



Rescheduled Regular Meeting of the Board of Directors

City of Texarkana, Arkansas
216 Walnut Street

Agenda - Monday, October 05, 2020 - 4:00 PM

THIS WILL BE A VIRTUAL MEETING HOSTED BY ZOOM AND WILL BE STREAMED LIVE ON THE CITY'S YOUTUBE PAGE.

<https://www.youtube.com/channel/UC2zU02o8zTodtzQ8IuiWL2Q>

Call to Order

Roll Call

PROCLAMATION

1. Proclamation for Black Restaurants Week, October 11-17, 2020. (BOD) (This item was added to the agenda at the request of Director Laney Harris)

CONSENT

2. Approval of the minutes of the regular rescheduled meeting September 21, 2020. (CCD)
3. Adopt a Resolution authorizing the City Manager to enter into a contract for the Sanderson Lane 8-inch Sewer Main Extension Project. (TWU)
4. Adopt a Resolution approving an easement for a water line across a small track of land located on the Texarkana Regional Airport. (Airport)

REGULAR

5. Adopt a Resolution expressing the intent of the City to participate in the financing of an industrial site (the "Project") for the purpose of securing and developing industry; authorizing the Mayor and City Manager to cooperate with the Public Facilities Board relating to the acquisition of the Project and the issuance of revenue bonds for the purpose of financing the acquisition of the Project; authorizing the Mayor and City Manager to negotiate interlocal cooperation agreements with other public agencies relating to cooperative financing of the Project; and setting forth other matters pertaining thereto. (Admin) Jim Fowler, Rose Law Firm

6. Adopt an Ordinance authorizing the purchase of Public Facilities Board bond anticipation notes for the purpose of an industrial site for developing industry. (Admin) Jim Fowler Rose Law Firm

An emergency clause is requested. 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.

7. Adopt a Resolution authorizing the purchase of a 2021 Ford Explorer for the Texarkana Arkansas Police Department K9 Unit. (TAPD) Captain James Atchley

CITIZEN COMMUNICATION - TO HAVE PUBLIC COMMENTS READ DURING THE MEETING, PLEASE SUBMIT THEM BY 10:00 AM, MONDAY, OCTOBER 5, 2020, TO HEATHER SOYARS, CITY CLERK AT heather.soyars@txkusa.org.

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.

NEXT MEETING DATE: MONDAY, OCTOBER 19, 2020

ADJOURN

2020 City Calendar

1894 Gallery Street Dance - Saturday, October 24, 2020



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE: Proclamation for Black Restaurants Week, October 11-17, 2020. (BOD)
(This item was added to the agenda at the request of Director Laney Harris)

AGENDA DATE: October 5, 2020

ITEM TYPE: Ordinance Resolution Other : Presentation

DEPARTMENT: City Clerk

PREPARED BY: Heather Soyars

REQUEST: Proclamation

EMERGENCY CLAUSE: N/A

SUMMARY: Black Restaurants Week

EXPENSE REQUIRED: N/A

AMOUNT BUDGETED: N/A

APPROPRIATION REQUIRED: N/A

RECOMMENDED ACTION: N/A

EXHIBITS: N/A



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Approval of the minutes of the regular rescheduled meeting September 21, 2020. (CCD)
AGENDA DATE:	October 5, 2020
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.



Rescheduled Regular Meeting of the Board of Directors

City of Texarkana, Arkansas
216 Walnut Street

Minutes - Monday, September 21, 2020 - 3:00 PM

THIS VIRTUAL MEETING WAS HOSTED BY ZOOM AND STREAMED LIVE ON THE CITY'S YOUTUBE PAGE.

<https://www.youtube.com/channel/UC2zU02o8zTodtzQ8IuiWL2Q>

Mayor Allen Brown called the meeting to order at 3:00 PM.

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

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

CONSENT

Assistant Mayor Teeters made the motion to adopt the Consent agenda, Seconded by Director Hollibush.

1. Approval of the minutes of the regular rescheduled meeting September 8, 2020. (CCD)
2. Resolution No. 2020-32 - to reschedule Board of Directors meetings that conflict with certain holidays. (CCD)

CITIZEN COMMUNICATION

Director Harris asked if the pond at Bramble Park could be stocked with fish. He said he sent in a request for potholes in April, but there were some areas not fixed yet. Director Harris made mention of Nix Creek and Jones Creek flooding issues. He asked what the City was going to do with the Inghram Pool. His last issue was the lack of sidewalks on Pinehurst Street and Draughn Street.

NEXT MEETING DATE: Monday, October 5, 2020

ADJOURN

Motion to adjourn made by Director Peavy, Seconded by Director Brewer.

Voting Yea: Mayor Brown, Director Harris, Director Hollibush, Director Brewer, Director Miner, Director Peavy.

Voting Nay: Assistant Mayor Teeters. No response was heard from her even though she was visible on screen.

The motion carried 6-1. The meeting adjourned at 3:10 PM.

APPROVED this the 5th day of October, 2020.

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 contract for the Sanderson Lane 8-inch Sewer Main Extension Project. (TWU)

AGENDA DATE: October 5, 2020

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Texarkana Water Utilities

PREPARED BY: J.D. Phillips, P.E., Executive Director

REQUEST: Resolution authorizing the City Manager to enter into a contract for the Sanderson Lane 8-inch Sewer Main Extension Project.

EMERGENCY CLAUSE: None needed.

SUMMARY: Resolution authorizing the City Manager to enter into a contract for the Sanderson Lane 8-inch Sewer Main Extension Project in an amount not to exceed \$56,720.59. Bids were received Tuesday, September 22, 2020 for the Sanderson Lane 8-inch Sewer Main Extension Project. Three (3) contractors picked up bid packages for the project and three (3) contractors bid on the project. Kampco, Inc. of Texarkana, Arkansas was the apparent low bidder with a low bid of \$56,720.59. The project will consist of installing 876 linear feet of eight-inch (8") Sewer Main, and three (3) concrete manholes. This project will extend sewer service to customers in the area. Kampco, Inc. has satisfactorily completed several jobs for the Utility including the Texas Blvd Sewer Relocation Project and the Lavender Lane Water Main Replacement Project. This project is budgeted in the Utility's 2020-2021 Budget in the Arkansas Capital Improvement Fund. \$56,721.00 is budgeted for this project.

EXPENSE REQUIRED: \$56,720.59

AMOUNT BUDGETED: \$56,721.00

**APPROPRIATION
REQUIRED:** \$56,720.59

**RECOMMENDED
ACTION:** Texarkana Water Utilities staff recommends approval of the bid and bid tabulation sheets are attached.

EXHIBITS: ATTH 01 Bid Summary
ATTH 02 Bid Tabulation

RESOLUTION NO. _____

WHEREAS, after advertisement by Texarkana Water Utilities (TWU) a low bid in the amount of \$56,720.59, was submitted by Kampco, Inc., of Texarkana, Arkansas, for the installing 876 linear feet of eight-inch (8”) Sewer Main, and three (3) concrete manholes; and

WHEREAS, funds for such expense are budgeted in the Utility’s 2020-2021 Budget in the Arkansas Capital Improvement Funds; and

WHEREAS, the City Manager and utility staff recommend approval;

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

PASSED AND APPROVED this 5th day of October, 2020.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

Bid Summary

Sanderson Lane 8in Sewer Main Extension Project 61-000-135131-A122041

2:00 P.M. Tuesday, September 22, 2020

		<u>BID</u>
1.	Kampco, Inc. Texarkana, Arkansas	\$ 56,720.59
2.	RBIS, LLC Texarkana, Arkansas	\$ 97,230.00
3.	Rorie Stone Construction, LLC Texarkana, Texas	\$ 98,895.00

Time First Bid Opened: 2:00 P.M.

Number of Bidders: Three

Apparent Low Bidder: Kampco, Inc.



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt a Resolution approving an easement for a water line across a small track of land located on the Texarkana Regional Airport. (Airport)
AGENDA DATE:	October 5, 2020
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Airport
PREPARED BY:	Heather Soyars, City Clerk

REQUEST:	Approval of an easement for a water line across a small track of land located on Texarkana Regional Airport.
EMERGENCY CLAUSE:	None Needed

SUMMARY:	At its 3 September, 2020 meeting, the Authority recommended approving a request from a citizen named Mr. Wendell Fett who owns land on the North end of Texarkana Regional Airport (Exhibit A). Mr. Fett is attempting to connect to the city water utilities, however in order to do so requires the pipe to cross a short section of the Texarkana Regional Airport property. The Texarkana Water Utilities is requesting that Mr. Fett obtain an easement prior to fulfilling this request.
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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, Water Easement Request, and Water Easement Agreement
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RESOLUTION NO. _____

WHEREAS, a property owner adjacent to property owned by the Texarkana Airport Authority requests that the Authority grant an easement to allow for and facilitate installation of a connection to city water utilities; and

WHEREAS, the Authority approved such request, subject to approval of the cities of Texarkana, Arkansas, and Texarkana, Texas; and

WHEREAS, the proposed easement location crosses an extreme corner of Authority property and will not interfere with Authority opportunities; and

WHEREAS, accordingly in accordance with Section 6-31 of the *City of Texarkana, Arkansas, Code of Ordinances*, Texarkana Airport Authority requests the Board of Directors to authorize the grant of the easement; and

WHEREAS, the Texarkana Airport Authority, City Manager and Staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Texarkana, Arkansas, that the grant of the easement contemplated above, the form of which is attached hereto, is approved.

PASSED AND APPROVED this 5th day of October, 2020.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

3 Sep 2020

Memorandum For: Dr. Kenny Haskin, CM
City of Texarkana, Arkansas

Subject: Airport Utilities Easement Request

Dear Dr. Haskin:

On behalf of the Airport Authority, I request the Texarkana Arkansas Board of Directors approve an easement for a water line across a small track of land located on Texarkana Regional Airport. City Ordinances state, *"No property entrusted to the (Airport) Authority shall be sold, transferred or in any manner encumbered without the written consent of the governing bodies of said cities."*

At its 3 Sep, 2020 meeting, the Authority recommended approving a request from a citizen named Mr. Wendell Fett who owns land on the North end of Texarkana Regional Airport (Exhibit A). Mr. Fett is attempting to connect to the city water utilities, however in order to do so requires the pipe to cross a short section of the Texarkana Regional Airport property. The Texarkana Water Utilities is requesting that Mr. Fett obtain an easement prior to fulfilling this request.

Please place this request on the consent agenda for the earliest possible meeting of the City Board of Directors. We are available to answer any questions you or your staff may have.

Respectfully,

Ferdinand Paul Mehrlich III, C.M. ACE
Airport Executive Director

1 Atch.

1. Easement Agreement

TEMPORARY CONSTRUCTION AND
PERMANENT UTILITY EASEMENT AGREEMENT

This temporary Construction and Permanent Utility Easement Agreement (the "Agreement") is entered into by and between Texarkana Regional Airport Authority, ("Grantor"); and Wendell Feitt, ("Grantee").

RECITALS

- A. Grantor owns of record certain real property located in Miller County, Arkansas and legally described on the attached and incorporated Exhibit A ("Grantor's Property").
- B. Grantee owns of record certain real property adjacent to Grantor's Property also located in Miller County, Arkansas and legally described on the attached and incorporated Exhibit B ("Grantee's Property") which Grantee intends to improve by connecting to City Water Utilities. Grantor's Property and Grantee's Property are sometimes referred to in this Agreement collectively as the "Property".

B. THEREFORE, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Grant of Easements

1.1 Utility Easement. Grantor for themselves and for their successors and assigns, hereby convey and grant to Grantee, its successors and assigns, a permanent, non-exclusive easement (the "Utility Easement") over, under, in, along, across and upon the property described on the attached and incorporated Exhibit C (the "Utility Easement Area") solely for the lawful construction, installation, maintenance, operation, repair, replacement and use of underground sanitary sewer pipe and related underground sanitary sewer facilities, underground water pipes and other utilities, including junction boxes and related equipment (the "Improvements"), and for the access to the Utility Easement Area is depicted generally on the attached and ~~incorporated~~incorporated Exhibit C.

1.2 Temporary Construction Easement. Grantor for themselves and for their successors and assigns, hereby convey and grant to Grantee, its successors and assigns, a permanent, non-exclusive easement (the "Temporary Construction Easement") over, under, in, along, across and upon the property described on the attached and incorporated Exhibit C (the "Utility Easement Area") for use in the initial construction and installation of the improvements and other construction purposes reasonably related to the initial construction of the improvements. Prior to commencement of the Temporary Construction Easement, Grantee shall have access to the Property during normal business hours to conduct all studies, tests, examinations and surveys necessary to design and construct the improvements. The Temporary Construction Easement is depicted generally on the attached and incorporated Exhibit C.

2 Terms of Easements.

2.1 Utility Easement. The Utility Easement shall commence on the effective date of this Agreement and shall run with the land and continue in full force and effect until Grantee has abandoned the Improvements, as the term “abandonment” is defined in Section 5.7 below, or until the Utility Easement Areas has been dedicated to the City of Texarkana Water Utilities and/or such other governing jurisdiction as may request or require such dedication in connection with Grantee’s development of the Property Grantor agree to execute such documents as either grantee or any such governing jurisdiction may deem necessary or desirable in connection with the installation of the improvements or in connection with any such dedication, provided however, that Grantee agrees to construct the improvements in a manner which will make the same accessible to Grantor’s Property.

2.2 Temporary Construction Easement. The Temporary Construction Easement shall commence on the effective date of the Agreement and shall automatically terminate and expire upon (I) the date construction of the Improvements are completed, or (II) 6 months from effective date, whichever date shall first occur. Upon the expiration of the term of the Temporary Construction Easement, all of the rights and benefits of Grantee in, to and under this Agreement with respect to the Temporary Construction Easement shall automatically terminate and be of no further force and effect.

3 Reservation by Grantor/Non-Exclusive Use. All right, title and interest in and to any easement area under this Agreement which may be used and enjoyed without interfering with the rights conveyed by the Agreement are reserved to Grantor, provided, however, that Grantor shall not enact or maintain any buildings which may cause damage to or interfere with the improvements to be placed within the Utility Easement Area; or develop, landscape, or beautify any easement area in any way which would unreasonably or materially increase the costs to Grantee of installing the Improvements or restoring any of the Easement Areas after such installation.

4 Construction of Utility Improvements.

4.1 Costs/Lien-Free Construction. Grantee shall bear and promptly pay without the imposition of any lien or charge on or against all or any portion of Grantor Property all costs and expenses of construction and maintenance of the improvements, including the installation of up to two connections for Grantor’s use and the exercise of any easement rights granted under this Agreement.

4.2 Compliance with Laws. Grantee shall construct the improvements in a workmanlike manner and in compliance with the applicable statutes, ordinances, rules and regulations of all governing public authorities as those statutes, ordinances, rules and regulations are amended from time to time.

4.3 Restoration. In the event the surface of any easement area is disturbed by Grantee's exercise of any of its easement rights under this Agreement, such area shall be restored to the condition in which it existed at the commencement of such activities.

5 General Provisions.

5.1 Covenants Running with the Land/Assignment. The parties to this Agreement acknowledge and agree that the easements and other rights conferred by this Agreement are intended to, and do, constitute covenants that run with the land and shall inure to the benefit of and be binding upon the parties and their respective grantees, heirs, successors and assigns. Without limiting the foregoing, Grantor acknowledge that Grantee's rights under this Agreement are assignable; that Grantee may enter into agreements to sell or otherwise may transfer Grantee's Property, either to affiliates of Grantee or to third parties, and that Grantor hereby consent to Grantee's assignment of all of its right, title and interest and its delegation of all of its obligations created under this Agreement upon any such the sale or transfer and, upon any such assignment, Grantee shall be forever released and discharged from any and all claims, demands and damages which Grantor may have, make or suffer as a result of anything done or occurring after the date of such assignment. Nothing contained in this Section 5.1, however, shall in any way be construed as releasing Grantee's successors and assigns from any obligations to Grantee created by this Agreement or to in any way limit Grantor's remedies at law or in equity as against such successors and assigns.

5.2 Effective Date. This Agreement shall be effective upon the date it is executed by an authorized representative of each signing party.

5.3 Authorized Representative. Each individual signing on behalf of a party to this Agreement states that he or she is the duly authorized representative of the signing party and this his or her signature on this Agreement has been duly authorized by, and creates the binding and enforceable obligation of, the party on whose behalf the representative is signing.

5.4 Notices. Any notice permitted or required by this Agreement shall be deemed received, is delivered, when actually received, or, if mailed, on the third day after mailing by registered or certified mail, postage prepaid, to the party's address set forth below their respective signatures to this Agreement, or to such other address designated in writing to the other parties.

5.5 Attorney's Fees. In the event of any dispute between the parties regarding the enforcement of effect of this Agreement, including one subject to arbitration, the non-prevailing party in any such dispute shall pay the prevailing party's reasonable attorney's fees and costs incurred. In the event of arbitration, the fees of the arbitrator and the cost of the arbitration shall be paid by the non-prevailing party. In the event that neither party wholly prevails, the court or arbitrator, as applicable, may apportion the costs or fees as the court or arbitrator deems appropriate.

5.6 Plan. Upon Grantor request, Grantee shall provide Grantor with as-built drawings and a survey showing the location and depth of the improvements installed in the Utility Easement Area.

5.7 Abandonment. In the event Grantee or its successors and assigns abandon or terminate their use of all of the improvements for a period of thirty-six (36) consecutive months, this Agreement and all easement rights granted there under shall terminate.

5.8 Further Cooperation. Each of the signatures to this Agreement agree to execute such other documents and to perform such other acts as may be reasonably necessary or desirable to further the expressed and intent purpose of this agreement.

IN WITNESS of this, the undersigned have executed this Agreement as of this _____ day of _____, 2020.

GRANTOR:

GRANTEE:

TEXARKANA AIRPORT AUTHORITY

BY _____
Ray Abernathy, Chairman

BY _____
Wendell Feitt

Date: _____

Date: _____

ATTEST:

ATTEST:

TEXARKANA AIRPORT AUTHORITY

TEXARKANA AIRPORT AUTHORITY

BY _____
Ferdinand Mehrlich, Airport Director

BY _____
Shannon Elliott, Finance Director

Date: _____

Date: _____

STATE OF ARKANSAS)

ACKNOWLEDGEMENT

COUNTY OF MILLER)

On this the _____ day of _____, 2020, personally appeared before me the undersigned Notary Public, the within named RAY ABERNATHY, CHAIRMAN TEXARKANA AIRPORT AUTHORITY, well known to me to be the person and officer of the Joint Board of the Texarkana Airport Authority, whose name is subscribed to the within instrument and acknowledged to me that they has executed for the purpose and consideration therein mentioned and set forth and in the capacity therein stated.

WITNESS my hand and official seal this _____ day of _____, 2020.

Notary Public, County Miller

Printed Name:

(SEAL)

My Commission Expires:

Exhibit A - Grantor's Property



Exhibit B - Grantee's Property



Exhibit C - Utility Easement Area





CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt a Resolution expressing the intent of the City to participate in the financing of an industrial site (the “Project”) for the purpose of securing and developing industry; authorizing the Mayor and City Manager to cooperate with the Public Facilities Board relating to the acquisition of the Project and the issuance of revenue bonds for the purpose of financing the acquisition of the Project; authorizing the Mayor and City Manager to negotiate interlocal cooperation agreements with other public agencies relating to cooperative financing of the Project; and setting forth other matters pertaining thereto. (Admin) Jim Fowler, Rose Law Firm

AGENDA DATE: October 5, 2020

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Administration

PREPARED BY: Administration

REQUEST: Expressing the intent of the City to participate in the financing of an industrial site (the “Project”) for the purpose of securing and developing industry; authorizing the Mayor and City Manager to cooperate with the Public Facilities Board relating to the acquisition of the Project and the issuance of revenue bonds for the purpose of financing the acquisition of the Project; authorizing the Mayor and City Manager to negotiate interlocal cooperation agreements with other public agencies relating to cooperative financing of the Project; and setting forth other matters pertaining thereto.

EMERGENCY CLAUSE: N/A

SUMMARY: Adopt a Resolution expressing the intent of the City to participate in the financing of an industrial site (the “Project”) for the purpose of securing and developing industry; authorizing the Mayor and City Manager to cooperate with the Public Facilities Board relating to the acquisition of the Project and the issuance of revenue bonds for the purpose of financing the acquisition of the Project; authorizing the Mayor and City Manager to negotiate interlocal cooperation agreements with other public agencies relating to cooperative financing of the Project; and setting forth other matters pertaining thereto.

EXPENSE REQUIRED: N/A

AMOUNT BUDGETED: N/A

APPROPRIATION N/A
REQUIRED:

RECOMMENDED City Manager and staff recommend Board approval.
ACTION:

EXHIBITS: Resolution

RESOLUTION NO. _____

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF TEXARKANA, ARKANSAS, TO PARTICIPATE IN THE FINANCING OF AN INDUSTRIAL SITE (THE “PROJECT”) FOR THE PURPOSE OF SECURING AND DEVELOPING INDUSTRY; AUTHORIZING THE MAYOR AND CITY MANAGER TO COOPERATE WITH THE CITY OF TEXARKANA, ARKANSAS PUBLIC FACILITIES BOARD RELATING TO THE ACQUISITION OF THE PROJECT AND THE ISSUANCE OF REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION OF THE PROJECT; AUTHORIZING THE MAYOR AND CITY MANAGER TO NEGOTIATE ONE OR MORE INTERLOCAL COOPERATION AGREEMENTS WITH OTHER PUBLIC AGENCIES RELATING TO A COOPERATIVE FINANCING OF THE PROJECT; AND SETTING FORTH OTHER MATTERS PERTAINING THERETO

WHEREAS, The City of Texarkana, Arkansas Public Facilities Board (the “Facilities Board”) proposes to issue its Capital Improvement Facilities Revenue Bonds (Industrial Site Project) (the “Bonds”) and its bond anticipation note (“BAN”) for the purpose of financing the acquisition of land (the “Project”) for lease to the City of Texarkana, Arkansas, (the “City”) for the purpose of securing and developing industry; and

WHEREAS, the acquisition of the Project by the Facilities Board was requested by the City to enable the City to offer the Project as an incentive for securing and developing industry; and

WHEREAS, the current owner of the Project has offered the Facilities Board an option to purchase the Project (the “Option”), the terms of which provide for an option price of \$100,000 (the “Option Price”); an exercise price of \$4,100,000 (the “Exercise Price”); and an option expiration on December 31, 2020; and

WHEREAS, the Facilities Board intends to issue the BAN to finance the cost of the Option Price; and

WHEREAS, the Facilities Board intends to issue the Bonds to repay the BAN; finance the cost of the Exercise Price; and to pay for the costs of issuing the Bonds; and

WHEREAS, the City proposes to facilitate the acquisition of the Project by the Facilities Board by purchasing the BAN from the Facilities Board and entering into a lease agreement (the “Lease”) with the Facilities Board providing for lease payments sufficient to pay debt service on the Bonds and other costs of the Facilities Board related to its ownership of the Project;

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

Section 1: Such preliminary actions as are determined to be necessary by the Mayor and City Manager are hereby authorized for the acquisition of the Project provided, however, that subject to the adoption of this Resolution an ordinance authorizing the purchase of the BAN by the City in the principal amount of \$100,000 will be submitted for approval by the Board of Directors and at such time as the Mayor and City Manager may determine to be in the best interests of the City, when the final terms of the Bonds have been determined, the form of Lease shall be submitted for approval by

the Board of Directors. The approval of the Lease may be considered at a regular or special meeting of the Board of Directors as the Mayor shall consider appropriate.

Section 2: The Mayor and the City Manager are authorized to solicit cooperation by other local public agencies whose public purposes are served by the Project as co-lessees under the Lease or otherwise. The Mayor and City Manager are authorized to negotiate such cooperation with other public agencies pursuant to an interlocal cooperation agreement (the “Cooperation Agreement”) as provided in the Arkansas Interlocal Cooperation Act (Ark. Code Ann. §25-20-101 *et seq.*) (the “Cooperation Act”) and the Mayor and City Manager are authorized to submit a form of the Cooperation Agreement to the Arkansas Attorney General as required by the Cooperation Act, provided, however that prior to execution and becoming effective the form of an Cooperation Agreement will be submitted for approval by the Board of Directors.

Section 3: This Resolution shall be effective from and after the date of its adoption.

PASSED AND APPROVED this 5th day of October, 2020.

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 authorizing the purchase of Public Facilities Board bond anticipation notes for the purpose of an industrial site for developing industry. (Admin) Jim Fowler Rose Law Firm

An emergency clause is requested. 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.

AGENDA DATE: October 5, 2020

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Administration

PREPARED BY: Administration

REQUEST: Authorizing the purchase of Public Facilities Board bond anticipation notes for the purpose of an industrial site for developing industry.

EMERGENCY CLAUSE: Yes

SUMMARY: Authorizing the purchase of Public Facilities Board bond anticipation notes for the purpose of an industrial site for developing industry.

EXPENSE REQUIRED: EnterText

AMOUNT BUDGETED: EnterText

**APPROPRIATION
REQUIRED:** EnterText

**RECOMMENDED
ACTION:** EnterText

EXHIBITS: Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF TEXARKANA, ARKANSAS, AUTHORIZING THE PURCHASE, NOT TO EXCEED \$100,000 PRINCIPAL AMOUNT OF CITY OF TEXARKANA, ARKANSAS PUBLIC FACILITIES BOARD BOND ANTICIPATION NOTES, THE PROCEEDS OF WHICH WILL BE USED TO AQUIRE AN INDUSTRIAL SITE FOR THE PURPOSE OF SECURING AND DEVELOPING INDUSTRY; AND DECLARING AN EMERGENCY

WHEREAS, pursuant to the Constitution and laws of the State of Arkansas, including particularly Article 12 Section 5 of the Constitution of the State of Arkansas, the City of Texarkana, Arkansas, (the “City”) is authorized to appropriate money to finance economic development projects; and

WHEREAS, the City of Texarkana, Arkansas Public Facilities Board (the “Facilities Board”) proposes to issue its bond anticipation note (the “Bond Anticipation Note”) for the purpose of financing the purchase of an option (the “Option”) to acquire land and related costs (the “Project”) for the purpose of securing and developing industry; and

WHEREAS, the Facilities Board intends to purchase the Project and repay the Bond Anticipation Note on or before January 31, 2021, from the proceeds of a future issuance of its revenue bonds; and

WHEREAS, in order to fund the Facilities Board’s purchase of the Option and to secure and develop industry within or near the City of Texarkana, Arkansas, the City desires to purchase the Bond Anticipation Note;

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

Section 1. That the City purchase the Facilities Board’s Bond Anticipation Note in an aggregate principal amount not to exceed \$100,000 at a purchase price of par. The Bond Anticipation Note shall mature not later than January 31, 2021, and shall bear interest at a stated rate of not less than 0.00% per annum. The Bond Anticipation Note shall be redeemable at any time at a redemption price of par plus accrued interest to the redemption date.

Section 2. It is hereby ascertained and declared that the purchase of the Bond Anticipation Note must be accomplished as soon as possible in order to provide moneys required to timely fund the Option. It is, therefore, declared that an emergency exists and this Ordinance, being necessary for the immediate requirements relating to securing and developing industry, shall take effect and be enforced from and after its passage.

PASSED AND APPROVED this 5th day of October, 2020.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt a Resolution authorizing the purchase of a 2021 Ford Explorer for the Texarkana Arkansas Police Department K9 Unit. (TAPD) Captain James Atchley
AGENDA DATE:	October 5, 2020
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Texarkana Arkansas Police Department
PREPARED BY:	Captain James Atchley
REQUEST:	Per Purchasing Policy, Board approval for purchasing Police K9 vehicle.
EMERGENCY CLAUSE:	N/A
SUMMARY:	Please see attached proposal which includes explanation and justification of equipment to be purchased.
EXPENSE REQUIRED:	\$35,830
AMOUNT BUDGETED:	Funds to be sourced from TAPD Budget
APPROPRIATION REQUIRED:	TAPD 2020 Budget Line Item 51010 Personnel (Salary) \$35,830
RECOMMENDED ACTION:	Board approval and a purchasing order number in hand for immediate purchase of a 2021 Ford Explorer (Hybrid Model) with Rear Air to be used to replace current K9 Unit.
EXHIBITS:	Justification letter, detail quote sheet from Ford Motor Company

RESOLUTION NO. _____

WHEREAS, due to ongoing reliability, maintenance, and operating issues, it is necessary to replace the existing Texarkana Arkansas Police Department (TAPD) K9 Unit vehicle; and

WHEREAS, in keeping with transition of the fleet to hybrid vehicles, a replacement (being a 2021 Ford Explorer (Hybrid Model) with rear air) is available to purchase through McClarty Ford at a price of \$35,803.00; and

WHEREAS, such purchase complies with Ark. Code Ann. §14-58-104; and

WHEREAS, funds are available in TAPD Budget Line Item 51010; and

WHEREAS, the City Manager and staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is authorized to execute a contract and take such action as requested to acquire the vehicle described above and upon the terms so indicated, and, further, the FY2020 Budget is amended accordingly for the above-described reallocation and expense.

PASSED AND APPROVED this 5th day of October, 2020.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

Purchase Request Form

Division: **TAPD**

Section: **Patrol**

Date: **09/22/20**

Quantity	Price	Type of Item	Cost
1	\$35,830.00	2021 Ford Explorer (Hybrid Model) w/ Rear Air	\$35,830.00

Invoice Number	\$0.00
Sub total	\$35,830.00
Shipping, handling, taxes?	
Total Expense	\$35,830.00

Funding Source:

Vendor: McClarty Ford
Address: 3232 Summerhill Road
Texarkana, Texas 75503
Purpose: Patrol K9 Unit

Officer : **Capt. James Atchley**

Approved: _____

Division Commander

(Are Bids/Justifications Attached?)

Comments:

Sole Source Item State Bid

September 14, 2020

From: Mike Terrell
McLarty Ford
3232 Summershill Road
Texarkana, Texas 75503
Phone: 903-735-4625

To: Attn: Jason Shores
Texarkana Police Department
City of Texarkana, Arkansas
P.O. Box 1885
Texarkana, Arkansas 75504-1885

Pricing one (1) Police Sport Utility Vehicle

Quantity (1)

2021 Ford Explorer 4 door
Police Utility SUV
All Wheel Drive

Exterior color: Black
Front Seats : Black Cloth
Rear Seats: Vinyl
Engine: 3.3 L Hybrid
Transmission: 10-speed Hybrid Model
Added: Engine Idle Feature
Added: Driver Side Spot Lamp Prep Kit
Front Bucket Seats with Console Mount plate deleted
Rear View Mirror with Camara

Includes Rear Auxilary Air Conditioning Order Code 17A

AM/FM Stereo.....Hybrid Engine Bid price **\$35,830.00**

or

Standard 3.3 L Gas Engine **\$32,530.00**

If you have any questions along the way, feel free to contact
me at 903-735-4625
Mike Terrell, Fleet Sales



TEXARKANA POLICE DEPARTMENT

CITY OF TEXARKANA, ARKANSAS

P.O. BOX 1885

TEXARKANA, AR75504-1885

(903) 798-3130

FAX (903) 798-3023

www.txkusa.org/arkpolice



Kristi Bennett

Chief of Police

“Excellence Innovation Integrity”

To: Interim Chief Kristi Bennett *KB*

From: Capt. James Atchley

Date: September 22, 2020

Ref: Purchase of 2021 Ford Explorer (Hybrid Model) w/ Rear Air for use as a K9 Unit

It was brought to my attention that the Dodge Charger used by our K9 unit has major mechanical issues again. This vehicle has repeatedly had mechanical issues since its date of purchase in 2016. The original cost of the vehicle was \$10,000.

The number of repairs on this vehicle since 01/01/2019 totals \$5692.89 and repairs from date of purchase is \$10,711.92. In addition, a new motor was put in the vehicle at a cost of approximately \$6270. In four years, we have spent \$16,981.92 on this vehicle in repairs only to have it broke down again with an unknown number of repairs in the future.

I recommend and request that this vehicle be sold and removed from the fleet. Furthermore we should gain approval to purchase a new 2021 Ford Explorer (Hybrid Model) W/ Rear Air. The purchase of this vehicle will immediately improve our appearance and allow our K9 unit to have a reliable vehicle to better serve our community. It should also immediately reduce our maintenance and fuel expenditures.

Respectfully submitted,

James Atchley
James Atchley

Captain Uniformed Patrol