Engineer and performed by an approved laboratory with a project allowance of \$2,000 per the project plans and specifications for the lump price of	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
26	88	L.F.	Provide and Install 15" HDPE (N-12 dual wall pipe) (street crossing) to include removal of existing Culvert, excavation, materials, backfill, all labor and equipment as shown in the plans and specifications for the unit price of	\$ 71.68	\$ 6,307.84	\$ 92.00	\$ 8,096.00	\$ 90.23	\$ 7,940.24
27	8	EA	Provide and Install straight concrete headwall (15" HDPE culvert) to include excavation, materials, backfill, all labor and equipment as shown in the plans and specifications for the unit price of	\$ 2,692.48	\$ 21,539.84	\$ 2,150.00	\$ 17,200.00	\$ 1,726.82	\$ 13,814.56

CITY OF TEXARKANA, ARKANSAS
 TENNESSEE, MEADOWS, AND UNION STREET REHABILITATION
 BID DATE: July 28, 2022
 BID TABULATION

ITEM	QTY	UNIT	DESCRIPTION	CONTECH CONTRACTORS		TATUM EXCAVATING		FRANCIS EXCAVATING	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
28	22	L.F.	Provide and Install 18" HDPE (N-12 dual wall pipe) (street crossing) to include removal of existing Culvert, excavation, materials, backfill, all labor and equipment as shown in the plans and specifications for the unit price of	\$ 97.44	\$ 2,143.68	\$ 130.00	\$ 2,860.00	\$ 122.71	\$ 2,699.62
29	2	EA	Provide and Install straight concrete headwall (18" HDPE culvert) to include excavation, materials, backfill, all labor and equipment as shown in the plans and specifications for the unit price of	\$ 2,826.88	\$ 5,653.76	\$ 2,250.00	\$ 4,500.00	\$ 1,808.40	\$ 3,616.80
TOTAL OF ITEMS (1-10)- TENNESSEE				\$ 360,507.90		\$ 356,865.00		\$ 462,782.50	
TOTAL OF ITEMS (11-20) - MEADOWS				\$ 364,640.34		\$ 355,553.00		\$ 469,347.78	
TOTAL OF ITEMS (21-29) - UNION				\$ 570,633.62		\$ 585,531.00		\$ 727,654.92	
TOTAL BASE BID				\$ 1,295,781.86		\$ 1,297,949.00		\$ 1,659,785.20	


 JASON HALEY, P.E. PROJECT ENGINEER

*Note correction made by A.L. Franks Engineering



118 East Broad Street
Texarkana, AR 71854
PHONE 870.216.1906 • FAX 870.216.1907

July 28, 2022

E. Jay Ellington, City Manager
City of Texarkana, Arkansas
216 Walnut Street
Texarkana, Arkansas 71854

RE: Street Rehabilitation – Union Rd, Tennessee Rd, Meadows Rd
Bid Recommendation

Dear Mr. Ellington:

On Thursday July 28th, 2022 a bid opening was conducted at City Hall for the referenced project. Three qualified bids were received that met the bidding requirements. We have reviewed the bids and found no errors in the submission. The low bid by Contech Contractors, Inc. is within the construction budget of \$1,438,250. A bid tabulation is further provided of the three low bids and summarized below:

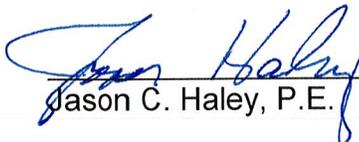
Contech Contractors	\$1,295,781.86
TEC, Inc.	\$1,297,949.00
Francis Excavating	\$1,659,785.20

Contech is licensed in the State of Arkansas and is located in Texarkana, Texas. Contech has completed numerous projects of this type in the past and is capable to complete the project. We recommend award of the street rehabilitation project to Contech Contractors, Inc. in the amount of One million, two hundred ninety-five thousand, seven hundred eighty-one dollars and eighty-six cents (\$1,295,781.86).

If you have any questions or require additional information, please contact me.

Sincerely,

A. L. FRANKS ENGINEERING, INC.



Jason C. Haley, P.E.

CC: Tyler Richards, P.E., Public Works Director



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt a Resolution approving the reimbursement of \$173,598.82 to the Texarkana Regional Airport from American Rescue Act Funds. (FIN)
Finance Director TyRhonda Henderson

AGENDA DATE: 08/15/2022

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Finance Department

PREPARED BY: TyRhonda Henderson, Finance Director

REQUEST: N/A

EMERGENCY CLAUSE: N/A

SUMMARY: The American Rescue Act Fund was approved by the City of Texarkana, Arkansas Board of Directors on December 20, 2021 with resolution 2021-65. This budget allocated \$972,090 in 2021 and the remaining \$656,637 in 2022. Of the total \$1,628,727, \$37,900 has been spent. The purpose of this agenda item is to approve the reimbursement of \$173,598.82 to the Texarkana Regional Airport for engineering services in connection with the Landside Development and Terminal. As this would be considered a general governmental service, it is eligible for reimbursement under the revenue loss portion of the American Rescue Plan Act.

EXPENSE REQUIRED: \$173,598.82

AMOUNT BUDGETED: \$173,598.82

**APPROPRIATION
REQUIRED:** \$0

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

EXHIBITS: Resolution and budget

RESOLUTION NO. _____

WHEREAS, allocated American Rescue Plan Act (ARPA) Funds remain available for use in accordance with applicable law and restriction; and

WHEREAS, an eligible use of a portion of such funds is to reimburse the Airport Authority for \$173,598.82 incurred for engineering services in connection with landslide development and terminal; and of the total ARPA funds allocated, \$1,628,727.00, the total spent to date is \$37,900.00; and

WHEREAS, City Manager and staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Texarkana, Arkansas, that the reimbursement described herein is approved and, further, all applicable City budgets are appropriately amended.

PASSED AND APPROVED this 15th day of August, 2022.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



Please remit payment to: 7302 Kanis Road | Little Rock, AR 72204
 For **account** information contact: Little Rock: 501.371.0272
 Fayetteville: 479.443.2377
 Tulsa: 918.619.6803

Texarkana Regional Airport Authority
 Paul Mehrlich, Executive Director of Aviation
 201 Airport Drive
 Texarkana, AR 71854

Invoice number LR175764-058
 Date 07/11/2022
 Project **LR175764 Texarkana Regional Airport Terminal-Design Only**

Billing Period: April 21, 2021 through June 30, 2022

Work Order No. 4 (AIP No.:3-05-0062-042-2017)

SCHEMATICS & DESIGN DEVELOPMENT

Contract Amount 697,498.00
 Percent Complete 100.00
 Prior Billed 697,498.00
 Total Billed 697,498.00

Current Billed 0.00

GRANT PREPARATION & ADMINISTRATION

Contract Amount 22,222.00
 Percent Complete 100.00
 Prior Billed 22,222.00
 Total Billed 22,222.00

Current Billed 0.00

AMENDMENT NO. 1

SCHEMATICS & DESIGN DEVELOPMENT

Contract Amount 329,076.00
 Percent Complete 100.00
 Prior Billed 312,445.68
 Total Billed 329,076.00

Current Billed 16,630.32

GEOTECH

Contract Amount 8,200.00
 Percent Complete 100.00
 Prior Billed 8,200.00
 Total Billed 8,200.00

Current Billed 0.00

WETLAND STUDY

Contract Amount 6,700.00
 Percent Complete 100.00
 Prior Billed 6,700.00
 Total Billed 6,700.00

Current Billed 0.00

REIMBURSABLES

Contract Amount 4,000.00
 Percent Complete 99.99
 Prior Billed 107.02
 Total Billed 3,999.52

Current Billed 3,892.50
 Total 20,522.82

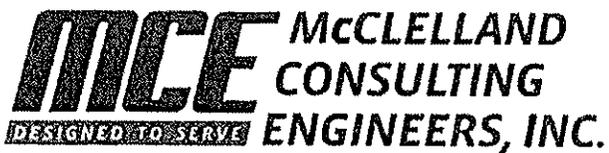


Please remit payment to: 7302 Kanis Road | Little Rock, AR 72204
 For account information contact: Little Rock: 501.371.0272
 Fayetteville: 479.443.2377
 Tulsa: 918.619.6803

				Invoice total	20,522.82
Invoice Summary	Contract	Prior	Total		
Description	Amount	Billed	Billed	Current	Billed
WORK ORDER NO. 4 (AIP NO: 3-05-0062-042-2017)					
SCHEMATICS & DESIGN DEVELOPMENT	697,498.00	697,498.00	697,498.00	0.00	
GRANT PREPARATION & ADMINISTRATION	22,222.00	22,222.00	22,222.00	0.00	
Subtotal	719,720.00	719,720.00	719,720.00	0.00	
AMENDMENT NO. 1					
SCHEMATICS & DESIGN DEVELOPMENT	329,076.00	312,445.68	329,076.00	16,630.32	
GEOTECH	8,200.00	8,200.00	8,200.00	0.00	
WETLAND STUDY	6,700.00	6,700.00	6,700.00	0.00	
REIMBURSABLES	4,000.00	107.02	3,999.52	3,892.50	
Subtotal	347,976.00	327,452.70	347,975.52	20,522.82	
Total	1,067,696.00	1,047,172.70	1,067,695.52	20,522.82	

Approved by:

Matthew R. Vinyard
 Project Manager, P.E.



Please remit payment to: 7302 Kanis Road | Little Rock, AR 72204
 For account information contact: Little Rock: 501.371.0272
 Fayetteville: 479.443.2377
 Fort Smith: 479.434.5333
 Tulsa: 918.619.6803

Texarkana Regional Airport Authority
 Paul Mehrlich, Executive Director of Aviation
 201 Airport Drive
 Texarkana, AR 71854

Invoice number 225712-001
 Date 04/07/2022

Project **225712 Texarkana Regional Airport
 Landside Development - Design Only**

Billing Period: January 1, 2022 through March 31, 2022

Engineering services in connection with the above referenced project in accordance with our agreement and Work order #3.

PRELIMINARY DESIGN & REPORTS

Contract Amount	28,750.00		
Percent Complete	59.83		
Prior Billed	0.00		
Total Billed	17,200.00		
		Current Billed	17,200.00

GRANT ADMINISTRATION

Contract Amount	7,500.00		
Percent Complete	29.33		
Prior Billed	0.00		
Total Billed	2,200.00		
		Current Billed	2,200.00

TOPOGRAPHIC SURVEY

Contract Amount	24,500.00		
Percent Complete	48.98		
Prior Billed	0.00		
Total Billed	12,000.00		
		Current Billed	12,000.00

ENVIRONMENTAL COORDINATION

Contract Amount	12,500.00		
Percent Complete	0.00		
Prior Billed	0.00		
Total Billed	0.00		
		Current Billed	0.00

GEOTECHNICAL INVESTIGATION

Contract Amount	20,275.00		
Percent Complete	0.00		
Prior Billed	0.00		
Total Billed	0.00		
		Current Billed	0.00

ENGINEERING DESIGN DOCUMENTS

Contract Amount	263,975.00
Percent Complete	2.46
Prior Billed	0.00
Total Billed	6,500.00

Current Billed	6,500.00
Total	37,900.00

Invoice total 37,900.00

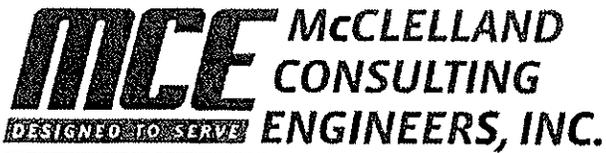
Invoice Summary

Description	Contract Amount	Prior Billed	Total Billed	Current Billed
PRELIMINARY DESIGN & REPORTS	28,750.00	0.00	17,200.00	17,200.00
GRANT ADMINISTRATION	7,500.00	0.00	2,200.00	2,200.00
TOPOGRAPHIC SURVEY	24,500.00	0.00	12,000.00	12,000.00
ENVIRONMENTAL COORDINATION	12,500.00	0.00	0.00	0.00
GEOTECHNICAL INVESTIGATION	20,275.00	0.00	0.00	0.00
ENGINEERING DESIGN DOCUMENTS	263,975.00	0.00	6,500.00	6,500.00
Total	357,500.00	0.00	37,900.00	37,900.00

Approved by:



Matthew R. Vinyard
 Project Manager, P.E.



Please remit payment to: 7302 Kanis Road | Little Rock, AR 72204
 For account information contact: Little Rock: 501.371.0272
 Fayetteville: 479.443.2377
 Fort Smith: 479.434.5333
 Tulsa: 918.619.6803

Texarkana Regional Airport Authority
 Paul Mehrlich, Executive Director of Aviation
 201 Airport Drive
 Texarkana, AR 71854

Invoice number 225712-002
 Date 05/09/2022

Project **225712 Texarkana Regional Airport
 Landside Development - Design Only**

Billing Period: April 1, 2022 through April 30, 2022

Engineering services in connection with the above referenced project in accordance with our agreement and Work order #3.

PRELIMINARY DESIGN & REPORTS

Contract Amount	28,750.00		
Percent Complete	73.04		
Prior Billed	17,200.00		
Total Billed	21,000.00		
		Current Billed	3,800.00

GRANT ADMINISTRATION

Contract Amount	7,500.00		
Percent Complete	29.33		
Prior Billed	2,200.00		
Total Billed	2,200.00		
		Current Billed	0.00

TOPOGRAPHIC SURVEY

Contract Amount	24,500.00		
Percent Complete	73.47		
Prior Billed	12,000.00		
Total Billed	18,000.00		
		Current Billed	6,000.00

ENVIRONMENTAL COORDINATION

Contract Amount	12,500.00		
Percent Complete	0.00		
Prior Billed	0.00		
Total Billed	0.00		
		Current Billed	0.00

GEOTECHNICAL INVESTIGATION

Contract Amount	20,275.00		
Percent Complete	80.27		
Prior Billed	0.00		
Total Billed	16,275.00		
		Current Billed	16,275.00

ENGINEERING DESIGN DOCUMENTS

Contract Amount	263,975.00
Percent Complete	10.77
Prior Billed	6,500.00
Total Billed	28,440.20

Current Billed	21,940.20
Total	48,015.20

Invoice total **48,015.20**

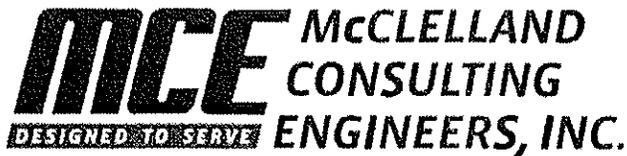
Invoice Summary

Description	Contract Amount	Prior Billed	Total Billed	Current Billed
PRELIMINARY DESIGN & REPORTS	28,750.00	17,200.00	21,000.00	3,800.00
GRANT ADMINISTRATION	7,500.00	2,200.00	2,200.00	0.00
TOPOGRAPHIC SURVEY	24,500.00	12,000.00	18,000.00	6,000.00
ENVIRONMENTAL COORDINATION	12,500.00	0.00	0.00	0.00
GEOTECHNICAL INVESTIGATION	20,275.00	0.00	16,275.00	16,275.00
ENGINEERING DESIGN DOCUMENTS	263,975.00	6,500.00	28,440.20	21,940.20
EXPENSE	0.00	0.00	0.00	0.00
Total	357,500.00	37,900.00	85,915.20	48,015.20

Approved by:



Matthew R. Vinyard
 Project Manager, P.E.



Please remit payment to: 7302 Kanis Road | Little Rock, AR 72204
 For account information contact: Little Rock: 501.371.0272
 Fayetteville: 479.443.2377
 Fort Smith: 479.434.5333
 Tulsa: 918.619.6803

Texarkana Regional Airport Authority
 Paul Mehrlich, Executive Director of Aviation
 201 Airport Drive
 Texarkana, AR 71854

Invoice number 225712-003
 Date 06/08/2022

Project **225712 Texarkana Regional Airport
 Landside Development - Design Only**

Billing Period: May 1, 2022 through May 31, 2022

Engineering services in connection with the above referenced project in accordance with our agreement and Work order #3.

PRELIMINARY DESIGN & REPORTS

Contract Amount	28,750.00		
Percent Complete	85.22		
Prior Billed	21,000.00		
Total Billed	24,500.00		
		Current Billed	3,500.00

GRANT ADMINISTRATION

Contract Amount	7,500.00		
Percent Complete	29.33		
Prior Billed	2,200.00		
Total Billed	2,200.00		
		Current Billed	0.00

TOPOGRAPHIC SURVEY

Contract Amount	24,500.00		
Percent Complete	100.00		
Prior Billed	18,000.00		
Total Billed	24,500.00		
		Current Billed	6,500.00

ENVIRONMENTAL COORDINATION

Contract Amount	12,500.00		
Percent Complete	0.00		
Prior Billed	0.00		
Total Billed	0.00		
		Current Billed	0.00

GEOTECHNICAL INVESTIGATION

Contract Amount	20,275.00		
Percent Complete	100.00		
Prior Billed	16,275.00		
Total Billed	20,275.00		
		Current Billed	4,000.00

ENGINEERING DESIGN DOCUMENTS

Contract Amount	263,975.00
Percent Complete	24.07
Prior Billed	28,440.20
Total Billed	63,540.70

Current Billed	35,100.50
Total	<u>49,100.50</u>

Invoice total **49,100.50**

Invoice Summary

Description	Contract Amount	Prior Billed	Total Billed	Current Billed
PRELIMINARY DESIGN & REPORTS	28,750.00	21,000.00	24,500.00	3,500.00
GRANT ADMINISTRATION	7,500.00	2,200.00	2,200.00	0.00
TOPOGRAPHIC SURVEY	24,500.00	18,000.00	24,500.00	6,500.00
ENVIRONMENTAL COORDINATION	12,500.00	0.00	0.00	0.00
GEOTECHNICAL INVESTIGATION	20,275.00	16,275.00	20,275.00	4,000.00
ENGINEERING DESIGN DOCUMENTS	263,975.00	28,440.20	63,540.70	35,100.50
ADDITIONAL SERVICES	0.00	0.00	0.00	0.00
Total	357,500.00	85,915.20	135,015.70	49,100.50

Approved by:



Matthew R. Vinyard
 Project Manager, P.E.



Please remit payment to: 7302 Kanis Road | Little Rock, AR 72204
 For account information contact: Little Rock: 501.371.0272
 Fayetteville: 479.443.2377
 Fort Smith: 479.434.5333
 Tulsa: 918.619.6803

Texarkana Regional Airport Authority
 Paul Mehrlich, Executive Director of Aviation
 201 Airport Drive
 Texarkana, AR 71854

Invoice number 225712-004
 Date 07/11/2022

Project 225712 Texarkana Regional Airport
 Landside Development - Design Only

Billing Period: June 1, 2022 through June 30, 2022

Engineering services in connection with the above referenced project in accordance with our agreement and Work order #3.

PRELIMINARY DESIGN & REPORTS

Contract Amount 28,750.00
 Percent Complete 90.43
 Prior Billed 24,500.00
 Total Billed 26,000.00

Current Billed 1,500.00

GRANT ADMINISTRATION

Contract Amount 7,500.00
 Percent Complete 29.33
 Prior Billed 2,200.00
 Total Billed 2,200.00

Current Billed 0.00

TOPOGRAPHIC SURVEY

Contract Amount 24,500.00
 Percent Complete 100.00
 Prior Billed 24,500.00
 Total Billed 24,500.00

Current Billed 0.00

ENVIRONMENTAL COORDINATION

Contract Amount 12,500.00
 Percent Complete 0.00
 Prior Billed 0.00
 Total Billed 0.00

Current Billed 0.00

GEOTECHNICAL INVESTIGATION

Contract Amount 20,275.00
 Percent Complete 100.00
 Prior Billed 20,275.00
 Total Billed 20,275.00

Current Billed 0.00

ENGINEERING DESIGN DOCUMENTS

Contract Amount	263,975.00
Percent Complete	30.34
Prior Billed	63,540.70
Total Billed	80,101.00

Current Billed	16,560.30
Total	18,060.30

Invoice total **18,060.30**

Invoice Summary

Description	Contract Amount	Prior Billed	Total Billed	Current Billed
PRELIMINARY DESIGN & REPORTS	28,750.00	24,500.00	26,000.00	1,500.00
GRANT ADMINISTRATION	7,500.00	2,200.00	2,200.00	0.00
TOPOGRAPHIC SURVEY	24,500.00	24,500.00	24,500.00	0.00
ENVIRONMENTAL COORDINATION	12,500.00	0.00	0.00	0.00
GEOTECHNICAL INVESTIGATION	20,275.00	20,275.00	20,275.00	0.00
ENGINEERING DESIGN DOCUMENTS	263,975.00	63,540.70	80,101.00	16,560.30
ADDITIONAL SERVICES	0.00	0.00	0.00	0.00
Total	357,500.00	135,015.70	153,076.00	18,060.30

Approved by:



Matthew R. Vinyard
 Project Manager, P.E.



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE: Adopt a Joint Resolution with the City of Texarkana, Texas, to establish a pilot scooter program with Bird Rides, Inc., in Texarkana, USA. (ADMIN) City Manager E. Jay Ellington

AGENDA DATE: August 15, 2022

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Administration

PREPARED BY: Heather Soyars, City Clerk

REQUEST: Approve a joint resolution with the City of Texarkana, Texas, to establish a pilot scooter program.

EMERGENCY CLAUSE: N/A

SUMMARY: Texarkana, Arkansas, and Texarkana, Texas, share an interest in the revitalization of downtown. Mobility downtown between the two cities will increase tourism and consumer spending. The cities will establish a pilot program with Bird Rides, Inc.

EXPENSE REQUIRED:

AMOUNT BUDGETED:

**APPROPRIATION
REQUIRED:**

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

EXHIBITS: Joint Resolution

Short Title: Joint Resolution No. 2022-058 authorizing the City Managers of Texarkana, Arkansas, and Texarkana, Texas, to enter into an agreement with Bird Rides, Inc.

Texarkana, Texas: Resolution No. 2022-058

Texarkana, Arkansas: Resolution No. _____

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AND THE BOARD OF DIRECTORS OF THE CITY OF TEXARKANA, ARKANSAS, LAUNCHING A PILOT SCOOTER PROGRAM IN TEXARKANA, USA; AUTHORIZING EACH CITY'S RESPECTIVE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BIRD RIDES, INC; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Cities of Texarkana, Texas, and Texarkana, Arkansas, (the "Cities"), have shared interests in the success of Texarkana, USA; and

WHEREAS, the two Cities have a shared interest in the revitalization in downtown Texarkana, USA; and

WHEREAS, mobility around downtown and between the two Cities will increase consumer spending and tourism in downtown Texarkana, Texas, and Texarkana, Arkansas; and

WHEREAS, accessibility to scooters across Texarkana, USA, will increase mobility for residents, and benefit the community; and

WHEREAS, the two Cities are working together to establish a Pilot Program (the "Program") and reach a mutually beneficial agreement with Bird Rides, Inc.; and

WHEREAS, the term of the Program agreement shall be July 11, 2022, through June 30, 2023, with the potential for renewals, and is at no cost to the Cities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AND THE BOARD OF DIRECTORS OF THE CITY OF TEXARKANA, ARKANSAS:

SECTION 1: City Manager Jay Ellington for Texarkana, Arkansas, and City Manager David Orr for Texarkana, Texas, are authorized to enter into an agreement with Bird Rides, Inc. to establish the terms and conditions of a Pilot Program for the provision of scooters within the Cities, and to execute any and all documents necessary to effectuate such agreement and Program.

SECTION 2: This Joint Resolution shall be in full force and effect from and after its passage and approval by both Cities.

Texarkana, Texas: PASSED AND APPROVED in Regular Council Session on this the 11th day of July, 2022.

Texarkana, Arkansas: PASSED AND APPROVED this _____ day of _____, 2022.

TEXARKANA, TEXAS:

TEXARKANA, ARKANSAS:



Bob Bruggeman, Mayor

Allen L. Brown, Mayor

ATTEST:

ATTEST:



Jennifer Evans, City Secretary
6:33p.m.

Heather Soyars, City Clerk



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt a Resolution granting the dissolution of the Arkansas Municipal Auditorium Commission. (ADMIN) City Manager E. Jay Ellington
AGENDA DATE:	August 15, 2022
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Administration
PREPARED BY:	Heather Soyars, City Clerk
REQUEST:	Dissolve the Municipal Auditorium Commission
EMERGENCY CLAUSE:	N/A
SUMMARY:	The Board of Directors of the Arkansas Municipal Auditorium Commission has voluntarily dissolved the nonprofit corporation and has determined that dissolution is in the best interest of the nonprofit corporation on July 19, 2022. The Secretary of State signed the Articles of Dissolution of a Non-Profit Corp. on July 22, 2022
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A
RECOMMENDED ACTION:	The City Manager and staff recommend approval.
EXHIBITS:	Resolution, plan summary, Commission Meeting documents, Dissolution of a Nonprofit

RESOLUTION NO. _____

WHEREAS, by Resolution No. 4820 the Board of Directors for Texarkana, Arkansas, created an *ad hoc* commission called the Texarkana, Arkansas Municipal Auditorium Project Advisory Commission; and

WHEREAS, the Commission was incorporated on November 5, 2004, and said Commission subsequently organized as a not for profit by filing Articles with the Arkansas Secretary of State on December 14, 2004; and

WHEREAS, by action of its Board of Directors, said not for profit dissolved by filing Articles of Dissolution with the Arkansas Secretary of State on July 19, 2022; and

WHEREAS, the City of Texarkana, Arkansas, would like to express their sincere appreciation to all of the Board of Directors for their service to the Arkansas Municipal Auditorium; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Texarkana, Arkansas, that in recognition of the dissolution of the above-named not for profit corporation, the Board of Directors, likewise, formally dissolves the *ad hoc* commission created by Resolution No. 4820.

PASSED AND APPROVED this 15th day of August, 2022.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

Arkansas Municipal Auditorium Commission
Board of Directors Meeting
Offices of Texarkana Symphony Orchestra & Southwest AR Water District
421 Hickory Street, Texarkana, Arkansas
July 19, 2022

Board Members present: Gloria Hogie - President; Debbie Haak – Secretary;
Remica Gray – Treasurer; Carl Teel, John Thomas, John Vutech.

Board Members absent: None

Others Attending: None

The meeting was called to order at 5:00pm by President, Gloria Hogie.

I. Approval of minutes

Motion to approve by John Vutech. Seconded by John Thomas.
Unanimously approved.

II. Financial report – Remica reported the bank balance of June 30, 2022, was \$5,978. Expenses since June 30 total \$2,480.51 for plaques for the Walk of Fame Park leaving a net balance of \$3,447.49. Debbie Haak moved that the financial report be approved. John Vutech seconded. Motion passed unanimously.

III. Action Items

(Bylaws Article 2, 2.01, states that “The affairs of the Corporation shall be managed by the Board of Directors.”)

A. Approval of Action Plan dissolution of the Arkansas Municipal Auditorium Commission.
Board members reviewed a proposed Action Plan for dissolution. (attached)

Following review and discussion, Carl Teel moved that the Action Plan for dissolution of the Arkansas Municipal Auditorium Commission be approved as printed.
Debbie Haak seconded. The motion passed unanimously.

B. Approval of Resolution for dissolution of the Arkansas Municipal Auditorium Commission
Board members reviewed a proposed Resolution for dissolution. (attached)

Following review and discussion, Debbie Haak moved that the Resolution for dissolution of the Arkansas Municipal Auditorium Commission be approved as printed.
John Vutech seconded. The motion passed unanimously.

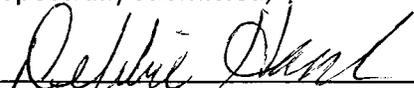
IV. Minutes of this meeting were typed, printed, and distributed to Board Members before the meeting was adjourned.

V. Approval of minutes 7-19-22

Motion to approve by John Vutech. Seconded by Debbie Haak.
Unanimously approved.

VI. Meeting was adjourned at 5:35pm.

Respectfully submitted,



Debbie Haak, Secretary

Resolution for Dissolution of Arkansas Municipal Auditorium Commission:

Whereas, the Board of Directors of the Arkansas Municipal Auditorium Commission has considered the advisability of voluntarily dissolving the nonprofit corporation and has determined that dissolution is in the best interest of the nonprofit corporation

Now, therefore, be it:

RESOLVED: that the board of directors recommends that the corporation be dissolved

AND FURTHER RESOLVED: that the attached plan of dissolution is adopted

AND FURTHER RESOLVED: that upon the adoption of the board's resolution to dissolve and the plan of distribution, the President, Secretary, and Treasurer of this Corporation are each authorized and directed, jointly and severally, on behalf of this Corporation and in its name to do such acts, and to execute, file and deliver such other certificates and documents as they may deem necessary or appropriate to accomplish the intentions of this Resolution, and such actions previously taken by such officers are hereby ratified and confirmed.

The above Resolution is adopted by the consent of the Board of Directors of this Corporation, effective as of July 19, 2022.

ROLL CALL:

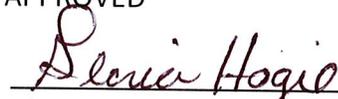
Ayes: Remica Gray, Debbie Haak, Gloria Hogie, Carl Teel, John Thomas, John Vutech.

Noes: None

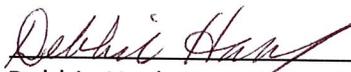
Abstain: None

Absent: None

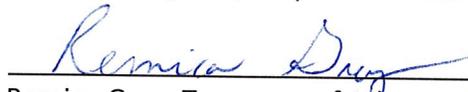
APPROVED



Gloria Hogie, President of Arkansas Municipal Auditorium Commission



Debbie Haak, Secretary of Arkansas Municipal Auditorium Commission



Remica Gray, Treasurer of Arkansas Municipal Auditorium Commission

Plan for Dissolution of Arkansas Municipal Auditorium Commission:

1. The Articles of Incorporation of Arkansas Municipal Auditorium Commission, Article Six, states:

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organizations or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

2. The Corporation has no liabilities.

3. The Corporation has minimal assets less than \$3,455.00 in a checking account which will be distributed to the City of Texarkana, Arkansas, owners of the Arkansas Municipal Auditorium, on or before December 31, 2022. The bank account will then be permanently closed.

4. The Board President, Secretary, and Treasurer shall file any necessary and required documents (such as Articles of Dissolution with the Arkansas Secretary of State, and IRS Form 990EZ and Schedule N as necessary), and the organization shall cease operations except for actions to wind up the corporation in accordance with the articles of the organization.

This plan is adopted on July 19, 2022.



Debbie Haak, Secretary of Arkansas Municipal Auditorium Commission

Your filing has been processed

<https://mail.aol.com/webmail-std/en-us/PrintMessage>

From: support@ark.org,

To: REMICAG@AOL.COM,

Subject: Your filing has been processed

Date: Wed, Jul 27, 2022 9:27 am

Attachments: 800047792.pdf (141K), 800047792_filing.pdf (46K)

Dear REMICA GRAY,

This email is to inform you that the corporation filing you submitting on for filing entity ARKANSAS MUNICIPAL AUDITORIUM COMMISSION has been **processed successfully** by the Arkansas Secretary of State, along with a payment in the amount of \$45.00. The order id number for your payment is 20220722153121778. Your filing number for this filing is 800047792.

Thank you for filing electronically with the Arkansas Secretary of State.

Arkansas GovPay Receipt
From: ArkansasGovPay@ark.org,
To: REMICAG@AOL.COM,
Subject: Arkansas GovPay Receipt
Date: Fri, Jul 22, 2022 3:33 pm

Thank you. Your payment is complete.
Your account will be charged by Arkansas GovPay - Arkansas Government Services.

Payment Summary

Amount Paid:	\$40.00
Arkansas.gov Total:	\$45.00
Payment Status:	Complete
Order Date/Time:	07/22/2022 03:31 PM
Confirmation Number (Order Id):	20220722153121778
Name on card:	REMICA GRAY
Email Address:	REMICAG@AOL.COM
Phone Number:	903-748-1721
Billing Address:	10 CAMBRIDGE DRIVE TEXARKANA, AR 71854, UNITED STATES



Articles of Dissolution of a Non-Profit Corp.

Filing Information

Entity File Number: 800047792

Alt Entity Type: DomNonProfitNewCode

Entity Name: ARKANSAS MUNICIPAL AUDITORIUM COMMISSION

File Date: 2022-07-22 15:30:48

Alt Tax Type: NonProfitCorporation

Filing Signature: REMICA C GRAY

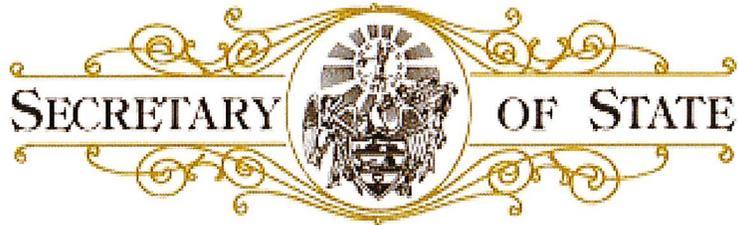
Dissolution Articles Date: 2022-07-19

Dissolution Articles City: TEXARKANA, ARKANSAS

Dissolution Articles Text: BYLAWS ARTICLE 2 STATES THAT: THE AFFAIRS OF THE CORPORATION SHALL BE MANAGED BY THE BOARD OF DIRECTORS. WHEREAS, THE BOARD OF DIRECTORS OF THE ARKANSAS MUNICIPAL AUDITORIUM COMMISSION HAS CONSIDERED THE ADVISABILITY OF VOLUNTARILY DISSOLVING THE NONPROFIT CORPORATION AND HAS DETERMINED THAT DISSOLUTION IS IN THE BEST INTEREST OF THE NONPROFIT CORPORATION, NOW, THEREFORE, BE IT: RESOLVED: THAT THE BOARD OF DIRECTORS RECOMMENDS THAT THE CORPORATION BE DISSOLVED; AND FURTHER RESOLVED: THAT UPON THE ADOPTION OF THE BOARD'S RESOLUTION TO DISSOLVE AND THE PLAN OF DISTRIBUTION, THE PRESIDENT, SECRETARY, AND TREASURER OF THIS CORPORATION ARE EACH AUTHORIZED AND DIRECTED, JOINTLY AND SEVERALLY, ON BEHALF OF THIS CORPORATION AND IN ITS NAME TO DO SUCH ACTS, AND TO EXECUTE, FILE AND DELIVER SUCH OTHER CERTIFICATES AND DOCUMENTS AS THEY MAY DEEM NECESSARY OR APPROPRIATE TO ACCOMPLISH THE INTENTIONS OF THIS RESOLUTION, AND SUCH ACTIONS PREVIOUSLY TAKEN BY SUCH OFFICERS ARE HEREBY RATIFIED AND CONFIRMED. THE ABOVE RESOLUTION IS ADOPTED BY THE CONSENT OF THE BOARD OF DIRECTORS OF THIS CORPORATION, EFFECTIVE AS OF JULY 19, 2022. THE VOTE TO DISSOLVE WAS UNANIMOUS. THE PLAN FOR DISSOLUTION WAS ADOPTED AS FOLLOWS: 1. ARTICLE SIX (OR THE ORGANIZATIONS ARTICLES OF INCORPORATION) STATES THAT UPON THE DISSOLUTION OF THE CORPORATION, ASSETS SHALL BE DISTRIBUTED FOR ONE OR MORE EXEMPT PURPOSES WITHIN THE MEANING OF SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986, OR CORRESPONDING SECTION OF ANY FUTURE FEDERAL TAX CODE, OR SHALL BE DISTRIBUTED TO THE FEDERAL GOVERNMENT, OR TO A STATE OR LOCAL GOVERNMENT, FOR A PUBLIC PURPOSE. 2. THE CORPORATION HAS NO LIABILITIES. 3. THE CORPORATION HAS MINIMAL ASSETS LESS THAN \$3,455 IN A CHECKING ACCOUNT WHICH WILL BE DISTRIBUTED TO THE CITY OF TEXARKANA, ARKANSAS, OWNERS OF THE ARKANSAS MUNICIPAL AUDITORIUM, ON OR BEFORE DECEMBER 31, 2022. THE BANK ACCOUNT WILL THEN BE PERMANENTLY CLOSED. 4. THE BOARD PRESIDENT, SECRETARY, AND TREASURER SHALL FILE ANY NECESSARY AND REQUIRED DOCUMENTS (SUCH AS ARTICLES OF DISSOLUTION WITH THE ARKANSAS SECRETARY OF STATE, AND IRS FORM 990 EZ AND SCHEDULE N AS NECESSARY), AND THE ORGANIZATION SHALL CEASE OPERATIONS EXCEPT FOR ACTIONS TO WIND UP THE CORPORATION IN ACCORDANCE WITH THE ARTICLES OF THE ORGANIZATION. THIS PLAN IS ADOPTED ON JULY 19, 2022, BY UNANIMOUS VOTE OF THE BOARD OF DIRECTORS.

Dissolution Articles Statement: IF APPROVAL OF THE MEMBERS WAS NOT REQUIRED, A STATEMENT TO THAT EFFECT AND A STATEMENT THAT DISSOLUTION WAS APPROVED BY A SUFFICIENT VOTE OF THE BOARD OF DIRECTORS OR INCORPORATORS;

Signature Title: Treasurer

STATE OF ARKANSAS**John Thurston**

ARKANSAS SECRETARY OF STATE

To All to Whom These Presents Shall Come, Greetings:

I, John Thurston, Arkansas Secretary of State of Arkansas, do hereby certify that the following and hereto attached instrument of writing is a true and perfect copy of

Articles of Dissolution of a Non-Profit Corp.

of

ARKANSAS MUNICIPAL AUDITORIUM COMMISSION

filed in this office

July 22, 2022

In Testimony Whereof, I have hereunto set my hand and affixed my official Seal. Done at my office in the City of Little Rock, this 22nd day of July 2022.



John Thurston
John Thurston
Secretary of State

Online Certificate Authorization Code: 55828962e14b607c24f
To verify the Authorization Code, visit sos.arkansas.gov



“Restoring the AMA Theater, Restoring Pride”

.....

Arkansas Municipal Auditorium Commission Strategic Plan Summary

Preamble

The Arkansas Municipal Auditorium Commission was created by the Texarkana, Arkansas City Board of Directors in 2002 in order to “enhance community pride through the renovation of the Arkansas Municipal Auditorium”.

Comprised of a broadening coalition of people and groups with expertise in economic development, downtown revitalization, the arts and humanities, as well as education, AMAC is a lean organization with no paid staff; it operates primarily through volunteer labor and hires short-term consultants when additional expertise is required. Volunteers provide the driving energy for the AMAC.

AMAC has evaluated its potential for successfully restoring the AMA Theater and determined a structured approach to planning and organizing commission activities would be necessary for optimal outcome. AMAC began with a comprehensive feasibility analysis for restoring and operating the facility. The organization has completed collaborative processes resulting in preliminary architectural plans, a viable three-year strategic plan, and preliminary capital campaign and grant writing plans. The architectural plans include floor plans, elevations, 3-D renderings, and projected budget for restoration work.

AMAC has adopted a new mission statement and a three year strategic plan as its road map to developing the organization, fundraising, projects, and business plan essential to succeeding in its original mission.

Mission

The mission of the Arkansas Municipal Auditorium Commission is to restore and revive the culturally and historically significant Arkansas Municipal Auditorium as a state-of-the-art, community-accessible, medium-sized visual and performing arts center for the benefit of all Texarkana residents and visitors, thereby serving as a catalyst to and cornerstone of a resurgence in local pride, the education of the region’s children and the revitalization of downtown Texarkana.

In order to accomplish this, AMAC will be:

- A partner to the City of Texarkana, Arkansas and other public and private enterprises.
- Entrepreneurially oriented.
- A culturally and economically relevant community-led center of civic life.

Arkansas Municipal Auditorium Commission

“Restoring the AMA Theater, Restoring Pride”

Strategic Plan Summary

Goals and Objectives

Currently, AMAC is a City of Texarkana, Arkansas Commission with great potential for fulfilling its mission to restore and revive the AMA.

The Arkansas Municipal Auditorium Commission has evolved into a viable 501(c)3 entity in order to compete more effectively for funds, expand organizational capacity to manage large-scale projects, and respond to market demands for arts, culture, and small business opportunities. AMAC will:

1. Recruit and retain an expanded volunteer base, improving the level of participation of minority community members, and increasing the diversity of board membership, community participation, and role-specific expertise.
2. Develop and maintain realistic project plans, budgets, and timelines.
3. Develop appropriate staffing, policy, and procedures prior to operations commencement.
4. Continually make planning and training the hallmarks of involvement.

AMAC’s primary goal is to restore the AMA and revive culturally relevant arts programming at the AMA. To accomplish these goals, AMAC will:

1. Actively pursue the restoration of the AMA. Paramount to this effort, AMAC will continue to collaborate with the City of Texarkana, Arkansas to establish and maintain a mutually beneficial facility agreement as well as maintain the close working relationship with the chosen architectural firm.
2. Engage the community and institutions to fund the restoration of the AMA through development and implementation of capital campaign and grant writing plans.
3. Develop strategic partnerships with key organizations and individuals to produce programs and recruit end users. Key partners include local school districts, colleges, and the Texarkana Arts and Humanities Council. Success depends on response to core constituencies.
4. Work closely with the MainStreet Texarkana program to effectively integrate downtown redevelopment planning and implementation and maximize available resources.
5. Develop a comprehensive business and operations plan to ensure the successful long-term utilization and management of the facility following completion of the restoration process.
6. Pursue active and open communication within the organization, with the community at large and with all stakeholders through coordinated public relations efforts, development and dissemination of materials, a quarterly newsletter, and a useful website.
7. Create a model of financing and organizational development for other groups to follow by documenting findings, processes, and results.
8. Aggressively pursue fiscal responsibility by maintaining the highest ethical standards, prudent spending policies, and transparency in transactions.



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE:	Consider the following action concerning the maintenance of overgrown lots: Conduct a Public Hearing regarding the placing of liens on (27) twenty-seven overgrown lots. Adopt a Resolution placing liens on (27) twenty-seven overgrown lots. (PWD) Shawn Maxey Building Official
AGENDA DATE:	August 15, 2022
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Public Works Department
PREPARED BY:	Shawn Maxey Building Official

REQUEST:	Place liens on overgrown lots.
EMERGENCY CLAUSE:	N/A

SUMMARY:	This resolution will place liens on lots recouping the maintenance costs of mowing paid by the City. These unkept lots were considered a nuisance by the City. The City contacted the property owners to mow their lots. After receiving no response, the City mowed the nuisance lots and a bill was sent to the property owner. Again, receiving no response from the property owner, the City seeks Board approval to place liens on these properties to recover the costs paid by the City to mow these lots.
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EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A

RECOMMENDED ACTION:	The City Manager and Staff recommend approval
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EXHIBITS:	Resolution and Description of properties.
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RESOLUTION NO. _____

WHEREAS, notice was given pursuant to Ark. Code Ann. §14-54-904 to the property owners identified below of a hearing before the Texarkana, Arkansas, Board of Directors to determine the amount of the lien, if any, to be placed on the property identified below for the expense incurred by the City for removal of structures from and/or the cutting and/or cleaning of such parcel of real property under the provisions of Ark. Code Ann. §14-56-201, et. seq., and Ark. Code Ann. §§14-54-901, et seq., and the *City of Texarkana, Arkansas, Code of Ordinances*, including, without limitation Chapter 11, Article VI; and

WHEREAS, such notice was given pursuant to applicable law (including, without limitation Ark. Code Ann. §14-54-901, et. seq.) more than thirty (30) days prior to the date of the hearing and stated that the hearing on the matter would be before the City Board of Directors on August 15, 2022, commencing at 6:00PM; and

WHEREAS, a hearing on such claim by the City was held this date pursuant said notice and in accordance with the provisions of applicable law (including, without limitation, Ark. Code Ann. §14-54-901, et. seq.) and the *City of Texarkana, Arkansas, Code of Ordinances*; and

WHEREAS, the properties at issue, property owners, and lien amounts with the amount of the lien on said parcel being the City's incurred expense for such parcel are as follows:

<u>ADDRESS, WARD NUMBER AND MILLER COUNTY PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION (PER MILLER COUNTY ASSESSOR, NOT INDEPENDENTLY VERIFIED)</u>	<u>OWNER</u>	<u>COST</u>
1316 Rose Street Ward# 2 Parcel# 1550640	Legal: ALL LOT 5 Block/Lot: 008 / 005 Subdivision: BOURICANDS	Harris, Mishala 4717 COUNTY AVD #123 TEXARKANA, AR 71854	\$200.00
900 Draughn Street Ward# 2 Parcel## 1610710	Legal: ALL LOTS 19 & 20 Block/Lot: 021 / 020 Subdivision: BRAMBLE HIGHLAND PARK REV.	Sheil, Leonard CARRAIGMOR, PARKGARRIFFE, MONKSTOWN CORK, IRELAND 712 FY9E,	\$200.00
2021 Dudley Street Ward# 2 Parcel# 00345200	Legal: 60X128FT SE/C LOT 18 NE SW contig w/#2830171 Block/Lot: N/A / N/A Subdivision: 29-15S-28W	Adams, R 17 CLINTON ST GREENE, NY 13778	\$200.00
2703 Pearl Street Ward# 2 Parcel# 3450300	Legal: ALL LOT 7 Block/Lot: 007 / 007 Subdivision: KIRBY COLLEGE	Fleming, Deontray 114 OAK RIDGE COVE MAUMELLE, AR 72113	\$200.00
1110 Slimer Street Ward# 2 Parcel# 4950252	Legal: ALL LOTS 9 & 10 Block/Lot: 004 / 010 Subdivision: SLIMER'S 1ST	Carrillo, Soledad 1621 N ANN TEXARKANA, TX 75501	\$200.00
307 Charles Street Ward# 3 Parcel# 4710091	Legal: ALL LOT 6 Block/Lot: 002 / 006 Subdivision: ORR'S, ROBERT 1ST	Edmond, William 309 CHARLES % OLA MAE TAYLOR TEXARKANA, AR 71854	\$200.00
1510 Lindberg Street Ward# 2 Parcel# 1695450	Legal: ALL LOT 25 AKA/HEILBRON'S SUBD Block/Lot: 00J / 025 Subdivision: BRONWAY HGTS	Borde, Dattatraya 8101 LOMBARD WAY DUBLIN, OH 43016	\$200.00
718 Ida Avenue Ward# 2 Parcel# 3050013	Legal: ALL LOT 1 Block/Lot: 001 / 001 Subdivision: HILLTOP MCIVERS 2ND	Brentlinger, James 1917 FAIRFIELD AVE FAIRFIELD, CA 94533	\$200.00
1403 Community Street Ward# 2 Parcel# 3050150	Legal: ALL LOTS 23 & 24 Block/Lot: 001 / 024 Subdivision: HILLTOP MCIVERS 2ND	Nunn, Clayton T SR & Iva L 1409 COMMUNITY TEXARKANA, AR 71854	\$200.00
1920 Selma Street Ward# 1 Parcel# 1090630	Legal: ALL LOT 7 Block/Lot: 012 / 007 Subdivision: ARABELLA HGTS	Smerdel, Michael 6756 WRANGLER RD CHINO HILLS, CA 91709	\$200.00
1625 Roberts Street Ward# 2 Parcel# 1695150	Legal: ALL LOTS 11 THRU 13 AKA/HEILBRON'S SUBD Block/Lot: 00H / 013 Subdivision: BRONWAY HGTS.	Birthright, R E & Ethel 206 E 38TH TEXARKANA, AR 71854	\$200.00
310 Prince Street Ward# 2 Parcel# 5610540	Legal: ALL LOTS 16 & 17 Block/Lot: 011 / 017 Subdivision: WILLIAMS SO. SIDE	Smith, Patricia P O BOX 68 FOUKE, AR 71837	\$200.00
1711 Hilltop Street Ward# 1 Parcel# 1693630	Legal: ALL LOT 10 Block/Lot: 169 / 010 Subdivision: BRONWAY HGTS	Bullard, Ralph 1711 HILLTOP TEXARKANA, AR 71854	\$200.00
424 Ida Avenue Ward#2 Parcel# 1694790	Legal: ALL LOTS 1 & 2 AKA/HEILBRON'S SUBD Block/Lot: 00F / 002 Subdivision: BRONWAY HGTS.	Brentlinger, James 1917 FAIRFIELD AVE FAIRFIELD, CA 94533	\$200.00

713 Ash Street Ward# 2 Parcel# 1010610	Legal: ALL LOT 2 Block/Lot: 012 / 002 Subdivision: ORIGINAL CITY	Guta Lands USA DEPT B, PO BOX 103 GREENLAND, AR 72737	\$200.00
721 Beech Street Ward# 2 Parcel# 1010710	Legal: ALL LOTS 1-2-3 & 10-11-12 Block/Lot: 013 / 012 Subdivision: ORIGINAL CITY	Khanios Treehouse C/O Yasir Degrate C/O YASIR DEGRATE 608 THATCHER ST TEXARKANA, AR 71854	\$200.00
839 Laurel Street Ward# 2 Parcel# 4410030	Legal: ALL LOTS 4 & 5 Block/Lot: 001 / 005 Subdivision: O'DONNELL'S	White, Lee P O BOX 1823 HOPE, AR 71802	\$200.00
1518 Prospect Street Ward# 2 Parcel# 1695330	Legal: ALL LOTS 25-26-27 AKA/HEILBRON'S SUBD Block/Lot: 001 / 027 Subdivision: BRONWAY HGTS	Stephens, Howard P O BOX 24897 %ROSEMARY HAYNIE TEMPE, AZ 85285	\$200.00
403 Pecan Street Ward# 2 Parcel# 1011840	Legal: S/2 OF LOT 5 & ALL OF LOT 6 Block/Lot: 044 / 006 Subdivision: ORIGINAL CITY	Daniels, Molena Frances 2911 AMBER BAY LOOP ANCHORAGE, AK 99515	\$200.00
509 East Street Ward# 2 Parcel# 1690030 & 1690031	ALL LOT 4 LESS 5' OFF E SIDE VOL 216 PG 228 Block/Lot: 001 / 004 Subdivision: BRONWAY HGTS ALL LOT 5 LESS 5' OFF E SIDE VOL 216 PG 288 Block/Lot: 001/005 Subdivision: BRONWAY HGTS	Ayala, Zorayda 10202 FORUM PARK DR #220 HOUSTON, TX 77036	\$200.00
2901 Grand Avenue Ward# 2 Parcel# 1390070	Legal: S/2 OF LOT 12 & ALL LOT 13 Block/Lot: 001 / 013 Subdivision: BELL-HENRY	Sinyard, WM Marvin & Bennie 2905 GRAND TEXARKANA, AR 71854	\$200.00
1103 Pecan Street Ward# 3 Parcel# 5190040	Legal: ALL LOT 5 Block/Lot: 001 / 005 Subdivision: STEGALL'S	Beard, L D 121 E MAIN %ALV LLC MAGNOLIA, AR 71753	\$200.00
1202 East 12 th Street Ward# 3 Parcel# 3650050	Legal: ALL OF LOTS 1 & 2 Block/Lot: 007 / 002 Subdivision: LANIER'S SUB.	Minter, Diane R. & Avery S. PO BOX 3361 TEXARKANA, TX 75504	\$200.00
314 Ferguson Street Ward# 2 Parcel# 5490100	Legal: ALL LOT 9 Block/Lot: 002 / 009 Subdivision: WEBBER'S	Gathwright, Byron D. 117 SOUTH ST CAMDEN, AR 71701	\$200.00
2218 Selma Street Ward# 1 Parcel# 4850490	Legal: ALL OF LOTS 10 & 11 Block/Lot: 006 / 011 Subdivision: SCOGGINS SO. SIDE	McAdams, Charles W 2218 SELMA TEXARKANA, AR 71854	\$200.00
300 Senator Street Ward# 2 Parcel# 4150212	Legal: W 90' OF LOTS 1 & 2 Block/Lot: 004 / 002 Subdivision: NIX 1ST	Brown, Carman D. 15717 AVIS AVENUE LAWNDALE, CA 90260	\$200.00
615 Des Moines Street Ward# 3 Parcel# 5110280	Legal: ALL OF LOT 1 Block/Lot: 004 / 001 Subdivision: SPRINGERS	BK Elite Properties, LLC. 3459 MISTY MEADOW DR DALLAS, TX 75287	\$200.00

WHEREAS, The Board of Directors has determined that there should be certified to the Miller County, Arkansas, Tax Collector to be placed on the books as delinquent taxes the amount set forth above for each said parcel of real property.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Texarkana, Arkansas, that the amounts set forth above is hereby certified to the Tax Collector for Miller County, Arkansas, for placement on the tax books as delinquent taxes on the parcels of real property identified and described above and collected accordingly as provided for by applicable law, including, without limitation, Ark. Code Ann. §14-54-901, et seq.

PASSED AND APPROVED this 15th day of August, 2022.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

2022 WEED LOT TABLE

<u>ADDRESS, WARD NUMBER AND MILLER COUNTY PARCEL NUMBER</u>	<u>LEGAL DESCRIPTION (PER MILLER COUNTY ASSESSOR, NOT INDEPENDENTLY VERIFIED)</u>	<u>OWNER</u>	<u>COST</u>
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CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE: Adopt a Resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) regarding the Bi-State Criminal Justice Center. (ADMIN) City Manager E. Jay Ellington

AGENDA DATE: August 15, 2022

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Administration

PREPARED BY: Heather Soyars, City Clerk

REQUEST: Memorandum of Understanding (MOU) regarding the Bi-State Criminal Justice Center.

EMERGENCY CLAUSE: N/A

SUMMARY: Memorandum of Understanding (MOU) regarding the Bi-State Criminal Justice Center.

EXPENSE REQUIRED:

AMOUNT BUDGETED:

**APPROPRIATION
REQUIRED:**

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

EXHIBITS: Resolution and MOU

RESOLUTION NO. _____

WHEREAS, the City Manager requests authorization to enter into a Memorandum of Understanding between the City of Texarkana, Arkansas, the City of Texarkana, Texas, and Bowie County, with regards to the Bi-State Criminal Justice Center; and

WHEREAS, the purpose is to re-issue the agreement for operations of the Bi-State Criminal Justice Center and the Public Safety Answering Points (PSAP); and

WHEREAS, the City Manager and staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Texarkana, Arkansas, that the City Manager is hereby authorized to enter into a Memorandum of Understanding regarding the Bi-State Criminal Justice Center.

PASSED AND APPROVED this 15th day of August, 2022.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

Memorandum of Understanding

This Memorandum of Understanding (“MOU”) is agreed to and authorized by the Board of Directors of the City of Texarkana, Arkansas, the City Council of the City of Texarkana, Texas, the Commissioners Court of Bowie County, Texas, and the Sheriff of Bowie County, Texas.

Recitals

The original signatories of the “Bi-State Criminal Justice Center Agreement” — [listed in order of signatures] the City of Texarkana, Arkansas, by its City Manager; the City of Texarkana, Texas, by its City Manager; Miller County, Arkansas, by its County Judge; Bowie County, Texas, by its County Judge; the Sheriff (Elect) of Miller County, Arkansas; and the Sheriff of Bowie County, Texas — collectively agreed, as of October 1, 1978, that the goals and purposes of the Bi-State Agreement included:

- A. To take such reasonable and necessary steps as are needed to construct and operate a Bi-State Criminal Justice Center;
- B. To assign, consolidate or combine all or portions of those functions, services and facilities which shall lead to maximum feasible efficiency, coordination and economy in the provision of law enforcement, criminal justice and associated efforts; and
- C. To enact or support enactment of such laws, ordinances and other legislation as will promote maximum feasible efficiency, coordination and economy in operation of the Bi-State Criminal Justice Center.

In furthering these goals and purposes, the original signatories agreed to establish a “joint operation ... responsible for telephone and radio communications dispatching services for, among others, Arkansas City police, fire and ambulance, Texas City police, fire and ambulance, and Miller and Bowie Sheriffs.... Performance of the dispatching and other communications services shall be provided 24 hours daily for the term of this agreement and shall include the acquisition, lease or rental, maintenance, repair, replacement and licensing of all equipment involved in this joint operation.” Arkansas and Texas law cement the authority to establish a justice center on the state line [Ark. Code Tit. 12, Subtit. 3, Ch. 49, Subch. 3 - “Bi-State Criminal Justice Center Compact”, Tex. Loc. Gov’t Code Ch. 361, Subch. B - “Justice Centers Located on State Line”].

The groundbreaking collaborative and cooperative efforts of the original signatories of the Bi-State Agreement culminated in the Bi-State Justice Center becoming operational in 1985. Some years thereafter, two of the original signatories — Miller County, Arkansas, and the Sheriff of Miller County — stopped using the Bi-State and stopped contributing funds to its upkeep, use, or operations, including the joint operation for telephone and radio communications dispatching services.

Recent changes in the laws of the State of Arkansas have an impact on funding for public safety telephone and radio communications dispatching services. The State of Arkansas endeavors to conserve taxpayer funds and increase efficiency by allotting funding for public safety answering points (PSAPs) or 911 centers to counties based upon population; and counties of the population size of Miller County have been allotted only one funded PSAP center.

NOW, THEREFORE, the City of Texarkana, Arkansas, the City of Texarkana, Texas, Bowie County, Texas, and the Sheriff of Bowie County, Texas, declare, in this Memorandum of Understanding, the following:

We welcome and invite discussions regarding Miller County's inclusion in the current Regional PSAP located at the Bi-State Justice Center.

We believe we will be continuing to utilize the Bi-State for the foreseeable future. We therefore commit to utilizing the Bi-State for the next five fiscal years (which, for Arkansas entities, would coincide with calendar years 2023, 2024, 2025, 2026, and 2027); and further commit to jointly decide, on or before June 30, 2027, whether to extend this commitment for an additional five fiscal years (which, for Arkansas entities, would coincide with calendar years 2028, 2029, 2030, 2031, and 2032).

The Recitals set out in this MOU are true and correct and are incorporated herein and made a part hereof as findings of the Board of Directors of the City of Texarkana, Arkansas, the City Council of the City of Texarkana, Texas, the Commissioners Court of Bowie County, Texas, and the Sheriff of Bowie County, Texas.

This MOU shall be effective as of August ____, 2022.

The City of Texarkana, Arkansas

Jay Ellington
City Manager

Attest:

Heather Soyars
City Clerk

The City of Texarkana, Texas

David W. Orr, Ph.D.
City Manager

Attest:

Jennifer Evans
City Secretary

Bowie County, Texas

Bobby Howell, J.D.
County Judge

Attest:

Tina Petty
County Clerk

Bowie County, Texas

Jeff Neal
Sheriff



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Consider the following action concerning the 2022 Byrne Justice Assistance Grant Program:

Conduct a Public Hearing to allow citizen input regarding the use of Byrne Justice Assistance Grant Program monies for the Texarkana, Arkansas Police Department.

Adopt a Resolution granting permission to submit the 2022 application and further authorizing the City Manager to execute a Memorandum of Understanding (MOU) Interlocal Agreement with Miller County, regarding the Byrne Justice Assistance Grant (JAG-yearly grant). (TAPD) Captain James Atchley

AGENDA DATE: August 15, 2022

ITEM TYPE: Ordinance Resolution Other :

DEPARTMENT: Texarkana Arkansas Police Department

PREPARED BY: Captain James Atchley

REQUEST: Texarkana Arkansas Police Department / Miller County
FY 2022 JAG Award Program

EMERGENCY CLAUSE: N/A

SUMMARY: The Texarkana Police Department receives money through the Edward Byrne Justice Assistance Grant Program each year. We request permission to submit the joint 2022 application and enter into an Interlocal Agreement with Miller County concerning the division of the funds in the amount of \$18,185.00. The money splits \$12,002.10 TAPD & \$6,182.90 Miller County.

This year we are eligible for a new grant “Byrne Justice Assistance Grant Program” or JAG in the amount of \$18,185.00 dollars to be split with Miller County. Unless both City and County agree to the disparate certification resolution for Texarkana/Miller County neither governmental agency will receive funds. Miller County has agreed to take \$6,182.90 dollars as their share to resolve the disparate certification. This is approximately at 66.67/33.33% split. There is an especially short window of opportunity to submit this application to the Board of Directors for approval of the JAG Grant, Public Comments & MOU with

Miller County and then forward to the Department of Justice for processing.

The Texarkana Arkansas Police Department will utilize its \$12,002.10 portion of the JAG award to fund the costs associated with upgrading six (6) the police department's mobile data terminal equipment.

There is no local match to either the city or county on this grant application.

EXPENSE REQUIRED: \$0.00

AMOUNT BUDGETED: \$0.00

**APPROPRIATION
REQUIRED:** None

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

EXHIBITS: Resolution and MOU

RESOLUTION NO. _____

WHEREAS, the Texarkana, Arkansas Police Department (TAPD) has been receiving funds through the Edward Byrne Justice Assistance Grant Program each year and is requesting permission to submit the 2022 application and to enter into an Interlocal Agreement with Miller County, concerning the division of funds received from the grant; and

WHEREAS, TAPD and Miller County, will split a \$18,185.00 grant from the “2022 Byrne Justice Assistance Grant Program” and must agree to a disparate certification resolution before either agency can receive the grant; and

WHEREAS, TAPD has agreed to receive \$12,002.10 as their share, leaving Miller County with \$6,182.90, an approximate 66.67/33.33% split; and

WHEREAS, TAPD is proposing that the City’s share of the funds be used to upgrade six (6) mobile data equipment terminals;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Texarkana, Arkansas, that the Texarkana, Arkansas Police Department is authorized and directed to submit the 2022 application under the Edward Byrne Justice Assistance Grant Program, to execute the disparate certification resolution with Miller County, to split the grant money as set out above, and to use the grant money for the purposes set forth within.

PASSED AND APPROVED this 15th day of August, 2022.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

FY 2022 JAG Award Program

GMS Application Number: GRANT13684036 O-BJA-2022-171368

UEI: YGVLRZNQ4787

The State of Arkansas

Known All By These Present

County of Miller

**Interlocal Agreement
Between the City of Texarkana, Ar. and the County of Miller, Ar.
2022 Byrne Justice Assistance Grant (JAG) Program Award**

This agreement is made and entered the 25th day of July, 2022 by and between the County of Miller, acting by and through its governing body, the Quorum Court, hereinafter referred to as COUNTY, and the City of Texarkana, acting by and through its governing body, the Board of Directors, hereinafter referred to as CITY, both Miller County, State of Arkansas, witnesseth:

The City of Texarkana will act as the fiscal agent to administer this grant for the City of Texarkana, Arkansas and Miller County, Arkansas. The City and the County will use their part of the grant funds for the purchase of the equipment as set forth within the budget section of the application.

WHEREAS, each governing body, in performing governmental function or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interest of both parties, that undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the City agrees to provide the County \$6,182.90 from the 2022 JAG award for equipment purchases to be determined by the Miller County Sheriff's Office; and

WHEREAS, the City and the County believe it to be in their best interest to reallocate the JAG funds.

FY 2022 JAG Award Program

GMS Application Number: GRANT13684036 O-BJA-2022-171368

UEI: YGVLRZNQ4787

NOW THEREFORE, the County and City agree as follows:

Section 1.

The CITY agrees to pay the COUNTY a total of \$6,182.90 of 2022 JAG funds. Under this agreement, the CITY will maintain \$12,002.10.

Section 2.

The COUNTY agrees to use \$6,182.90 for the purpose of equipment and/or salaries and the CITY will use \$12,002.10 for the purpose of equipment and/or salaries, until September 30, 2023.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against the COUNTY.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY.

Section 5.

Each party to this agreement will be responsible for its own actions in providing services under the Agreement and shall not be liable for any civil liability that may arise from the furnishing of the service by the other party.

Section 6.

The parties to the Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

FY 2022 JAG Award Program

GMS Application Number: GRANT13684036 O-BJA-2022-171368

UEI: YGVLRZNQ4787

Section 7.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set-out herein; furthermore, this Agreement shall not create any rights in any party not a signatory hereto.

CITY of Texarkana, AR.

COUNTY of Miller, AR.

City Manager, Mr. Jay Ellington

County Judge, Cathy Hardin-Harrison

ATTEST: APPROVED AS TO FORM

City Clerk, Heather Soyers

County Clerk, Stephanie Harvin

City Attorney, George Matteson



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE:	Adopt an Ordinance levying the 2022 tax rate. (FIN) Finance Director TyRhonda Henderson
AGENDA DATE:	08/15/2022
ITEM TYPE:	Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Finance Department
PREPARED BY:	TyRhonda Henderson, Finance Director

REQUEST:	Levy the tax rate.
EMERGENCY CLAUSE:	N/A

SUMMARY:	<p>Each year, the City is required to establish the property tax levy for that year which is then applied by the County to property tax bills in the next year. The proposed 2022 tax levy is the same as in prior years—5 mils for general fund operations, 1 mil for the fire pension fund, 1 mil for the police pension fund, 1 mil for the library fund, and 2.5 mils for general obligation bond debt service payments. Passage of this ordinance will not increase property tax rates for any City resident. The current property tax levy is budgeted to generate the amounts below in 2022:</p> <p style="padding-left: 40px;">\$2,564,000 for general fund operations \$453,000 for the police pension fund \$453,000 for the fire pension fund \$453,000 for the library fund \$1,282,000 for debt service</p> <p>The revenue generated from this tax levy will be approved during the budget process.</p>
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EXPENSE REQUIRED:	\$0
AMOUNT BUDGETED:	\$0
APPROPRIATION REQUIRED:	\$0

RECOMMENDED ACTION:	City Manager and staff recommend approval
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EXHIBITS:	Ordinance
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ORDINANCE NO. _____

AN ORDINANCE LEVYING THE 2022 TAX RATES AND FOR OTHER PURPOSES

BE IT ORDAINED by the Board of Directors of the city of Texarkana, Arkansas:

Section 1: That upon each and every dollar of taxable property, real and personal, there shall be and is hereby levied the following rate of taxation for the year 2022:

- (a) For defraying the general expenses of the City known as taxes for general purposes, 5 mills on the dollar.
- (b) For creating a fund to be used for the maintenance of a public library, 1 mill on the dollar.
- (c) For creating a fund to be used for the payment of Firemen pensions, 1 mill on the dollar.
- (d) For creating a fund to be used for the payment of Policemen pensions, 1 mill on the dollar.
- (e) For creating a fund to be used for general obligation bond debt service payments, 2.5 mills on the dollar.

Section 2: The County Clerk of Miller County, Arkansas, on receipt of duly certified copy of this ordinance from the City Clerk of the City of Texarkana, Arkansas, is directed to enter upon the Tax Books of Miller County, Arkansas, for the year 2022, the foregoing rate of taxation by which all property, both real and personal, is assessed in the City of Texarkana, Arkansas, and pay over to the Treasurer of the City of Texarkana, Arkansas, the respective amounts so collected and found due to said City on this statement with the County Clerk of Miller County, Arkansas.

PASSED AND APPROVED this 15th day of August, 2022.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt an Ordinance amending Chapter 5 of the *City of Texarkana, Arkansas, Code of Ordinances* as related to animals. (ACAC) Director Lenor Teague

AGENDA DATE: August 15, 2022

ITEM TYPE: Ordinance Resolution Other :

DEPARTMENT: Animal Care and Adoption Center

PREPARED BY: Lenor Teague, Director

REQUEST: Ordinance amending Chapter 5, Animals and Fowls, to update definitions, fine amounts, and places where current ordinance states “dogs” but should include “cats” as well. Also, adding Sections 5-23, Spaying and Neutering, and Section 5-24, Breeding and Selling

EMERGENCY CLAUSE: N/A

SUMMARY: There are several items in Chapter 5, Animals and Fowls, that need updates. This includes adding some new definitions and changing a few definitions to match State code, bringing range of fine amounts up to date, correcting areas where “dogs” should read “dogs and cats.” This Ordinance covers all those updates plus adds a section to cover new spay and neuter requirements within the City limits and a section to provide regulation of those who breed and sell animals. The City Manager’s Advisory Group for the Animal Care and Adoption Center have reviewed and approved these changes.

EXPENSE REQUIRED: N/A

AMOUNT BUDGETED: N/A

**APPROPRIATION
REQUIRED:** N/A

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

EXHIBITS: Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 5 OF THE *CITY OF TEXARKANA, ARKANSAS, CODE OF ORDINANCES AS RELATES TO ANIMALS;* AND FOR OTHER PURPOSES

WHEREAS, it is necessary and in the best interest of the City to update certain provisions of the *City of Texarkana, Arkansas, Code of Ordinances*, (the “*Code*”) as relates to certain animals; and

WHEREAS, the City Manager and staff recommend approval;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas, that Chapter 5 of the *Code*, is hereby amended as follows:

Section 1. Not to be codified:

Purpose. The purpose of these revisions and amendments are to promote the health, safety, and general welfare of the residents of the city by reducing the number of stray dogs and cats. The provisions herein section are designed to eliminate the excessive numbers of unwanted animals and thereby stop the needless killing of these animals by restricting the breeding through measures that are both reasonable and enforceable.

Section 2. The following amendments are made to Section 5-1 of the *Code*:

The definition of Animal Control Department is amended to read as follows: Animal Control Department or Animal Shelter: wherever used, refers to the current “Animal Care and Adoption Center (ACAC)”, the agency of the City of Texarkana having primary responsibility for the implementation of this chapter.

The following definitions are added:

Bite: the skin has been penetrated by an animal’s teeth and saliva has contacted a break or abrasion of the skin.

Breeder: Any firm, person, or corporation that is engaged in the operation of breeding and raising one or more dogs or cats for the purpose of selling, trading, bartering, giving away, or otherwise transferring same.

Intact or unaltered animal: An unsterilized animal.

Neutered male: Any male animal which has been operated upon to prevent breeding.

The definition of Owner is amended to read as follows: “*Owner:* any person who (1) has a right of property in a dog, cat, or other animal; (2) keeps, harbors, cares for, or acts as the custodian of a dog, cat, or other animal; or (3) knowingly permits a dog, cat, or other animal to remain on or about any premises occupied by him or her; provided, however, nothing contained in this definition is intended, nor shall be deemed or construed to create a property right or interest that does not otherwise exist under applicable law.”

The definition of Vaccination is amended to read as follows: *Vaccination:* the injection, subcutaneously or otherwise, of antirabic vaccine, as approved by the United States Department of Agriculture or the State Board of Health and administered by a licensed veterinarian or agent of the Department of Health.

Section 3. Section 5-2 of the *Code* is deleted and restated as follows:

Sec. 5-2. Penalty. Any person violating any portion of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred forty-five dollars (\$145.00) nor in excess of five hundred dollars (\$500.00), and if the violation is continuing, each violation shall be considered a separate offense.

Section 4. Section 5-3(b) of the *Code* is deleted and restated as follows:

(b) The licensing and vaccination requirements of this chapter shall not apply to any dog or cat belonging to a nonresident of the city and kept within the city for not longer than thirty (30) days; provided, all such dogs or cats shall at all times while in the city be kept within a building or enclosure or vehicle or be confined by the owner as herein provided.

Section 5. Section 5-5 of the *Code* is amended to change each occurrence of “dog” to “dog or cat.”

Section 6. Section 5-9(d) of the *Code* is amended to replace “not less than fifty dollars (\$50.00)” to “not less than one hundred forty-five dollars (\$145.00).”

Section 7. Section 5-11 of the *Code* is deleted and restated as follows:

Sec. 5-11. License fee; tags.

(a) It shall be unlawful for any person, firm, or corporation to own, keep or harbor a dog or cat within the corporate limits of the city without first having paid to the city an annual license fee of

- (i) \$10.00 for each spayed or neutered dog or cat of six months of age or older; or
- (ii) \$30.00 for each unspayed or unneutered dog or cat of six months of age or older (except as set forth in Section 5.24 of this Chapter)

The license fee required by this section shall be due and payable as soon as the dog or cat attains six (6) months of age.

(b) To secure a license or license renewal, owner must provide proof of legal rabies vaccination covering a valid period of time.

(c) Upon payment of the license fee to the city, it shall be the duty of the city to furnish the owner of the dog or cat with a metal tag of distinctive design with the serial number of the dog or cat and the year for which the same is issued. This serial number shall be kept on file by the city. Each identification tag issued to an owner of a sterile dog or cat shall be of different and distinctive color or contain such other distinguishing characteristic, which can be readily distinguished from such tag that would be issued for an unsterilized dog or cat. The license referred to in this section shall be effective for the year ensuing its issuance and must be renewed each subsequent year on or before the anniversary date of the issuance of said tag. The license shall be nontransferable and voided upon the death of a dog or cat. It shall be illegal to misuse and/or alter an I.D. tag, and any person doing so will be found guilty of License Fraud and subject to a fine. The owner may obtain a duplicate tag if such tag is lost by payment of a \$1.00 fee to the city.

(d) Every dog or cat covered by this article must wear a collar of such type that the city license tag may be firmly attached at all times to the dog's or cat's collar or harness. Failure to keep such tag on the dog's or cat's collar shall be unlawful.

(e) All owners of seeing-eye dogs or guide dogs, such dogs being used to aid the blind, or service dogs with proper certification shall not be required to pay an annual city license fee but shall be required to obtain a courtesy license and identification tag.

(f) Every person engaged in the business of buying, selling, and/or boarding or who owns, harbors or keeps more than four (4) dogs and/or cats not used for

breeding purposes shall pay an annual license fee to the city of \$25.00. If used for breeding purposes, see Sec. 5-24.

Section 8. Section 5-12 of the *Code* is amended as follows:

The title is amended to change “dogs” to “animals.”

Paragraph (a) is amended to change “three (3) days” to “five (5) days.”

Paragraph (b) is deleted and restated as follows: “(b) The animal control department may, at its discretion, transfer title of all animals held at its animal shelter to a 501(c)(3) animal rescue organization after the detention period has expired and the animal has not been claimed by its owners. In the event of such transfer of title, the rescue organization shall pay the current fee set by ACAC.”

Paragraph (f) is deleted and restated as follows: “(f) No unspayed or unneutered animal which has been impounded by reason of its running at large shall be allowed to be adopted from the animal shelter absent compliance with Ark. Code Ann. Sect. 20-19-103, or any successor thereto.

Section 9. Section 5-13 of the *Code* is amended to change all references to “dog” to “dog or cat.” Furthermore, Sec. 5-13(a) of the Code is deleted and the following is substituted for the same:

(a) Any person owning, possessing or keeping a dog or cat which has been allowed to run at large and which has been impounded may claim and retrieve such dog from the city pound by proper payment of the applicable license fee (if unlicensed), payment of the fees set forth in this section and proof that the dog or cat has a valid rabies vaccination certificate. been vaccinated within the year preceding such impounding and is currently licensed as required by law. The burden of proof as to vaccination and licensing shall be upon the party attempting to claim the dog from the animal control worker under this chapter. Any person claiming unvaccinated and unlicensed dog or cat shall, after payment of the fee assessed herein, and prior to release of the dog or cat, sign a promise in writing to the animal control officer that such person will immediately have the dog or cat vaccinated and licensed if the animal is released to him.

Section 10. Paragraphs (l) and (m) of Section 5-14 of the *Code* are deleted and restated, respectively, as follows:

(l) No person shall own, keep, harbor or have control over any dog or cat in the city, or obtain a license for any dog or cat over the age of six (6) months, unless said animal shall have been vaccinated with an anti-rabies vaccine. All such dogs

or cats shall be vaccinated against rabies annually in accordance with Arkansas Code Annotated §20-19-305.

...

(m) All veterinarians who are licensed to practice in the city shall be appointed registrars of the city and shall register each dog or cat that receives a rabies vaccination if such dog or cat is to be kept within the corporate limits of the city.

Section 11. Section 5-22 of the *Code* is deleted and restated as follows:

Sec. 5-22. Prohibition of sale of animals from certain locations

(a) This section does not apply to any facility operated by the Animal Control Department

(b) It shall be unlawful for any person to sell, trade, barter, lease, rent, give away, or display for a commercial purpose a live animal on a roadside, public right-of-way, commercial parking lot, or at an outdoor special sale, swap meet, flea market, parking lot sale, or similar event.

(c) Without superseding or implying waiver of any applicable law or ordinance (including, without limitation any applicable zoning or land use ordinances), this section does not apply to:

(i) An agent or a business that has a certificate of occupancy from the building inspection division (or other like authority) authorizing the occupancy of the premises for purposes of operating a business selling pets;

(ii) An event primarily for the sale of agricultural livestock such as animals or fowl commonly raised for food, dairy, or fiber products; or

(iii) A tax-exempt, non-profit organizations founded for the purpose of providing humane sanctuary or shelter for abandoned or unwanted animals.

Section 12. The following is added as Section 5-23 of the *Code*:

Sec. 5-23. Sterilization.

(a) Pursuant to Ark. Code Ann. Sec. 20-19-103: It shall be unlawful for any pound, shelter, humane organization, or animal rescue group to release any dog or cat which has not been sterilized to a new owner except as provided in subsection (b) of this section.

(b) (i) An animal which in the opinion of a veterinarian licensed to practice veterinary medicine in the State of Arkansas is medically compromised to the extent that it cannot withstand immediate sterilization may be

temporarily released pursuant to a foster care agreement until such time as it can safely be sterilized or until two (2) veterinarians licensed to practice veterinary medicine in the State of Arkansas certify that it is unlikely that the animal will ever recover to the extent that it can be safely sterilized.

(ii) At that time, ownership of the animal may be transferred to an owner who certifies that the animal will not be used for breeding.

(c) Any person owning, keeping, harboring, or having custody of any dog or cat six (6) months of age or older is required to spay or neuter said animal unless said person holds an unaltered animal permit issued by the city or any successor agency authorized by the city to issue said permit, except:

(i) Persons who own, keep, harbor, or have custody of registered service dogs or working police dogs;

(ii) Individuals who are non-residents of the city and reside temporarily therein for a period not to exceed thirty (30) days within a 12-month period;

(iii) Animal shelter, retail pet stores, or veterinary hospitals who are holding said animals; and

(d) In addition to any other fine or punishment for violation of city ordinances, violations of (a) above are declared to be misdemeanors pursuant to Ark. Code Ann 20-19-103 punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).

Section 13. The following is added as Section 5-24 of the *Code*:

Sec. 5-24. Breeding and Selling

(a) It shall be unlawful for any person to operate as a breeder without:

(i) Obtaining a Breeders Maintenance Permit from the city; and

(ii) Being issued a valid Breeder Permit from ACAC as provided below.

(b) A person who wishes to operate as a commercial breeder may apply to the ACAC Director for a Breeder Permit. Such application shall include:

(i) The name, address, and telephone number of the applicant;

- (ii) The name, address, and telephone number of the location where the breeding will be conducted;
 - (iii) A description of the types of animals to be bred; and
 - (iv) Any other information deemed reasonably necessary by the ACAC Director.
- (c) The ACAC Director shall issue a Breeder Permit if the applicant meets the qualifications to obtain such permit. A Breeder Permit shall be denied if the applicant fails to:
- (i) Complete the application for a Breeder Permit;
 - (ii) Properly restrain the dogs and cats in his care and custody;
 - (iii) Adequately care for and protect the dogs and cats in his care and custody;
 - (iv) Meet all requirements specified on the Breeder Permit;
 - (v) If applicable, comply with Sec. 28-52(b) of the City Code of Ordinances; or
 - (vi) Pay all required fees pertaining to the Breeder Permit.
- (d) The annual fee for a Breeder Permit shall be \$100.00. A permit shall expire one year from the date of issuance and must be renewed prior to its expiration. Failure to timely renew a permit will result in the assessment of a late fee of \$25.00 against the permit holder.
- (e) In addition to the \$100.00 Breeder Permit fee, applicants must apply for permits with the city for each unaltered animal used for breeding. The fee for an unaltered animal used for breeding shall be \$250.00 per city-registered animal. The permit is nontransferable to other animals or other parties and is good only for the lifetime of the registered animal.
- (e) If the ACAC Director denies an application for a Breeder Permit or a request for renewal or revokes an existing permit, the Director shall provide notice of the denial or revocation to the applicant in writing not later than the 10th business day after the determination to deny an application or renewal or to revoke a permit. The notice of denial or revocation shall be sent to the permit holder or applicant by certified mail, return receipt requested, addressed to the permit holder or applicant. A person may appeal the denial or revocation of a permit by delivering a written

request for an appeal to the City Manager not more than 10 days after the first date of mailing written notice of denial or revocation. The determination of the City Manager shall be final.

Section 15. Except as specifically set forth above, the *Code* remains unmodified and in full force and effect.

PASSED AND APPROVED this 15th day of August, 2022.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE: Adopt an Ordinance granting the request for prerequisite municipal approval of a private club application on behalf of David Peavy for the Banana Club located at 223 Front Street. (CCD)

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

AGENDA DATE: August 15, 2022

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: City Clerk

PREPARED BY: Heather Soyars

REQUEST: Prerequisite approval to continue the application process through the State.

EMERGENCY CLAUSE: Yes

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

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

EXPENSE REQUIRED: N/A

AMOUNT BUDGETED: N/A

APPROPRIATION REQUIRED: N/A

RECOMMENDED ACTION: City Manager and staff recommend approval.

EXHIBITS: Ordinance

ORDINANCE NO. _____

AN ORDINANCE GRANTING THE REQUEST FOR PREREQUISITE MUNICIPAL APPROVAL OF A PRIVATE CLUB APPLICATION BY DAVID PEAVY, AS APPLICANT, ON BEHALF OF BANANA CLUB; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Ark. Code Ann. §3-9-222 and Rules and Regulations adopted by the Arkansas Alcoholic Beverage Control Division (the “ABC”) in accordance therewith requiring prior municipal approval by ordinance as a prerequisite to submittal of certain applications to the ABC or its Director relating to private clubs, request has been made that this Board of Directors of the City of Texarkana, Arkansas, approve the application of David Peavy as applicant for Banana Club, at 223 Front Street, Texarkana, Arkansas 71854; and

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

Section 1. The request of David Peavy on behalf of Banana Club, for prerequisite municipal approval of an application for a private club at 223 Front Street, Texarkana, Arkansas, 71854, as required by Ark. Code Ann. §3-9-222 and the Rules and Regulations of the ABC is hereby granted.

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

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

PASSED AND APPROVED this 15th day of August, 2022.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney