



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Agenda - Monday, August 05, 2019 - 6:00 PM

Call to Order

Roll Call

Invocation and Pledge of Allegiance given by Director Steven Hollibush

PRESENTATION(S)

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

CONSENT

2. Approval of the minutes of the regular meeting July 15, 2019 and the called meeting July 24, 2019. (CCD)
3. Adopt a Resolution authorizing the City Manager to enter into a construction contract with Tatum Excavating Company, Inc. (TEC) for East 50th Street Rehabilitation. (PWD)
4. Adopt a Resolution authorizing the City Manager to enter into contracts with various suppliers for chemicals for water treatment for use at the Wright Patman Water Treatment Plant and Millwood Water Treatment Plant and wastewater treatment for use at the South Regional Wastewater Treatment Plant and North Texarkana Wastewater Treatment Plant. (TWU)

REGULAR

5. Adopt an Ordinance to establish revised competitive pay rules and to regain and maintain a competitive pay package for Texarkana, Arkansas Civil Service employees. (AS AMENDED) (SECOND READING) (FIN) Finance Director TyRhonda Henderson
6. Adopt an Ordinance to establish an Entertainment District that allows open containers of alcohol and consumption in the district. (This item recommended for Board approval by the Planning Commission) (PWD-Planning) City Planner Mary Beck
7. Consider the following action concerning proposed revenue notes of the Texarkana Airport Authority:

Conduct a Public Hearing to hear citizens' concerns regarding the proposed revenue notes.

Adopt an Ordinance authorizing the Texarkana Airport Authority to borrow funds on a short-term basis; delegating certain powers under the Municipal Airports Act and authorize

one or more series of Airport Revenue Notes. (Airport) Airport Director Mark Mellinger and Attorney Jim Fowler, Rose Law Firm

The applicant requests an emergency clause. 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)

8. Adopt an Ordinance granting the request for prerequisite municipal approval of a private club application for Caminos de Guanajuato Restaurant. (David Potter) (CCD)

The applicant requests an emergency clause. 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)

CITIZEN COMMUNICATION

NEXT MEETING DATE: Monday, August 19, 2019

ADJOURN

2019 City Calendar

Gateway Farmer's Market – Every Tuesday, Thursday and Saturday

**32nd Annual POW/MIA Vigil & 25th Annual Ride to Remember - Friday & Saturday,
September 20-21, 2019**

AMA Benefit Show - Saturday, September 28, 2019

Komen Race for the Cure - Saturday, October 19, 2019



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Presentation of the City of Texarkana, Arkansas Employee Service Awards. (CCD)
AGENDA DATE:	08/05/2019
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : <u>Presentation</u>
DEPARTMENT:	City Clerk
PREPARED BY:	Heather Soyars, City Clerk
REQUEST:	Presentation of employee service awards.
EMERGENCY CLAUSE:	N/A
SUMMARY:	Presentation of employee service awards.
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A
RECOMMENDED ACTION:	N/A
EXHIBITS:	Employee Service Awards List.

City of Texarkana, Arkansas Employee Service Awards

<u>NAME</u>	<u>Department</u>	<u>Years of Service</u>
Gary East	Specialized & Transport for TAPD	10
Jana Dial	Property & Evidence Tech for TAPD	10
Jeffery W. Tanner	Fire	25



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Approval of the minutes of the regular meeting July 15, 2019 and the called meeting July 24, 2019. (CCD)

AGENDA DATE: 08/05/2019

ITEM TYPE: Ordinance Resolution Other : Minutes

DEPARTMENT: City Clerk

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 approval.

EXHIBITS: Meeting minutes.



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Monday, July 15, 2019 - 6:00 PM

Mayor Allen Brown called the meeting to order.

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

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

Mayor Brown gave the Invocation and led the Pledge of Allegiance.

CONSENT

Director Harris asked to remove Agenda Item 2. Adopt a Resolution authorizing the City Manager to enter into a contract for the Millwood Water Treatment Plant (WTP) Cleaning of the Sludge Ponds Project from the Consent Agenda for discussion.

Motion to approve the Consent Agenda made by Director Harris, Seconded by Director Hollibush.

The motion carried unanimously, and Mayor Brown declared the Consent Agenda approved. The items approved were:

1. Approval of the minutes of the regular meeting July 1, 2019. (CCD)
3. Resolution No. 2019-26 authorized the City Manager to purchase One (1) Compact Excavator E85 T4. (TWU)

REGULAR

2. Resolution No. 2019-27 authorized the City Manager to enter into a contract for the Millwood Water Treatment Plant (WTP) Cleaning of the Sludge Ponds Project. (TWU)

Director Harris asked if the Texas-side shared cost for Millwood with the Arkansas-side.

J.D. Phillips Texarkana Water Utilities Executive Director said yes.

Director Harris said he saw where the Texas-side would start charging customers in September to help pay for a bond. He asked what role the City of Texarkana, Arkansas, would play in the New Boston Road plant.

J.D. Phillips Texarkana Water Utilities Executive Director said that had not been decided yet. He said that would be between the City Managers and Mayors to figure out all the details.

Director Harris asked if the Millwood plant could sustain just the City of Texarkana, Arkansas, if the Cities could not come to an agreement.

J.D. Phillips Texarkana Water Utilities Executive Director said yes.

Mayor Brown asked J.D. Phillips Texarkana Water Utilities Executive Director to explain how he came up with the \$13,946.25.

J.D. Phillips Texarkana Water Utilities Executive Director said they reallocated from other Millwood depreciation funds to get the additional funds and \$13,946.25 was the Arkansas-side portion.

Motion to adopt the resolution made by Assistant Mayor Teeters, Seconded by Director Miner.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

Mayor Brown declared the resolution adopted 7-0.

Assistant Mayor Teeters gave a brief statement saying since the recent publications in the Texarkana Gazette she came up with a competitive pay plan for Police and Fire several weeks ago. She said the Fire Department fully supported the plan, but the negotiations were still ongoing with the Police Department. She said the plan was on the agenda for tonight, but she wanted to pull it in good faith effort to allow the negotiations to continue. Assistant Mayor Teeters said everyone might not agree with the plan, but she would bring her plan to the Board for a straight up or down vote in the near future.

4. Ordinance No. 14-2019 granted the request for prerequisite municipal approval of a private club application for The Paragon Lounge. (Susan Trevillion) (CCD)

The applicant requests an emergency clause. 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)

Joshua Potter, Potter Law Firm, said everything was the same from the previous Board vote on The Paragon Lounge, they just had to switch the applicant. He said the renovations looked great and they were almost ready to open.

Mayor Brown asked if the permit had been granted yet.

Joshua Potter said no, the permit had to have the new applicant name on it. He said there was an issue with the previous applicant's address.

Director Peavy asked if the owner were still the same.

Joshua Potter said yes, the owner was still William Bullock, applicant did not mean owner.

City Manager Dr. Kenny Haskin asked Joshua Potter's client to tell the Board about the Paragon Lounge.

Susan Trevillion said the Paragon Lounge was going to be a fine dining establishment, family friendly environment that would serve alcohol. She said they had restored much of the old ceilings and floors as they could, and it was going to be very beautiful.

Motion to read the ordinance the first time in abbreviated form made by Director Peavy, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. 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 Miner, Seconded by Assistant Mayor Teeters.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The ordinance was read the second time in abbreviated form.

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

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The ordinance was read the third and final time in abbreviated form.

Motion to adopt the ordinance made by Director Miner, Seconded by Director Odom.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The Mayor declared the ordinance adopted.

Motion to adopt the emergency clause made by Director Peavy, Seconded by Assistant Mayor Teeters.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The Mayor declared the emergency clause adopted.

CITIZEN COMMUNICATION

Vincent Earl Brown spoke to the Board on behalf of his 95 year old mother. He said his mother and her surrounding neighbors had been without a telephone since the 3rd week of June. Mr. Brown said he spoke with Windstream and they told him they were waiting on a part to come in or they were waiting on the Railroad to approve them to be able to work on the lines. He said he called her every day to check on her and now he had to drive over and check on her every day. Mr. Brown wanted the Board to help him get this situation resolved.

Director Peavy asked if it were a neighborhood or just a house.

Mr. Brown said it was an entire neighborhood without telephone service and it ran from Dudley Street to Oats Street then Preston Street to the railroad track.

Mayor Brown said he worked on this issue today. He said there were several businesses without the use of their phones as well. Mayor Brown said he contacted Mike Malone of the Chamber of Commerce to see what we could do about the problem. He said they were getting different scenarios as to what was going on and it was a major problem. Mayor Brown said hopefully with the legislatures, City Manager, Mayor and the Chamber of Commerce we could get the problem fixed. He said with the businesses now calling it should help the situation.

Director Harris said he spoke with a man from Southwest Arkansas Telephone Co-Op when he was running fiber optics around 9th Street. He asked him what could be done for them to replace Windstream, he said a City official would need to see how many people it would service in the area to be economically justified. Director Harris said he thought since Windstream went bankrupt, they were using the Railroad as an excuse and since the City did not have a contract, he did not feel they were going to fix the problems.

Mayor Brown said Southwest Arkansas Telephone Co-Op was a viable alternative and there were several businesses looking into them. He said Cable One was another option for a phone. Mayor Brown said his business was set up online with Windstream and they were getting a faster response with any issues and notifications. He said this was an issue he had been working with the Chamber of Commerce for over two years and it was a major utility for the citizens.

Donna Odom said it took 32 days for Windstream to change her service over to Cable One because they had her account as a Texas address instead of Arkansas address. She said she also contacted the Attorney General in Little Rock and they told her Windstream was not an Arkansas business and they had no control over it.

Mayor Brown said in March the Chamber of Commerce had a meeting of the round table with the Attorney General and the Windstream problem was on the list. He said she was aware of the problems and she was looking into a solution.

Lorenzo Paxton said when he came to the Arkansas-side to attend church and visit family there was a train on Pinehurst Street that blocks the road all the time. He said he went to the rail yard to complain and they told him to get the engine number and give it to them. Mr. Paxton said the train blocks the road for hours, and he saw a man riding a bicycle climb under the train to get around it. He asked if there were anything the Board could do to help with this problem. Mr. Paxton wondered why all the money that used to go into Hobo Jungle went to the parks on the North side. He said the basketball goal the police put up on Pinehurst Street was good but not enough, the kids needed more. Mr. Paxton said he thought the old Boys and Girls Club was too small and we needed to focus more on the kids than a new dog pound. He said we need to get off our do nothing and help the kids.

Director Harris said the train stayed on the track all day long and we need to try to do something about it. He said he called the 800 number on the train several times to complain.

NEXT MEETING DATE: Monday, August 5, 2019

ADJOURN

Motion to adjourn made by Director Miner, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Odom, Director Miner and Director Peavy.

The motion carried 7-0. The meeting adjourned at 6:34 PM.

APPROVAL of the minutes on this 5th day of August, 2019.

Allen L. Brown, Mayor

Heather Soyars, City Clerk



Called Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Wednesday, July 24, 2019 - 4:00 PM

Mayor Allen Brown called the meeting to order.

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

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

ABSENT: Ward 4 Director Travis Odom.

Mayor Brown gave the Invocation and led the Pledge of Allegiance.

REGULAR

1. Adopt an Ordinance to establish revised competitive pay rules and to regain and maintain a competitive pay package for Texarkana, Arkansas Civil Service employees. (**FIRST READING ONLY**) (This ordinance is sponsored by Assistant Mayor Linda Teeters) (FIN) Finance Director TyRhonda Henderson

Finance Director TyRhonda Henderson gave a brief PowerPoint presentation of the Competitive Pay Ordinance sponsored by Assistant Mayor Teeters. She stated the purpose of this ordinance was to amend and establish rules to regain and maintain competitive pay for civil service employees. It was also to better effectuate the two ¼ cent special sales and use taxes for civil service employee's pay increases and maintaining a competitive pay package between said civil service employees and other cities within the Texarkana Metropolitan Statistical Area (MSA). The definitions of the ordinance were base pay – for the purpose of computing competitive pay, included holiday pay; competitive pay – the annual base pay for Texarkana, Arkansas civil service employees was equal to the annual base pay of their counterpart in other cities within the Texarkana MSA; and cost of competitive pay – the amount of money it took to pay for the increase in base pay, and the incremental increase in benefits that caused increases in employer contributions related to base pay increase i.e. Worker's Compensation, Holiday Pay, Medicare, and Retirement. The funding sources for the competitive pay raise were the two ¼ cent special sales and use tax revenues, general revenues of the City, and or both. Base pay during the first year of employment shall not apply to the cost of competitive pay. Competitive pay would match other cities in the Texarkana MSA when two ¼ cent special sales and use taxes generate enough revenue to cover deficit. Zero percent increase toward competitive pay when the two ¼ cent special sales and use taxes did not generate enough revenue to cover deficit; budgeted

unreserved fund balance was less than 60 days of expenditures, and competitive pay did not match other cities in Texarkana MSA. There would be a 2% increase towards competitive pay when the two ¼ special sales and use taxes did not generate enough revenue to cover deficit; budgeted unreserved fund balance was between 60 and 80 days of expenditures and competitive pay did not match other cities in the Texarkana MSA. Only the percentage required to reach competitive pay would be given. The approximate cost of a 2% increase for civil service employees was \$218K. Rules for a 4% increase toward competitive pay were the two ¼ cent special sales and use taxes did not generate enough revenue to cover deficit, budgeted unreserved fund balance was more than 80 days of expenditures, competitive pay did not match other cities in Texarkana MSA, and only the percentage required to reach competitive pay would be given. The approximate cost of a 4% increase for civil service employees was \$435K. She also said the ordinance rules state the Board reserves the right to issue a COLA or stipend at any time and was subject to Board approval.

Director Peavy asked how many years the City had been above 60 days in Fund Balance.

Finance Director TyRhonda Henderson said since 2015 the City had been above the 60 days threshold.

Director Peavy said the 60 days Fund Balance was like a savings account for the City.

Finance Director TyRhonda Henderson said yes, after all revenues were received and expenditures were paid for the year, the City had at least 60 days to operate. She said the two largest revenues were always two months behind so the City would always need the 60 days threshold.

Director Peavy said she heard people say the City could take the money out of Fund Balance and she did not feel it was very conscientious. She asked if the 60 days were state mandated.

Finance Director TyRhonda Henderson said the City had adopted a financial policy that required the City to keep a Fund Balance between 60-90 days. She said across the state of Arkansas 60 days was the minimum number of days recommended to have in the Fund Balance.

Director Peavy asked if the City would be able to meet the increase according to this ordinance.

Finance Director TyRhonda Henderson said the City would be closer to meeting the increase with this ordinance.

Mayor Brown said he had been working on an ordinance and had reviewed the ordinance Assistant Mayor Teeters brought forward. He said he asked the City Manager if the Board would have a workshop and he was told the directors did not want to have a workshop. Mayor Brown said he did support some of the measures in the ordinance Assistant Mayor Teeters presented but he could not support its entirety. He said he worked on several different scenarios and felt like the Board should have a workshop to discuss all the issues between the two ordinances.

Director Harris asked Mayor Brown when he asked for a workshop.

Mayor Brown said he asked if the Board would like to have a workshop several weeks ago and was told the Directors would not like to have a workshop.

Director Peavy said most of the Board members were at the court hearing and the judge made it very clear someone needed to step up to the plate and try to fix the issue. She said she was firmly of the option parity pay was unconstitutional and liked the ordinance Assistant Mayor Teeters brought forward. Director Peavy said when she was asked about having a workshop she asked where the Mayor's bullet points were since no one had seen anything and she did not want to have a workshop until she saw what the Mayor's concepts were.

Assistant Mayor Teeters said at the hearing the judge made it clear the City better try and fix the problem now before he made a judgment. She said she took that as something needed to be done now not five months from now. Assistant Mayor Teeters said she worked with Finance Director TyRhonda Henderson and City Manager Dr. Kenny Haskin. She made some suggestions to add to the four bullet points already brought forth. She said she wanted to pay the police and fire departments the most the City could legally pay in order to match the surrounding areas. Assistant Mayor Teeters said parity pay had been court tested and had been thrown out five times due to being unconstitutional in the state of Arkansas and that was why she made the recommendation to make it a competitive pay instead of parity pay. She said she was trying to find a way to keep the tax but not have parity pay tied to the tax since it was unconstitutional, and when the budget was solid take from the fund balance to offset the difference the tax did not collect. Assistant Mayor Teeters said she wanted to try and come up with a plan everyone felt was a correct and legal way to support our employees. She said she did not know of another plan and that was why she said no to a workshop.

Mayor Brown said he appreciated Assistant Mayor Teeters working on this ordinance and he had his plan with him tonight if she would like to review it. He said he had met with the police department and the citizens who brought the lawsuit against the City and he was trying to come up with a plan everyone agreed upon. Mayor Brown said he would like the Board to review his plan and then have a workshop to compare the two and move forward.

Assistant Mayor Teeters said she wanted to make a motion to read the ordinance for the first time in its entirety so the public would hear every word in the ordinance and she wanted it on record the City Board was making an effort to address police and fire pay legally.

Mayor Brown said he did not believe there needed to be a motion, but the ordinance was going to be read in its entirety today.

City Attorney George Matteson said to clarify he was under the assumption Assistant Mayor Teeters wanted the ordinance to be read in its entirety and not in abbreviated form.

Assistant Mayor Teeters said she wanted it to be read in full.

The ordinance was read the first time in its entirety.

Mayor Brown asked if there were a motion to have the ordinance placed on its second reading. He said hearing none this agenda item would be placed on the August 5, 2019, agenda.

Director Peavy asked if Mayor Brown brought his plan before the Fire Chief.

Mayor Brown said no.

Director Peavy said she would be willing to have a workshop this week to discuss both plans.

Mayor Brown said the reason he had not met with the Fire Chief was because they had a separate ordinance and the police association was the one involved in the litigation.

Assistant Mayor Teeters said she agreed with what he said but the judge disagreed and said the fire department should be involved.

Director Harris asked if it were ruled unconstitutional what would stop the Board from doing what it wanted to do.

Mayor Brown said the City Board could work on whatever they wanted to work on if it were declared unconstitutional. He said if the tax were taken away the City should be working on a contingency plan to offset the loss of the 2 million dollar reduction.

City Attorney George Matteson said that was correct. He said he was under the impression the ruling could be not only unconstitutional but the tax being uncollectable as well.

City Manager Dr. Kenny Haskin said there would be a workshop tomorrow at 4pm.

NEXT MEETING DATE: Monday, August 5, 2019

ADJOURN

Motion to adjourn made by Director Miner, Seconded by Director Hollibush.

Voting Yea: Mayor Brown, Assistant Mayor Teeters, Director Harris, Director Hollibush, Director Miner and Director Peavy.

The motion carried 6-0. The meeting adjourned at 4:39 PM.

APPROVAL of the minutes on this 5th day of August, 2019.

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 Tatum Excavating Company, Inc. (TEC) for East 50th Street Rehabilitation. (PWD)

AGENDA DATE: 08/05/2019

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 TEC for East 50th Street Rehabilitation.

EMERGENCY CLAUSE: This item will be approved by a resolution; therefore, it will not need an emergency clause.

SUMMARY: A resolution for the award of the construction contract to TEC, Inc. in the amount of one hundred ninety-four thousand, seven hundred ninety-five dollars and zero cents (\$194,795.00) for East 50th Street Rehabilitation.

On Tuesday July 16, 2019 a bid opening was conducted at City Hall for the referenced project. Two qualified bids were received that met the bidding requirements. Tyler Richards, Public Works Director reviewed the bids and found no errors in the submission. The low bid by TEC, Inc. is \$23,764.00 over the budget amount of \$171,031.00.

To cover the overage for this project Public Works will underrun the Cherry Street project by not bidding it to a contractor. By allowing the Street Division to perform improvements to Cherry Street the City will see cost savings of approximately \$24,000.00 for a project that is budgeted at \$46,000. The two bids submitted are summarized below:

TEC, Inc.	\$194,795.00
Contech Contractors	\$195,320.00

TEC, Inc. is licensed in the State of Arkansas and is located in Texarkana, Texas. TEC, Inc. is very experienced and capable to complete the project.

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

EXPENSE REQUIRED: \$194,795.00

AMOUNT BUDGETED:	\$194,795.00 (\$187,031 East 50 th Street Improvements line item and \$23,764 Cherry Street Improvements line item)
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APPROPRIATION REQUIRED:	\$0.00
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RECOMMENDED ACTION:	City Manager and staff recommend board approval.
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EXHIBITS:	Resolution, TEC Bid Proposal and Contech Bid Proposal.
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RESOLUTION NO. _____

WHEREAS, after advertisement a low bid in the amount of \$194,795.00 was submitted by Tatum Excavating Company, Inc., for the East 50th Street Rehabilitation Project; and

WHEREAS, said low bid exceeded the amount budgeted and, accordingly, it is necessary to amend the budget to allocate \$23,764.00 from the current Cherry Street Improvements line item; 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 contract with Tatum Excavating Company, Inc., for the purposes and in the amount set forth above; and, further, that the FY2019 Budget is amended as stated.

PASSED AND APPROVED this 5th day of August, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George M. Matteson, City Attorney

BID PROPOSAL

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

FOR: City of Texarkana
50th St Rehabilitation

The undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm, or corporation; that he has carefully examined the form of Contract, Notice to Bidders, and Specifications therein referred to, and has carefully examined the locations, conditions and classes of materials of the proposed work; and agrees that he will provide all the necessary labor, machinery, tools, apparatus, and other items incidental to construction, and will do all the work and furnish all the materials called for in the Contract and Specifications in the manner prescribed therein and according to the requirements of the Engineer as therein set forth.

It is further agreed that the quantities of work to be done at unit prices and materials to be furnished may be increased or diminished as may be considered necessary, in the opinion of the Engineer, to complete the work fully as planned and contemplated, and that all quantities of work, whether increased or decreased, are to be performed at the unit prices set forth below except as provided for in the Specifications.

It is further agreed that lump sum prices may be increased to cover additional work ordered by the Engineer, but not required by the Specifications, in accordance with the provisions of the General Conditions. Similarly, they may be decreased to cover deletion of work so ordered.

It is understood and agreed that the work is to be completed in full within **75 calendar days** beginning on the date stated in the work order on which work is to be commenced. The City of Texarkana, AR shall withhold, permanently from the Contractor's total compensation, the sum of Eight Hundred Dollars (\$800.00) per calendar day for liquidated damages.

Accompanying this proposal is a certified or cashier's check or bid bond, payable to the City of Texarkana for

5% of amount bid Dollars (\$ _____).

The bid security accompanying this proposal shall be returned to the bidder, unless in case of the acceptance of the proposal the bidder shall fail to execute a Contract and to file a performance and payment bonds within fifteen days after its acceptance, in which case the bid security shall become the property of the City of Texarkana and shall be considered as payment for damages due to delay and other inconveniences suffered by the Owner on account of such failure of the bidder. It is understood that the City of

Texarkana reserves the right to reject any and all bids and to waive any informalities in the bidding.

In the event of the award of a Contract to the undersigned, the undersigned will furnish a Performance and Payment Bond each for the full amount of the Contract to secure proper compliance with the terms and provisions of the Contract, to insure and guarantee the work until final completion and acceptance, and to guarantee Payment of all lawful claims for labor performed and materials furnished in the fulfillment of the Contract.

The undersigned certifies that the bid prices contained in this proposal have been carefully checked and are submitted as correct and final.

NOTE:--Unit and lump sum prices must be shown in words and in figures for each item listed in this Proposal, and in the event of discrepancy, the words shall control. Should bid prices on any items be omitted, the right is reserved to apply the lowest prices submitted under this Proposal. In the event of discrepancies, the Owner reserves the right to accept or reject informalities.

Receipt is hereby acknowledged of the following addenda to the Contract Documents:

Addendum No. 1 dated _____ Rec. via mail _____ Rec. via fax _____
Addendum No. 2 dated _____ Rec. via mail _____ Rec. via fax _____
Addendum No. 3 dated _____ Rec. via mail _____ Rec. via fax _____

CONTRACTOR: Contech Contractors, Inc

BY: Wth. B. Doughs

NAME: William B. Doughs

TITLE: Vice President

ADDRESS: 4003 W 7th St, Texarkana, TX 75501
(Street Address or Physical Address)

MAILING ADDRESS: PO Box 5830
(P. O. Box)

CITY, COUNTY & STATE: Texarkana, TX

ZIP: 75505

TELEPHONE: 903-831-4515 FAX: _____

50th Street Rehabilitation

City of Texarkana, Arkansas

BID PROPOSAL

<u>ITEM</u>	<u>QTY/UNIT</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
1.	7,150 S.Y.	Perform milling of existing asphalt surface To a depth of 2-inches and haul millings to City Yard on Dudley street. This work shall Include all equipment, labor, and temporary Traffic controls necessary to complete milling per plans and specifications for the unit price of	<u>Zero</u> Dollars and <u>sixty seven</u> Cents/S.Y.	\$ <u>0.67</u> \$ <u>4790.50</u>
Note: Line item is based on no milling being performed on project. Price is for hauling full depth pulverized material to City Yard only.				
2.	7,150 S.Y.	Furnish and Install Cement and Perform Cement Stabilization (8" Depth) at a rate of 30 lb/sy to existing base to include material, Mixing, equipment, watering, and final compaction Of base per plans and specifications for the unit price of	<u>Eleven</u> Dollars and <u>Eight</u> Cents/S.Y.	\$ <u>11.08</u> \$ <u>79,222.00</u>

BID PROPOSAL
(Cont'd)

<u>ITEM</u>	<u>QTY/UNIT</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
3.	250 LF	Remove and Replace Concrete Curb & Gutter including sawcutting, disposal, all Materials and labor per plans and specifications for the unit price of <u>Twenty Seven</u> Dollars and <u>Three</u> Cents/LF	\$ <u>27.03</u>	\$ <u>6757.50</u>
4.	7,150 SY	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 <u>Thirteen</u> Dollars and <u>Forty</u> Cents/SY	\$ <u>13.40</u>	\$ <u>95,810.00</u>

BID PROPOSAL
(Cont'd)

<u>ITEM</u>	<u>QTY/UNIT</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
5.	2,000 L.F.	Perform Yellow 4" Centerline Striping (Double Solid Yellow / Skip Intersections) (thermoplastic conforming to ARDOT Specification 719 of the 2014 Manual) To include material, equipment, and labor For completed installation per plans and specifications for the unit price of <u>Two</u> Dollars and <u>Eighty Seven</u> Cents/L.F.	\$ <u>2.87</u>	\$ <u>5740.00</u>
6.	1 LS	Perform Testing of materials, compaction, Or other items requested by the Engineer And performed by an approved laboratory With a project allowance of \$3,000 per the Project plans and specifications for the lump price of <u>Three Thousand</u> Dollars and <u>Zero</u> Cents/LS	\$ <u>3,000.00</u>	\$ <u>3,000.00</u>
TOTAL BASE BID			<u>\$ 195,320.00</u>	

Notes: Other incidental items required to complete the project as noted in the plans and specifications shall be considered subsidiary to the bid items. Traffic Control shall be performed by the contractor to maintain a passable lane during construction.

BID PROPOSAL

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

FOR: City of Texarkana
50th St Rehabilitation

The undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm, or corporation; that he has carefully examined the form of Contract, Notice to Bidders, and Specifications therein referred to, and has carefully examined the locations, conditions and classes of materials of the proposed work; and agrees that he will provide all the necessary labor, machinery, tools, apparatus, and other items incidental to construction, and will do all the work and furnish all the materials called for in the Contract and Specifications in the manner prescribed therein and according to the requirements of the Engineer as therein set forth.

It is further agreed that the quantities of work to be done at unit prices and materials to be furnished may be increased or diminished as may be considered necessary, in the opinion of the Engineer, to complete the work fully as planned and contemplated, and that all quantities of work, whether increased or decreased, are to be performed at the unit prices set forth below except as provided for in the Specifications.

It is further agreed that lump sum prices may be increased to cover additional work ordered by the Engineer, but not required by the Specifications, in accordance with the provisions of the General Conditions. Similarly, they may be decreased to cover deletion of work so ordered.

It is understood and agreed that the work is to be completed in full within **75 calendar days** beginning on the date stated in the work order on which work is to be commenced. The City of Texarkana, AR shall withhold, permanently from the Contractor's total compensation, the sum of Eight Hundred Dollars (\$800.00) per calendar day for liquidated damages.

Accompanying this proposal is a certified or cashier's check or bid bond, payable to the City of Texarkana for

5% of total bid Dollars (\$ 5%).

The bid security accompanying this proposal shall be returned to the bidder, unless in case of the acceptance of the proposal the bidder shall fail to execute a Contract and to file a performance and payment bonds within fifteen days after its acceptance, in which case the bid security shall become the property of the City of Texarkana and shall be considered as payment for damages due to delay and other inconveniences suffered by the Owner on account of such failure of the bidder. It is understood that the City of

Texarkana reserves the right to reject any and all bids and to waive any informalities in the bidding.

In the event of the award of a Contract to the undersigned, the undersigned will furnish a Performance and Payment Bond each for the full amount of the Contract to secure proper compliance with the terms and provisions of the Contract, to insure and guarantee the work until final completion and acceptance, and to guarantee Payment of all lawful claims for labor performed and materials furnished in the fulfillment of the Contract.

The undersigned certifies that the bid prices contained in this proposal have been carefully checked and are submitted as correct and final.

NOTE:--Unit and lump sum prices must be shown in words and in figures for each item listed in this Proposal, and in the event of discrepancy, the words shall control. Should bid prices on any items be omitted, the right is reserved to apply the lowest prices submitted under this Proposal. In the event of discrepancies, the Owner reserves the right to accept or reject informalities.

Receipt is hereby acknowledged of the following addenda to the Contract Documents:

Addendum No. 1 dated _____ Rec. via mail _____ Rec. via fax _____
Addendum No. 2 dated _____ Rec. via mail _____ Rec. via fax _____
Addendum No. 3 dated _____ Rec. via mail _____ Rec. via fax _____

CONTRACTOR: Tatum Excavating Company, Inc

BY: 

NAME: S. Ross Sarine

TITLE: Vice President

ADDRESS: 2416 South Lake Dr.
(Street Address or Physical Address)

MAILING ADDRESS: Same
(P. O. Box)

CITY, COUNTY & STATE: Texarkana - Bowie - TX

ZIP: 75501

TELEPHONE: 903-792-3971 FAX : 903-792-4593



50th Street Rehabilitation
 City of Texarkana, Arkansas
BID PROPOSAL

<u>ITEM</u>	<u>QTY/UNIT</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
1.	7,150 S.Y.	Perform milling of existing asphalt surface To a depth of 2-inches and haul millings to City Yard on Dudley street. This work shall Include all equipment, labor, and temporary Traffic controls necessary to complete milling per plans and specifications for the unit price of		
		<u>Four</u> Dollars and		
		<u>Fifteen</u> Cents/S.Y.	<u>\$ 4.15</u>	<u>\$ 29,672.50</u>
2.	7,150 S.Y.	Furnish and Install Cement and Perform Cement Stabilization (8" Depth) at a rate of 30 lb/sy to existing base to include material, Mixing, equipment, watering, and final compaction Of base per plans and specifications for the unit price of		
		<u>Six</u> Dollars and		
		<u>Five</u> Cents/S.Y.	<u>\$ 6.05</u>	<u>\$ 43,257.50</u>

BID PROPOSAL
(Cont'd)

<u>ITEM</u>	<u>QTY/UNIT</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
3.	250 LF	Remove and Replace Concrete Curb & Gutter including sawcutting, disposal, all Materials and labor per plans and specifications for the unit price of <u>Thirty Seven</u> Dollars and <u>Ten</u> Cents/LF	<u>\$ 37.10</u>	<u>\$ 9,275.00</u>
4.	7,150 SY	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 <u>Fourteen</u> Dollars and <u>Sixty</u> Cents/SY	<u>\$ 14.60</u>	<u>\$ 104,390.00</u>

BID PROPOSAL
(Cont'd)

<u>ITEM</u>	<u>QTY/UNIT</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
5.	2,000 L.F.	Perform Yellow 4" Centerline Striping (Double Solid Yellow / Skip Intersections) (thermoplastic conforming to ARDOT Specification 719 of the 2014 Manual) To include material, equipment, and labor For completed installation per plans and specifications for the unit price of <u>Two</u> Dollars and <u>Sixty</u> Cents/L.F.	<u>\$ 2.60</u>	<u>\$ 5,200.00</u>
6.	1 LS	Perform Testing of materials, compaction, Or other items requested by the Engineer And performed by an approved laboratory With a project allowance of \$3,000 per the Project plans and specifications for the lump price of <u>Three Thousand</u> Dollars and <u>Zero</u> Cents/LS	<u>\$ 3,000.00</u>	<u>\$ 3,000.00</u>
TOTAL BASE BID			\$ <u>194,795.00</u>	

Notes: Other incidental items required to complete the project as noted in the plans and specifications shall be considered subsidiary to the bid items. Traffic Control shall be performed by the contractor to maintain a passable lane during construction.



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt a Resolution authorizing the City Manager to enter into contracts with various suppliers for chemicals for water treatment for use at the Wright Patman Water Treatment Plant and Millwood Water Treatment Plant and wastewater treatment for use at the South Regional Wastewater Treatment Plant and North Texarkana Wastewater Treatment Plant. (TWU)

AGENDA DATE: August 5, 2019

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Texarkana Water Utilities

PREPARED BY: J.D. Phillips, Executive Director

REQUEST: Consider request for chemicals for water and waste water treatment plants.

EMERGENCY CLAUSE: N/A

SUMMARY: Consider resolution authorizing the City Manager to enter into contracts with various suppliers for chemicals for water treatment for use at the Wright Patman Water Treatment Plant and Millwood Water Treatment Plant and wastewater treatment for use at the South Regional Wastewater Treatment Plant and North Texarkana Wastewater Treatment Plant at the low bid price per unit shown on the attached bid tabulation sheet and in an aggregate amount not to exceed the amounts approved in the FY 2019-2020 budget. Bids were received and opened at 2:00 PM, July 23, 2019 on the following chemicals for water and wastewater treatment: Sodium Chlorite, Sulphur Dioxide, Powdered Activated Carbon, HTH (100# containers), Caustic Soda (bulk), Liquid Chlorine, Aluminum Sulfate, Ortho-Polyphosphate, Anhydrous Ammonia, and Liquid Polymer. The low bidders are listed on the attached bid sheet.

Two vendors, DPC Industries and Brenntag Southwest, tied on the bid for Sulphur Dioxide. In accordance with the City of Texarkana, Texas Purchasing Policy a coin toss determined the tiebreaker.

EXPENSE REQUIRED: Not to exceed amount budgeted in FY 2019-202 budget

AMOUNT BUDGETED: To be approved in FY 2019-2020 budget.

**APPROPRIATION
REQUIRED:** None.

**RECOMMENDED
ACTION:**

Recommendations are for the low bid price per unit, from the listed vendors as shown on the bid tabulation sheet, in an aggregate amount not to exceed the amount budgeted in the Texarkana Water Utilities, Departments 410, 420, 490, 520, 530 and 540 Operating Fund Budgets for FY 2019-2020.

EXHIBITS:

Resolution and Chemical Bid Tabulation Sheet

RESOLUTION NO. _____

WHEREAS, Texarkana Water Utilities advertised for bids for chemicals for water treatment for use at the Wright Patman Water Treatment Plant, Millwood Water Treatment Plant and wastewater treatment for use at the South Regional Wastewater Treatment Plant and North Texarkana Wastewater Treatment Plant and the low bid price per unit is shown on the attached bid tabulation sheet; and

WHEREAS, the utility staff recommends acceptance of these bids, provided the aggregate amount does not exceed the amounts approved in the FY 2019-2020 budget; 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 contracts for the chemicals and with the suppliers for the corresponding low bids as specifically set forth on the attached tabulation, provided that the aggregate amounts do not exceed the amounts approved in the FY 2019-2020 budget.

PASSED AND APPROVED this 5th day of August, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George M. Matteson, City Attorney

TABULATION OF BIDS - JULY 23, 2019
 FY 2019-2020 CHEMICAL BIDS

CHEMICAL PURCHASES PROJECTED FOR THE PERIOD OCTOBER 1, 2019 - SEPTEMBER 30, 2020

CHEMICAL	COMPANY	BID FY 2020	COST FY 2019	BIDS RECEIVED	REPS. PRESENT	BIDS REQUESTED
Sodium Chlorite	International Dioxide 40 Whitecap Dr. North Kingstown, RI. 02852	\$.507 cost per pound	\$.4989 cost per pound	3 \$.5070 \$.5149 \$.7800	0	21
CHEMICAL	COMPANY	BID FY 2020	COST FY 2019	BIDS RECEIVED	REPS. PRESENT	BIDS REQUESTED
Sulphur Dioxide	Brenntag Southwest, Inc. 610 Fisher Rd. Longview, TX. 75604	\$720.00 cost per ton	\$720.00 cost per ton	2 \$720.00 \$720.00	0	21
CHEMICAL	COMPANY	BID FY 2020	COST FY 2019	BIDS RECEIVED	REPS. PRESENT	BIDS REQUESTED
Powdered Activated Carbon	Harcros Chemicals, Inc. 1011 Jack Wells Blvd. Shreveport, LA. 71107	\$2500.00 cost per ton	\$1840.00 cost per dry ton	1 \$2500.00	1	21
CHEMICAL	COMPANY	BID FY 2020	COST FY 2019	BIDS RECEIVED	REPS. PRESENT	BIDS REQUESTED
HTH (100# Containers)	Harcros Chemicals, Inc. 1011 Jack Wells Blvd. Shreveport, LA. 71107	\$144.00 cost per 100# tote	\$139.00 cost per 100# tote	2 \$144.00 \$145.00	0	21
CHEMICAL	COMPANY	BID FY 2020	COST FY 2019	BIDS RECEIVED	REPS. PRESENT	BIDS REQUESTED
Caustic Soda (Bulk) Liquid Weight	Brenntag Southwest, Inc. 610 Fisher Rd. Longview, TX. 75604	\$.144 cost per liquid pound	\$.1845 cost per liquid pound	6 \$.1440 \$.1595 \$.1619 \$.1738 \$.1750 \$.1790	0	21
CHEMICAL	COMPANY	BID FY 2020	COST FY 2019	BIDS RECEIVED	REPS. PRESENT	BIDS REQUESTED
Liquid Chlorine	DPC Industries 15838 Brittain Ct. Lindale, TX. 75771	\$618.00 cost per ton	\$574.00 cost per ton	2 \$618.00 \$680.00	1	21
CHEMICAL	COMPANY	BID FY 2020	COST FY 2019	BIDS RECEIVED	REPS. PRESENT	BIDS REQUESTED
Aluminum Sulfate	Chemtrade Chemicals 90 East Halsey Road Parsippany, NJ. 07054	\$209.95 cost per dry ton	\$179.00 cost per dry ton	4 \$209.95 \$263.00 \$365.00 \$391.25	0	21
CHEMICAL	COMPANY	BID FY 2020	COST FY 2019	BIDS RECEIVED	REPS. PRESENT	BIDS REQUESTED
Ortho-Polyphosphate Drums	Aqua Smart, Inc. 4445 Commerce Dr. SW Suite A4 Atlanta, GA. 30336	\$12.45 cost per gallon	\$.4748 cost per pound	3 \$5.168 \$12.45 \$14.77	0	21
CHEMICAL	COMPANY	BID FY 2020	COST FY 2019	BIDS RECEIVED	REPS. PRESENT	BIDS REQUESTED
Anhydrous Ammonia	Tanner Industries, Inc. 735 Davisville Rd. Southampton, PA. 18966	\$.8100 cost per pound	\$.8100 cost per pound	1 \$.8100	0	21
CHEMICAL	COMPANY	BID FY 2020	COST FY 2019	BIDS RECEIVED	REPS. PRESENT	BIDS REQUESTED
Liquid Polymer	Polydyne, Inc. #1 Chemical Plant Rd. Riceboro, GA. 31323	\$8.544 cost per gallon	\$1.14 cost per pound	1 \$8.544	0	21

CHEMICAL CONTRACT RENEWALS
FY 2019-2020

CHEMICAL PURCHASES PROJECTED FOR THE PERIOD OCTOBER 1, 2019 - SEPTEMBER 30, 2020

CHEMICAL	COMPANY	RENEWAL 2020	COST FY 2019	BIDS RECEIVED	REPS. PRESENT	BIDS MAILED
Liquid Polymer - WWTP	Polydyne, Inc. #1 Chemical Plant Rd. Riceboro, GA. 31323	\$1.14 per pound	\$1.14 per pound	0	0	0



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt an Ordinance to establish revised competitive pay rules and to regain and maintain a competitive pay package for Texarkana, Arkansas Civil Service employees. (AS AMENDED) (SECOND READING) (FIN) Finance Director TyRhonda Henderson

AGENDA DATE: August 5, 2019

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Finance

PREPARED BY: TyRhonda Henderson

REQUEST: Adopt an Ordinance to establish revised competitive pay rules and to regain and maintain a competitive pay package for Texarkana, Arkansas Civil Service employees.

EMERGENCY CLAUSE: None Needed

SUMMARY: The adoption of an ordinance to establish revised competitive pay rules and to regain and maintain a competitive pay package for Texarkana, Arkansas Civil Service employees.

EXPENSE REQUIRED: N/A

AMOUNT BUDGETED: N/A

**APPROPRIATION
REQUIRED:** N/A

**RECOMMENDED
ACTION:**

EXHIBITS: Ordinance

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH REVISED COMPETITIVE COMPENSATION RULES AND TO REGAIN AND MAINTAIN COMPETITIVE COMPENSATION FOR TEXARKANA, ARKANSAS, CIVIL SERVICE EMPLOYEES

WHEREAS, the Board of Directors of the City of Texarkana, Arkansas, desire to amend and establish rules to regain and maintain competitive compensation for Texarkana, Arkansas, civil service employees to better effectuate the two ¼ (¼ each for police and fire respectively) cent special sales and use tax for the purpose of Texarkana, Arkansas, civil service employees' compensation increases (being, initially, Ordinances K-553 and K-598) and maintaining competitive compensation for the civil service employees of Texarkana, Arkansas; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas, that the following definitions and rules are enacted to carry out the purpose stated above:

Section 1. Definitions:

- A. Base compensation – For the purpose of computing competitive compensation, excludes holiday pay (comparable to other cities where holiday pay is excluded in base compensation).
- B. Competitive Compensation – The annual base compensation for Texarkana, Arkansas, civil service employees is competitive with the annual base compensation shown in salary surveys/wage comparisons with cities of similar size and population.
- C. Cost of Competitive Compensation – The amount of money it takes to pay for the increase in base compensation and the incremental increase in benefits that cause increases in employer contributions related to base compensation increases, i.e. Worker's Compensation, Holiday Pay, Medicare, and Retirement.

Section 2. Rules:

- A. The City shall fund competitive compensation raises for Texarkana, Arkansas, civil service employees from the two Texarkana, Arkansas, ¼ cent special sales and use tax revenues, general revenues, and/or both.
- B. No part of a new Texarkana, Arkansas, civil service employee's base pay shall apply to the cost of competitive compensation during his/her first year of employment.
- C. Any years that the two Texarkana, Arkansas, ¼ cent special sales and use taxes generate enough revenue to cover any deficits in the total cumulative cost of competitive compensation, and competitive compensation is less than that shown in salary surveys/wage comparisons, competitive compensation will be paid.
- D. Any years that the two Texarkana, Arkansas, ¼ cent special sales and use taxes do not generate enough revenue to cover any deficits in the total cumulative cost of competitive compensation, the City's budgeted unreserved fund balance is less than 65 days of expenditures, and competitive compensation is less than that shown in salary surveys/wage comparisons, civil service employees will not receive an increase in their competitive compensation.
- E. Any years that the two Texarkana, Arkansas, ¼ cent special sales and use taxes do not generate enough revenue to cover any deficits in the total cumulative cost of competitive compensation, the City of Texarkana, Arkansas's budgeted unreserved fund balance is between 65 and 85 days of expenditures, and competitive compensation is less than that shown in salary surveys/wage comparisons, civil service employees will receive a 2% increase in their competitive compensation. If the percentage to reach competitive compensation is less than 2%, then only the percentage required to reach competitive compensation will be given.
- F. Any years that the two Texarkana, Arkansas, ¼ cent special sales and use taxes do not generate enough revenue to cover any deficits in the total cumulative cost of competitive compensation, the City of Texarkana, Arkansas's budgeted unreserved fund balance is more than 85 days of expenditures, and competitive compensation is less than that shown in salary surveys/wage comparisons, the Texarkana, Arkansas, civil service employees will receive a 4% increase in their competitive compensation. If the percentage to reach competitive compensation is less than 4%, then only the percentage required to reach competitive compensation will be given.
- G. Competitive compensation will be reviewed annually during the budget process.
- H. The Texarkana, Arkansas, Board of Directors reserve the right to issue a stipend at any time they deem necessary.

- I. Notwithstanding anything contained in this ordinance or any ordinance amended hereby, all future increases in competitive compensation are subject to the approval of the then existing Board of Directors. Accordingly, in no event shall any specific increase in competitive compensation be implemented, due or owed unless and until the then existing Board of Directors approves the same and implements any corresponding annual budget appropriation and expense allocations.

Section 3. Repealer

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED this 24th day of July, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt an Ordinance to establish an Entertainment District that allows open containers of alcohol and consumption in the district. (This item recommended for Board approval by the Planning Commission) (PWD-Planning) City Planner Mary Beck
AGENDA DATE:	08/05/2019
ITEM TYPE:	Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Planning Department
PREPARED BY:	Mary Beck, City Planner
REQUEST:	EnterText
EMERGENCY CLAUSE:	EnterText
SUMMARY:	EnterText
EXPENSE REQUIRED:	EnterText
AMOUNT BUDGETED:	EnterText
APPROPRIATION REQUIRED:	EnterText
RECOMMENDED ACTION:	EnterText
EXHIBITS:	ListExhibits

ORDINANCE NO. _____

**AN ORDINANCE TO ADD TO THE CITY OF
TEXARKANA, ARKANSAS CODE OF
ORDINANCES, CHAPTER 28, ARTICLE VI, SEC.
28-82, SUPPLEMENT PROVISIONS; AND TO
AMEND ARTICLE XI, SEC. 28-142
DEFINITIONS TO INCLUDE ENTERTAINMENT
DISTRICT AS A LAND USE; AND FOR OTHER
PURPOSES**

WHEREAS, the City desires to provide opportunities for increased cultural activities and the State of Arkansas has provided for an opportunity to establish entertainment districts; and

WHEREAS, the Planning Commission after four workshops and a public hearing have solicited and considered input from the Texarkana Police Department, the Historic District Commission, Main Street, downtown business owners and property owners and the public at large concluded there is wide support for formation of an entertainment district; and

WHEREAS, the Planning Commission does certify to recommend addition of an entertainment district defined and described as listed below to the *City of Texarkana, Arkansas, Code of Ordinances*:

Article VI, Sec. 28-82

Supplemental provisions – entertainment district

An entertainment district may be established to allow open container consumption of alcohol subject to the following conditions:

The area of an entertainment district must have established entertainment venues and operating restaurants. Set boundaries and hours are to be enumerated for any district established and signage posted with hours allowed for open consumption. Nothing in these regulations shall in anyway conflict with or exceed the limits of Arkansas State Statutes governing alcohol regulations including no open containers may be carried out from liquor stores and underage drinking shall not be permitted. No glass containers for any liquid shall be allowed in the entertainment district during entertainment hours that

mirror State law hours of alcohol service of Sunday 11 a.m. to 10 p.m. and Monday through Saturday 11 a.m. to 2 a.m.

At the City Manager's discretion or his assignee, typically the Public Works Director, part or all of the entertainment district may be closed to through traffic for street dances, music acts, art exhibits or other cultural events or promotions.

Article XI, Sec. 28-142

An entertainment district with specific boundaries is an area where entertainment venues and restaurants serving alcohol are located. During hours of operation of the entertainment district as set by the City, alcohol may be consumed in open containers outdoors but subject to all State of Arkansas Statutes as well as local ordinances that otherwise apply.

The boundaries of the district shown on the attached map range from Stateline Avenue at 5th Street, west to Walnut Street, south on Walnut Street to 3rd Street, then east along 3rd Street to Ash Street; and, from there south on Ash Street to Broad Street, then west on Broad Street to Hazel Street and turning south at Hazel Street (Hazel Street curves and merges into Front Street), west on Front Street to the east side of Pine Street, then north along the east side of Pine Street where it merges into State Line Avenue and north from there to the point of beginning at 5th Street. (boundary map attached)

NOW THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas, these regulations are hereby adopted and incorporated into the *City of Texarkana, Arkansas, Code of Ordinances*.

PASSED AND APPROVED this 5th day of August, 2019.

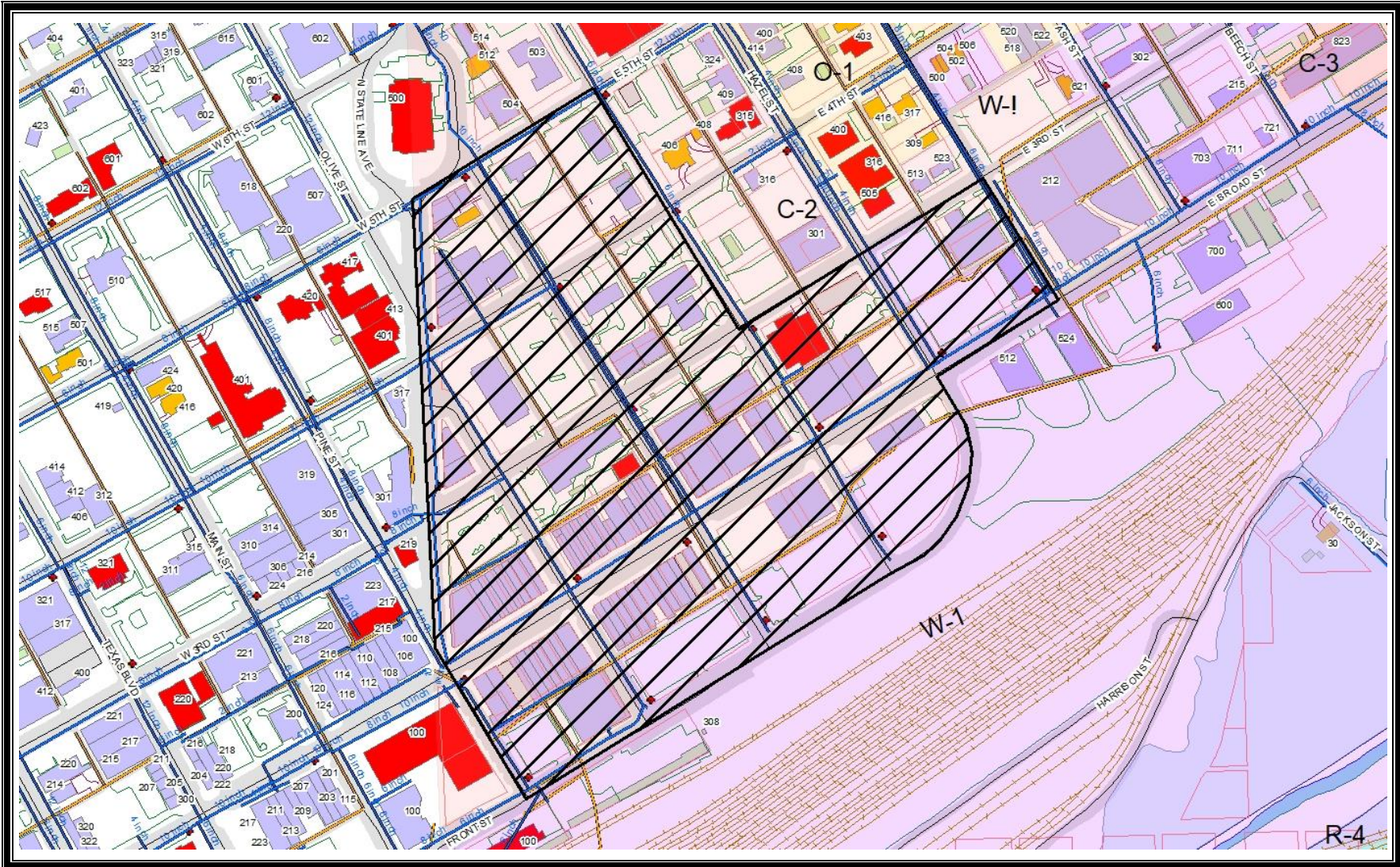
Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George M. Matteson, City Attorney



ENTERTAINMENT DISTRICT BOUNDARY

Prepared by:
 Planning Division - Public Works Department
 City of Texarkana, Arkansas



CITY OF TEXARKANA, ARKANSAS

DEPARTMENT OF PUBLIC WORKS

216 WALNUT STREET 71854-6024

P.O. BOX 2711 – TEXARKANA, ARKANSAS 75504-2711

PHONE (870) 779-4971 – FAX (870) 773-2395

MEMORANDUM

TO: Dr. Kenny Haskin, City Manager
FROM: Mary L. Beck, City Planner/Historic Preservation Officer
DATE: July 16, 2019
SUBJECT: **Board of Directors Agenda Item for 08-05-2019 meeting** - Request to amend the Texarkana Code of Ordinances to add entertainment district regulations.

REQUEST: **Amendment to add entertainment district allowing open containers for alcohol consumption** – Conduct a public hearing to amend the Zoning Chapter of the Texarkana Municipal Code for the following purposes: 1) **Article VI, Sec. 28-82:** (a) An entertainment district may be established to allow open container consumption of alcohol subject to the following conditions: (i) The area of an entertainment district must have established entertainment venues and operating restaurants that serve alcohol; (ii) Set boundaries and hours are to be enumerated for any district established and signage posted with hours allowed for open consumption; (iii) Nothing in these regulations shall in anyway conflict with or exceed the limits of Arkansas State Statutes governing alcohol regulations including no open containers may be carried out from liquor stores and underage drinking shall not be permitted; (iv) no glass containers for any liquid shall be allowed in the entertainment district during entertainment hours; and, (v) the hours of open consumption shall mirror the State laws of alcohol service that is Sunday 11 a.m. to 10 p.m. and Monday through Saturday 11 a.m. to 2 a.m.; and, (b) At the City Manager’s discretion or his assignee, typically the Public Works Director, part or all the entertainment district may be closed to through traffic for street dances, music acts, art exhibits or other cultural events or promotions.

2) To amend the zoning chapter **Article XI, Sec. 28-142** to add the definition of an entertainment district: An entertainment district with specific boundaries is an area where entertainment venues and restaurants serving alcohol are located. During hours of operation of the entertainment district as set by the City, alcohol may be consumed in open containers outdoors but subject to all State of Arkansas Statutes as well as local ordinances that otherwise apply.

The boundaries of the district shown on the attached map range from Stateline Avenue at 5th Street, west to Walnut Street, south on Walnut Street to 3rd Street, then east along 3rd Street to Ash Street; and, from there south on Ash Street to Broad Street, then west on Broad Street to Hazel Street and turning south at Hazel Street (Hazel Street curves and merges into Front Street), west on Front Street to the east side of Pine Street, then north along the east side of Pine Street where it merges into State Line Avenue and north from there to the point of beginning at 5th Street. (boundary map attached)

COMPATIBILITY WITH EXISTING DEVELOPMENT:

This amendment shall pertain to the entertainment district alone with approved boundaries and hours for open consumption and not otherwise contradict or change regulations outside the district.

Request received from City Board of Directors, citizen, developer, company, or initiated by the staff – Requests for a zoning ordinance text amendment can be made at any time. These requests may be initiated by the City Board of Directors, a citizen, a commercial developer, a company, or the staff itself. Many times these requests are the result of new land uses, changes in residential housing types or densities, omissions in the original zoning ordinance, etc.

Staff Research - Research and development of draft regulations;

Staff Recommendation - Planning Division staff researches and makes a staff recommendation to Planning Commission;

Legal Notice – Publish legal notice in the Texarkana Gazette one time fifteen days prior to the public hearing;

Public Hearing – The Planning Division staff presents staff recommendation to Planning Commission during required public hearing;

Planning Commission – Makes one of the following determinations:

1. Reject the staff recommendation and request further study/analysis;
2. Recommend denial of the Zoning Ordinance text amendment;
3. Recommend approval of the Zoning Ordinance text amendment;

City Board of Directors – If recommended for approval by the Planning Commission, the City Board of Directors considers adopting an ordinance enacting/accepting the Zoning Ordinance text amendment. The proposal could also be heard by the City Board of Directors if the Planning Commission's recommendation of denial was appealed to the City Board of Directors. The City Board of Directors makes one of the following determinations:

1. Reject the Planning Commission's recommendation and request further study/analysis;
2. Recommend denial of the Planning Commission's Zoning Ordinance text amendment(s);
3. Recommend approval of the Planning Commission's Zoning Ordinance text amendment(s);

Ordinance – Becomes effective in thirty (30) days or with adoption of an emergency clause as part of the ordinance, the ordinance would become effective immediately; and

City Clerk - Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the city clerk.

CONFORMANCE WITH APPLICABLE ORDINANCES AND/OR STATE STATUTES:

The *Arkansas Code of 1987 Annotated (14-56-422 1B)* requires the following - "All plans, recommended ordinances, and regulations shall be adopted through the following procedure for adoption of plans and regulations:

- (1) (A) The Planning Commission shall hold a public hearing on the plans, ordinances, and regulations proposed under this subchapter.

(B) Notice of public hearing shall be published newspaper of general circulation in the city, at least one (1) time fifteen (15) days prior to the hearing.
- (2) Following the public hearing, proposed plans may be adopted, and proposed ordinances and regulations may be recommended as presented, or in modified form, by a majority vote of the entire commission.
- (3) Following its adoption of plans and recommendation of ordinances and regulations, the commission shall certify adopted plans or recommended ordinances and regulations to the legislative body of the city for its adoption.
- (4) The legislative body of the city may return the plans and recommended ordinances and regulations to the commission for further study or rectification, or, by a majority vote of the entire membership, may, by ordinance or resolution, adopt the plans and recommended ordinances or regulations submitted by the commission. However, nothing in this subchapter shall be construed to limit the city board's authority to recall the ordinances and resolutions by a vote of a majority of the council.
- (5) Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the

office of the City Clerk. The City Clerk shall file, with the county recorder of the counties in which territorial jurisdiction is being exercised such plans, ordinances, and regulations as pertain to the territory beyond the corporate limits.

The required statutory notice was published in the Sunday, June 23, 2019 edition of the *Texarkana Gazette*. The City published the required legal notice once fifteen (15) days prior to the public hearing as required by the *Arkansas Code of 1987 Annotated 14-56-422* (Adoption/amendment of plans, ordinances, & regulations).

OPPOSITION TO ZONING ORDINANCE TEXT AMENDMENT:

William Johnson, #7 Country Estates Drive called to voice opposition as he felt it would lead to more alcohol related problems.

ADDITIONAL ACTION BY CITY BOARD OF DIRECTORS:

The City Board of Directors could review the Planning Commission's recommendation at their regularly scheduled meeting. A public hearing was held on July 9, 2019 following four months of workshops/discussions at regularly scheduled planning commission meetings. Letters advising of the early workshop were mailed to property owners in the areas of the proposed district. Input was received at the meetings from local business owners, property owners, the police chief, and the public works director.

PLANNING COMMISSION RECOMMENDATION:

To amend the ***Texarkana Municipal Code Article VI, Sec. 28-82 and Article XI, Sec. 28-142***

After conducting the required statutory public hearing, the Planning Commission certifies a recommendation for approval on a motion by Vice-chairperson Adger Smith, seconded by Chairperson Bertha Dunn with the following 5-0 roll call vote with two absent:

Bertha Dunn, Chairperson	Yes
Adger Smith, Vice-chairperon	Yes
Jason Dupree	Absent
George Coker	Yes
Anderson Neal, Jr.	Yes
Boots Thomas	Absent
Randall Hickerson	Absent

The Planning Commission wishes to make known their desire to have

- *Adequate/addition trash receptacles*
- *More frequent trash pick-up*

- *Registration similar to PFU registration even if no fees are charged*
- *Informational materials provided regarding trash and rules;*
- *Posting or handout of rules to businesses and registrants*

BOARD ACTION REQUESTED:

The Board action requested is to consider an ordinance amending the text of the Zoning Ordinance to allow establishment of an entertainment district that allows consumption of alcohol from open containers within approved set boundaries and during approved set hours; and, to allow some or all of the entertainment district to be blocked off from traffic by the City Manager or his assignee, typically the Public Works Director for cultural events open to the public.

No emergency clause is requested.



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE: Consider the following action concerning proposed revenue notes of the Texarkana Airport Authority:

Conduct a Public Hearing to hear citizens' concerns regarding the proposed revenue notes.

Adopt an Ordinance authorizing the Texarkana Airport Authority to borrow funds on a short-term basis; delegating certain powers under the Municipal Airports Act and authorize one or more series of Airport Revenue Notes. (Airport) Airport Director Mark Mellinger and Attorney Jim Fowler, Rose Law Firm

The applicant requests an emergency clause. 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: 08/05/2019

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Administration

PREPARED BY: Heather Soyars

REQUEST: Conduct a Public Hearing and authorize the Texarkana Airport Authority to borrow funds on a short-term basis; delegating certain powers under the Municipal Airports Act and authorize one or more series of Airport Revenue Notes.

EMERGENCY CLAUSE: An emergency clause is requested.

SUMMARY: Conduct a Public Hearing and authorize the Texarkana Airport Authority to borrow funds on a short-term basis; delegating certain powers under the Municipal Airports Act and authorize one or more series of Airport Revenue Notes.

EXPENSE REQUIRED: N/A

AMOUNT BUDGETED: N/A

APPROPRIATION REQUIRED: N/A

RECOMMENDED ACTION:

EXHIBITS:

Ordinance

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE TEXARKANA AIRPORT AUTHORITY TO BORROW FUNDS ON A SHORT-TERM BASIS; DELEGATING CERTAIN POWERS UNDER THE MUNICIPAL AIRPORTS ACT TO THE TEXARKANA AIRPORT AUTHORITY; AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF AIRPORT REVENUE NOTES; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY

WHEREAS, pursuant to the Constitution and laws of the State of Arkansas, including particularly the Municipal Airports Act codified and amended at Arkansas Code Annotated §14-361-101 et seq. (the “Act”), the City of Texarkana, Arkansas, (the “City”) owns and operates the Texarkana Regional Airport (the “Airport”) formerly known as the Texarkana Municipal Airport-Webb Field; and

WHEREAS, the City, by concurrent legislative action with the City of Texarkana, Texas, has entered into an agreement for the joint operation of the Airport and pursuant to which has created a joint airport board known as the Texarkana Airport Authority (the “Airport Board”); and

WHEREAS, from time to time, the Airport Board receives Federal and state grants for the costs of Airport projects (“Project Costs”) which require the Airport Board to advance funds for portions of the Project Costs pending anticipated subsequent reimbursement from certain grants (the “Required Advances”); and

WHEREAS, the City is authorized to enter into any contracts necessary to the execution of the powers granted under the Act, which include the power to issue revenue bonds or other forms of bonds to finance Airport related costs such as Projects Costs; and

WHEREAS, the City is permitted to delegate to the Airport Board and its officers, certain authority vested in the City under the Act: and

WHEREAS, to accomplish the purposes of the Act, the City and the Airport Board have determined that it is necessary that the Airport Board and its officers be authorized, from time to time, to enter into one or more arrangements with financial institutions to borrow funds needed for

Required Advances plus the costs related to such financing arrangements including interest thereon and fees and expenses incidental thereto (the “Line of Credit” or “Lines of Credit” as the case may be); and

WHEREAS, the City desires to adopt an Ordinance authorizing the Airport Board, from time to time, to negotiate Lines of Credit, execute all loan agreements, certificates, financing statements, assignments, and other documents necessary to obtain the Lines of Credit (the “Credit Documents”), including promissory notes evidencing the Lines of Credit (the “Airport Revenue Notes”);

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

Section 1. From time to time, the Airport Board is authorized to negotiate one or more Lines of Credit with one or more financial institutions. Except as hereinafter limited, the terms and conditions of the Lines of Credit shall be as determined by the Airport Board. The issuance, from time to time, of one or more series of Airport Revenue Notes, with the aggregate principal amount outstanding at any one time not to exceed of \$3,000,000, is hereby authorized. The Airport Revenue Notes shall mature as provided in the Credit Documents, provided however, that any Airport Revenue Note shall mature not later than five years from its date of its issuance. The maximum true interest cost borne by any Airport Revenue Note shall not exceed 6% per annum. The Airport Revenue Notes shall be special revenue obligations, payable from and secured solely by the revenues of the Airport Board and shall contain a statement to that effect on the face of each Airport Revenue Note. The Airport Revenue Notes shall be an obligation only of the Airport Board and in no event shall the Airport Revenue Notes constitute an indebtedness of the City.

Section 2. The Chairperson of the Airport Board is hereby authorized, from time to time, to execute and deliver the Airport Revenue Notes. The Chairperson, Vice Chairperson, Secretary or the Airport Director of the Airport Board are each hereby separately authorized, from time to time, to take any and all actions and to execute the Credit Documents that may be necessary or appropriate in order to effect the issuance of the Airport Revenue Notes and the intent of this Ordinance.

Section 3. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Ordinance, or in any Airport Revenue Note, or in the Credit Documents, or under any judgment obtained against the City or the Airport Board or by the enforcement of any

assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, shall be had against any officer as such or board member, past, present, or future, of the City or the Airport Board, either directly or through the City or the Airport Board, or otherwise, for the payment for or to the City or the Airport Board or any receiver thereof, or for or to any holder of any Airport Revenue Note, or otherwise, of any sum that may be due and unpaid by the Airport Board upon any of the Airport Revenue Notes. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the City or the Airport Board or any receiver thereof, or for or to the owner or any holder of any Airport Revenue Note, or otherwise, of any sum that may remain due and unpaid upon any Airport Revenue Note, shall be deemed to be expressly waived and released as a condition of and consideration for the execution and delivery of the Credit Documents and the issuance of the Airport Revenue Notes.

Section 4. Following notice duly published, a public hearing regarding the issuance of the Airport Revenue Notes was held by the Airport Director, as the designated hearing officer for the City Board of Directors for the purpose of the Arkansas Revenue Bond Act of 1987, as amended, and such designation is hereby ratified and confirmed. The report of the hearing officer reflects that any person interested was invited to speak concerning the issuance of the Airport Revenue Notes.

Section 5. Interest on the Airport Revenue Notes is taxable and is not excluded from gross income under the Internal Revenue Code of 1986, as amended (the “Code”). Any action taken to exclude interest on the Airport Revenue Notes from gross income under the Code shall require consent and approval by the City.

Section 6. It is hereby ascertained and declared that arrangements for the issuance of the Airport Revenue Notes must be accomplished as soon as possible in order to pay for Project Costs needed to alleviate immediate hazards to the health, safety, and welfare of the City, its inhabitants, Airport travelers, and their property, and that the funding of the Project Costs can be accomplished only by the issuance of the Airport Revenue Notes. It is, therefore, declared that an emergency exists and this Ordinance, being necessary for the immediate preservation of the public peace, health, and safety, shall take effect and be enforced from and after its passage.

PASSED AND APPROVED this 5th day of August, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson City Attorney

PREPARED BY:

James M. Fowler, Jr.,
Rose Law Firm, a Professional Association,
Counsel for Texarkana Airport Authority

RESOLUTION NO. 001

A RESOLUTION BY THE JOINT BOARD OF THE TEXARKANA AIRPORT AUTHORITY REQUESTING THE CITIES OF TEXARKANA, ARKANSAS AND TEXARKANA, TEXAS TO AUTHORIZE THE TEXARKANA AIRPORT AUTHORITY TO BORROW FUNDS FROM TIME TO TIME ON A SHORT-TERM BASIS, PAYABLE SOLELY FROM AIRPORT REVENUES.

WHEREAS, the Texarkana Airport Authority Board (the "Airport Board"), from time to time, receives Federal and state grants ("Grants") to pay costs of projects (the "Project Costs"); benefitting the Texarkana Regional Airport (the "Airport"); and

WHEREAS, the Airport Board is required, from time to time, to advance its funds for a portion of the Project Costs pending reimbursement from certain types of Grants (the "Required Advances") and has determined it is in the best interest of the Airport operations to borrow such funds on a short-term basis; and

WHEREAS, the Airport Board has determined it is the best interest of the Airport operations to negotiate with financial institutions to provide ongoing lines of credit or similar financing arrangements for the purpose of funding, from time to time, the Required Advances (the "Lines of Credit"); and

WHEREAS, the Airport Board has further determined that a maximum credit facility of \$ 3,000,000.00 would be sufficient to fund the Required Advances and to pay for the costs related to the Lines of Credit, including interest thereon and fees and costs incidental thereto, and that Grant reimbursements together with other budgeted Airport revenues will be sufficient to service principal and interest payments on the Lines of Credit.

NOW, THEREFORE, BE IT RESOLVED BY THE JOINT BOARD OF TEXARKANA AIRPORT AUTHORITY, that:

SECTION 1. The Cities of Texarkana, Arkansas and Texarkana, Texas (the "Cities") are requested to authorize the Airport Board to negotiate and secure Lines of Credit in an aggregate principal amount at any one time not to exceed \$ 3,000,000.00.

SECTION 2. The City of Texarkana, Arkansas is requested to take action necessary to delegate to the Airport Board the City's authority under the Arkansas Municipal Airports Act, (as codified and amended at Arkansas Code Annotated §14-361-101 et seq.) to issue "Airport Revenue Notes" evidencing the obligations created by the Lines of Credit and that any such obligations are special revenue obligations, payable solely from and secured by the revenues of the Airport Board.

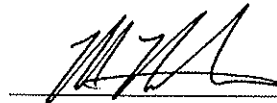
SECTION 3. The Lines of Credit and any Airport Revenue Bonds issued pursuant thereto, shall in no event constitute an indebtedness of either of the Cities.

SECTION 4. The Airport Board ascertains that the projects currently being funded by the Project Costs are needed to alleviate hazards to the safety and welfare of the Cities, their inhabitants and travelers. The Airport Board requests that the Cities take the requested actions as soon as possible in order to provide for payment the Required Advances and if necessary declare an emergency for the adoption of such actions.

SECTION 5. This Resolution shall be effective from and after the date of its adoption.

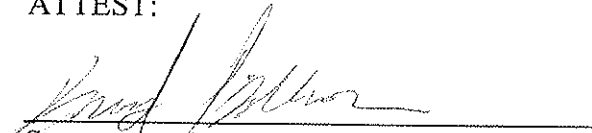
Adopted May 23, 2019.

Texarkana Airport Authority



Chairperson

ATTEST:


Secretary



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Adopt an Ordinance granting the request for prerequisite municipal approval of a private club application for Caminos de Guanajuato Restaurant. (David Potter) (CCD)

The applicant requests an emergency clause. 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: 08/05/2019

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: City Clerk

PREPARED BY: Heather Soyars, City Clerk

REQUEST: Private club license

EMERGENCY CLAUSE: Applicant requests an emergency clause.

SUMMARY: David Potter on behalf of Caminos de Guanajuato Restaurant, is requesting prerequisite approval to continue the application process through the State.

The Caminos de Guanajuato Restaurant is located at 607 E. 51st Street.

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:** The 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 POTTER, AS APPLICANT, ON BEHALF OF CAMINOS DE GUANAJUATO; 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 Potter as applicant for Caminos De Guanajuato Restaurant, at 607 E. 51st 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 Potter on behalf of Caminos De Guanajuato Restaurant, for prerequisite municipal approval of an application for a private club at 607 E. 51st 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 5th day of August, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George M. Matteson, City Attorney