



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Agenda - Monday, July 17, 2023 - 6:00 PM

*****Comprehensive Plan Workshop - 5:00 PM*****

Call to Order

Roll Call

Invocation given by Director Jeff Hart

Pledge of Allegiance led by TWU Executive Director Gary Smith

CITIZEN COMMUNICATION

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.

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

CONSENT

1. Approval of the minutes of the regular meeting July 3, 2023. (CCD) City Clerk Heather Soyars

REGULAR

2. Consider the following action concerning the 2023 Byrne Justice Assistance Grant Program:
Conduct a Public Hearing to allow citizen input regarding the use of Byrne Justice Assistance Grant Program monies for the Texarkana, Arkansas Police Department.

Adopt a Resolution granting permission to submit the 2023 application and further authorizing the Acting City Manager to execute a Memorandum of Understanding (MOU) Interlocal Agreement with Miller County, regarding the Byrne Justice Assistance Grant (JAG-yearly grant). (TAPD) Captain James Atchley
3. Adopt an Ordinance approving an agreement with Miller County for the housing of municipal prisoners. (TAPD) Assistant Chief Bobby Jordan

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)

- [4.](#) Adopt an Ordinance to approve the City of Texarkana, Arkansas, Comprehensive Plan. [TABLED July 3, 2023] (PWD-Planning) City Planner Mary Beck
- [5.](#) Adopt an Ordinance granting a Limited Franchise to Bird Rides, Inc. (Admin) Acting City Manager/Finance Director TyRhonda Henderson
- [6.](#) Adopt an Ordinance to amend the Personnel Policy. (FIN) Acting City Manager/Finance Director TyRhonda Henderson

BOARD OF DIRECTORS' COMMENTARY

EXECUTIVE SESSION

- [7.](#) Adopt a Resolution making appointments to the Public Facilities Board. (CCD) City Clerk Heather Soyars

NEXT MEETING DATE: Monday, August 7, 2023

ADJOURN

2023 City Calendar

Gateway Farmers Market - Open Tuesdays, Thursdays, Saturdays - 7AM- Noon

Gateway Farmers Market Salsa Contest - Saturday, August 12th - 7AM - Noon

Gateway Farmers Market Fall Tailgates & Tables - Saturday, September 16th - 8AM - 2PM

Universal Vibe - Saturday, November 4th - 10AM - 10PM

Gateway Farmers Market Holiday Market - Saturday, November 18th - 10AM - 2PM

Founders' Week Celebration – December 4th – 10th

Texarkana Rec Center Calendar

Ageless Grace - Mondays – 2PM – 3PM

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

Dance Fitness - Tuesdays - 6PM & Saturdays - 11AM



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Approval of the minutes of the regular meeting July 3, 2023. (CCD) City Clerk Heather Soyars
AGENDA DATE:	July 17, 2023
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : Minutes
DEPARTMENT:	City Clerk Department
PREPARED BY:	Heather Soyars, City Clerk
REQUEST:	Approval of meeting minutes.
EMERGENCY CLAUSE:	N/A
SUMMARY:	Approval of meeting minutes
EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A
RECOMMENDED ACTION:	The City Clerk recommends Board approval.
EXHIBITS:	Meeting minutes.



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Minutes - Monday, July 03, 2023 - 6:00 PM

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

PRESENT: Mayor Allen Brown, Assistant Mayor Ward 1 Terry Roberts, Ward 2 Director Laney Harris, Ward 3 Director Steven Hollibush, Ward 5 Director Danny Jewell and Ward 6 Director Jeff Hart.

ALSO PRESENT: Acting City Manager/Finance Director TyRhonda Henderson, City Attorney Joshua Potter, and Deputy City Clerk Jenny Narens.

ABSENT: Ward 4 Director Ulysses Brewer and City Clerk Heather Soyars.

Invocation given by Director Danny Jewel.

Pledge of Allegiance led by City Planner Mary Beck.

CITIZEN COMMUNICATION

Director Harris continued with his presentation regarding the streets in Ward 2.

PROCLAMATION(S)

1. Proclamation celebrating July as Parks & Recreation Month presented to Parks & Recreation Director Adam Dalby

PRESENTATION(S)

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

Kimberly Stone	District Court - Probation	5 Years
Adam Dalby	Parks & Rec	5 Years
John McCoy	Parks & Rec	5 Years
Jordan Qualls	Parks & Rec	5 Years
Roger Douglas	PWD	5 Years
Bennie C. Muldrew	PWD – Streets	15 Years
Kyle Caudle	TAPD	10 Years
Jeremy Hendrix	TAPD	10 Years
Michael W. Hurst	TWU	5 Years
Amy C. Uselton	TWU	5 Years

Corey L. Atkinson	TWU	15 Years
Barbara M. Baker	TWU	20 Years
Lionel L. Stuckey	TWU	30 Years
Mary Beck – Retirement	PWD-Planning	22 Years

CONSENT

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

3. Approval of the minutes of the rescheduled regular meeting June 20, 2023. (CCD) City Clerk Heather Soyars
4. Resolution No. 2023-57 authorized the Acting City Manager to enter into a contract for the purchase of chemicals for water and wastewater treatment. (TWU) Executive Director Gary Smith

REGULAR

5. Resolution No. 2023-58 conditionally authorized the City of Texarkana, Arkansas Public Facilities Board to proceed with the issuance of approximately \$22,000,000 of Waterworks Facilities Revenue Bonds. (TWU) Executive Director Gary Smith

After a brief discussion, the motion to adopt the resolution made by Director Hollibush, Seconded by Assistant Mayor Roberts.

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

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

6. Resolution No. 2023-59 amended the Rules of Order and Procedure Manual for the Board of Directors of the City of Texarkana, Arkansas. (BOD)

After a brief discussion, the motion to adopt the resolution made by Director Harris, Seconded by Director Hart.

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

Voting Nay: Mayor Brown

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

7. Ordinance No. 21-2023 authorized the Acting City Manager to enter into an agreement for the purchase of thirty-seven (37) Watchguard Body Cameras and related software, hardware, licenses, and warranties. (TAPD) Captain James Atchley

After a brief discussion, Director Jewell wanted to have two separate votes, one for reading in abbreviated form and the another to read the ordinance.

Motion to suspend the rules and read the ordinance in abbreviated form made by Director Hart, Seconded by Assistant Mayor Roberts.

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

The motion carried 6-0 and the ordinance would be read in abbreviated form.

Motion to place the ordinance on its first reading made by Director Hollibush, Seconded by Assistant Mayor Roberts.

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

Voting Nay: Director Jewell

The motion carried 5-1 and the ordinance was read on its first reading.

Motion to suspend the rules and read the ordinance in abbreviated form made by Assistant Mayor Roberts, Seconded by Director Hart.

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

Voting Nay: Director Jewell

The motion carried 5-1 and the ordinance would be read in abbreviated form.

Motion to place the ordinance on its second reading made by Director Hollibush, Seconded by Director Hart.

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

Voting Nay: Director Jewell

The motion carried 5-1 and the ordinance was read on its second reading.

Motion to suspend the rules and read the ordinance in abbreviated form made by Director Hart, Seconded by Assistant Mayor Roberts.

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

The motion carried 6-0 and the ordinance would be read in abbreviated form.

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

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

Voting Nay: Director Jewell

The motion carried 5-1 and the ordinance was read on its third and final reading.

Motion to adopt the ordinance made by Director Hollibush, Seconded by Assistant Mayor Roberts.
Mayor Brown asked if anyone would like to speak for or against this ordinance.

No one came forward.

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

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

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)

Motion to enact the emergency clause made by Director Hart, Seconded by Assistant Mayor Roberts.

Mayor Brown asked if anyone would like to speak for or against the emergency clause.

No one came forward.

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

The motion carried 6-0 and the Mayor declared the emergency clause enacted.

8. Ordinance No. 22-2023 to rezone a parcel of land located on the Northeast corner of Grand Avenue and 37th Street from R-3 Low-density residential to R-4 Medium-density residential. (WARD 4) (PWD-Planning) City Planner Mary Beck

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

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

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

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

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

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

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

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

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

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

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

No one came forward.

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

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

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)

Motion to enact the emergency clause made by Director Hart, Seconded by Assistant Mayor Roberts.

Mayor Brown asked if anyone would like to speak for or against the emergency clause.

No one came forward.

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

The motion carried 6-0 and the Mayor declared the emergency clause enacted.

9. **TABLED** - Adopt an Ordinance to approve the City of Texarkana, Arkansas, Comprehensive Plan. (PWD-Planning) City Planner Mary Beck

After a brief discussion, the motion to table the ordinance made by Director Harris, Seconded by Director Hart.

Voting Yea: Director Harris.

Voting No: Mayor Brown, Assistant Mayor Roberts, Director Hollibush, Director Jewell, and Director Hart.

The motion failed to table the ordinance 1-5.

Juliet Richey with Garver gave a brief PowerPoint presentation.

Motion to table the ordinance made by Director Hart, Seconded by Director Hollibush.

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

Voting Present: Director Harris.

BOARD OF DIRECTORS' COMMENTARY

No one came forward.

NEXT MEETING DATE: July 17, 2023

ADJOURN

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

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

The motion carried 6-0 and the meeting adjourned at 7:36 PM.

APPROVED this the 17th day of July 2023.

Allen L. Brown, Mayor

Heather Soyars, City Clerk



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Consider the following action concerning the 2023 Byrne Justice Assistance Grant Program:

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

Adopt a Resolution granting permission to submit the 2023 application and further authorizing the Acting City Manager to execute a Memorandum of Understanding (MOU) Interlocal Agreement with Miller County, regarding the Byrne Justice Assistance Grant (JAG-yearly grant). (TAPD) Captain James Atchley

AGENDA DATE: July 17, 2023

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Texarkana Arkansas Police Department

PREPARED BY: Chief Michael W. Kramm or his designee

REQUEST: Texarkana Arkansas Police Department / Miller County Sheriff Department
FY 2023 JAG Award Program

EMERGENCY CLAUSE: N/A

SUMMARY: The Texarkana Police Department receives money through the DOJ Edward Byrne Justice Assistance Grant Program each year. We request permission to submit the joint 2023 application and enter into an Interlocal Agreement with Miller County concerning the division of the funds in the amount of \$20,356.00. The money splits \$13,570.67 TAPD & \$6,785.33 MCSO.

This year we are eligible for a new grant “Byrne Justice Assistance Grant Program” or JAG in the amount of \$20,356.00 to be split with Miller County. Unless both City and County agree to the disparate certification resolution for Texarkana/Miller County neither governmental agency will receive funds. Miller County has agreed to take \$6,785.33 dollars as their share to resolve the disparate certification. This is approximately at 66.67/33.33% split. There is an especially short window of opportunity to submit this application to the Board of Directors for approval of the JAG Grant, Public Comments & MOU with Miller County and then forward to the Department of Justice for processing.

The Texarkana Arkansas Police Department will utilize its \$13,570.00 portion of the JAG award to fund the costs associated with implementing a camera system to help enhance crime reduction and public safety measures by deterring crimes like theft and violence, verifying situations, promptly identifying threats, and improving response times to issues occurring within the confines of the Texarkana Arkansas Entertainment District.

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

EXPENSE REQUIRED: \$0.00

AMOUNT BUDGETED: \$0.00

**APPROPRIATION
REQUIRED:** None

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

EXHIBITS: Resolution and MOU

RESOLUTION NO. _____

WHEREAS, the Texarkana, Arkansas Police Department (TAPD) has been receiving funds through the Edward Byrne Justice Assistance Grant Program each year and is requesting permission to submit the 2023 application and to enter into an Interlocal Agreement with Miller County concerning the division of funds received from the grant; and

WHEREAS, TAPD and Miller county will split a \$20,356.00 grant from the “2023 Byrne Justice Assistance Grant Program” and must agree to a disparate certification resolution before either agency can receive the grant; and

WHEREAS, TAPD has agreed to receive \$13,570.67 as their share, leaving Miller County with \$6,785.33, an approximate 66.67/33.33% split; and

WHEREAS, TAPD is proposing that the city’s share of the funds be used to fund the costs associated with implementing a camera system to help enhance crime reduction and public safety measures by deterring crimes like theft and violence, verifying situations, promptly identifying threats, and improving response times to issues occurring within the confines of the Texarkana, Arkansas Entertainment District;

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

PASSED AND APPROVED this 17th day of July, 2023.

Allen Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

Joshua L. Potter, City Attorney

FY 2020 JAG Award Program
GMS Application Number: O-BJA-2023-17190
UEI: YGVLRZNQ4787

The State of Arkansas

Known All By These Present

County of Miller

Interlocal Agreement
Between the City of Texarkana, Ar. and the County of Miller, Ar.
2021 Byrne Justice Assistance Grant (JAG) Program Award

This agreement is made and entered the ____ day of _____, **2023** by and between the County of Miller, acting by and through its governing body, the Quorum Court, hereinafter referred to as COUNTY, and the City of Texarkana, acting by and through its governing body, the Board of Directors, hereinafter referred to as CITY, both Miller County, State of Arkansas, witnesseth:

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

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

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

WHEREAS, the City agrees to provide the County \$6,785.33 from the 2023 JAG award for equipment purchases to be determined by the Miller County Sheriff's Office; and

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

FY 2020 JAG Award Program
GMS Application Number: O-BJA-2023-17190
UEI: YGVLRZNQ4787

NOW THEREFORE, the County and City agree as follows:

Section 1.

The CITY agrees to pay the COUNTY a total of \$6,785.33 of 2023 JAG funds. Under this agreement, the CITY will maintain \$13,570.67.

Section 2.

The COUNTY agrees to use \$6,785.33 for the purpose of equipment and/or salaries and the CITY will use \$13,570.67 for the purpose of equipment and/or salaries, until September 30, 2025.

Section 3.

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

Section 4.

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

Section 5.

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

Section 6.

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

FY 2020 JAG Award Program

GMS Application Number: O-BJA-2023-17190

UEI: YGVLRZLNQ4787

Section 7.

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

CITY of Texarkana, AR

COUNTY of Miller, AR

Acting City Manager, TyRhonda Henderson

County Judge, Cathy Hardin-Harrison

ATTEST:

City Clerk, Heather Soyars

County Clerk, Stephanie Harvin

APPROVED AS TO FORM:

City Attorney, Joshua L.Potter



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE:	Adopt an Ordinance approving an agreement with Miller County for the housing of municipal prisoners. (TAPD) Assistant Chief Bobby Jordan <i>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)</i>
AGENDA DATE:	July 17, 2023
ITEM TYPE:	Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Police
PREPARED BY:	Chief Mike Kramm
REQUEST:	Adoption of the attached ordinance regarding the contractual expenses of housing adult ordinance violations, misdemeanors, and felony prisoners.
EMERGENCY CLAUSE:	Yes
SUMMARY:	The County has proposed new jail fees based on their daily operational expenses. This contract exceeds current contract expenses.
EXPENSE REQUIRED:	See below.
AMOUNT BUDGETED:	See below.
APPROPRIATION REQUIRED:	Expenditures based on monthly jail populations and currently funded from the city's general fund.
RECOMMENDED ACTION:	Review and approval by the Board of Directors.
EXHIBITS:	Ordinance, Signed proposed contract by County Judge Cathy Harrison, existing Contractual agreement with Miller County (Ordinance No. 5-2022).

ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AGREEMENT WITH MILLER COUNTY FOR THE HOUSING OF MUNICIPAL PRISONERS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to authority contained in Ordinance Nos. 4-2022 and 5-2022, the City previously approved an agreement for the housing of municipal prisoners within the Miller County Jail; and

WHEREAS, it is necessary to approve a new agreement due to increased operational expenses; and

WHEREAS, the Acting City Manager and staff recommend approval;

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

Section 1. The Acting City Manager is authorized to enter into an agreement with Miller County, Arkansas to replace and supersede any prior agreement and to provide for the housing of municipal prisoners in the Miller County Jail, all as on the terms and conditions contained in that proposed agreement in form presented herewith and approved hereby.

Section 2. All ordinances or resolutions or parts of ordinances or resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 3. This action being necessary for the preservation of the public peace, health and safety (including, without limitation, to promptly update and replace the existing agreement in order to minimize and make most efficient transition from the prior agreement to the agreement approved here), 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 17th day of July, 2023.

Allen Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

Joshua L. Potter, City Attorney

INTERLOCAL AGREEMENT

BETWEEN THE COUNTY OF MILLER, ARKANSAS AND THE CITY OF TEXARKANA, ARKANSAS

FOR HOUSING ADULTS ARRESTED BY OR ON BEHALF OF THE CITY OF TEXARKANA AND
PRESENTED FOR INCARCERATION AT THE MILLER COUNTY DETENTION CENTER

THIS INTERLOCAL AGREEMENT IS ENTERED INTO THIS ____ DAY OF _____.

The following provisions are in effect, outlining the responsibilities and obligations of each agency. Failure on the part of either agency to meet these obligations will be grounds for termination of the agreement. Additionally, either party may opt out of this agreement for any reason following a thirty day written notice to the other.

1. **Purpose:** The purpose of this agreement is to establish a formal binding agreement between Miller County and The City Of Texarkana, Arkansas for the housing of adults arrested by or on behalf of the City of Texarkana, Arkansas and presented for incarceration at the Miller County Detention Center (MCDC).
2. **Security Provided:** The Miller County Detention Center agrees to accept and provide for the secure custody, care, and safe keeping of the adult prisoners of Texarkana, Arkansas, in accordance with applicable law, according to the standard operating procedures of the MCDC.
3. **Period of Agreement:** This Agreement shall be in effect from the date of execution/ signature by all parties and continue until December 31, 2023. Thereafter, this agreement will continue on a month-by month basis unless and until either party requests modification and/or termination of this agreement. Either party may terminate the agreement or request modification(s) at any time with thirty days written notice to City Manager of the City of Texarkana or the Miller County Judge, as appropriate. Where modification of the agreement is requested by one party, the other party shall respond in writing with thirty days.
4. **Payment Rate:** The City of Texarkana, Arkansas shall be responsible for daily jail fees for all adult prisoners presented for incarceration by or on behalf of the City of Texarkana, as follows:
 - a. The City of Texarkana shall pay a fee of \$50 per day for all "City prisoners" incarcerated at the Miller County Detention Center.
 - b. As used in this agreement, "City prisoners" are defined as all prisoners arrested by or on behalf of the City of Texarkana, Arkansas (i.e., to include those arrested by other agencies on a Texarkana warrant and those arrested by other agencies

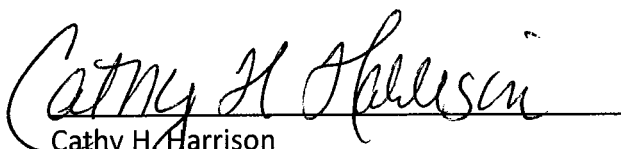
on offenses that will be prosecuted by the City of Texarkana or from which the City of Texarkana will derive revenue from collection of fees, fines, costs, etc.) from the point of intake into the jail (1) until the time of formal charging (i.e., filing of an information, indictment or other formal charge by a prosecuting attorney) on all felonies, (2) until the time of conviction on all misdemeanors (which include, but are not limited to all misdemeanor criminal charges, all probation revocations, all failure-to-appear charges, call contempt charges, and all body attachments), and (3) until the time of release on all municipal ordinance violations.

5. **Billing and Payment Schedule:** The Sheriff of Miller County will bill the City of Texarkana, Arkansas, reflecting the prisoner count for each calendar month and the daily fees owed for that month by the City. This bill will be forwarded no later than the 10th day of each month to the City Manager of the City of Texarkana. Payment of the County's bill will be remitted from Texarkana, Arkansas to Miller County via electronic means to an account established and maintained by Miller County for that purpose. Payments shall be remitted by the City of Texarkana no later than the 28th day of each month.
6. **Priority Placement:** The Miller County Sheriff hereby reserves the right, pursuant to Arkansas law, to close the MCDC to new prisoners when the facility is at or exceeds maximum capacity. When the Sheriff reopens the MCDC to new prisoners, in-county agencies will be given priority over out-of-county agencies for housing of new prisoners.
7. **Medical Supervision:** The MCDC provides medical care to all prisoners in the normal course of incarceration, the cost of which is subsumed in the daily jail fee set out herein. In the event that emergency or outside medical care is needed, such care sometimes requires medical supervision that the County lacks the resources to offer to the City. Thus, in the event that any outside medical care for any "City prisoner" (see definition herein) that requires more than 2 hours of supervision by a law enforcement officer, the City of Texarkana will be notified and agrees to be responsible for such supervision until the medical staff approves return of the prisoner to the MCDC. In the event that the City will not or cannot provide such supervision, the County will release the prisoner from custody by citation or seek a court order for medical release. Nothing in these provisions, or in this agreement, are intended to assume responsibility for any prisoner's medical bills by Miller County or the City of Texarkana, by whom all such responsibility is expressly disclaimed (as in any other circumstance, the patient is responsible for his/her own medical bills).
8. **Transportation:** The City of Texarkana, Arkansas shall be responsible for providing transportation of inmates described in this agreement to and from court or other hearings and all schedule medical visits/appointments. Outside medical appointments may be scheduled by Medical Staff of the MCDC at their sole discretion. The City of Texarkana will be notified at the time the appointment is scheduled.

9. Benefits Intended: This agreement is for the benefit of Miller County and the City of Texarkana and no benefit is intended to any third party.

10. Miscellaneous: This agreement constitutes the entire Agreement between the parties and supersedes any previous agreements or county ordinance establishing fees for housing inmates described in this agreement. This Agreement shall be filed both with the County Clerk and the City Clerk of Texarkana, Arkansas.

The parties below have accepted and agreed to the terms of this agreement:


Cathy H. Harrison
Miller County Judge

Texarkana Arkansas City Manager

ATTEST:

ATTEST:

Stephanie Harvin
Miller County Clerk

Texarkana City Clerk

ORDINANCE NO. 5-2022

AN ORDINANCE APPROVING AN AGREEMENT WITH MILLER COUNTY FOR THE HOUSING OF MUNICIPAL PRISONERS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, pursuant to authority contained in Ordinance No. 4-2022, the City previously approved an agreement for the housing of municipal prisoners within the Miller County Jail; and

WHEREAS, it is necessary to approve a minor revision to such approved agreement to coincide with the agreement approved by Miller County, Arkansas; and

WHEREAS, the City Manager and staff recommend approval;

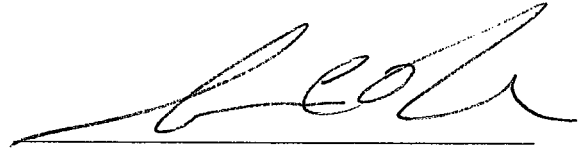
NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas, that:

Section 1: The City Manager is authorized to enter into an agreement with Miller County, Arkansas, to replace and supersede any prior agreement and to provide for the housing of municipal prisoners in the Miller County Jail, all as on the terms and conditions contained in that proposed agreement in form presented herewith and approved hereby.

Section 2: All ordinances or resolutions or parts of ordinances or resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

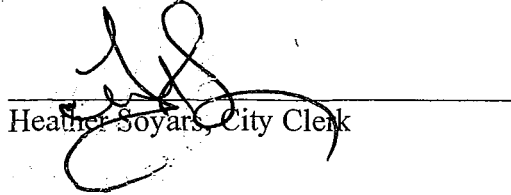
Section 3: This action being necessary for the preservation of the public peace, health and safety (including, without limitation, to promptly update and replace the existing agreement in order to minimize and make most efficient transition from the prior agreement to the agreement approved hereby), 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 22nd day of February, 2022.



Steven Hollibush, Assistant Mayor

ATTEST:



Heather Soyars, City Clerk

APPROVED:



George Matteson, City Attorney

**INTERLOCAL AGREEMENT BETWEEN THE
COUNTY OF MILLER, ARKANSAS, AND THE CITY
OF TEXARKANA, ARKANSAS; FOR HOUSING
MUNICIPAL PRISONERS OF TEXARKANA,
ARKANSAS, IN THE MILLER COUNTY JAIL**

THIS INTERLOCAL AGREEMENT (“Agreement”) is entered into this 22nd
day of February, 2022, by and between the County of Miller, Arkansas,
 (“Miller County”) and the City of Texarkana, Arkansas, (“City”).

WHEREAS, Miller County, through its Sheriff’s Office, provides county jail facilities for the housing of prisoners; and

WHEREAS, the City of Texarkana, Arkansas, desires to house Municipal Prisoners (as hereinafter defined) in the Miller County Jail (such term, as used herein, shall include the facility commonly known as the Miller County Detention Center and all other prisoner detention facilities operated as a part of county jail system by Miller County, but not including the Miller County Juvenile Detention Center); and

WHEREAS, Miller County, Arkansas, is required by Arkansas Code Annotated Sec. 12-41-503 to house Municipal Prisoners subject to the terms and conditions of Arkansas Code Annotated Sec. 12-41-503, applicable law, and pursuant to this Agreement; and

WHEREAS, pursuant to Arkansas Code Annotated Sec. 12-41-506, Miller County and the City of Texarkana, Arkansas, are authorized to enter into this Interlocal Agreement concerning the costs of housing Municipal Prisoners; and

WHEREAS, on February 3, 2020, the parties entered into an agreement concerning the housing of certain prisoners, all as more specifically set forth therein, and the parties are in agree that it is in the best interest of Miller County and the City that such prior agreement be updated and replaced in its entirety with this Agreement concerning the housing of Municipal Prisoners; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the parties agree as follows:

1. Purpose and Security Provided. The purpose of this Agreement is to establish an updated, formal binding relationship between Miller County and the City of Texarkana, Arkansas, for the detention of Municipal Prisoners. Miller County agrees to accept and provide for the secure custody, care, and safe keeping of Municipal Prisoners in accordance with state and local laws, standards, policies, procedures, or court orders applicable to the operations of the Miller County Jail.
2. Municipal Prisoners, Defined. The term “Municipal Prisoners” (or “Municipal Prisoner,”) as the context may require, shall herein mean those offenders who are arrested by Texarkana, Arkansas, law enforcement officers and delivered to the Miller County Jail (or such other point of intake per the direction of Miller County) for incarceration with Miller County in the Miller County Jail, from the point of intake until the earlier to occur of: (a) charging by the prosecuting attorney on a felony offense; (b) sentencing on a misdemeanor offense; or, (c) release on a municipal-ordinance violation.
3. Period of Performance. The initial term of this Agreement will commence upon the Effective Date (hereinafter defined) and continue until the next occurring December 31. Furthermore, absent termination, this Agreement shall automatically renew for successive twelve (12) month periods. Either party may terminate this agreement at any time, for any reason or for no reason, upon not less than ninety (90) days written notice to the other. The parties represent and warrant to the other that the City Manager for the City of Texarkana, Arkansas, (or such interim city manager then appointed by the Board of Directors for the City of Texarkana, Arkansas) and the County Judge for Miller County, Arkansas, are, respectively, vested with the authority to terminate this Agreement in accordance with the terms of this Section 3. Termination shall not relieve either party of any obligation that such party had hereunder or otherwise pursuant to applicable law arising prior to termination.
4. Daily Rate. **INITIAL TERM.** The City of Texarkana, Arkansas, shall pay to Miller County a daily rate during the initial term of this Agreement as follows:

- a. Felony-Classified Municipal Prisoners: Fifty Dollars (\$50.00) per day per-felony—classified Municipal Prisoner(s) housed by the City with Miller County in accordance with this Agreement; or
- b. All Other Municipal Prisoners: Forty-Two Dollars (\$42.00) per day for all Municipal Prisoners that are not Felony-Classified Municipal Prisoners housed by the City with Miller County in accordance with this Agreement.

FELONY-CLASSIFIED MUNICIPAL PRISONER(S). A Felony-Classified Prisoner is a Municipal Prisoner that has been arrested by City law enforcement personnel on a felony-level offense and is being detained within the Miller County Jail on the same. In no event shall a Municipal Prisoner be categorized as and charged the daily rate for a Felony-Classified Municipal Prisoner unless and until the date of arrest of the Municipal Prisoner by the City for a felony-level offense.

ANNUAL RATE ADJUSTMENT. For each renewal term, the then-existing daily rate shall be adjusted in accordance with this provision. Specifically, the daily rate for then-commencing renewal term shall be determined by increasing the daily rate for the then-expiring term by a percentage equal to the lesser of (i) three percent (3.00%); or, (ii) a percentage equal to the percentage change in the Consumer Price Index statistics published by the United States Bureau of Labor, using the index entitled “Consumer Price Index - All Items and Major Group Figures for all Urban Consumers (CPI-U) South Region (1982-84 = 100)” (or the nearest comparable data on changes in the cost of living if such index is no longer published) as determined by comparison of the above-identified CPI figure for January 1, of the then-expiring term, with that of January 1, for the then-commencing renewal term. Notwithstanding the foregoing, in no event shall the daily rate for a renewal term be less than the daily rate for the immediately preceding term.

- 5. Payment Schedule. Miller County will provide to the City of Texarkana, Arkansas, a roster reflecting the Municipal Prisoner daily count for each calendar month. The roster will contain such information as may be reasonably requested

by the City to confirm the Municipal Prisoner daily count (including, without limitation, Municipal Prisoner identity and, if applicable, categorization as a Felony-Classified Municipal Prisoner) and be delivered to the City by the 10th day of each calendar month. The roster shall be accompanied by a corresponding invoice for the period of time covered by the roster. Following review and reconciliation of the roster and invoice, the City of Texarkana, Arkansas, will remit payment via electronic deposit into the account established and identified by Miller County within thirty (30) days of the reconciled roster / invoice. In the event of a dispute of any charge on the invoice, the City shall not withhold payment for any undisputed portion of the invoice pending resolution of the disputed portion.

6. Priority Placement. Without limiting the obligations under applicable law of a county and/or its sheriff to house or provide priority placement of prisoners of municipalities that are situated within such county, in the event of jail overcrowding or other issues that limit the available detention space, the City of Texarkana, Arkansas, agrees to suspend the detention of additional municipal prisoners at the Miller County Jail until such time as said jail overcrowding issue has been resolved. Miller County reserves the right to determine when the Miller County Jail is at or exceeds the maximum occupancy level. All prisoners booked into the Miller County Jail are subject to all laws, rules, regulations, and policies adopted by and applicable to Miller County in connection with its operation of the Miller County Jail and solely under the supervision of Miller County and its Sheriff in accordance with applicable law.
7. Medical Costs and Fees. No municipal prisoner housed at the Miller County Jail shall be denied access to emergency medical and pain care and Miller County shall provide emergency transportation (subject to reimbursement as herein after contemplated) for such treatment. The Municipal Prisoner shall be the primary obligor and responsible party of all medical costs and treatment provided. As between Miller County and the City, the City shall be responsible for all reasonable outside medical expenses (not including regular care provided by Miller County employees or medical professionals engaged by Miller County to provide regular

on-site care for prisoners incarcerated within the Miller County Jail). Miller County shall provide a monthly invoice to the City for reimbursement of such costs, along with such documentation or authorization to communicate and discuss directly with third-party medical providers as may be reasonably requested by the City to determine the reasonableness and necessity of the professional medical services for which reimbursement is sought.

8. Transportation. The City of Texarkana, Arkansas, shall be responsible for reasonable transportation costs, security and transporting of Municipal Prisoners from the Miller County Jail to Texarkana, Arkansas, District Court sessions and transporting from Texarkana, Arkansas, District Court to Miller County Jail and non-emergency medical visits.
9. Court. Nothing contained in this Agreement shall be deemed to require Miller County to provide courtroom security for Texarkana, Arkansas, District Court.
10. Modification. This Agreement may not be modified or amended absent written agreement, executed by Miller County and the City, in accordance with applicable law.
11. Effective Date. This Agreement shall become effective upon the of date hereof (the "Effective Date").
12. Municipal Prisoners at the Miller County Jail between January 1, 2022, and the Effective Date. Within thirty (30) days of the Effective Date, Miller County shall provide the City with a statement (count and roster) accompanied by such supporting information as may be reasonably requested by the City, of all Municipal Prisoners detained within the Miller County Jail between January 1, 2022, and the Effective Date, the City, no later than ninety (90) days following the Effective Date (or sixty (60) days following the date of receipt of the statement contemplated in this Section, whichever is the latter to occur) shall pay to Miller County an amount equal to what would have otherwise been paid by the City to Miller County in accordance with the terms of this Agreement had this Agreement

been made effective on January 1, 2022, less amounts for and applicable to such time period that have already been paid by the City to Miller County.

13. Initial Coordination and First Payment. The parties agree to coordinate and work together to establish processes for the exchange and review of information as contemplated herein throughout the term of this Agreement. Furthermore, the parties acknowledge and agree that additional time may be required in order to establish such internal and coordinated processes for the exchange and review of the information contained herein for and relating to the regular accounting of Municipal Prisoners and corresponding amounts due from the City for the same. Accordingly, notwithstanding anything contained herein to the contrary, in no event shall any payment or reimbursement contemplated herein be due or payable on or before the ninety (90) days following the Effective Date.
14. Complete Agreement. This agreement constitutes the entire Agreement between the parties and supersedes any prior agreement, county or city ordinance establishing fees for housing of Municipal Prisoners within the Miller County Jail. This Agreement further constitutes full resolution of all matters concerning the housing or cost of Municipal Prisoners heretofore located at the Miller County Detention Center.
15. Notice. MANNER. Any notice hereunder shall be by certified mail, return receipt requested; reputable overnight delivery company; courier, or hand delivery (including by utilization of law enforcement personnel for such purpose). Either party hereto, by written notice to the other, change its notice address set forth below **TO COUNTY.** Any notice hereunder by the City to the County shall be given by the City Manager (or, in the absence of the same, any “interim” or “acting” city manager) for the City to:

Miller County, Arkansas
Attention: County Judge for Miller County
400 Laurel Street, #115
Texarkana, Arkansas 71854

TO CITY. Notice by the County to the City shall be given by the County Judge for the County to:

City of Texarkana, Arkansas
Attention: City Manager
216 Walnut Street
Texarkana, Arkansas 71854

16. Benefit Inured. This Agreement shall not inure to the benefit of entities not expressly a party hereto (including, without limitation, any other municipalities, or counties) within or without the State of Arkansas.
17. Miscellaneous. The waiver of any obligation or right pursuant to this agreement of either party by the other shall not constitute or be deemed to constitute a subsequent waiver of such right or obligation. This Interlocal Agreement shall be approved or ratified by the Quorum Court of Miller County, Arkansas, and the City of Texarkana, Arkansas. Such agreement shall be filed with the County Clerk, and the City Clerk of Texarkana, Arkansas. The County Judge shall enter a County Court Order adopting the terms of this Agreement along with the respective ordinances of the parties authorizing or ratifying this interlocal agreement. In the event that any term or provision of this Agreement is determined to be contrary to or unenforceable the laws of the State of Arkansas, or United States of America, such invalidity or unenforceability shall not affect the remaining terms of this Agreement, which shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day year first above written.

COUNTY OF MILLER, ARKANSAS

BY: Cathy Harrison
COUNTY JUDGE, Cathy Harrison

ATTEST: Stephanie Harvin
COUNTY CLERK, Stephanie Harvin

CITY OF TEXARKANA, ARKANSAS

BY: Jay Ellington
CITY MANAGER, Jay Ellington

ATTEST: Heather Soyars
CITY CLERK, Heather Soyars



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE: Adopt an Ordinance to approve the City of Texarkana, Arkansas, Comprehensive Plan. [TABLED July 3, 2023] (PWD-Planning) City Planner Mary Beck

AGENDA DATE: July 17, 2023

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Public Works/Planning

PREPARED BY: Mary Beck

REQUEST: Adopt the comprehensive plan prepared by Garver, planning professionals, by ordinance.

EMERGENCY CLAUSE: N/A

SUMMARY: A planning document is required by the State of Arkansas for municipalities “related to safety, morals, order, convenience, prosperity, and general welfare of citizens” quoted from a summary of A.C.A. 14-56-401-426.

Requirements include:

A Master Street Plan

A Land Use Plan

A Community Facilities Plan

Considerations include territorial jurisdiction one mile beyond the City limits

Home types

EXPENSE REQUIRED: 0

AMOUNT BUDGETED: 0

**APPROPRIATION
REQUIRED:** 0

**RECOMMENDED
ACTION:** Adopt an ordinance.

EXHIBITS: Ordinance, summary of Arkansas State Statute requiring a plan, and a copy of the draft consolidated plan.

ORDINANCE NO. _____

**AN ORDINANCE APPROVING THE CITY OF
TEXARKANA, ARKANSAS COMPREHENSIVE
PLAN; AND FOR OTHER PURPOSES.**

WHEREAS, a planning document is required by the State of Arkansas for municipalities “related to safety, morals, order, convenience, prosperity, and general welfare of citizens” (A.C.A. 14-56-401 to 406); and

WHEREAS, Garver, LLC, who the City has contracted to prepare an updated, modern comprehensive plan, has submitted the attached plan for approval;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas that the Comprehensive Plan, which is attached hereto and made part hereof as though set out in full, is hereby approved.

PASSED AND APPROVED this 17th day of July, 2023.

Allen Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

Joshua L. Potter, City Attorney

Summary of A.C.A. 14-56-401 – 426

Arkansas Code/Local Government/Municipal Government/ Municipal Building and Zoning Regulations - Planning

Purpose:

Plans should promote both present and projected needs related to safety, morals, order, convenience, prosperity, and general welfare of citizens thru coordinated, adjusted and harmonious development.

Plans should provide for:

- 1) Efficiency and economy of the process of development
- 2) Appropriate and best use of land
- 3) Convenience of traffic and circulation of people and goods
- 4) Safety from fire and other dangers
- 5) Adequate light and air in the use and occupancy of buildings
- 6) Healthful and convenient distribution of population
- 7) Good civic design and arrangement
- 8) Adequate public utilities and facilities
- 9) Wise and efficient expenditure of funds

Requirements:

- 1) Shall prepare a **Planning Area Map** showing location of streets, public ways, public property and boundaries of the area, including territorial jurisdiction, for which it will prepare plans, ordinances and regulations. This is to be filed with the city clerk and county recorder.
- 2) Shall conduct **Comprehensive Studies** of present conditions as well as probable growth of the municipality and its neighboring territory. To be conducted after preparation of the Planning Area Map but before the Plan.
- 3) May prepare **Plans of Area** for all, or any portion of, the area encompassed by the map to consist of maps, plats, charts, diagrams, necessary documents and descriptive matter: Plan of Area may include but not limited to:

a. Master street plan

- i. Designate the general location, characteristics and functions of streets and highways
- ii. Locations of streets and highways to be reserved for future acquisition
- iii. Provide for the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any public ways

Following filing of a master street plan, regulations regarding the development of land should be enacted to include:

- i. Provision of access to lots and parcels
- ii. Extension or provision of utilities
- iii. Subdividing land into lots and blocks
- iv. Parceling of land
- v. Procedure for plat approval

May include:

- i. Minimum requirements regarding information to be provided on the plat
- ii. Design and layout of subdivisions
- iii. Standards for improvements to be installed by developer
 - a. Grading and pavement
 - b. Curbs, gutters and sidewalks
 - c. Water, storm and sewer mains
 - d. Lighting
- iv. The reservation for future acquisition of land for public or community use
- v. Established set backs
- vi. Control of entry onto major street and highways

b. Land use plan

- i. The preservation or reservation of open spaces
- ii. Preservation of natural and historical features, sites and monuments
- iii. Existing uses to be retained without change
- iv. Existing uses proposed for change
- v. Areas of new development
- vi. Areas of redevelopment, rehabilitation, renewal or similar programs

Following filing of a land use plan, a zoning ordinance consisting of the following should be submitted:

Shall include:

- i. Both text and maps
- ii. Provisions for administration and enforcement
- iii. Designate districts or zones of such shape, size and characteristics as deemed advisable
- iv. Allow for uniform regulations in all districts
- v. Allow and regulate home-based work
- vi. Allow for a Board of Adjustments

May include:

- i. Location, height, bulk, number of stories and size of buildings, open space, lot coverage, density, distribution of population
- ii. Off street parking and loading requirements
- iii. Districts, of compatible uses, for large scale unified development, for eliminate of uses not in conformance with the ordinance and for matters necessary for the health, safety and general welfare of the public.

c. Community facilities plan

- i. Facilities such as schools, playgrounds, recreational areas, hospitals, special education facilities and cultural facilities
- ii. Governmental buildings and areas
- iii. Public and private utility terminals and lines
- iv. Transportation terminals and lines
- v. Areas to be reserved for future public acquisition or use

Territorial jurisdiction is one mile beyond corporate limits.

Considerations:

1) Mobile and Manufactured Homes:

- a. Definition: "Manufactured home" means a dwelling unit constructed in a factory in accordance with the federal standards and meeting the definitions set forth in the federal standards and under § 20-25-102. "Mobile home" means a dwelling unit constructed in a factory before the enactment of the federal standards
- b. Shall allow the placement of manufactured homes on individually owned lots in at least one (1) or more residential zones.
- c. May prohibit the placement of mobile homes in all residential zones or restrict the placement to designated mobile home parks, subdivisions or land-lease communities

2) Family Homes I & II:

- a. "Family Home I" means a community-based residential home licensed by the division that provides room and board, personal care, habilitation services, and supervision in a single-family environment for not more than eight (8) developmentally disabled persons. "Family Home II" means a community-based residential home licensed by the division that provides room and board, personal care, habilitation services, and supervision in a multifamily environment for more than eight (8) but fewer than sixteen (16) developmentally disabled persons;
- b. A Family Home I and II are residential uses of property for the purposes of zoning and shall be treated as permitted uses in all residential zones or districts.

JUNE 2023

COMPREHENSIVE GROWTH PLAN

TEXARKANA ARKANSAS

A FUTURE VISION FOR THE CITY
OF TEXARKANA, ARKANSAS





Acknowledgments

BOARD OF DIRECTORS

- Allen Brown, Mayor*
- Terry Roberts, Assistant Mayor
- Laney J. Harris
- Steven Hollibush
- Ulysses Brewer*
- Danny Jewell
- Jeff Hart

CITY STAFF

- TyRhonda Henderson, Acting City Manager*
- Tyler Richards, Public Works Director*
- Mary Beck, City Planner*
- Adam Dalby, Parks & Recreation Director*
- Tracie Lee, CDBG*
- Roger Douglas, Chief Building Official*
- Eric Ethridge, Information Media Relations*

PLANNING COMMISSION

- Adger Smith, Chairman
- Anderson Neal, Jr.*
- Randall R. Hickerson
- Clyde "Boots" Thomas*
- Bertha Dunn
- Mike Jones
- Jason Dupree

ADVISORY/STEERING COMMITTEE

- Nedra Turney
- Dave Jones
- RaeDonna Jones
- Ina Mcdowell
- Al Davis
- Ray Abernathy
- Jared Horton
- Clara Gomez

ADVISORY/STEERING

COMMITTEE CONTINUED

- Brandy Bradley
- Dr. Christine Hold
- John & Julie-Ray Harrison
- Rob Sitterley
- Mike Malone
- Dr. Robin Hickerson
- Vashil Fernandez
- David Orr
- Buddy Allen
- Paul Mehrlich
- Clara Gomez
- Johnny Riley, Jr
- Richard Reynolds
- Vickie lacy
- Conner Ribble
- Donnie Sealy
- Mike Rogers

SPECIAL THANKS TO

City Manager, Jay Ellington (former)

* Member of Steering Committee

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MAY 2023



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2040 Comprehensive Growth Plan Texarkana, AR

INTRODUCTION TO THE COMPREHENSIVE GROWTH PLAN

2040 TEXARKANA, ARKANSAS COMPREHENSIVE PLAN

In February 2022, the City of Texarkana, Arkansas, began the process to create the 2040 Texarkana, AR Comprehensive Plan as an update of its previous Comprehensive Plan created in 1988. This Plan articulates a vision for the community and identifies how development, mobility, housing, public services, and character interrelate and will guide Texarkana's bright future. The plan drafting process has engaged residents, elected, and appointed officials, community leaders and stakeholders, and others.

This document contains the Comprehensive Plan for Texarkana, Arkansas.

WHAT IS THE COMPREHENSIVE PLAN?

The Comprehensive Plan is not a legal document. Rather, it is an official guide adopted by the city for orderly management of growth. The Plan includes recommendations directly addressing specific challenges the city currently faces. Divided into key sections, the Comprehensive Plan is developed through a process of city-specific demographic research, community-wide input and evaluation, a careful assimilation of various opportunities, and challenges related to the future growth and development of the city.



The Comprehensive Plan serves all citizens and property owners within the city and city's planning area as well as others who may have a stake in the future of the Texarkana, Arkansas. The plan serves as an official policy statement of the City of Texarkana for directing growth and development within its city limits and planning area. A steering and advisory committee directed the preparation of the plan throughout the preliminary phase, which included careful study of the community. Areas of analysis include Texarkana's history, demographics, projected population, topography, utility capacity, transportation systems (mobility), existing infrastructure, and surrounding land use. The plan will help guide the decisions of both the Planning Commission and Board of Directors during the next planning period of approximately 20 years.

WHY PLAN NOW?

Cities are vessels of wealth and economic growth. They are subject to fluctuations in the state economy as well as positive or detrimental events in the national economy. Individuals want and expect different amenities and services from their cities, and many communities are grappling with how to meet their citizens' expectations and create a higher quality of life for their residents. Texarkana has already seen its landscape change because of these factors. Adopting a Comprehensive Plan now requires an objective assessment of the city as it is and an envisioning of what it can become. Resilient communities embark on this in-depth process and planning for the future must not commence at the arrival of local or national economic shocks. Undertaking a Comprehensive Plan is to prepare the way for Texarkana's best and plan for the worst.

The Comprehensive Plan provides a broad guideline for orderly growth and development. It is not meant to direct land use arrangement precisely nor is it a zoning ordinance. It serves as an instrument to blend public and private interests to best suit the entire community. Citizens and business interests may consider the plan as a reference guide for the City of Texarkana, Arkansas. This is a living document and over time will need to be updated to meet new challenges and growth issues as the need arises.

Planning should be based on sound development principles. The land usage areas depicted on the future land use map are created according to long-term community needs, not short-term individual gains. While the plan is flexible and modification of land uses will occur over time, changes and modifications should always be amended through the lens of community good and en-betterment.

PLANNING PROCESS TIMELINE

The diagram below depicts the process for developing the Comprehensive Plan.



Comprehensive Plan: Authority and Jurisdiction

AUTHORITY

The purpose of the Comprehensive Plan is consistent with the provisions of Arkansas Codes, Annotated (A.C.A.), §14-56-403. This section requires that plans of a municipality be "... prepared in order to promote, in accordance with present and future needs, the safety, morals, order, convenience, and general welfare of the citizens." The statutes further state that plans may provide for, among other things, the following

- Efficiency and economy in the process of development
- The appropriate and best use of land
- Convenience of traffic and circulation of people and goods
- Safety from fire and other dangers
- Adequate light and air in the use and occupancy of buildings
- Healthful and convenient distribution of population
- Good civic design and arrangement
- Adequate public utilities and facilities
- Wise and efficient expenditure of funds

PLANNING AREA JURISDICTION

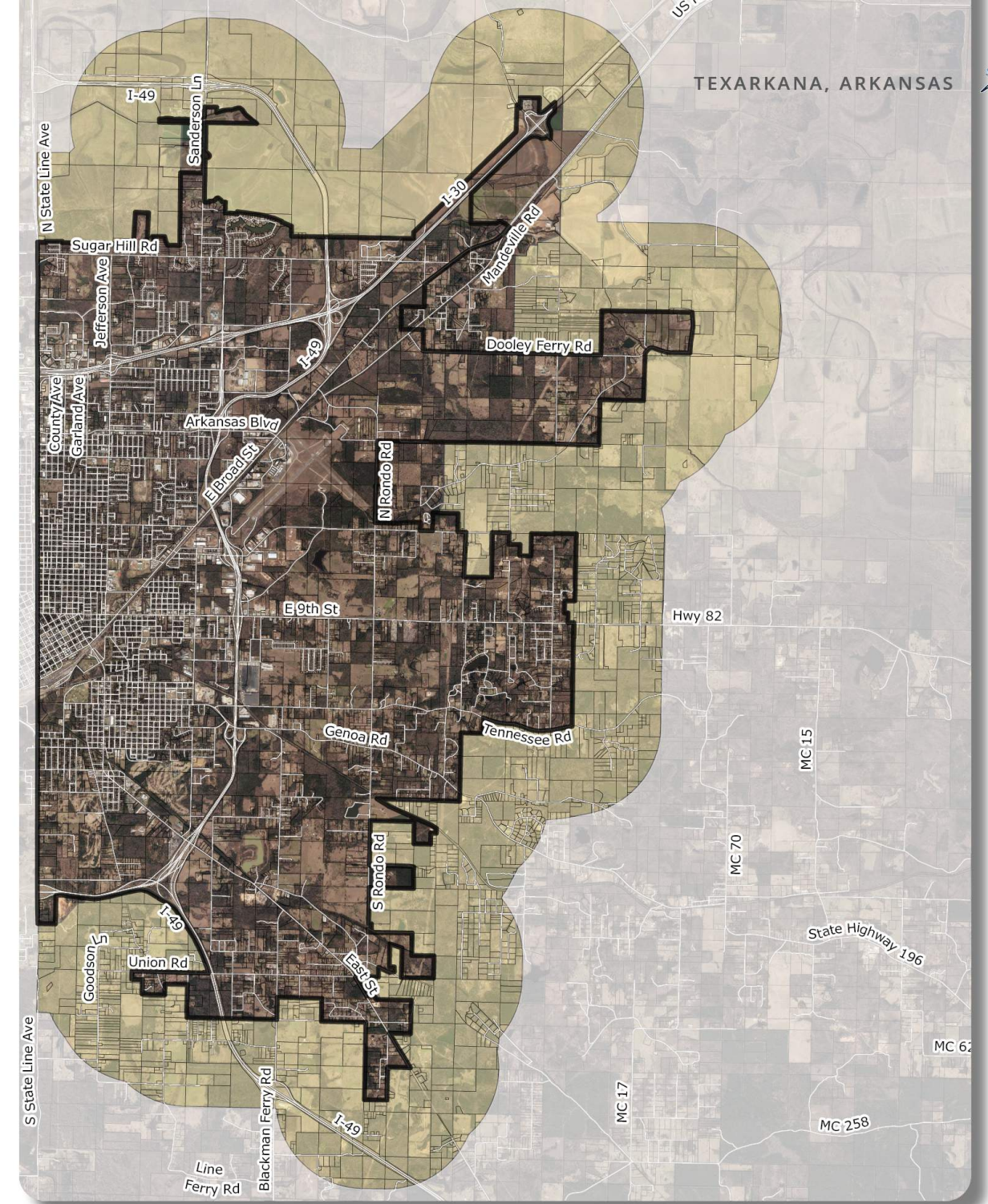
The Texarkana, Arkansas Planning Area Boundary appears in graphic form on the following map. The Planning Area Map was prepared in accordance with statutes found in the Arkansas Codes, Annotated § 14-56-413. The Planning Area Boundary includes those lands within the territorial jurisdiction of Texarkana for which it may prepare plans, ordinances, and regulations. This area extends beyond the city limits to include those areas most likely to become a part of the city in the future. The City of Texarkana, in accordance with A.C.A. § 14-56-422, is required to file the plans, ordinances, and regulations as they pertain to the territory beyond the corporate limits with the county recorder of Miller County.

COMMUNITY OUTREACH

Community outreach is an important part of the development of 2040 Texarkana Comprehensive Plan. Early in the plan process, we asked the community about the challenges facing Texarkana, Arkansas and the ways those challenges can be addressed. The community outreach summary contains an overview of the responses we received throughout the planning process.



The Planning Area Boundary comprises those areas surrounding the city that may likely grow to become part of Texarkana in the future.



TEXARKANA, AR PLANNING AREA BOUNDARY

The following events and forms of outreach have been held.

- Steering and Advisory Committee Workshops
- Key Person Interviews
- Stakeholder and Student Group Discussions
- Interactive Polls
- Public Website & Online Website Feedback Form
- Visioning Workshop
- City Staff Committee meetings
- Public Input Survey
- Final Public Input Meeting



Context & Trends

U.S. Courthouse and Post Office in Texarkana (Photo by John Gill) Modern Era (1968 - the Present)

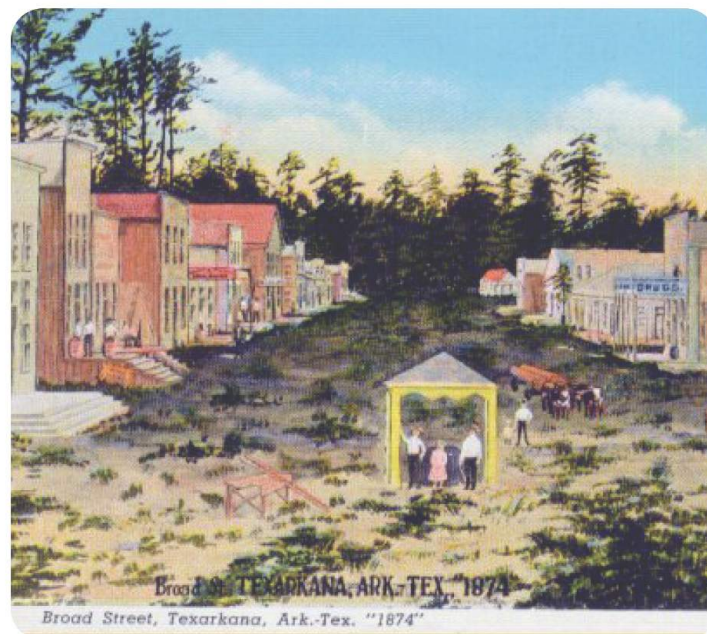
HISTORICAL PERSPECTIVE PROVIDES AN UNDERSTANDING OF A COMMUNITY AND HELPS TO SHAPE THE FOUNDATION OF A PLANNING PROCESS. THE PHYSICAL AND DEMOGRAPHIC CHARACTERISTICS OF TEXARKANA, ARKANSAS INFORM HOW PEOPLE LIVE AND WORK. UNDERSTANDING THE COMMUNITY'S CHARACTERISTICS, HISTORY, AND VALUES HELPS TO FRAME THE GOALS AND OBJECTIVES OF THE PLAN. THIS REPORT PROVIDES AN OVERVIEW OF A BRIEF HISTORIC AND EXISTING CONTEXT.

HISTORY

Before the European Settlement establishment, several native Indian groups, known as the Caddo Indians on the Great Southwest Trail, held permanent households, and farmed in the Texarkana area for over 1,000 years. The last of the Caddo settlements were abandoned by the end of the 18th century. By 1840, new European settlers came into the area and eventually established a settlement that paved the way for Texarkana becoming a town site on the Texas and Pacific Railroad. As white settlers continued to move in from the east and settle the area, slaves were brought in, and Native Americans were pushed out. The area was rural and agrarian, home to farms of all sizes incorporating slavery in varying degrees. In Lafayette County, Arkansas (portions of which became modern-day Miller County in 1874), 39% of the total population were slaves in 1850, which decreased to 33% in 1860.

Texarkana was formally founded in the interim when the Texas and Pacific railroad sold the first town lots on December 8, 1873.

In the late 1850s, the builders of the Cairo and Fulton Railroad laid tracks in Arkansas, completing the railway to the Texas border in 1873. At the place where they would meet the Texas and Pacific Railroad (running east/west), a town site was established on December 8, 1873, selling town lots. The first lot was sold to J. W. Davis and today is the site of the Hotel McCartney across from Union Station.



Broad Street (Photo Courtesy of the Butler Center for Arkansas Studies, Central Arkansas Library System) Civil War through Reconstruction (1861-1874)

Map of Texarkana, Arkansas, and Texas (Photo Courtesy of Library of Congress Prints and Photographs Division) Post Reconstruction through the Glided Age (1875-1900)

Texarkana, Texas was granted a charter on June 12, 1874. In 1880, twenty-one citizens met and petitioned to incorporate Texarkana, Arkansas. The city was granted a charter on August 10, 1880, by County Judge H. W. Edwards. On November 12, 1880, the city government was established, and H. W. Beidler was elected mayor. Throughout the 1880s, schools and churches were established in Texarkana, including a school for African Americans on the Texas side that was established in 1885, the same year ragtime legend Scott Joplin left Texarkana to pursue a career in music.

Regarding employment and economy, Texarkana, Arkansas, and Texas are generally viewed as one economic area. There is one chamber of Commerce organization that serves both cities. The State of Texas does not assess a state income tax. While there is state income tax in Arkansas, special legislation allows the residents of Texarkana, Arkansas, exemption from income tax. State Line Avenue, the main street, was intentionally designed to lie on the dividing line between the two states. Texarkana, Texas and Texarkana, Arkansas have separate local governments serving each City. While there are joint operations of water and sewer facilities and the justice center, each City maintains its police and fire departments, parks, and sanitation departments.



PERSPECTIVE MAP OF
TEXARKANA,
TEXAS AND ARKANSAS.

Local and Regional Plans and Reports

CONTEXT AND TRENDS

The comprehensive plan is important because it serves as the framework for future vision of the community. Texarkana, Arkansas's most recent comprehensive plan was adopted in 1989 and touched on various topics on land use, transportation, housing, and parks; important topics still relevant today. Over the last forty years, the city has experienced growth and changes that have impacted development within the city and region. Local and region-wide plans have also informed development and growth within Texarkana, Arkansas, and the surrounding region. The Local and Regional Plans summary provides a general overview of the latest plans and reports which have impacted, or will impact, the city and region.

1989 TEXARKANA, ARKANSAS COMPREHENSIVE PLAN (LOCAL)

The previous Texarkana, Arkansas comprehensive plan began with an endorsement from the Board of Directors in August of 1988 and was adopted in 1989. The plan included strategies for housing, industry expansion, urban growth, and expansion of the open space and the transportation system. The Comprehensive plan included a two-page document with a land-use map with public facilities, transportation roadways, and other areas.

2014 THE CITY OF TEXARKANA, ARKANSAS HOUSING PLAN (LOCAL)

The City of Texarkana produced a five-year plan addressed to the U.S. Department of Housing and Urban Development (HUD) related to standard public housing updates and assessments that included how many units are managed and owned by the city. A further report on housing called the Texarkana, Arkansas Assessment of Fair Housing was conducted in 2022.

2015-2020 CITY OF TEXARKANA, ARKANSAS PARKS AND RECREATION PLAN (LOCAL)

The five-year Parks and Recreation Plan completed by the City of Texarkana, Arkansas, is a document that details the available facilities and programs for citizens of the city and surrounding area. The Parks and Recreation plan is utilized as an assessment tool that is helpful for planning future parks and recreation development and opportunities.

2022 STATELINE AVENUE CORRIDOR STUDY (LOCAL)

The US 71/Stateline Avenue Corridor Study evaluates the need for, and feasibility of, improvements to enhance safety and efficiency of the 3.25-mile Stateline Avenue corridor for all modes of transportation. Stateline Avenue is the key north/south highway in Bowie and Miller Counties. The Corridor Study provides a vision for the future of the corridor, evaluates the economic development potential, transit facility feasibility, general aesthetics, traffic operations, and other aspects of Stateline Avenue.



Scott Joplin of Texarkana, AR Mural (photo by Eric Ethridge)

2018 TEXARKANA MPO ACTIVE TRANSPORTATION MASTER PLAN (REGIONAL)

The Texarkana Metropolitan Planning Organization (TMPO) produced the 2018 Active Transportation Plan provides a unified vision for bicycle and pedestrian investments and analysis that shows the need for accessibility, connectivity, and mobility through the Texarkana Metropolitan area. This plan focuses on providing connected and accessible regional facilities.

2018 TEXARKANA, TEXAS COMPREHENSIVE PLAN—RENEW TEXARKANA (REGIONAL, NOT DIRECTLY RELATED TO TEXARKANA, ARKANSAS)

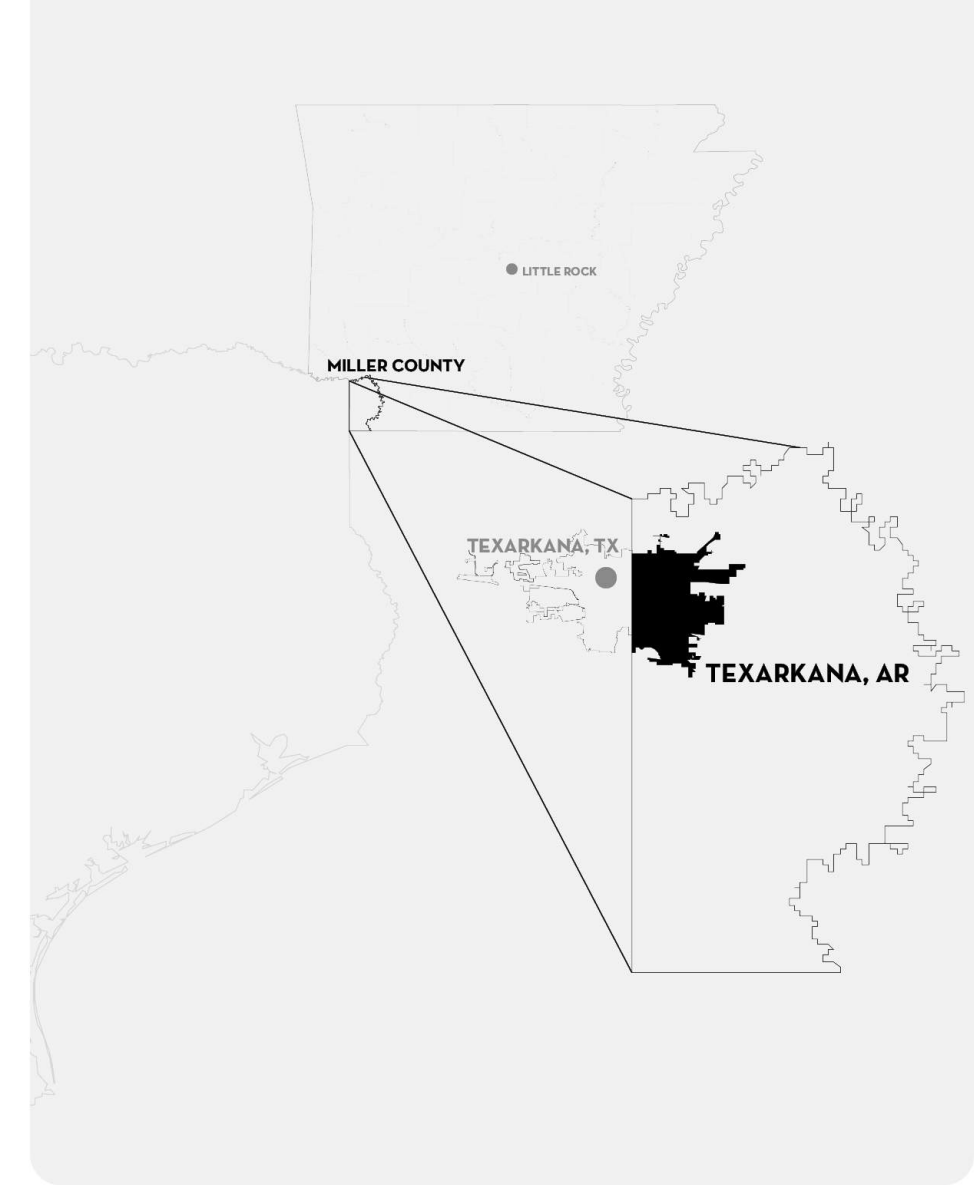
Renew Texarkana is the updated comprehensive plan for Texarkana, Texas that was completed in 2018. The comprehensive plan for Texarkana, Texas is like this process for provides existing conditions, analyzes constrains and opportunities, and develops a roadmap for the next 20 years for the neighboring city. Texarkana, Texas, and Arkansas both are separate by State lines that divides Arkansas and Texas but together they are called "Texarkana, USA" regional facilities.

TEXARKANA, ARKANSAS IN CONTEXT

The city of Texarkana, Arkansas is located 143 miles southwest of Little Rock, 72 miles north of Shreveport, Louisiana, 184 miles south of Fort Smith, AR and 180 miles northeast of Dallas. Texarkana is the county seat of Miller County near the southwest border of the state. The city was founded at a railroad intersection on December 8, 1873, and was incorporated in Arkansas on August 10, 1880. Texarkana, Arkansas, and its counterpart Texarkana, Texas are the primary major cities of the Texarkana Metropolitan Area.

The city's most prominent waterway is Nix Creek, a southwest-flowing tributary of Days Creek, part of the Sulphur River watershed leading to the Red River. Two major interstate highways converge here: Interstate 30 (I-30) and Interstate 49 (I-49). The city has long been a trading center, historically originating at the intersection of major railroads serving Texas, Arkansas, and north into Missouri.

Texarkana is home to the University of Arkansas Hope-Texarkana (UAHT). One of the major employers in Texarkana, Arkansas is Cooper Tire and Rubber with over 1,750 employees.



TEXARKANA REGIONAL MAP

Texarkana Trends

POPULATION

Source: 2020 Decennial Census, U.S. Census Bureau

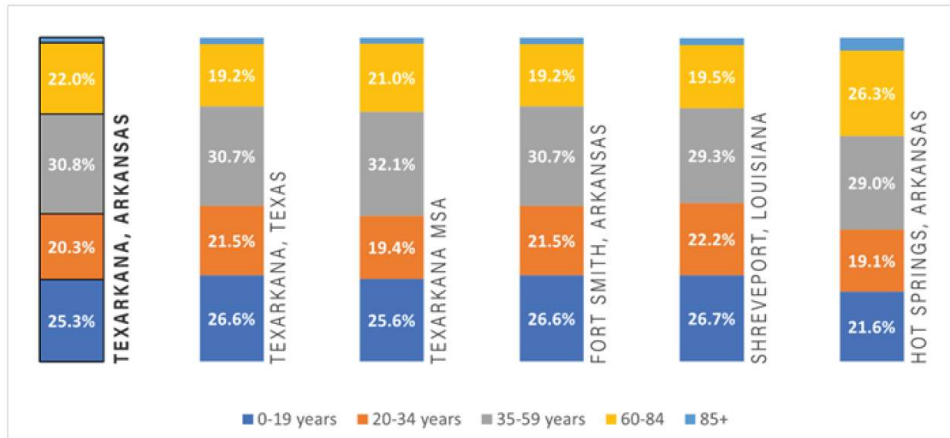


FIGURE 1: AGE BREAKDOWN - TEXARKANA, AR, AND SELECTED ENTITIES

Source: 2020 Decennial Census, U.S. Census Bureau

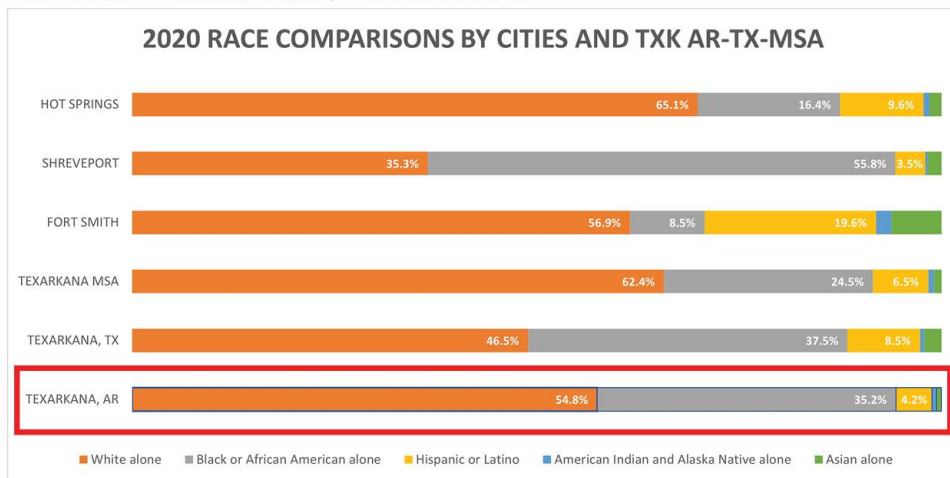
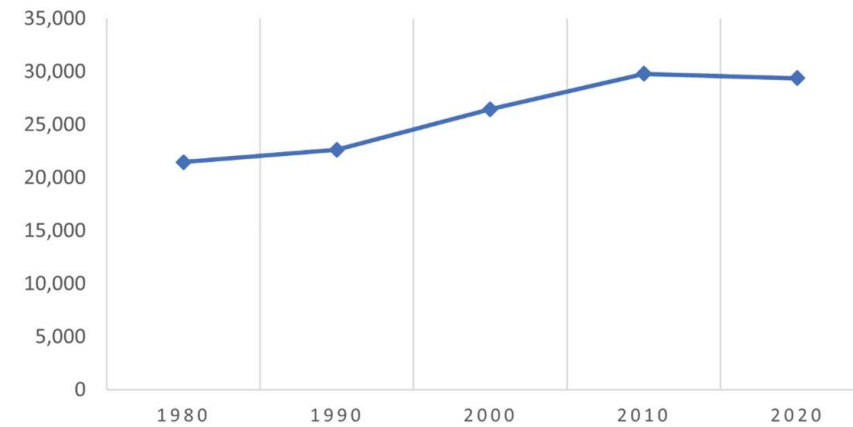


FIGURE 2: RACE POPULATION COMPARISON - TEXARKANA, AR AND SELECTED ENTITIES

The largest age cohort for the city is the age range of 30-58 years old at 38%, followed by the age range from 0-19 years old at 25.3%. **The median age in Texarkana, Arkansas, is 39.5 years**, with 37.5 years for the male population and 40.9 years for the female population, as shown in Figure 1.

The racial makeup for Texarkana, Arkansas, is 54.8% White (Non-Hispanic), 35.2% Black or African American (Non-Hispanic), 1.64% White (Hispanic), 1.3% Two+ (Non-Hispanic), and 1% Other (Hispanic) are displayed in Figure 2. **White residents make up a majority of the population in Texarkana, Arkansas, at 54.8%**, which is similar to each of the selected entities except Shreveport, Louisiana. Shreveport has a majority of black residents at 55.8%, as shown in Figure 2. **The second majority population in Texarkana, Arkansas, consists of Black or African American (Non-Hispanic) at 33.5%**. The remaining population includes both **Hispanic or Latino residents and a population of two or more races at 4.2%**. The U.S. Census considers Hispanic an ethnicity, so those individuals who categorize themselves as Hispanic may also identify with another racial group.

TXK, AR

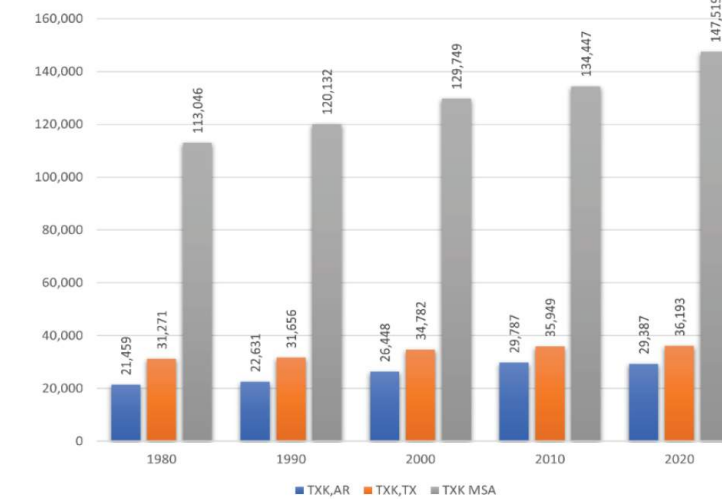


Source: 2020 Decennial Census, U.S. Census Bureau

FIGURE 3: POPULATION GROWTH - TEXARKANA AR

The City of Texarkana's residential population experienced a slight decrease from 2010 to 2020. The city has experienced varied rates of growth over its history. From the 1980s-2010, the city of Texarkana experienced a steady increase in the population, as shown in Figure 3. From 2010 to 2020, the city's population declined by approximately -1.0%, losing almost 400 residents. **As of the 2020 United States Census, Texarkana, Arkansas, has a population of 29,387, as shown in Figure 3.**

Texarkana Population Change



Source: 2020 Decennial Census, U.S. Census Bureau

FIGURE 4: POPULATION CHANGE - TEXARKANA, AR, TEXARKANA, TX, AND THE TEXARKANA METROPOLITAN STATISTICAL AREA (MSA)



Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 5: POPULATION BY GENDER - TEXARKANA, AR

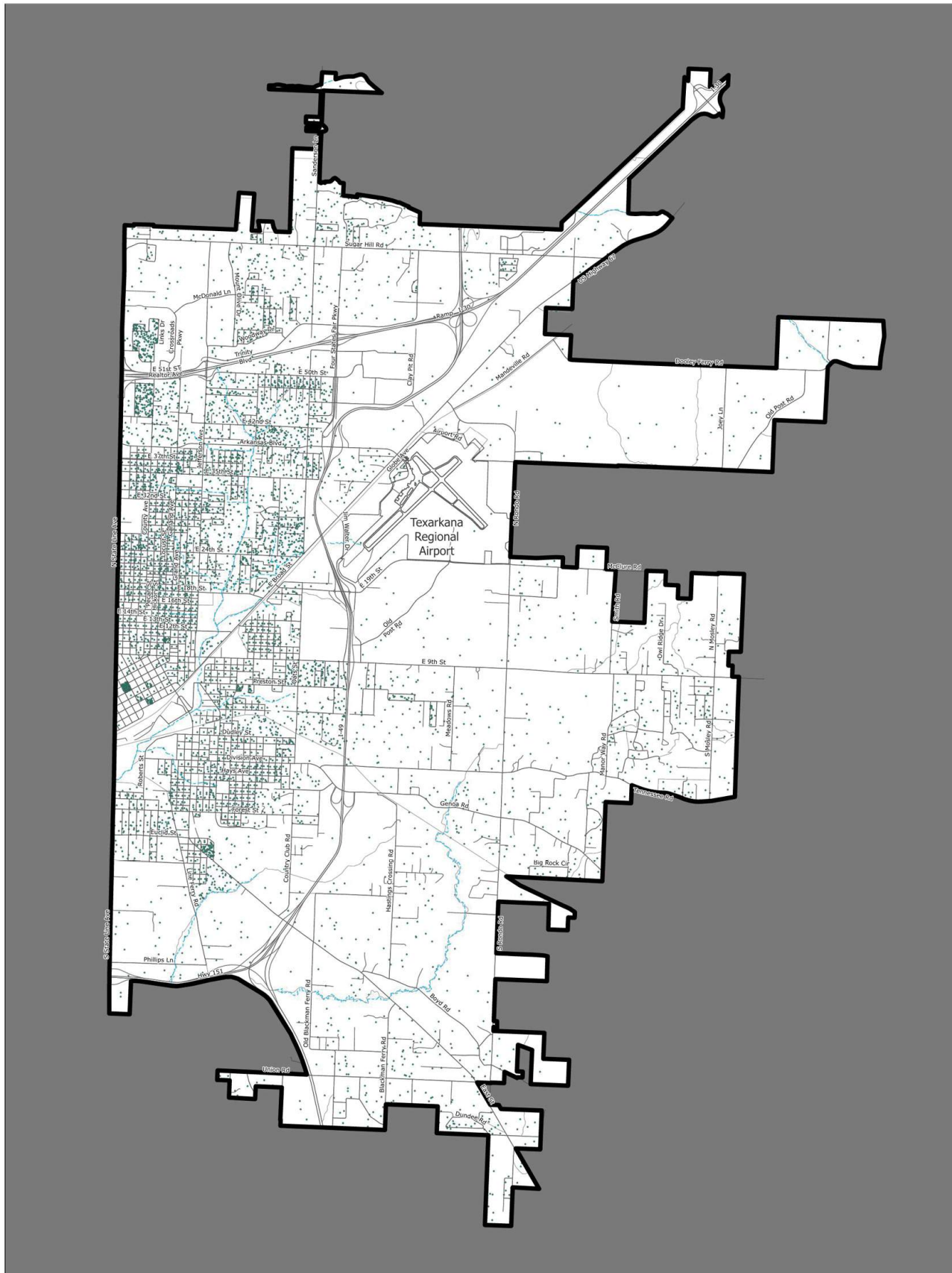
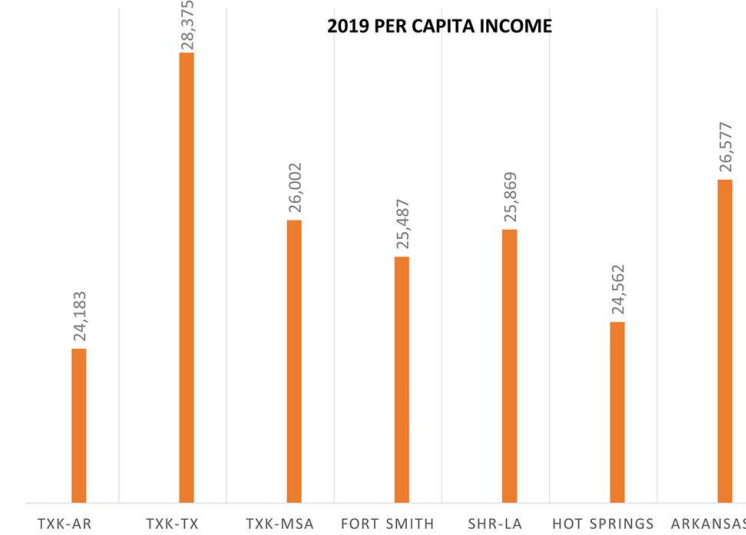


FIGURE 6: 2020 POPULATION DOT DENSITY - TEXARKANA, AR

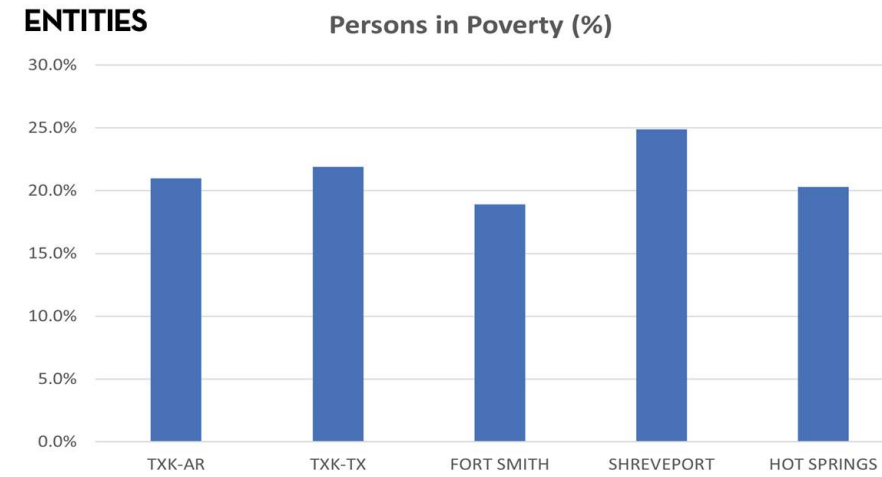
LEGEND
 ● 1 DOT = 1 PERSON

INCOME



Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 7: PER CAPITA INCOME - TEXARKANA, AR AND SELECTED ENTITIES



Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 8 : PERSONS IN POVERTY IN TEXARKANA, AR AND SELECTED ENTITIES



Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 9: FAMILY INCOME - TEXARKANA, AR

The income demographics shown depict several measures related to income per capita, household, and family income. According to the 2000 census, the per capita income in Texarkana, Arkansas, was \$17,130. In 2019, the per capita income of Texarkana, Arkansas, increased by \$7,053, making it \$24,183. **The per capita income of Texarkana, Arkansas remains lower than the state average of \$26,577 and lower than the 2020 national average of \$63,416.** Local incomes should be considered when planning for housing and economic development. Incomes partially determine the cost of living (along with housing prices and other costs).

2019 ACS HOUSEHOLD INCOME

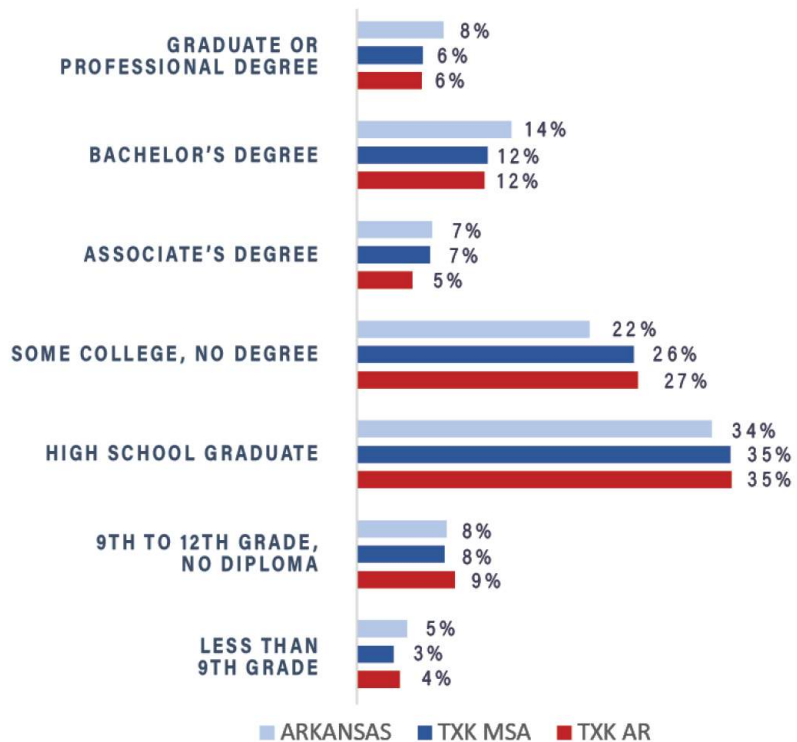


Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 10: HOUSEHOLD INCOME - TEXARKANA, AR AND SELECTED ENTITIES

The city's median household income for 2019 was \$41,873 as shown in Figure 10. Approximately 33 percent of Texarkana, Arkansas households earn less than \$25,000; 26 percent of households earn \$25,000 to \$49,999; 12.5 percent of households earn \$50,000 to \$74,999; and 27 percent of households earn \$75,000 or more shown in Figure 10.

EDUCATION



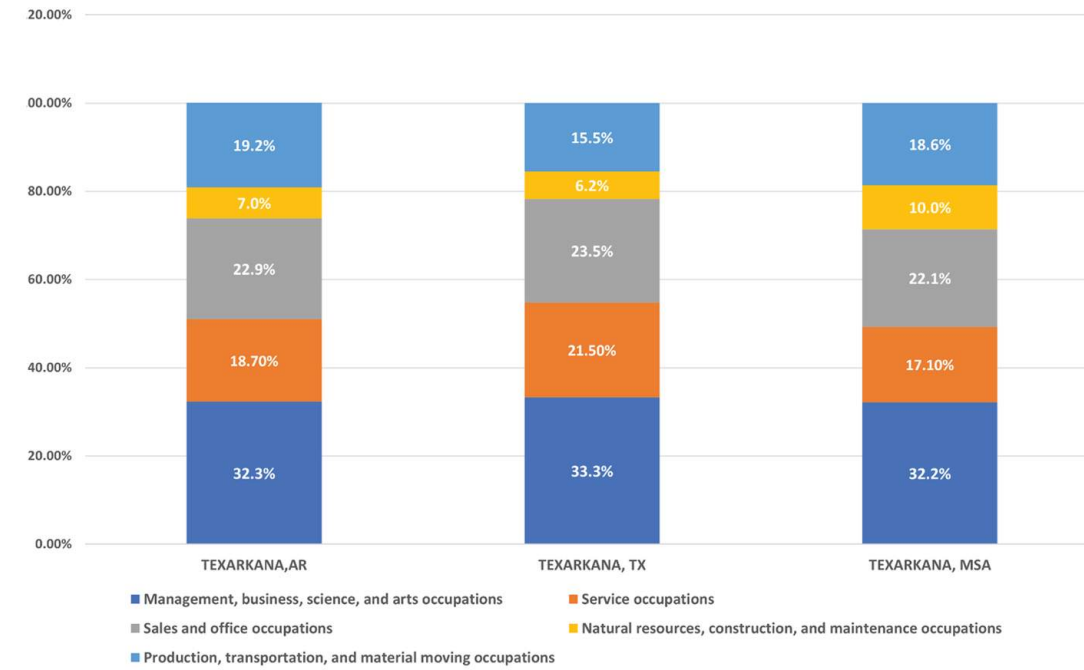
Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 11: EDUCATIONAL ATTAINMENT - TEXARKANA, AR, TEXARKANA, MSA, AND ARKANSAS

Educational attainment identifies the level of education completed by individuals in the Texarkana, Arkansas workforce. The educational attainment of the Texarkana, Arkansas workforce is compared to the workforce for the Texarkana Metropolitan Region and the State of Arkansas, as shown in Figure 11. A majority of the City of Texarkana's workforce completed high school or some college; the same applies to the metropolitan area. **In the 2019 Census, approximately 18.4% of residents aged 25 and older obtained a bachelor's degree or higher in Texarkana, compared to the state average of 23%.** For the same period and age group, 86.4% of residents were high school graduates or had some higher education compared to the state average of 86.5% (Source: U.S. Census Bureau).

EMPLOYMENT

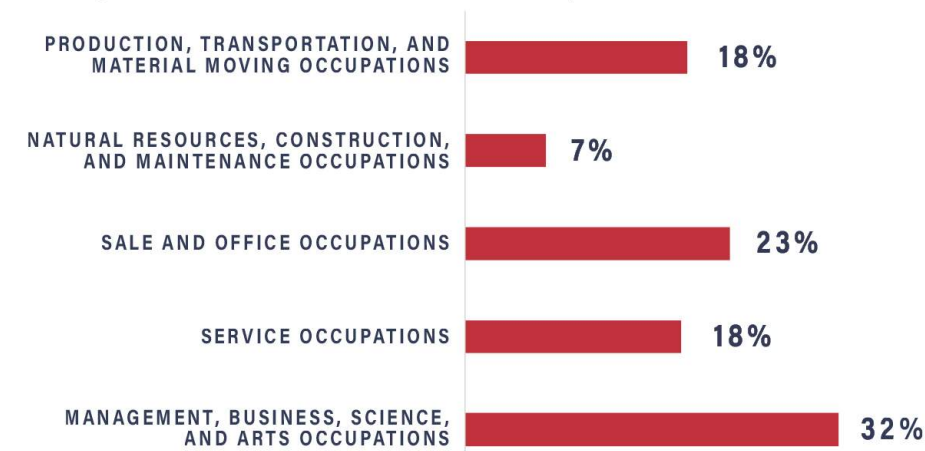
Texarkana, AR Employment Industry Sectors



Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 12: INDUSTRY BY OCCUPATION IN TEXARKANA, AR, TEXARKANA, TX, AND TEXARKANA METROPOLITAN STATISTICAL AREA (MSA)

In Texarkana, Arkansas, **from 2018 to 2019, employment grew at a rate of 1.15%**, from 12,100 employees to 12,300 employees. Nearly 32.3% across the Texarkana Arkansas and the region have job sectors related to the Management, Business, Science, or Arts occupation sectors.



Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 13: INDUSTRY BY OCCUPATION IN TEXARKANA, AR

Based on employee numbers, the most common jobs held by residents of Texarkana, Arkansas are Office & Administrative Support Occupations (1,451 people), Sales & Related Occupations (1,360 people), and Management Occupations (1,278 people). The 2019 lowest-paid jobs held by Texarkana, Arkansas residents by median earnings are Service Occupations (\$17,368), Life, Physical and Social Science Occupations (\$14,538), Building and Grounds Cleaning and Maintenance Occupations (\$14,375), and Personal Care and Service Occupation (barbers, stylists, etc.) at \$6,316.

HOUSING

	TEXARKANA AR	TEXARKANA TX	ARKANSAS
TOTAL HOUSING UNITS	13,407	16,668	1,370,281
OCCUPIED HOUSING UNITS	85.1%	84.1%	84.5%
VACANT HOUSING UNITS	14.9%	15.9%	15.5%

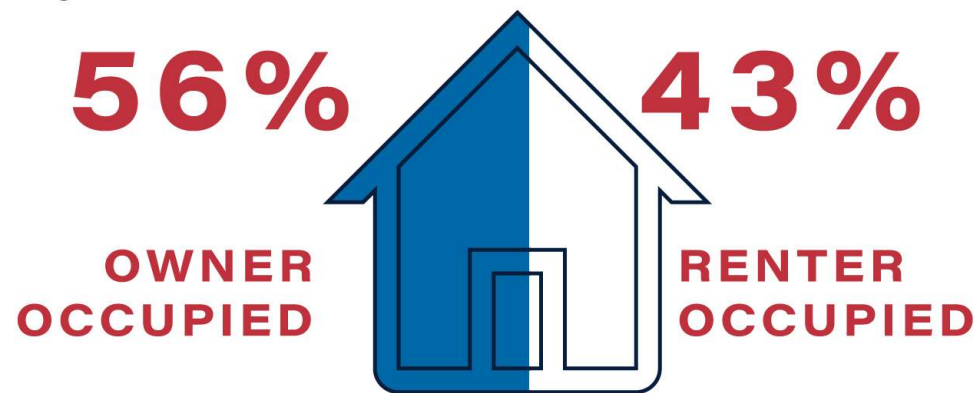
Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 14: HOUSING OCCUPANCY

	TEXARKANA AR	TEXARKANA TX	ARKANSAS
TOTAL HOUSING UNITS	13,407	16,668	1,370,281
BUILT 2014 OR LATER	1.6%	0.3%	3.0%
BUILT 2010 TO 2013	2.8%	5.5%	4.0%
BUILT 2000 TO 2009	14.1%	13.0%	16.4%
BUILT 1990 TO 1999	15.7%	13.0%	17.8%
BUILT 1980 TO 1989	12.8%	13.0%	15.0%
BUILT 1970 TO 1979	18.3%	19.8%	18.1%
BUILT 1960 TO 1969	10.6%	14.9%	10.3%
BUILT 1950 TO 1959	11.7%	9.3%	6.9%
BUILT 1940 TO 1949	6.0%	5.4%	3.7%
BUILT 1939 TO EARLIER	6.3%	5.7%	4.8%

Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 15: YEAR STRUCTURE BUILT



Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 16: RENTER VS. OWNER OCCUPIED UNITS

In Texarkana, the median rental costs in recent years are \$739 per month, and the median house value is \$127,500, less than the state and national average. In 2019, the median property value in Texarkana, Arkansas declined from the previous year's value of \$120,100 to \$119,700.

HOUSING TENURE	TXK AR		TXK TX		Arkansas	
Occupied housing units	11,404		14,025		1,158,071	
Owner-occupied	6,396	56.1%	7,114	50.7%	759,455	65.6%
Renter-occupied	5,008	43.9%	6,911	49.3%	398,616	34.4%
Average household size of owner-occupied unit	2.57	(X)	2.65	(X)	2.57	(X)
Average household size of renter-occupied unit	2.41	(X)	2.37	(X)	2.42	(X)

Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 17: HOUSING TENURE

HOUSING VALUE	TXK AR		TXK TX		Arkansas	
Owner-occupied units	6,396		7,114		759,455	
Less than \$50,000	931	14.6%	925	13.0%	105,371	13.9%
\$50,000 to \$99,999	1,721	26.9%	1,601	22.5%	182,592	24.0%
\$100,000 to \$149,999	1,243	19.4%	1,487	20.9%	156,381	20.6%
\$150,000 to \$199,999	1,169	18.3%	1,266	17.8%	121,851	16.0%
\$200,000 to \$299,999	626	9.8%	1,091	15.3%	109,571	14.4%
\$300,000 to \$499,999	542	8.5%	478	6.7%	59,195	7.8%
\$500,000 to \$999,999	164	2.6%	238	3.3%	19,330	2.5%
\$1,000,000 or more	0	0.0%	28	0.4%	5,164	0.7%
Median (dollars)	119,700		130,600		127,800	

Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 18: HOUSING VALUE

UNITS IN STRUCTURE	TXK AR	TXK TX	Arkansas		
Total housing units	13,407	16,668	1,370,281		
1-unit, detached	67.80%	11,046	66.30%	955,714	69.7%
1-unit, attached	1.00%	260	1.60%	21,735	1.6%
5 to 9 units	8.30%	1,046	6.30%	49,000	3.6%
10 to 19 units	5.70%	835	5.00%	51,599	3.8%
20 or more units	4.70%	1,218	7.3%	37,689	2.8%
Mobile home	3.90%	315	1.9%	165,147	12.1%
Boat, RV, van, etc.	0.00%	0	0.0%	1,951	0.1%

Source: 2019. American Community Survey, U.S. Census Bureau

FIGURE 19: UNITS IN STRUCTURE

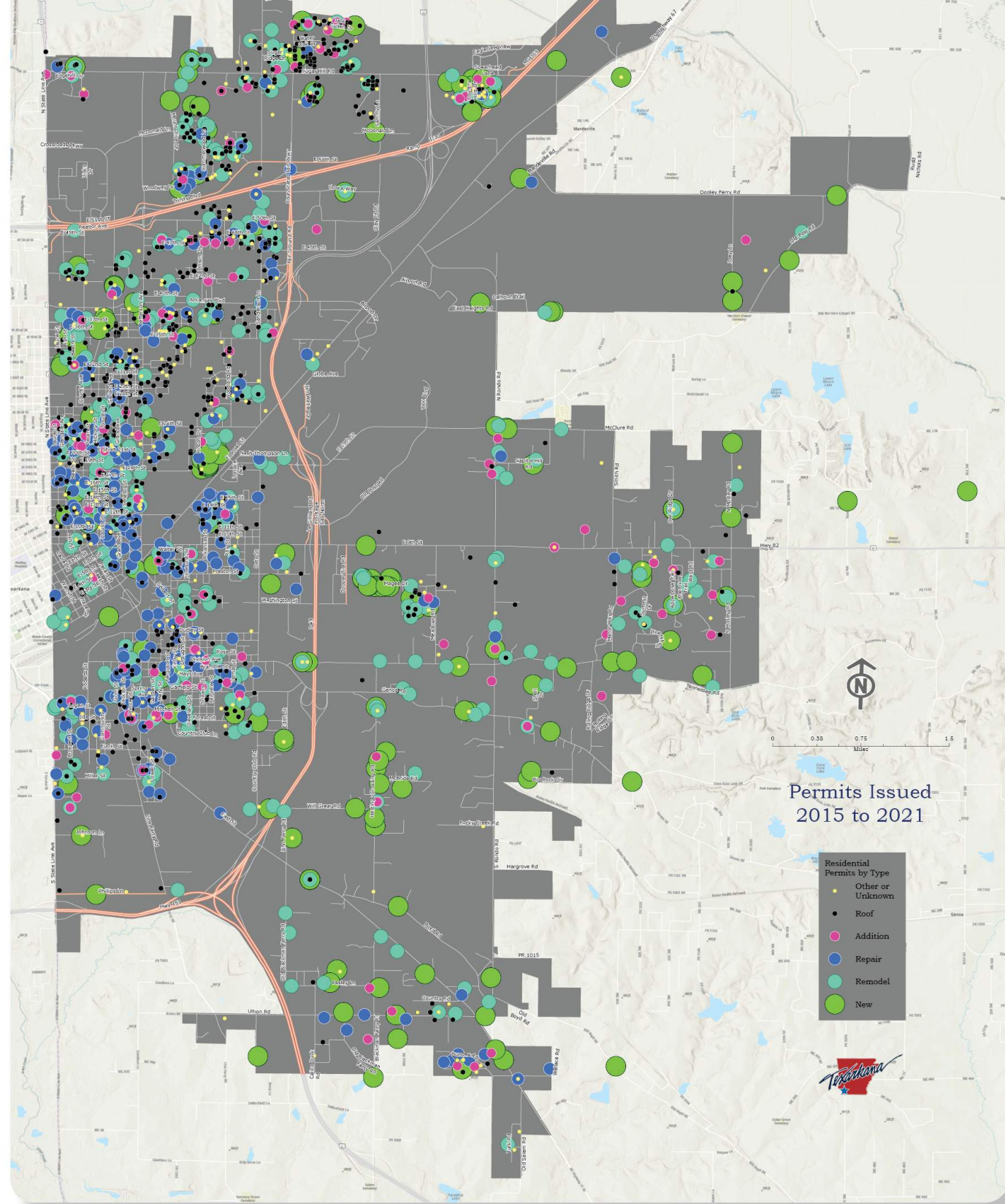
There are more renter-occupied units in Texarkana, Texas, at 49.3%, as Texarkana, Arkansas, has 43.9%. As shown in Figure 17, the State of Arkansas has 34.4% of rental occupied units in the entire state.

There are 65.6% owner-occupied units in the State of Arkansas compared to the 56.1% in the City of Texarkana, as shown in Figure 16.

The housing unit structures in Texarkana, Arkansas, display that a majority of the units in the city, 67.8% are 1-unit, detached structures.

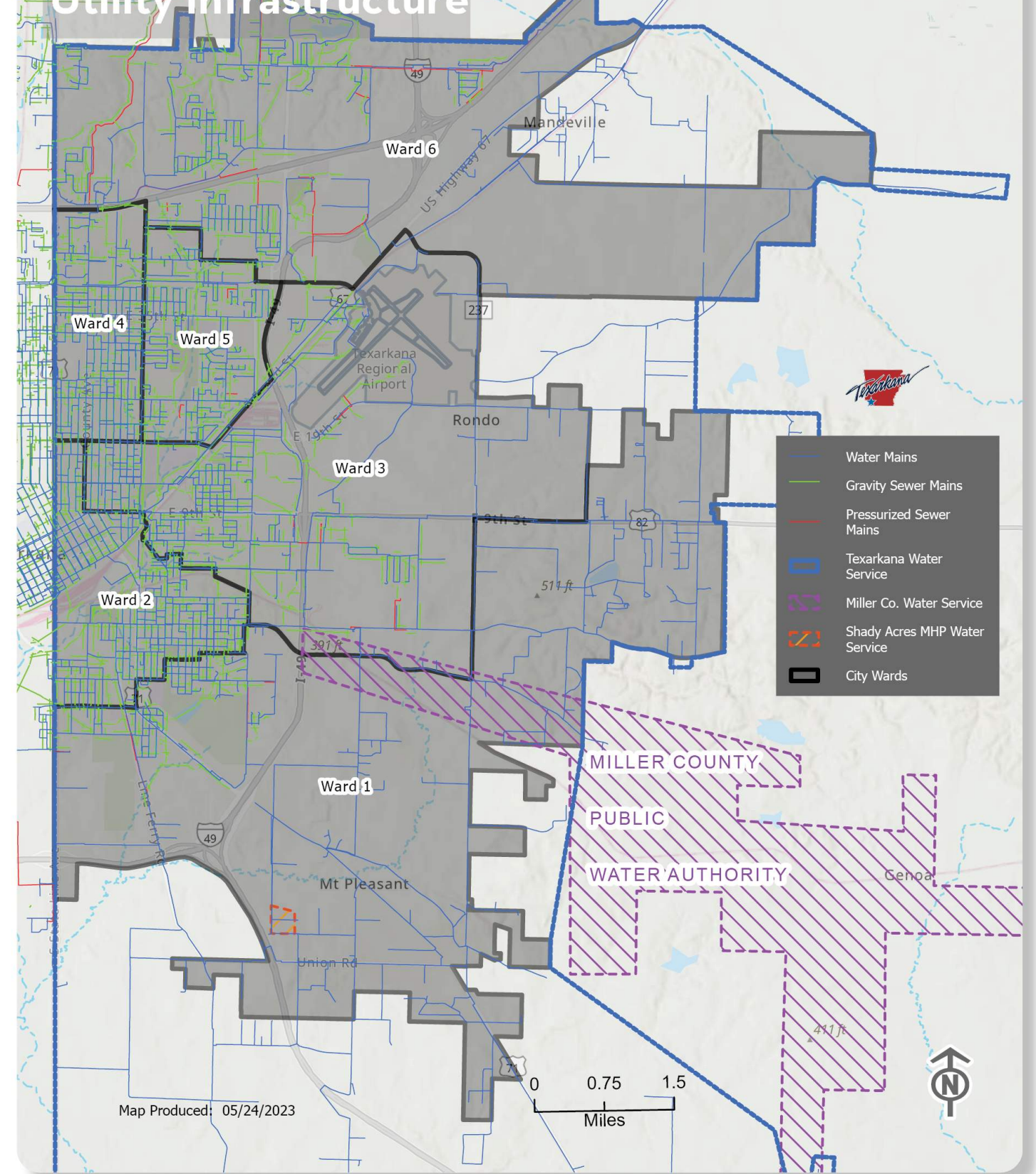
CONTEXT & TRENDS

Residential Permits 2015-2021



CONTEXT & TRENDS

Water and Sewer Utility Infrastructure



Vision, Goals, and Community Input

VISION, GOALS, AND OBJECTIVES

VISION STATEMENT

The City of Texarkana, Arkansas is a vibrant community and the home to a diverse economy. This plan will respect the city’s history and unique neighborhood characteristics, while allowing the city to thoughtfully plan for safe and sustainable infill, growth, and development.

This plan encourages continued city investment in public infrastructure to foster quality of life improvements and provide a foundation for ongoing economic growth and opportunity. This plan creates a framework to facilitate the management of appropriate development and supporting infrastructure of all types in order to provide for a high quality of life and place enjoyed by current and future residents, organizations, and businesses within the city.



VISIONING GOAL AREAS

The following goals and objectives have been created to help direct action in key finding areas within the plan. These goals help facilitate the actualization of the vision.



ENDURING NEIGHBORHOODS AND PLACES



QUALITY OF LIFE AND IMAGE



INFRASTRUCTURE AND FISCAL HEALTH

GOAL 1



ENDURING NEIGHBORHOODS AND PLACES

Texarkana, Arkansas will grow and develop in a smart way that meets the needs of its population. The city will effectively manage growth which respects the character of the existing neighborhoods and commerce areas within the city while planning for future growth and encouraging residential and commercial infill and redevelopment within the city.

The city will capitalize on existing assets, strive to preserve enduring historic areas, respond to changes in demographic trends and market preferences, foster economic vitality respect the environment, and closely steward taxpayer dollars.

GOAL 2



QUALITY OF LIFE AND IMAGE

Texarkana, Arkansas will become a model city in the region by striving to provide a high quality of life and built environment. The community will be a desirable destination for new residents with excellent social, economic, and recreational amenities.

The city will have a strong identity and community pride aided by development that creates attractive community gateways, corridors, and districts. The city will enhance its community and recreational assets to serve its diverse population. Pursuit of creative and strategic economic development, funding, and grant opportunities with a focus on quality of life should continue.

GOAL 3



INFRASTRUCTURE AND FISCAL HEALTH

Texarkana, Arkansas will provide and maintain public infrastructure as a foundation for the city’s economy and tax base.

The city will pursue policies, programs, and actions which coordinate growth, multimodal transportation, related to key findings and utilities in an efficient and effective manner.

Master planning of water, wastewater, stormwater, and transportation system infrastructure should be pursued and utilized infrastructure investment decision-making to promote the fiscal health of the city and careful stewardship of tax dollars.

Community Input

VISION, GOALS, AND COMMUNITY INPUT

Extensive public input is critical to the success of any comprehensive planning process. If a plan is to effectively communicate a community's values and address its needs, the first step in the planning process must be to discover the nature of existing values and needs. The primary goal of the public input process is to gain an understanding of what the city's residents and stakeholders think, feel, and believe about Texarkana, Arkansas. Many different concepts and ideas were discussed and assimilated.



WHAT WE HEARD

The survey kicked off in April 2022 and received 818 responses over five weeks. Questions focused on the current and future growth of the city as well as input about the city's character, retention of younger citizens, and development/redevelopment potential. The survey was shared on the city's website, Facebook page, the regional newspapers, other social media outlets, and through word of mouth.

Respondents were asked a wide variety of questions ranging from why they choose to live in Texarkana, Arkansas, to what types of development they would like to see in the next 5-20 years, as well as what investments in the community should prioritize in the next few years. Additionally, as part of the public input process, we received input from Texarkana, Arkansas High School students. They provided feedback regarding factors that may attract members of the young adult population to stay in the city after graduation.

RESPONSE THEMES

The city is perceived as a community "where you can live close to family and friends" and one that provides an "affordable cost of living," yet many respondents feel that the city lacks job and business opportunities, and voiced concerns regarding housing and blighted areas of the city.

Many respondents expressed a desire for better jobs, more retail and commercial options, and cultural and entertainment events.

There is consensus that Texarkana, Arkansas downtown is successfully revitalizing and becoming a core attraction within the city.

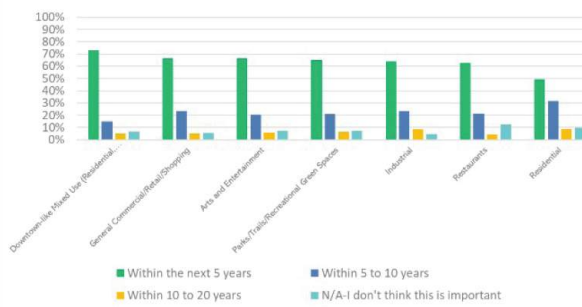
Concerns about road infrastructure, crime, and a need for a more positive perception of the Texarkana, Arkansas school system were shared by the public.

There is a strong desire for future infill development and revitalization of housing within the city and that new development occurs in an organized and controlled manner to avoid further sprawl.

Support was expressed to increased commercial and industrial development and for have more affordable single-family and multi-family housing options.

Respondents are interested in city clean-up and blight reduction, walking trails, tourism attractions, outdoor community gathering spaces, and parks.

What types of development would you like to see in Texarkana, AR over the next 20 years?



When asked about the types of developments residents would like to see over the next 20 years, nearly 72% mentioned they would like to see Downtown-like Mixed Use within the next five years.



Several meetings were held with the steering and advisory committee members throughout the planning process. The body represented a range of city, stakeholder, and community interests. The committees' role was to meet periodically and discuss strategic milestones of the project, and to provide direction, feedback and review throughout the process.



A public input visioning meeting was held on April 28, 2022, at 6:00 P.M. The meeting occurred at the new Texarkana Recreation Center located at 1 Legion Drive in Texarkana, Arkansas. Residents, community members, organizations, city staff, elected officials, and other public members attended the meeting, with an estimated attendance of sixty-seven (67) people.

The meeting began with an overview/presentation of the comprehensive plan, an update of city initiatives. Interactive visual display stations and city comment maps provided information regarding the comprehensive plan process offering participants a chance to give feedback and preferences regarding what they would like to see in the city.

Over 50 attendees participated in an interactive visioning poll during the meeting. The poll encouraged participation and the opportunity to obtain additional input regarding the community's priorities and needs.



The final public meeting was held on March 21, 2023. A total of 16 people attended the meeting. The public open house included a final meeting with the steering and advisory committee members, as well as a forum open to the public to view the draft plan updates and facilitate discussion regarding vision and goals, existing condition updates, the proposed future land use categories and map, updated master street map, options for active transportation, and infill and redevelopment focus areas.

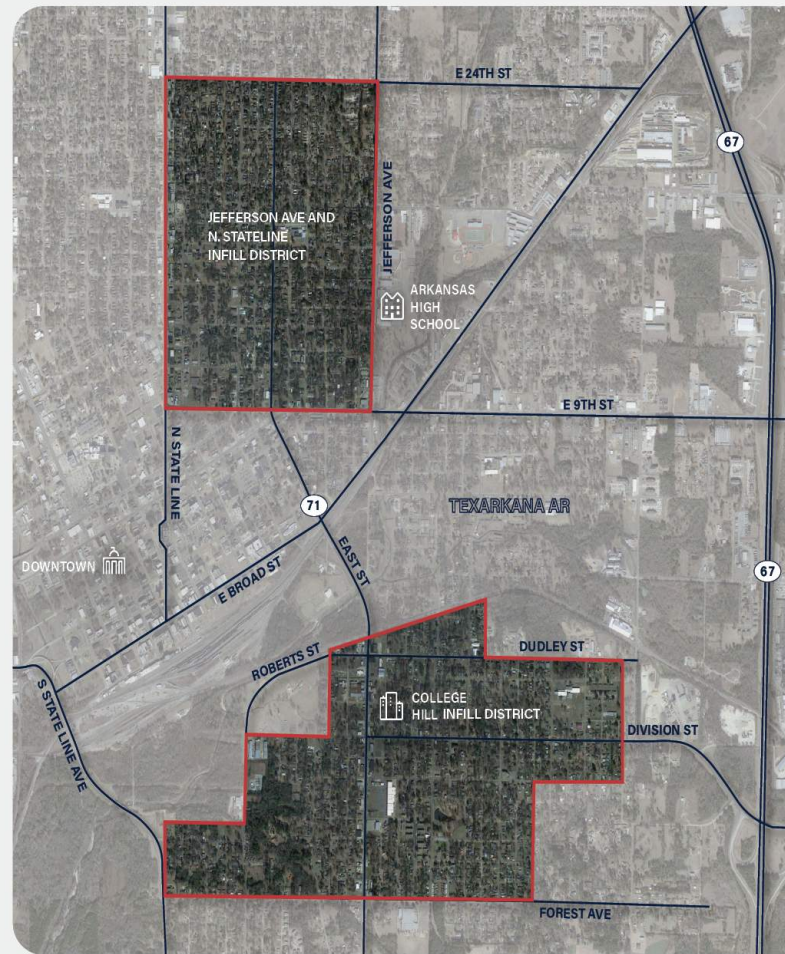
Infill Areas

THE IMPORTANCE OF INFILL HOUSING DEVELOPMENT

The addition of new housing to existing neighborhoods within the city is a positive investment in the legacy neighborhoods within the city. It is also a sound fiscal pursuit for the city as it allows for population growth in the city without the cost of extending new stretches of infrastructure (water, sewer, sidewalks, roadways, etc.) to serve the development. IT can also provide for other positive fiscal outcomes such as increasing the property values of the neighbors surrounding the infill development, as well as the parcels being directly developed. This helps to support school district, county, and city services.

STEPS TO FACILITATE INFILL HOUSING DEVELOPMENT

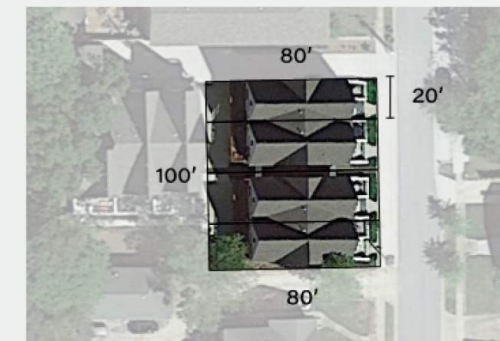
The comprehensive plan recommends updates be made to the existing zoning code to encourage new housing development in legacy neighborhoods throughout the city. Additionally, the plan encourages the creation of a committee consisting of city staff, members of the local home builder/development community, neighborhood representatives within legacy neighborhoods, and local financial institutions who provide development financing. It is recommended that the committee meet regularly to identify shared goals and potential roadblocks regarding infill development within the community.



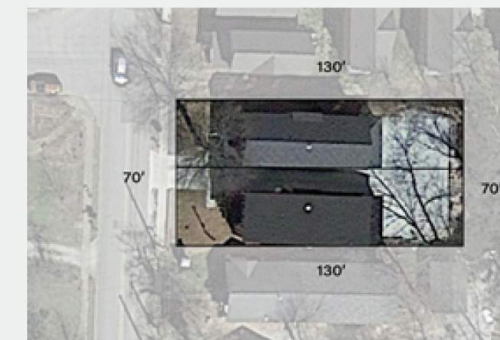
RECOMMENDED FOCUS AREAS FOR INFILL HOUSING DEVELOPMENT



SMALL LOT SINGLE-FAMILY RESIDENTIAL EXAMPLE



SINGLE FAMILY RESIDENTIAL (ATTACHED) TOWNHOME UNITS EXAMPLE



SMALL LOT SINGLE-FAMILY RESIDENTIAL WITH SHARED DRIVEWAY EXAMPLE

EXAMPLES OF NEW CONSTRUCTION ON SMALL AND NARROW LOTS

COLLEGE HILL INFILL DISTRICT FOCUS AREA

Housing infill development plays a crucial role in the comprehensive plan for College Hill in Texarkana, Arkansas, aiming to address the community's evolving housing needs and contribute to the neighborhood's revitalization. The College Hill area comprises small to medium-sized single-family homes and very limited and small apartment buildings. It has a mixture of owners and renters, with many residences built between 1940 and 1969 and others between 1970 and 2000. College Hill faces the issues of vacant and blighted properties in multiple areas. College Hill in the comprehensive plan prioritizes inclusion of various housing options, including

single-family homes, townhouses, and small-scale multi-unit housing to cater to the differing needs of residents, including families, students and professionals.

When developing infill housing projects in College Hill, the design character of new multi-unit housing should be guided by the neighborhood's architectural heritage to ensure that new construction complement the existing character and overall aesthetic appeal of the area. Furthermore, future investment by both public and private entities within the College Hill community should emphasize the importance of walkability, green spaces, and provide enhanced connectivity to amenities and public transportation. By promoting housing infill development, the comprehensive plan aims to create an inclusive and livable community that meets the diverse housing needs of its residents.

JEFFERSON AVE AND N. STATELINE INFILL DISTRICT FOCUS AREA

The district spanning from the east and west between N. State Line Avenue to Jefferson Avenue encompasses twelve blocks with a mix of housing types. However, multiple locations within this district suffer from blight and areas of vacant lots. Given the smaller lot sizes in this historically significant part of town, infill development is strongly recommended as one tool to help combat the existing issues within areas of the district. This strategic approach aims to maximize land use efficiency while preserving the existing neighborhood fabric, and contribute to a vibrant and thriving community.



The potential for infill development is clear with eleven vacant parcels within these two blocks in the Jefferson Ave. and N. State Line Infill District. Existing structure footprints are denoted in yellow; while the gray footprints indicate areas where structures have been removed/demolished. (data Courtesy of TWU and Miller County)

Neighborhood Focus Areas




NEXT STEPS

Within the process of Comprehensive Planning, specific neighborhoods are identified as areas needing more detailed study and planning. This plan recommends that Special Neighborhood Plans should be undertaken for the Downtown and Ozan-Inghram and Iron Mountain Neighborhoods Comprehensive plans cover large areas. These neighborhoods have very specific opportunities and constraints, warranting a more tailored approach. The goal of a neighborhood plan is to create a comprehensive and coordinated plan that promotes sustainable development and enhances the quality of life for the people living and working in the area. Through focused community engagement and detailed research and analysis, the special neighborhood plan provides detailed guidance on land use and development, helps ensure that development is compatible with the natural and built environment and that the unique needs of the neighborhood are met.

DOWNTOWN AREA AND GATEWAYS

- ECONOMIC DEVELOPMENT 
- Historical Landmarks
- Residential Development Synergy
- Civic Property
- Public-Private Partnership Opportunity
- PLAN OR STUDY IMPLEMENTATION 
- Cohesion with Texarkana, TX
- Entertainment District Plan
- Downtown Bike and Pedestrian Connections
- Greenspace Plan
- Market Study for Downtown Land Uses

OZAN-INGHRAM IRON MOUNTAIN

- Floodplain-Floodways Within Neighborhoods 
- Highway Barriers 
- Railroad Track Barriers 
- Strong History and Cultural Landmarks 
- Washington School
- Carver School



COMMUNITY ENGAGEMENT is necessary for a successful plan.

DOWNTOWN AND DOWNTOWN GATEWAY

FOCUS AREA
The downtown area is unique in many aspects. Over the past few decades, the City and private entities have invested significantly in the downtown. A neighborhood plan focused on the downtown and its gateways is strongly recommended to assure continued investment in this vital area of the city. A plan will facilitate the creation of a clear vision for the downtown and a framework for future development within the area. Many investors want to have a clear picture and reasonable expectation of the future of downtown so they understand that what happens around their investment will be compatible and complementary to their development in the future. The plan can take a more detailed look at the types of potential development planned for certain areas of downtown and make

recommendations regarding the infrastructure and support elements necessary to facilitate the success of the desired land uses. For instance, an analysis of existing rights-of-way and infrastructure within the downtown can determine the amount of on-street parking available to support future residential and commercial developments downtown, as well as explore different configurations of striping and parking layouts which may greatly increase parking capacities within existing rights of way and can be implemented solely through the minimal cost of re-striping. This minor exercise alone can give private investors and developers the confidence they need to move forward with plans for new residential spaces and commerce within the downtown core.

Likewise, the utility capacities of water and sewer within the downtown area can also be evaluated so that potential developers are aware of portions of the downtown that have existing capacity to support their proposed developments and improvements planned and undertaken by the City or TWU are completed in an efficient and effective manner. The plan should also address a number of other factors including its relationship with the planned uses and improvements on the Texas side of downtown, an evaluation of greenspace and civic property opportunities downtown, a detailed land use plan, specific street sections for individual streets within the downtown neighborhood, and detailed bike and pedestrian connectivity plans.

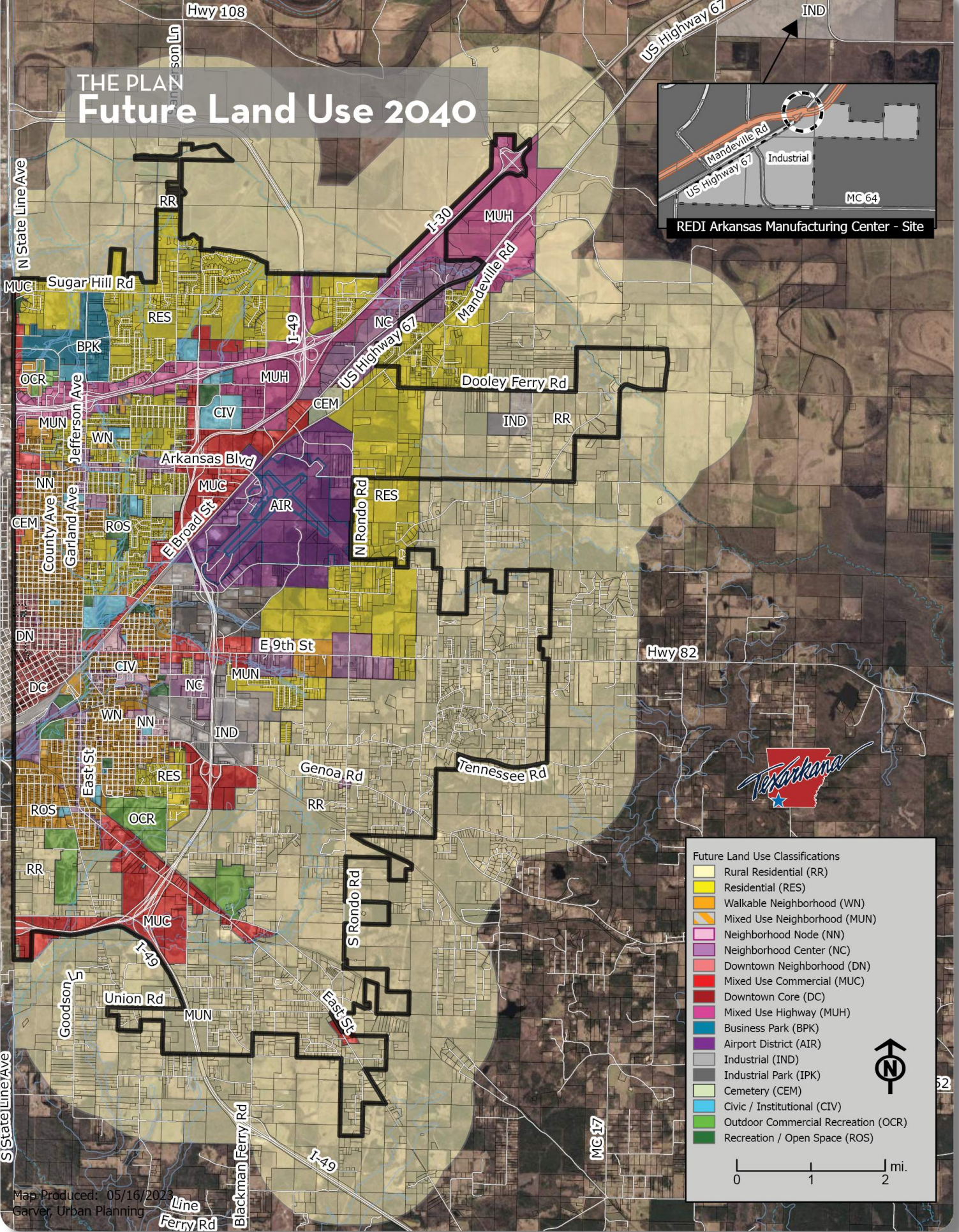
It is recommended that a detailed downtown plan be completed for both the Texas and Arkansas sides concurrently if possible.

OZAN-INGHRAM

FOCUS AREA
This neighborhood has many challenges and an array of infrastructure needs. The prevalence of floodplain and floodways within the neighborhood create a barrier to redevelopment and the construction of new housing. Federal and State grants may be a funding option for some existing flood mitigation measures, this could be further explored in this plan. This area could also benefit from a detailed land use plan- especially the Iron Mountain area where land use conflicts and the commercial corridor come into play. Community input regarding cultural and community landmarks is also recommended.



THE PLAN Future Land Use 2040



Future Land Use Classifications

- Rural Residential (RR)
- Residential (RES)
- Walkable Neighborhood (WN)
- Mixed Use Neighborhood (MUN)
- Neighborhood Node (NN)
- Neighborhood Center (NC)
- Downtown Neighborhood (DN)
- Mixed Use Commercial (MUC)
- Downtown Core (DC)
- Mixed Use Highway (MUH)
- Business Park (BPK)
- Airport District (AIR)
- Industrial (IND)
- Industrial Park (IPK)
- Cemetery (CEM)
- Civic / Institutional (CIV)
- Outdoor Commercial Recreation (OCR)
- Recreation / Open Space (ROS)

0 1 2 mi.

Map Produced: 05/16/2023
Garver, Urban Planning

Future Land Use

CATEGORY DESCRIPTIONS

The intended character, form, and uses in the future of your city are described through the use of broad land use categories. The future land use map and its corresponding categories are intended as a guide for decisions regarding future zoning and development decisions. On the following pages, key future land use districts are described. The detailed descriptions for all categories are included in Appendix D.

DOWNTOWN GATEWAY FOCUS AREA

Transition nodes which act as gateways to the Downtown neighborhood and Downtown Core Areas of the City.

These nodes encourage the movement of residents, visitors, development, and citizens to adjacent downtown districts. Includes non-residential and residential uses.

DOWNTOWN CORE

The heart of your city! This redeveloping area contains some of the highest development/redevelopment potential within the city.

Designed to accommodate some of the densest development in the city adjacent to the greatest variety of buildings in a downtown development pattern.

Primarily mixed uses with pedestrian access to residential, office, commercial, and civic uses coupled with open space amenities.

DOWNTOWN NEIGHBORHOOD

Serves as a transition district between the Downtown Core and adjoining Walkable Neighborhood and Mixed Use Commercial districts. This area contains multiple residential types including single-family and small multifamily residential options and pedestrian access.

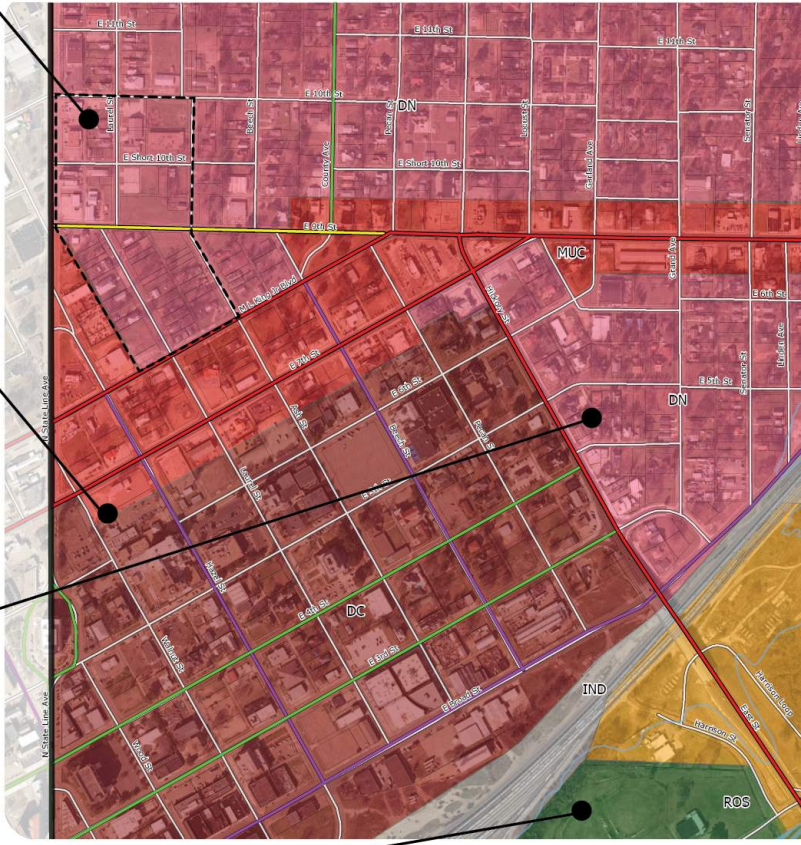
Smaller-scale commercial and civic uses are also integrated within this area. Many structures are historic in nature and built of enduring materials.

RECREATION/OPEN SPACE

Includes parks, recreational areas, floodways, wetlands, and environmentally sensitive lands. Integrating this type of development throughout the entire city benefits citizens, visitors, and employers.

DOWNTOWN FUTURE LAND USE

The future land use plan focuses on defining the differences in form and character between the downtown core and its adjacent neighborhoods and commercial corridors. The development of transitional gateway areas that “announce” your entrance to downtown as you approach from the north area also included.



NEIGHBORHOOD CENTER

Neighborhood Center areas allow for people to live, work, shop and play in the same area. Designed to accommodate a variety of uses and development and serve the surrounding neighborhoods. Neighborhood centers include mixed use, residential, office, civic and commercial with pedestrian access to adjoining neighborhoods. Residential users include multifamily developments and single family residential which would likely be patio homes, town homes or row house models.

NEIGHBORHOOD NODE

Primarily located within the walkable neighborhood districts. Neighborhood Nodes allow for denser residential and a wider variety of uses to serve the immediate neighborhood areas. This district encourages the opportunity to investment in individual neighborhoods and allow for vibrant neighborhood activity nodes areas. These areas might include small multifamily housing, small offices, live work units, civic uses, day care facilities, or other neighborhood-scale services.

WALKABLE NEIGHBORHOOD

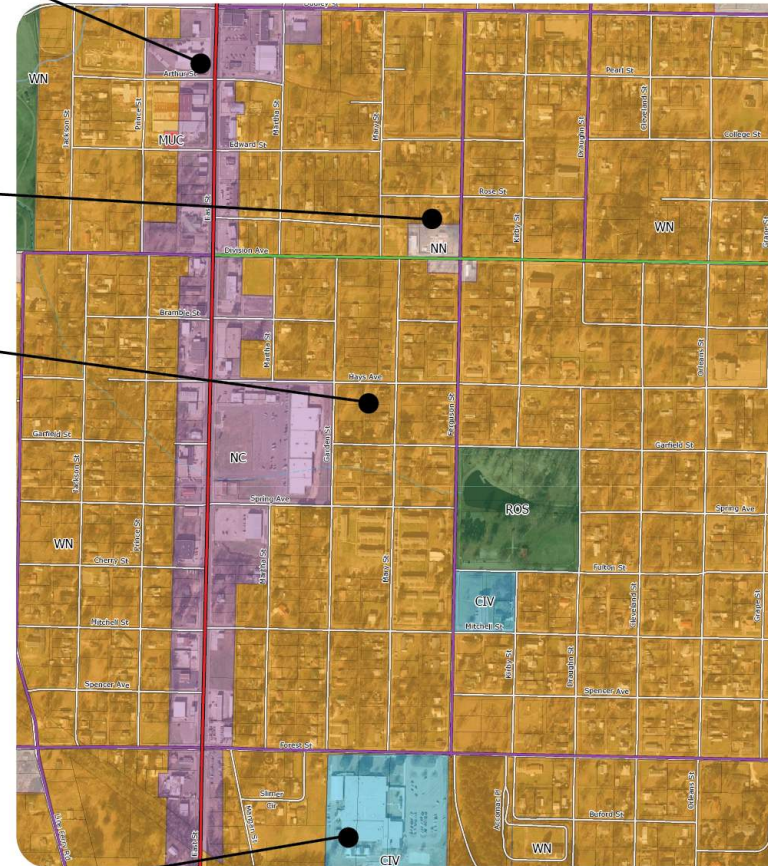
Traditional neighborhood development that encompasses most neighborhoods built before 1950. This district has higher densities than strictly single-family residential neighborhoods and provide a mix of non-residential and residential uses. Single-family and some lower density multifamily may be found within this area. The focus of this area is primarily residential, but institutional and neighborhood-scale commercial uses are incorporated and are anticipated to provide services to the surrounding residential uses. Moderate density is idea with residential, office, and commercial uses, with some open space and recreational areas within the development. For neighborhood-scale commercial uses; structure footprint size is limited to size that is appropriate for compatibility with the surrounding development and uses.

CIVIC/INSTITUTIONAL

Includes government buildings and services, schools, community buildings, educational institutions, and cultural facilities. Should be integrated into the fabric of each zoning district except for industrial. Integral to a community and its citizens by providing services and social connection to the city.

COLLEGE HILL FUTURE LAND USE

The proposed future land uses within this area are reflective of the unique character found in the legacy neighborhoods within the city. There are areas of mixed use, a diversity of housing options, and smaller nodes of mixed use and commercial that serve and support the residential neighborhoods.



MIXED USE HIGHWAY

Includes high intensity commercial uses. Non-residential uses vary and are located along connecting corridors with connectivity between neighborhoods Encourages connectivity while acknowledging existing conventional, large-scale commercial development patterns.

MIXED USE NEIGHBORHOOD

Neighborhood scale commercial mixed with single-family and multifamily residential. Encompasses existing office land use areas. Primarily to serve a particular area or neighborhood with a mix of land uses. Residential densities of six (6) to ten (10) dwelling units/acre.

MIXED USE COMMERCIAL

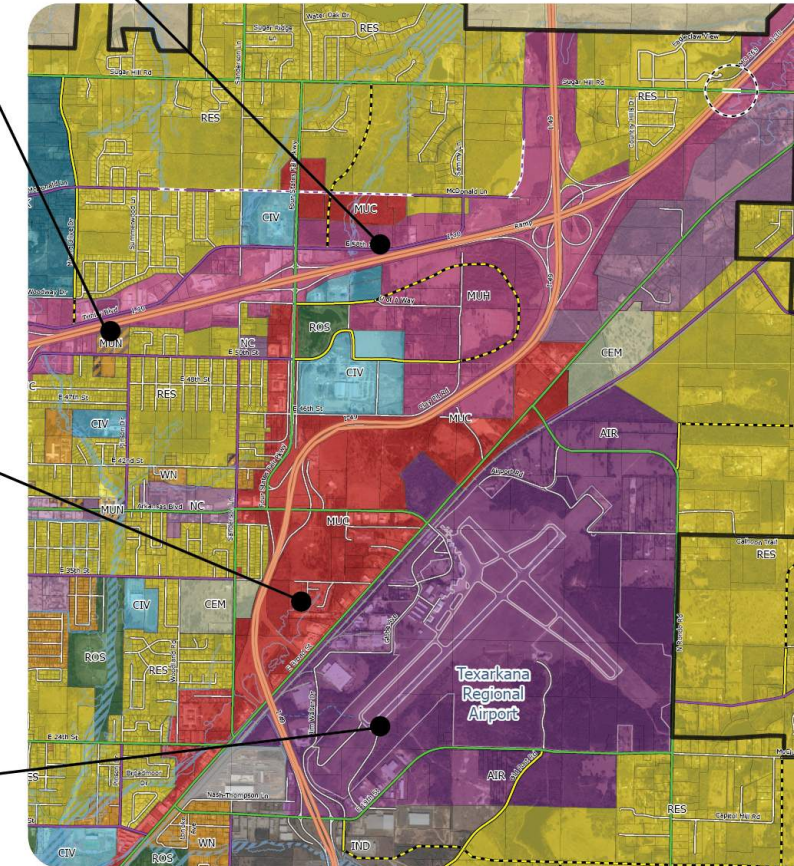
Mixed use commercial areas allow for people to live, work, shop and play in the same area. Designed to accommodate a mix of uses and development in the City with a variety of buildings in a more traditional square, node, or downtown-like development pattern. Residential, office, commercial, and open space amenities are included in the development site with pedestrian access. Residential uses include multifamily developments and single family residential which would likely be patio homes, townhomes or row house models. Up to 18 dwelling units/acre. For non-residential uses; structure footprint size is limited to a size that is appropriate for compatibility with the surrounding developments and uses.

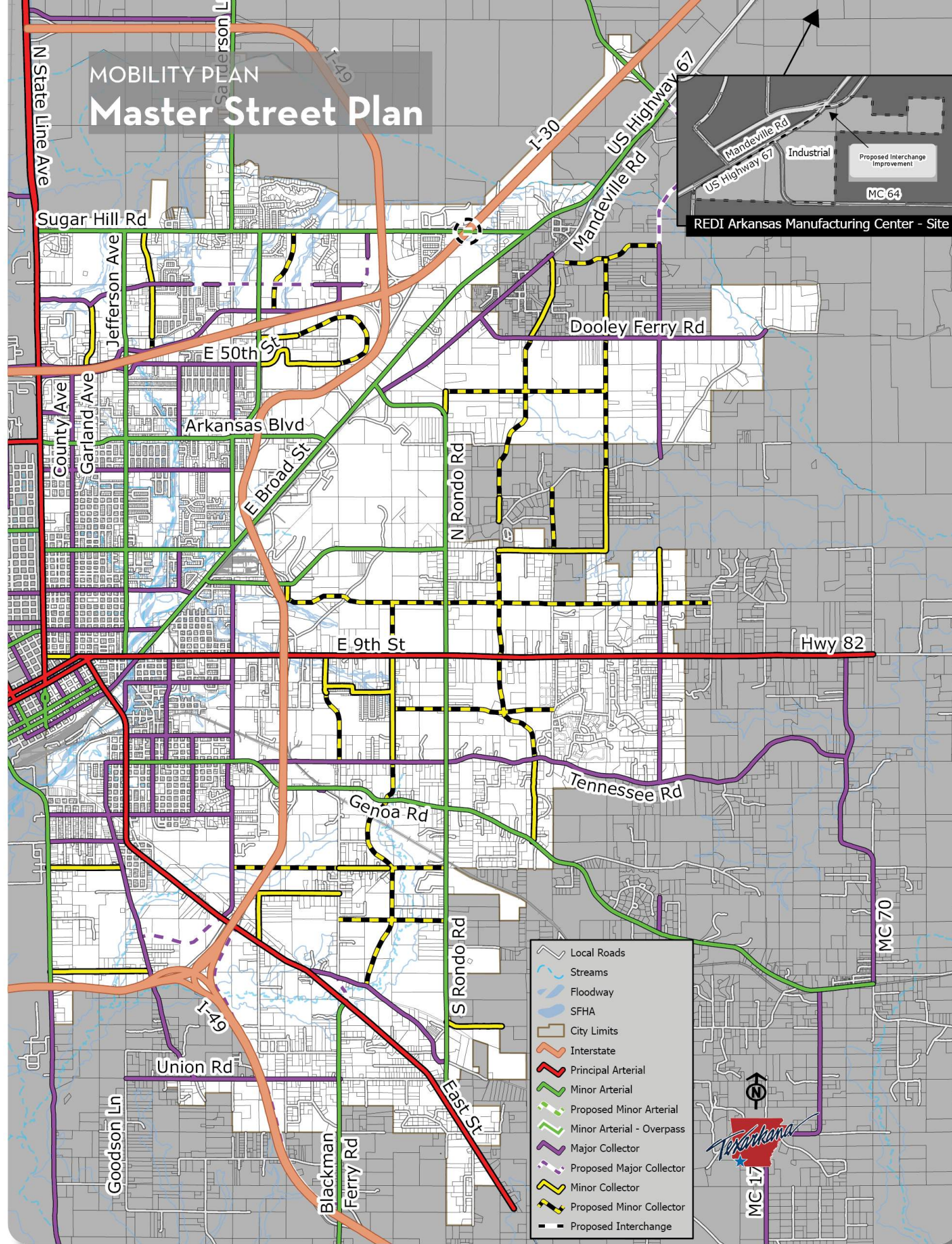
AIRPORT DISTRICT

Existing area of Texarkana Regional Airport. Serves to accommodate the types of land uses adjacent to the airport.

I-30/I-49 AND AIRPORT FUTURE LAND USE

This area of the city contains some of the most intense uses within the city including the airport and related industrial development as well as the high traffic areas along the interstate.





Master Street Plan

The Master Street Plan, a part of the city's Mobility plan, classifies roadways, and proposes future roadway connections and interchanges. The Master Street Plan focuses on establishing vehicular connections to leverage future development in the city. An additional section of the plan focuses on active transportation, such as strategic locations for multi-modal, shared use trails and on-street bicycle infrastructure.

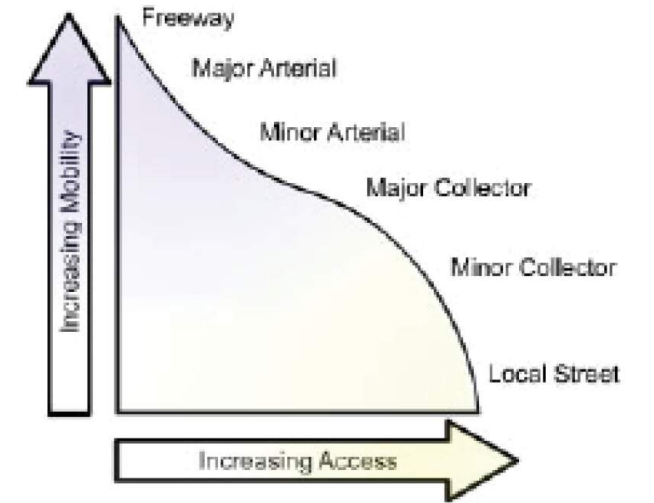
Future Street Connectivity and Proposed Master Street Plan

The street classification system is a hierarchical breakdown of how roadways function now and how they are planned to function in the future. This Master Street Plan (MSP) provides for three overarching types of functional classifications: Arterials, Collectors, and Local streets. A street function classification system should represent a well-planned network operating like a circulatory system.

Arterial- Arterials provide for increased mobility by moving traffic. Arterials are typically designed around permitting unimpeded or semi controlled traffic flow and are not primarily designed to provide high property access. This Master Street Plan provides for Interstates as well as both 'Principal' and 'Minor' Arterials. I-30, I-49 are Interstate Arterials, while Hwy 82/9th Street and State line are considered principal arterials in Texarkana. Drive spacing requirements and access limitations are common to these higher classifications of Arterial streets. Alternatively, E. Broad Street, Genoa Road, and Arkansas Blvd. are classified as Minor Arterials.

Collector - Collector streets connect the arterial roadway network to the local streets and accommodate access to adjoining land. They are designed to balance adjacent land access standards with providing sufficient traffic flow to permit greater mobility within the city. This MSP provides for Major and Minor Collectors. Tennessee Road and Genoa Rod are examples of Major Collectors, while E. 50th is a minor collector.

Local - Local streets are intended to connect traffic with collectors and ultimately to the arterial roadway network.



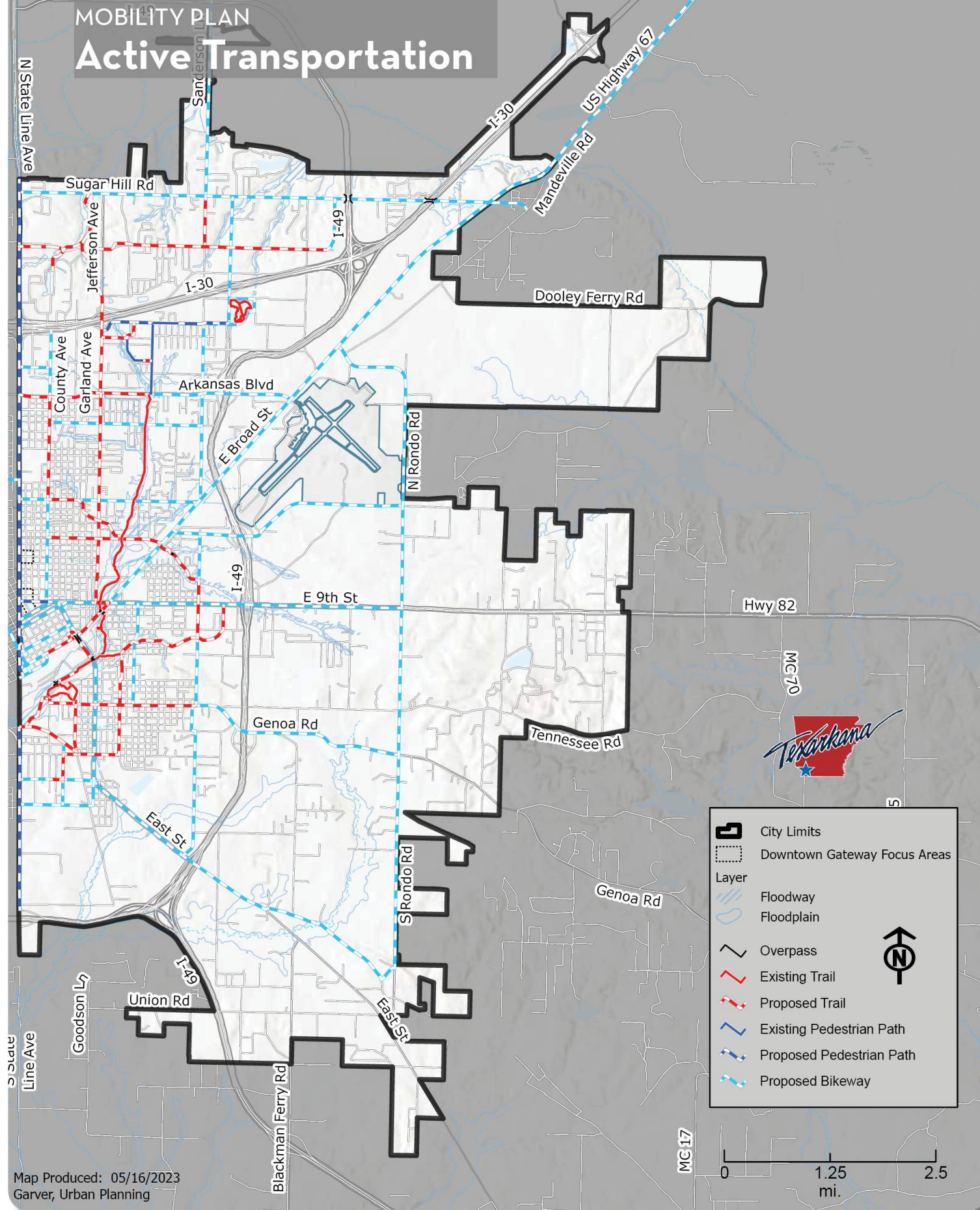
Access Management: Balance Mobility vs. Access
Source: U.S. Department of Transportation Federal Highway Administration

Note: While the MSP proposes numerous future roads, it is intended that many of these road projects be built and constructed as property is developed. In this way, existing residents and the taxpayers will not bear all of the burdens of the cost for these road projects. Rather, the appropriate portions of those costs will be borne by the developers/developments that create the necessity for the new roads. However, circumstances may arise where it is advantageous for the city to be proactive in widening or constructing roads to meet the needs of the community and help direct growth in an orderly manner.



Active Transportation Plan

The Active Transportation Plan is the portion of the mobility plan which focuses on bicycle and pedestrian connectivity throughout the city. The public survey responses indicated strong support for trails and bicycle/pedestrian infrastructure expansion throughout the city. The existing Nix Creek trail is well utilized by all age ranges of Texarkana citizens and future connectivity to that trail system is currently underway.



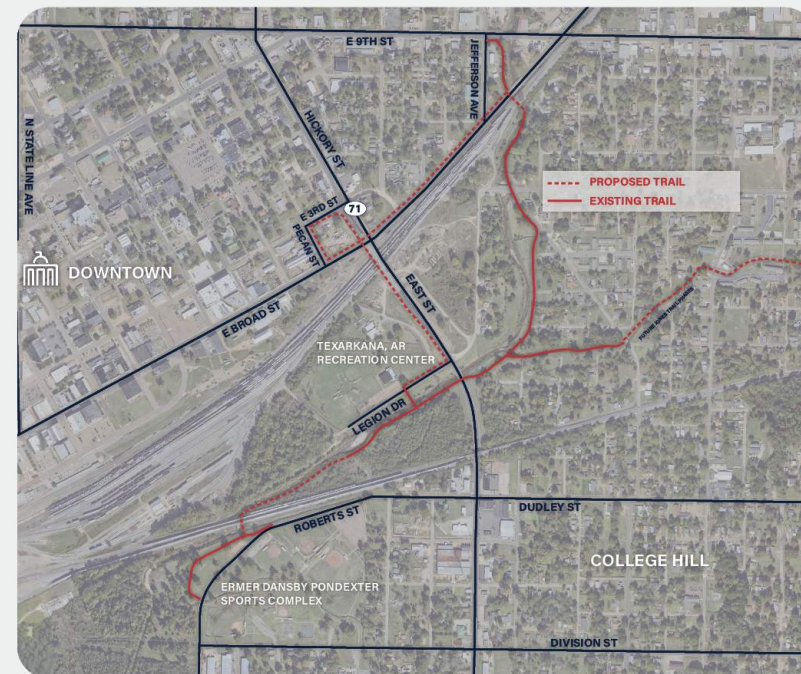
Map Produced: 05/16/2023
Garver, Urban Planning



ACTIVE TRANSPORTATION FOCUS AREAS

OPTIONS TO PROVIDE CRITICAL CONNECTIONS ACROSS E.BROAD/ HWY 67 AND THE RAILROAD TRACKS

East Broad Street/HWY 67 and the railroad tracks are substantial barriers to bike and pedestrian access and access to existing trail and recreation infrastructure on either side. This exhibit shows examples of how the trail could potentially cross both E.Broad and the Railroad tracks in two different locations.



Option 1: Provide a below grade crossing under E. Broad and the railroad tracks, along with a bike/pedestrian bridge to cross the creek and connect to the rail near Chelsea/Marietta Streets.

Option 2: Extend the trail across the Railroad (via the existing Hickory Street Bridge) to connect with the trails, parks and amenities on the south side of the railroad.

The Nix Creek Trail currently ends at Broad Street due to the difficulties in crossing the railroad at this location. This proposed trail extension would utilize the existing Hwy. 71/ Hickory Street bridge to cross the railroad by restriping the road to remove the bike lanes and widening the sidewalk to become a shared-use path/trail. This would allow for continuous, two-directional travel for pedestrians and cyclists between Nix Creek Trail and the Texarkana Recreation Center, located south of the railroad, without ever having to cross traffic on Hwy. 71/ Hickory Street. The new route would also cross under a separate spur of the railroad near the Ermer Dansby Pondexter Sports Complex. This would provide connectivity to the parks, trails, and neighborhoods on the south side of this railroad spur.

To be successful, both projects would require early and consistent coordination with ARDOT and Union Pacific Railroad.



Texarkana, Arkansas Comprehensive Plan 2040





CITY OF TEXARKANA, AR
BOARD OF DIRECTORS

AGENDA TITLE:	Adopt an Ordinance granting a Limited Franchise to Bird Rides, Inc. (Admin) Acting City Manager/Finance Director TyRhonda Henderson
AGENDA DATE:	July 17, 2023
ITEM TYPE:	Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Administration
PREPARED BY:	City Clerk

REQUEST:	Grant a limited Franchise
EMERGENCY CLAUSE:	No

SUMMARY:	Ordinance to grant a limited franchise to Bird Rides, Inc., for the non-exclusive right and privilege to operate a stand-up scooter program in areas of the public right-of-way.
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EXPENSE REQUIRED:	N/A
AMOUNT BUDGETED:	N/A
APPROPRIATION REQUIRED:	N/A

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

AN ORDINANCE GRANTING A LIMITED FRANCHISE TO BIRD RIDES, INC., FOR THE NON-EXCLUSIVE RIGHT AND PRIVILEGE TO OPERATE A STAND-UP ELECTRIC SCOOTER SHARING PROGRAM IN AREAS OF THE PUBLIC RIGHT-OF-WAY IN ACCORDANCE WITH APPLICABLE LAW

WHEREAS, Bird Rides, Inc. ("Bird"), proposes to implement a pilot project for operation of a stand-up electric scooter program in lawful portions of the public right-of-way; and

WHEREAS, such operations are contemplated pursuant to Ark. Code Ann. Sec.'s 27-51-1901, et seq.; and

WHEREAS, the proposed program is for one (1) year and, further, Bird proposes to pay the City a franchise fee in the amount of \$0.10 per ride during the pilot program; and

WHEREAS, the Acting City Manager and staff recommend approval;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Texarkana, Arkansas, that Bird Rides, Inc., is granted a limited franchise for the non-exclusive right and operate a stand-up electric style scooter program as contemplated herein above and the Acting City Manager is authorized to execute a Franchise Agreement with Bird Rides, Inc., for such purposes upon such terms and conditions and with such other terms as may be reasonably necessary and otherwise permissible under applicable law, rule and regulation.

PASSED AND APPROVED this 17th day of July, 2023.

Allen Brown, Mayor

ATTEST:

Heather Soyar, City Clerk

APPROVED:

Joshua L. Potter, City Attorney

FRANCHISE AGREEMENT

This Franchise Agreement (the "Agreement") is entered into by and between Bird Rides, Inc., located at 406 Broadway #369 Santa Monica, CA 90401 ("Company"), and the City of Texarkana Arkansas (the "City ") as of ____ / ____ / ____.

1. Statement and Purpose

Company is hereby granted a non-exclusive franchise to operate Stand-Up Electric Scooters upon municipal, public streets existing within the municipal corporate limits of the City, but subject to the terms and conditions herein contained.

2. Term/Termination

This Agreement shall commence upon the date the authorizing ordinance or legislative act by the City's Board of Directors becomes effective and continue for a period of three hundred sixty-five (365) days thereafter, whereupon the same shall automatically expire. Notwithstanding the foregoing, in the event of a material default by Company under this Agreement, City may elect to immediately terminate this Agreement, without notice to Company. Otherwise, in the event of a Default, City will provide written notice to Company and, should Company fail to cure such default within fifteen (15) days following such notice, City may elect to terminate this Agreement. Company may terminate this Agreement at any time by written notice to City. Company's sole and exclusive remedy for breach of any term of this Agreement by City shall be to terminate this Agreement.

3. Procedures

While this Agreement is in effect, Company shall be bound by the terms hereof and all applicable provisions of federal, state or local law now or existing at any time during the term of this Agreement.

4. Operating Regulations

- a. Company, and/or its service providers, agents or assigns, shall be responsible for

- operating a Stand-up Electric Scooter program in the City with the below requirements.
- b. "Stand-up Electric Scooter" shall have the same meaning as "electric motorized scooter" under applicable law, including, without limitation Ark. Code Ann Sec 27-51-1902.
 - c. While this Agreement and Pilot are in effect, Company shall pay the City a franchise fee equal to the number of rides purchased by users times \$0.10 per-ride. Company shall provide such supporting information as may be reasonably requested by City to verify the amounts being paid - subject, however to Paragraph 7 of this Agreement.
 - d. Company shall cause all operations to be in accordance with applicable law and confined to lawful areas as now or hereafter may exist.
 - e. Nothing contained in this Agreement shall be deemed, nor is intended to in any way limit any authority that City may have to regulate the use of its rights of way; including, without limitation require all operators of Stand-Up Electric Scooters to comply with applicable law.
 - f. Company shall provide easily visible contact information as may be required from time to time by applicable law, including, without limitation Ark. Code Ann. Sec. 27-51-1904 and, further toll-free phone number and/or e-mail address on each Stand-up Electric Scooter for members of the public to make relocation requests or to report other issues with devices.
 - g. The City may establish hours of operation when Company's Stand-up Electric Scooters will be permitted.

5. Parking

- a. Company shall require users of Stand-up Electric Scooters to park devices upright and lawfully.
- b. Without limiting the generality of any term of this Agreement, Company shall prohibit users from parking Stand-up Electric Scooters in such a manner as to block

- the pedestrian areas of the sidewalk; any fire hydrant, call box, or other emergency facility; bus bench; or utility pole or box; in such a manner as to impede or interfere with the reasonable use of any commercial window display or access to or from any building; or, in such a manner as to impede or interfere with the reasonable use of any bicycle rack or news rack.
- c. Company's Users may park Stand-up Electric Scooters in on-street parking spaces in the following circumstances: When marked parking spaces are officially designated stations for such devices or in such other areas as where such parking is permitted and lawful.
 - d. Company may stage its Stand-up Electric Scooters in any permitted parking areas as described in this section. To the extent Company desires to stage Stand-up Electric Scooters in areas other than the public right-of-way, Company must first obtain the right to do so from the appropriate City department, property owner, or public agency.

6. Operations

- a. Company shall maintain 24-hour customer service for customers to report safety concerns, complaints, or to ask questions. Company shall maintain a multilingual website, call center, and/or mobile app customer interface that is available twenty-four hours a day, seven days a week. The aforementioned shall be compliant with the Americans with Disabilities Act.
- b. In the event a safety or maintenance issue is reported for a specific device, that Stand-up Electric Scooter shall be made unavailable to users and shall be removed within the timeframes provided herein. Any inoperable or unsafe device shall be repaired before it is put back into service.
- c. Company shall respond to reports of incorrectly parked Stand-up Electric Scooters, Stand-up Electric Scooters continuously parked in one location for more than 72 hours, or unsafe/inoperable Stand-up Electric Scooters, by relocating, re-parking, or removing the Stand-up Electric Scooters, as appropriate, within 24 hours of

receiving notice that must include the location of the Stand-up Electric Scooter.

The notice contemplated by this provision is not limited to any such notice by City, but includes such notice, written or verbal, that Company may receive from any persons or entities.

- d. Company shall cause and provide notice to all users that:
 - i. Stand-up Electric Scooters are to be ridden on where lawfully permitted;
 - ii. Stand-up Electric Scooters be operated in accordance with applicable law;
 - iii. Helmets are required if required by applicable laws;
 - iv. Parking must be done in the designated areas; and
 - v. Riding responsibly is encouraged.
- e. Company shall require Stand-up Electric Scooter riders to take a photo whenever they park their scooter at the end of a ride.
- f. Company shall provide education to Stand-up Electric Scooter riders on the City's existing rules and regulations, safe and courteous riding, and proper parking.
- g. Company acknowledges that City makes no representation or warranty concerning the condition, existence, availability, or maintenance of any City rights of way, which, to the extent made available for use by Company hereunder, are accepted.

7. Data Sharing

City may require Company to provide anonymized fleet and ride activity data for all trips starting or ending within the jurisdiction of City on any vehicle of Company or of any person or company controlled by, controlling, or under common control with Company, provided that, to ensure individual privacy, any information obtained by City shall be subject to Ark. Code Ann. Sec. 27-51-1905.

8. Indemnification

Company agrees to indemnify, defend and hold harmless City (and City's employees, agents and affiliates) from and against all actions, damages or claims brought against City

arising out of Company's or related to this Agreement, except that Company's indemnification obligation shall not extend to claims of City's (or City's employees', agents' or affiliates') negligence or willful misconduct. This provision shall survive the termination or expiration of this Agreement.

9. Insurance

Company shall provide City with proof of insurance coverage exclusively for the operation of Stand-up Electric Scooters as is required from time to time by Ark. Code Ann. Section 27-51-1904.

10. Miscellaneous

- a. All notices and communications to the City from Company shall be made in writing (includes electronic communications) and sent to the address below.
- b. In carrying out their responsibilities, the parties shall remain independent contractors, and nothing herein shall be interpreted or intended to create a partnership, joint venture, employment, agency, franchise or other form of agreement or relationship.
- c. This agreement shall be governed by and construed in accordance with the laws of the State of Arkansas, and venue shall be in Miller County, Arkansas.
- d. In carrying out their responsibilities, the parties shall remain independent contractors, and nothing herein shall be interpreted or intended to create a partnership, joint venture, employment, agency, franchise or other form of agreement or relationship.
- e. If any term, condition or provision of this Agreement or the application thereof to any circumstance or party hereto, is invalid or unenforceable as against any person or, as to certain circumstances, then the remainder of this Agreement and the applicability of such term, condition or provision to other persons or circumstances shall not be affected thereby. Each term, condition or provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

- f. This Agreement shall not be modified or amended except by an instrument in writing executed by or on behalf of an authorized representative of City and Company.
- g. Assignment or Subletting. This Agreement may not be assigned or sublet by Company, in whole or in part, without the prior written consent of City, which may be withheld in City's sole and absolute discretion.

Texarkana, AR

Bird Rides, Inc.

Signature:

Signature:

Print Name:

Print Name:

Title:

Title:

Address: 216 Walnut Street
Texarkana, AR 71854

Address: 406 Broadway #369
Santa Monica, CA 90401



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE: Adopt an Ordinance to amend the Personnel Policy. (FIN) Acting City Manager/Finance Director TyRhonda Henderson

AGENDA DATE: 07/17/23

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Finance Department

PREPARED BY: TyRhonda Henderson, Finance Director

REQUEST: Amendment of Personnel Policy

EMERGENCY CLAUSE: No

SUMMARY: The following amendments to the personnel policy were reviewed and approved by the personnel policy committee on June 12, 2023:

- 2.17 Residency Policy
Consider the request to amend section 2.17 to comply with HB1067 regarding residency requirements for certain firefighters.

Residency Policy:

The City requires that any employee who is required to be “on-call” or who is subject to being called out for emergency duty of any type, shall live within an area in which the employee can respond to an emergency call to duty within thirty (30) minutes in accordance with (ACA 14-53-113)

- 4.02 Sick Leave
Consider the request to correct City web address.

(J) Catastrophic Leave Bank:

The purpose of the Catastrophic Leave Bank as adopted by Ordinance L-287 is to allow eligible participating employees who have exhausted all available leave balances to receive additional leave benefits for extended absences upon submission of a properly documented application. For questions, please contact the Personnel Office or visit the City's website at <https://cityoftexarkanaar.com/>.

- 4.10 Holidays
Consider request to add Birthdays to the holiday list (already approved by Board of Directors) and specify it needs to be taken in the month it occurs.

Holidays

The following are official holidays for City employees:

New Year's Eve	December 31st
New Year's Day	January 1st
Martin Luther King, Jr. Day	Third Monday in January
Presidents' Day	Third Monday in February
Good Friday	Friday prior to Easter Sunday
Memorial Day	Last Monday in May
Juneteenth	June 19 th
Independence Day	July 4th
Labor Day	First Monday in September
Veterans Day	November 11th
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Day after Thanksgiving
Christmas Eve	December 24th
Christmas	December 25 th
Birthday	Birthday Month

Holidays falling on Saturday will be observed on the preceding Friday; holidays falling on Sunday are observed on the following Monday. When an employee reports in sick on the day before or the day after a holiday, a signed sick slip may be required before payment for the holiday is made.

In circumstances where a conflict exists between employee requests, departmental divisional seniority shall apply. Vacation shall not be approved when it interferes with normal operations of the City or will reduce staffing below levels acceptable to the department head or the City Manager.

Birthdays must be taken during the month the birthday occurs and be approved by the department head or supervisor.

- **4.12 Occupational Injuries/Traumatic Even Counseling**
Consider request to add ACT 537 HB 1302 regarding traumatic event counseling to bring policy into compliance.

Traumatic Event Counseling

The City shall provide coverage for licensed counseling for a public safety employee who experiences a traumatic event while in the course of duty according to Act 537 HB 1302.

The coverage under subdivision (b)(1) shall allow for up to twelve (12) licensed counseling visits per calendar year. The City shall pay for the licensed counseling visits. The licensed counseling visits may be provided through telehealth.

Additional information may be obtained from the Personnel Office.

- 4.13 Retirement Plans

Consider Request to define retirement eligibility for non-civil employees

Retirement Plans

City contributes to retirement and pension plans for its regular full-time employees. Upon employment, employees will receive information regarding the plan for which they are eligible.

Non-Civil Service:

Texarkana Arkansas Public Employees Retirement System (TAPERS):

The City administers a defined benefit plan for non-Civil Service regular hourly full-time employees. Employees hired before July 1, 2002, who are not covered under any other plan, are eligible for participation in this plan. The City contributes ten percent of the employees' salary to the plan; the participating employees must contribute two percent of compensation to this plan. Employees with 10 years service are fully vested. This is a closed-end plan, and no new participants will be enrolled in this plan effective July 1, 2012.

ICMA-RC Deferred Compensation Plans:

An employee transitioned from the TAPERS retirement system on July 1, 2012 will be enrolled in a 401(a) plan administered by the International City Management Association Retirement Corporation. If an employee has an accrued benefit in TAPERS, the benefit will be frozen and will not accrue any additional amount as of July 1, 2012. The benefit will earn vesting credit with increased service with the City. The City will contribute ten percent of the employee's salary to the 401(a) plan. The participating employee must contribute two percent of compensation to this plan. All non-civil service employees hired on or after July 1, 2012 will also be enrolled in this 401(a) plan.

Non-Civil Service regular full-time exempt employees may choose to participate in a separate 401(a) plan administered by the International City Management Association Retirement Corporation as their retirement plan. The City will contribute ten percent of the employee's salary. The participating employee must contribute two percent of compensation to the plan.

An employee who has 20 years of service or has reached age 60 with 10 years of service may retire in the eyes of the City. Upon retirement you will be eligible to receive sick time payout as well as have an option to continue health insurance coverage under the City group plan.

All employees are eligible to participate in an ICMA-RC 457 and IRA Plan as a supplemental retirement plan. The Personnel Office should be contacted for additional information about arranging payroll deductions for this program.

- 4.16 Certificate/License/Incentive Pay Program

Consider request to include certificates for the Bi-State Maintenance Department to include HVAC, Boiler, Plumbing, and Electrical. Add \$ sign in front of each 20/month for clarity and uniformity.

Certificate/License/Incentive Pay Program

The Certificate/License Incentive Pay Program has been designed to meet three major objectives. First, to promote and maintain a highly qualified, trained, and professional workforce by providing incentives for employees to participate in job related continuing education and certification/licensing programs. Second, the City hopes to enhance and improve the level of service provided to its citizens through the provision of a highly qualified and professional workforce. Finally, it is the intention of this policy to reduce and mitigate general and individual employee liability exposures by ensuring that City employees are well trained and knowledgeable of the job they perform.

Guidelines

Full-time employees may receive \$20 additional compensation per month for obtaining each qualifying certificate or license identified in this policy. In order to qualify for incentive pay, employees must have completed their proscribed introductory period and obtained certificates or licenses from appropriate State certification or licensing entities, and/or recognized professional associations performing similar certification or licensing function in the applicable profession. Furthermore, all certificates or licenses must be directly related to the employee's present position, profession, and/or occupation. The cost for such education and training will be paid pursuant to availability of City funding.

Position	Certificate/License	Incentive Pay	All
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Departments

All personnel will be compensated \$20 a month for the completion of an Associate's degree, \$20 a month for the completion of a Bachelor's degree and \$20 for a Master's degree in a work related field and all degrees in Public Administration.

Animal Shelter:

Euthanasia Certificate	20/month	
Basic Animal Control Officer Certificate		\$20/month
Advanced Animal Control Officer Certificate		\$20/month
Animal Cruelty Investigation Certificate	20/month	

Bi-State Maintenance:

Boiler Certificate	\$20/month
HVAC Certificate	\$20/month
Plumbing Certificate	\$20/month
Electrical Certificate	\$20/month

- 5.04 Overtime Compensation Eligibility

Consider request to remove Payroll Administrator, RSVP Director, Personnel Director, Building Maintenance

Superintendent, and Housing and Youth Administrator from overtime compensation list.

Consider request to add Assistant Public Works Director, Parks Director, Assistant Fire Chief, Fire Marshal, Fire Training Chief, Assistant Police Chief, District Court Clerk, Chief Probation Officer, Animal Shelter Director, and Building Maintenance Manager to overtime compensation list.

Overtime Compensation Eligibility

The determination of employees eligible for overtime compensation will be based on the federal Fair Labor Standards Act (FLSA) provisions for executive, administrative, and professional employee exemptions. Exempt positions include, at the City Manager's discretion, but are not limited to:

City Manager Police Captain
Finance Director City Planner
Police Chief Assistant Police Chief
District Court Clerk Chief Probation Officer
Public Works Director Assistant Public Works Director
Parks Director Bi-State Information Center Director
City Clerk Public Works Superintendent
Fire Chief Assistant Fire Chief
Fire Marshal Fire Training Chief
Controller Building Official
Parks Superintendent Animal Shelter Director
Building Maintenance Manager

- 7.01 General, 7.02 Information Resources Acceptable Use Policy, 7.03 Email and Instant Messaging Policy, and 7.04 Internet and Intranet Policy

Consider amending sections 7.01, 7.02, 7.03, and 7.04 to update and complete the technology policies recommended by the IT department.

7.01 General

(A.) Introduction

Information Resources are strategic assets of the City of Texarkana that must be managed as valuable City resources. Thus this policy is established to achieve the following:

- To ensure compliance with applicable statutes, regulations, and mandates regarding the management of information resources.
 - To establish prudent and acceptable practices regarding the use of information resources, email, instant messaging, and the Internet.
 - To educate individuals who may use information resources, emails, the Internet, the Intranet or both, with respect to their responsibilities associated with such use.
-

-
- To ensure the security integrity and proper use of the City computer network and all of the City's information resources.
 - To ensure that all Information Resources are a secure and productive management tool.

(B.) Ownership

Electronic files created, sent, received, or stored on Information Resources owned, leased, administered, or otherwise under the custody and control of the City of Texarkana, are the property of the City of Texarkana.

(C.) Privacy

Electronic files created, sent, received, or stored on Information Resources owned, leased, administered, or otherwise under the custody and control of the City of Texarkana, are not private and may be accessed with the City Manager's authorization by Information Technology employees at any time, without knowledge of the employee. Department heads may access and view electronic files within their respective departments. All access shall be through Information Technology.

(D.) Responsibility

The responsibility for assuring complete compliance with the provisions of this policy rests with the department heads, supervisors, and the individual employee involved. It is the responsibility of email and Internet users to stay informed regarding City information that is disseminated electronically. This includes understanding and keeping up-to-date on system operations.

(E.) Definitions

Information Technology: The Information Technology Department of Texarkana Water Utilities is currently charged with the duty of operation and maintenance of Texarkana's computer network. In addition, Information Technology is responsible for administering the information security functions within the City network. The Information Technology Department is the City's internal and external point of contact for all information security matters.

Information Technology Director: Responsible to the City of Texarkana through the Executive Director of Texarkana Water Utilities, for management of the City's information resources. The designation of an agency information resources director is intended to establish clear accountability for setting policy for information resources management activities, provide for greater coordination of the City's information activities, and ensure greater visibility of such activities within and between City agencies.

Electronic Mail System: Any computer software application that allows electronic mail to be communicated from one computing system to another.

Electronic Mail (Email): Any message, image, form, attachment, data, or other communication sent, received, or stored within an electronic mail system.

Information Resources (IR): Any and all computer printouts, online display devices, magnetic storage media, and all computer-related activities involving any device capable of receiving email, browsing Web sites, or otherwise capable of receiving, storing, managing, or transmitting electronic data including, but not limited to, mainframes, servers, personal computers, notebook computers, handheld computers, personal digital assistants (PDA), pagers, distributed processing systems, network attached and computer controlled medical and laboratory equipment (i.e., embedded technology), telecommunication resources, network environments, telephones, fax machines, printers, and service bureaus. Additionally, it is the procedures, equipment, facilities, software, and data, that are designed, built, operated, and maintained to create, collect, record, process, store, retrieve, display, and transmit information.

Internet: A global system interconnecting computers and computer networks. The computers and networks are owned separately by a host of organizations, government agencies, companies, and colleges. The Internet is the present “information super highway.”

Intranet: A private network for communications and sharing of information that, like the Internet, is based on TCP/IP, but is accessible only to authorized users within an organization. An organization’s Intranet is usually protected from external access by a firewall. It is a closed network of computers across a local area network that work together to share information in a secured environment.

User: An individual or automated application or process that is authorized to access the resource by the owner, in accordance with the owner’s procedures and rules.

Vendor: Someone who exchanges goods or services for money.

World Wide Web: A system of Internet hosts that supports documents formatted in HTML (Hyper Text Markup Language) which contains links to other documents (hyperlinks) and to

audio, video, and graphic images. Users can access the Web with special applications called browsers, such as Google Chrome, Firefox, and Microsoft Edge.

(F.) Disciplinary Actions

Violation of this policy may result in disciplinary action, up to and including termination. Additionally, employees are subject to loss of the City of Texarkana Information Resources access privileges, civil, and criminal prosecution, where appropriate. All agencies using the Texarkana computer network outside the Cities of Texarkana shall adopt and enforce these policies, as a condition of continued use.

(G.) Cyber Security Training

All City employees shall participate in the Cyber Security Training program administered by information technology to follow industry best practices.

7.02 Acceptable Use of Information Resources

All employees shall abide by the security instructions, rules, directives, or other security communications as contained in the addendum policy, and that may from time to time be issued by the Information Technology Director (with approval of the City Manager). See addendum Acceptable Use of Information Resources policy.

EXPENSE REQUIRED:	\$0
AMOUNT BUDGETED:	\$0
APPROPRIATION REQUIRED:	\$0
RECOMMENDED ACTION:	City Manager and staff recommend approval
EXHIBITS:	Ordinance, Personnel Policy, and Acceptable Use of Information Resource Policy

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF TEXARKANA, ARKANSAS PERSONNEL POLICY, INCLUDING WITHOUT LIMITATION ORDINANCE NO. K-570, AS AMENDED; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Ordinance No. K-570, the Personnel Policy for the City of Texarkana, Arkansas, was adopted and, thereafter, has been amended, updated, and restated from time to time; and

WHEREAS, the Personnel Policy Committee recommends the Personnel Policy be amended; and

WHEREAS, the Acting City Manager and staff recommend approval;

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

SECTION 1. The language contained in Section 2.17 of the Personnel Policy is deleted and hereby restated as follows:

Residency Policy:

The City requires that any employee who is required to be “on-call” or who is subject to being called out for emergency duty of any type, shall live within an area in which the employee can respond to an emergency call to duty within thirty (30) minutes in accordance with (ACA 14-53-113).

SECTION 2. The language contained in Section 4.02(J) of the Personnel Policy is deleted and hereby restated as follows:

(J) Catastrophic Leave Bank:

The purpose of the Catastrophic Leave Bank as adopted by Ordinance L-287 is to allow eligible participating employees who have exhausted all available leave balances to receive additional leave benefits for extended absences upon

submission of a properly documented application. For questions, please contact the Personnel Office or visit the City's website at <https://cityoftexarkanaar.com>.

SECTION 3. The language contained in Section 4.10 of the Personnel Policy is deleted and hereby restated as follows:

The following are official holidays for City employees:

New Year's Eve	December 31st
New Year's Day	January 1st
Martin Luther King, Jr. Day	Third Monday in January
Presidents' Day	Third Monday in February
Good Friday	Friday prior to Easter Sunday
Memorial Day	Last Monday in May
Juneteenth	June 19 th
Independence Day	July 4th
Labor Day	First Monday in September
Veterans Day	November 11th
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Day after Thanksgiving
Christmas Eve	December 24th
Christmas	December 25 th
Birthday	Birthday Month

Holidays falling on Saturday will be observed on the preceding Friday; holidays falling on Sunday are observed on the following Monday. When an employee reports in sick on the day before or the day after a holiday, a signed sick slip may be required before payment for the holiday is made.

In circumstances where a conflict exists between employee requests, departmental divisional seniority shall apply. Vacation shall not be approved when it interferes with normal operations of the City or will reduce staffing below levels acceptable to the department head or the City Manager.

Birthdays must be taken during the month the birthday occurs and be approved by the department head or supervisor.

Holiday pay is given to all regular, full-time employees, provided they worked on the last scheduled work day prior to, and next scheduled work day after the holiday, or had prior approval from the department head to take annual leave. Employees on annual or sick leave during a holiday period will receive holiday pay for authorized holidays. Employees on leave without pay status do not receive pay for holidays.

Employees called in to work in emergency situations on a holiday will receive double-pay for the hours worked.

For departments which operate 24 hours a day, seven days a week, the department head will adjust the holiday leave schedule for non-Civil Service employees, according to the departmental work schedule.

The appropriation made by the City Board of Directors for salaries, will include additional pay for holidays for all eligible employees of the City including, but not limited to, Civil Service employees, as provided by the laws of the State of Arkansas.

Police:

All law enforcement officers, regardless of their titles, employed by cities of the first class, shall be compensated for all legal holidays established by the governing body of the municipality. This compensation shall be based on the law enforcement officer's daily rate of pay and in addition to the regular pay schedule. This compensation may be included within the officer's base pay. This compensation shall be prorated and paid during the regular payroll periods, or paid in one lump sum annually, on a date in December designated by the municipality. (ACA 14-52-105)

Fire:

All firefighters employed by cities of the first class shall be compensated for all legal holidays established by the governing body of the municipality. This compensation shall be based on the firefighters' daily rate of pay and in addition to the regular pay schedule. This compensation may be included within the firefighters' base pay. This compensation shall be prorated and paid during the regular payroll periods, or paid in one lump sum annually, on a date in December designated by the municipality. (ACA 14-53-106)

All matters in question on leave will be at the City Manager's discretion and in accordance with State and Federal laws.

SECTION 4. The heading of Section 4.12 of the Personnel Policy is amended to read **OCCUPATIONAL INJURIES/TRAUMATIC EVENT COUNSELING** and the following is added to the existing language:

Traumatic Event Counseling

The City shall provide coverage for licensed counseling for a public safety employee who experiences a traumatic event while in the course of duty according to Act 537 HB 1302.

The coverage under subdivision (b)(1) shall allow for up to twelve (12) licensed counseling visits per calendar year. The City shall pay for the licensed counseling visits. The licensed counseling visits may be provided through telehealth.

Additional information may be obtained from the Personnel Office.

SECTION 5. The language contained in Section 4.13 of the Personnel Policy regarding Non-Civil Service employees is deleted and hereby restated as follows:

Non-Civil Service:

Texarkana Arkansas Public Employees Retirement System (TAPERS):

The City administers a defined benefit plan for non-Civil Service regular hourly full-time employees. Employees hired before July 1, 2002, who are not covered under any other plan, are eligible for participation in this plan. The City contributes ten percent of the employees' salary to the plan; the participating employees must contribute two percent of compensation to this plan. Employees with 10 years service are fully vested. This is a closed-end plan, and no new participants will be enrolled in this plan effective July 1, 2012.

ICMA-RC Deferred Compensation Plans:

An employee transitioned from the TAPERS retirement system on July 1, 2012 will be enrolled in a 401(a) plan administered by the International City Management Association Retirement Corporation. If an employee has an accrued benefit in TAPERS, the benefit will be frozen and will not accrue any additional amount as of July 1, 2012. The benefit will earn vesting credit with increased service with the City. The City will contribute ten percent of the employee's salary to the 401(a) plan. The participating employee must contribute two percent of compensation to this plan. All non-civil service employees hired on or after July 1, 2012 will also be enrolled in this 401(a) plan.

Non-Civil Service regular full-time exempt employees may choose to participate in a separate 401(a) plan administered by the International City Management Association Retirement Corporation as their retirement plan. The City will contribute ten percent of the employee's salary. The participating employee must contribute two percent of compensation to the plan.

An employee who has 20 years of service or has reached age 60 with 10 years of service may retire in the eyes of the City. Upon retirement you will be eligible to receive sick time payout as well as have an option to continue health insurance coverage under the City group plan.

All employees are eligible to participate in an ICMA-RC 457 and IRA Plan as a supplemental retirement plan. The Personnel Office should be contacted for additional information about arranging payroll deductions for this program.

The remaining language of Section 4.13 regarding civil service employees remains unchanged.

SECTION 6. The language contained in Section 4.16 of the Personnel Policy regarding Certificate/License Incentive Pay Program is amended to include the \$ sign before the existing 20/month language in this section, and the following language is added to the existing list of departments receiving this incentive pay:

Bi-State Maintenance:

Boiler Certificate	\$20/month
HVAC Certificate	\$20/month
Plumbing Certificate	\$20/month
Electrical Certificate	\$20/month

SECTION 7. The language contained in Section 5.04 of the Personnel Policy is deleted and hereby restated as follows:

Overtime Compensation Eligibility

The determination of employees eligible for overtime compensation will be based on the federal Fair Labor Standards Act (FLSA) provisions for executive, administrative, and professional employee exemptions. Exempt positions include, at the City Manager's discretion, but are not limited to:

City Manager	Police Captain
Finance Director	City Planner
Police Chief	Assistant Police Chief
District Court Clerk	Chief Probation Officer
Public Works Director	Assistant Public Works Director
Parks Director	Bi-State Information Center Director
City Clerk	Public Works Superintendent
Fire Chief	Assistant Fire Chief
Fire Marshal	Fire Training Chief
Controller	Building Official
Parks Superintendent	Animal Shelter Director
Building Maintenance Manager	

SECTION 8. The language contained in Chapter VII: TEXARKANA COMPUTER SYSTEMS POLICY, Section 7.01 GENERAL of the Personnel Policy is deleted and hereby restated as follows:

7.01 General

(A.) Introduction

Information Resources are strategic assets of the City of Texarkana that must be managed as valuable City resources. Thus this policy is established to achieve the following:

- To ensure compliance with applicable statutes, regulations, and mandates regarding the management of information resources.
- To establish prudent and acceptable practices regarding the use of information resources, email, instant messaging, and the Internet.
- To educate individuals who may use information resources, emails, the Internet, the Intranet or both, with respect to their responsibilities associated with such use.
- To ensure the security integrity and proper use of the City computer network and all of the City's information resources.
- To ensure that all Information Resources are a secure and productive management tool.

(B.) Ownership

Electronic files created, sent, received, or stored on Information Resources owned, leased, administered, or otherwise under the custody and control of the City of Texarkana, are the property of the City of Texarkana.

(C.) Privacy

Electronic files created, sent, received, or stored on Information Resources owned, leased, administered, or otherwise under the custody and control of the City of Texarkana, are not private and may be accessed with the City Manager's authorization by Information Technology employees at any time, without knowledge of the employee. Department heads may access and view electronic files within their respective departments. All access shall be through Information Technology.

(D.) Responsibility

The responsibility for assuring complete compliance with the provisions of this policy rests with the department heads, supervisors, and the individual employee involved. It is the responsibility of email and Internet users to stay informed regarding City information that is disseminated electronically. This includes understanding and keeping up-to-date on system operations.

(E.) Definitions

Information Technology: The Information Technology Department of Texarkana Water Utilities is currently charged with the duty of operation and maintenance of Texarkana's computer network. In addition, Information Technology is responsible for administering the information security functions within the City network. The Information Technology Department is the City's internal and external point of contact for all information security matters.

Information Technology Director: Responsible to the City of Texarkana through the Executive Director of Texarkana Water Utilities, for management of the City's information resources. The designation of an agency information resources director is intended to establish clear accountability for setting policy for information resources management activities, provide for greater coordination of the City's information activities, and ensure greater visibility of such activities within and between City agencies.

Electronic Mail System: Any computer software application that allows electronic mail to be communicated from one computing system to another.

Electronic Mail (Email): Any message, image, form, attachment, data, or other communication sent, received, or stored within an electronic mail system.

Information Resources (IR): Any and all computer printouts, online display devices, magnetic storage media, and all computer-related activities involving any device capable of receiving email, browsing Web sites, or otherwise capable of receiving, storing, managing, or transmitting electronic data including, but not limited to, mainframes, servers, personal computers, notebook computers, handheld computers, personal digital assistants (PDA), pagers, distributed processing systems, network attached and computer controlled medical and laboratory equipment (i.e., embedded technology), telecommunication resources, network environments, telephones, fax machines, printers, and service bureaus. Additionally, it is the procedures, equipment, facilities, software, and data, that are designed, built, operated, and maintained to create, collect, record, process, store, retrieve, display, and transmit information.

Internet: A global system interconnecting computers and computer networks. The computers and networks are owned separately by a host of organizations, government agencies, companies, and colleges. The Internet is the present "information super highway."

Intranet: A private network for communications and sharing of information that, like the Internet, is based on TCP/IP, but is accessible only to authorized users within an organization. An organization's Intranet is usually protected from

external access by a firewall. It is a closed network of computers across a local area network that work together to share information in a secured environment.

User: An individual or automated application or process that is authorized to access the resource by the owner, in accordance with the owner's procedures and rules.

Vendor: Someone who exchanges goods or services for money.

World Wide Web: A system of Internet hosts that supports documents formatted in HTML (Hyper Text Markup Language) which contains links to other documents (hyperlinks) and to audio, video, and graphic images. Users can access the Web with special applications called browsers, such as Google Chrome, Firefox, and Microsoft Edge.

(F.) Disciplinary Actions

Violation of this policy may result in disciplinary action, up to and including termination. Additionally, employees are subject to loss of the City of Texarkana Information Resources access privileges, civil, and criminal prosecution, where appropriate.

All agencies using the Texarkana computer network outside the Cities of Texarkana shall adopt and enforce these policies, as a condition of continued use.

(G.) Cyber Security Training

All City employees shall participate in the Cyber Security Training program administered by information technology to follow industry best practices.

SECTION 9. The language contained in first bullet point under Chapter VII: TEXARKANA COMPUTER SYSTEMS POLICY, Section 7.02 INFORMATION RESOURCES ACCEPTABLE USE POLICY of the Personnel Policy is deleted and restated as follows:

- All employees shall abide by the security instructions, rules, directives, or other security communications as contained in the addendum policy, and that may from time to time be issued by the Information Technology Director (with approval of the City Manager). See addendum Acceptable Use of Information Resources policy.

PASSED AND APPROVED this 17th day of July, 2023.

Allen Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

Joshua L. Potter, City Attorney



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Strategic Priorities for the City of Texarkana, Arkansas

1. Be ethical in all we do in city government.
2. Commitment to an economically, stronger, safer and financially healthier community that inspires people.
3. Promote citizen involvement and assure the community that no complaints will fall on deaf ears.
4. Require city workforce to pursue excellence at all levels adding value for citizens.
5. Promote neighborhood revitalization, cleanup, code enforcement, and crime control to stimulate community pride one block at a time.
6. Be proactive and competitive in pursuing economic growth and development in the TIF district.
7. Focus on the 'seven planning goals' for achieving economic growth and development.
8. Invest in infrastructure repairs and improvements to stimulate private investment in the community.
9. Promote and foster regional partnerships with all public sector agencies to create a growing Texarkana, Arkansas, that will improve the quality of life for our citizens.
10. Promote park improvements and develop programs for the youth and elderly.



Mission of the City (Broad Philosophy)

"The Mission of the City of Texarkana, Arkansas Board of Directors and City Staff is to work together to create and implement strategies necessary to turn the City's Core Values and Vision into reality"

Core Values (Vision that is more focused)

Promote active citizen involvement and participation in the planning and decision-making process

Aggressively pursue economic development and growth initiatives with the private sector

Commitment to learn and change at all levels within the organization, in order to pursue excellence, through continuous improvement, innovation, and creativity, in delivering services to the community

Commitment by Board Directors and staff to build relationships with citizens and community partners in order to achieve goals

Promote fiscal responsibility and accountability for our citizens in all we do through a high level of public accountability

Promote the health, safety and general well being of our citizens to create a vibrant community

Promote and foster regional partnerships with all public sector agencies to create a growing Texarkana that will improve the quality of life for our citizens

Core Services

We will promote a strong and diverse economic environment

We will provide infrastructure, with the capacity to meet current and projected needs

We will provide streets and other traffic systems

We will rehabilitate and maintain infrastructure as needed

We will promote public safety and health

We will promote effective communication with one voice to the community

We will provide a workplace that fosters creative ideas for delivery of core services

We will provide high quality customer focused basic services at a reasonable cost

We will promote safe, decent, and affordable housing

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CHAPTER I: GENERAL PROVISIONS

1.01 PURPOSE OF POLICY

The purpose of this Personnel Manual is to provide a uniform policy and a set of rules governing City employees. It is the intent of the City to use sound and systematic personnel procedures to strive for high degree of understanding, cooperation, utility, and efficiency. These policies are intended to meet the following objectives:

To promote and increase productivity, efficiency, and economy in the service of the City.

To establish and promote high morale among City employees by providing personnel policy, opportunities for advancement, good working relationship, and consideration of employees' needs.

To inform department heads and supervisors of their obligations toward the employees under their direction and their rights to assign and instruct employees.

To provide that continued employment is subject to satisfactory work, necessity for performance of work, and availability of funds.

To ensure that all federal, state, and local laws in relation to employment and working conditions are complied with fully.

To provide fair and equal opportunities to all qualified citizens to enter City employment on a basis of demonstrated ability, merit, and physical fitness, as ascertained through fair and practical methods of selections, free of personal and/or political consideration.

The policies and procedures contained in this manual will be revised as necessary to comply with City, State and Federal regulations.

All City employees shall be informed of the existence of these rules, and each department shall keep at least one copy available for reference by its employees.

1.02 COVERAGE

These policies shall apply to all employees of the City of Texarkana, Arkansas, except as specified. When regulations or procedures do not apply to all employees, exceptions will be noted with a separate section written for each category of employee.

1.03 ADMINISTRATION

It shall be the responsibility of the City Manager or his designee to administer these personnel policies and to issue such rules and procedures as necessary to execute these policies.

1.04 CHANGES

These policies may be amended from time to time as justifiable needs arise. Suggestions for amendments are welcome at any time from any employee. Any and all suggestions should be submitted in writing to the City Manager through the Personnel Administrator. Any proposed amendments to these personnel policies shall be reviewed by the Personnel Policy Committee. Amendments are not valid unless adopted by the Board of Directors.

1.05 NOT A CONTRACT

This personnel policy does not constitute a contract for employment or for employee benefits between the City and any employee.

1.06 NO ORAL CONTRACT PERMITTED

No oral representations or statements by the City Manager or by any elected or other official of the City shall create any contractual rights between the City and any employee.

1.07 POLITICAL ACTIVITY

(a) No employee or person seeking employment, shall be appointed, promoted, demoted, removed, advanced, or retained on any basis or for any reason other than qualification, merit, fitness for the service, or lack thereof. Any such action shall be taken wholly without favoritism or discrimination.

(b) No person shall use one's City position to secure favorable treatment or privileges for either the employee or any other person.

(c) No employee of the City shall engage in any political activity, nor shall monetary contributions be solicited for campaign funds of any political organization, while that employee is on duty.

(d) A City employee may become a candidate for public office in a non-partisan election. In cases where the employee is a candidate for the position of mayor or city director, and becomes elected, that employee shall at once resign from employment with the City.

(e) Nothing in this section shall be construed to prevent the exercise of the rights of City employees as citizens, to express their opinions and to cast their votes.

1.08 UNLAWFUL ACTS PROHIBITED

(a) No person shall make any false statement or report in regard to any test, certification, or appointment. No person shall, in any manner, commit, or attempt to commit any fraud regarding execution of these provisions or the rules included in this manual.

(b) No person seeking appointment to or promotion in the City service shall either directly or indirectly give or promise any money, service, or other valuable thing to any person in connection with the candidate's test, appointment or promotion, whether actual or proposed.

CHAPTER II: EMPLOYMENT POLICIES

2.01 EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATION ACTION

- (a) The City of Texarkana, Arkansas is committed to providing equal employment opportunity (EEO) to all employees and applicants for employment, without regard to race, color, religion, sex, national origin, age, handicap or disability, or status as a Vietnam era or special disabled veteran, in accordance with applicable federal and state laws. Furthermore, the City of Texarkana, Arkansas, does not discriminate on the basis of disability. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.
- (b) The City of Texarkana, Arkansas, is an affirmative action employer. The City of Texarkana, Arkansas will strive to recruit and train employees, promote members of minority groups, and women, so that they are approximately equal in proportion to their percentage of population, within the City of Texarkana, Arkansas. Nothing in this statement requires the City to hire any specific number of employees of any sex or race, or to hire or promote any person who is not the best qualified for the position. The Affirmative Action Plan does require the City to conscientiously recruit and promote in a manner so that employment with the City will reflect community population levels.

2.02 AT-WILL EMPLOYER

The City of Texarkana is an at-will employer. The City of Texarkana, or any City employee, may terminate the employment relationship at any time for any reason, with the understanding that neither has an obligation to base that decision on anything but his or her intent not to continue the employment relationship. No policies, comments, or writings made herein or during the employment process shall be construed in any way to waive this provision.

2.03 PERSONNEL OFFICE RESPONSIBILITIES

The City of Texarkana, Arkansas is a City Manager form of City government under the supervision of a City Manager. The City Manager, or his/her designee, is to operate the Personnel Office. The Personnel Office is responsible for all personnel management responsibilities for non-civil service employment positions in all departments covered by these policies. The Personnel Office is responsible for recruiting candidates, listing vacancies with employment agencies, advertising for candidates, notifying trade and professional groups, circulating lists of vacant positions, posting lists of available positions in City buildings, and all other forms of recruiting activities. Further, all personnel records, changes in status, and personnel administration are the responsibility of the Personnel Office.

The Civil Service Commission is responsible for advertising, recruiting, and testing for Police and Fire Department positions in accordance with ACA 114-51-301.

2.04 DEPARTMENTAL RESPONSIBILITIES

Department Heads and Supervisors are responsible for:

- (a) Notifying the Personnel Office promptly of any impending vacancy as soon as they have any knowledge that one is expected to occur;

- (b) Using the correct title of the position to be filled;
- (c) Using the correct pay grade and funding source;
- (d) Indicating any special qualifications for the position;
- (e) In case of unusual or one-of-a-kind positions, suggesting to the Personnel Office any known sources of recruitment; and,
- (f) Notifying the Personnel Office promptly when a candidate has been rejected or accepted, especially before the new employee begins work.

2.05 PRELIMINARY SCREENING

The Personnel Office will assist in screening all candidates for non-civil service employment positions (this can include criminal, but is not limited to, background and credit checks). The Personnel Office may disqualify for employment any candidate clearly not qualified for a particular position.

The making of deliberate false statements on an application for employment is cause for refusal of employment and, if discovered after appointment, is cause for dismissal.

2.06 RECRUITMENT BY DEPARTMENT

Nothing in these policies shall prevent any department head or other supervisor from undertaking recruitment efforts to fill a vacancy in his or her department. The department head or supervisor shall, however, notify the Personnel Office of such efforts and, if an acceptable candidate is found, shall refer that candidate to the Personnel Office for processing in accord with established procedures.

2.07 REFERENCE CHECK

The Personnel Office will be responsible for checking the references given by the applicants. An unfavorable reference may be cause for rejection of the application by the Personnel Office. The Personnel Office shall report the results of reference checks to the department head or other appointing authority.

Employees will also be subject to periodic review of driving records. Employees will be required to sign and authorize Personnel representatives to obtain and review any information pertaining to previous records of said employee.

2.08 QUALIFICATION STANDARDS

The Personnel Office will work with the department heads to formulate methods for determining the relative qualifications of persons seeking employment in City service. Each applicant shall answer all questions and furnish all information as required in the form or forms of application prescribed. In addition, each applicant shall submit to such examinations, interviews, tests, and other such selection devices (including written and performance tests, oral exams, experience and training rating systems, medical examinations, etc.) as are found to be reliable and valid and are deemed appropriate to determine the fitness of applicants for appointment. Unless waived by the Personnel Office, a satisfactory passage of a pre-employment physical in accordance with ADA regulations, at the City's expense, administered by a physician designated by the City, is a final requirement before being hired.

2.09 TYPES OF APPOINTMENTS

Appointments of employees to positions under these policies shall be of the following types:

- (a) Regular Full-time appointments: Hourly employees, salaried employees, and civil personnel.
- (b) Part-time appointments: Employees who work 20 hours weekly, or more, but less than 40 (hours weekly).
- (c) Temporary appointment: Such appointment may be for full-time, temporary, or part-time temporary.

Temporary employees may include emergency and/or seasonal employees.

2.10 JOB POSTING/INTERNAL MOBILITY

Non-Civil Service:

It is the City's policy to promote from within whenever possible. Therefore, current employees seeking to advance within and are eligible to do so, will be considered for promotion upon completion of a written exam and/or interview, conducted by the City. This is designed to ensure employees of the equal potential opportunities of advancement in his/her career with the City. Employees will be considered for promotion on many factors, including job performance, competence and basic skills, and attendance records. Date of employment will be the deciding factor for promotions only when all applicants are equally qualified.

In-house job announcements are posted throughout the City offices for a minimum of five working days. An employee wishing to be considered for an available position must complete an in-house job application (available in the Personnel Office) by the closing time stated on the job announcement.

After the closing date and time, the Personnel Office, in coordination with the applicable department head, will review all of the applications and follow normal hiring procedures.

2.11 PROMOTED EMPLOYEES

Persons promoted to positions that start in Step "1" of a higher grade, are eligible for a one step increase upon satisfactory completion of the initial six month period, if the department head should agree. Normally, employees whose positions are reclassified are not eligible for an increase in six months, unless they are in Step "1" of their grade.

Employees promoted to a supervisory position will receive a minimum increase of four percent above the highest paid person they are to supervise.

While it is the City's policy to promote from within whenever possible, when specialized skills and/or experience are needed to fill a vacancy, it may be necessary to hire from outside the City employment base.

2.12 TRANSFERRED EMPLOYEES

No employee may be transferred to a position for which he or she does not possess the minimum qualifications and experience. If the transfer involves a change from one department to another, both department heads must consent thereto, unless the City Manager orders the transfer for purposes of economy or efficiency.

2.13 DEMOTED EMPLOYEES

Any employee who is either voluntarily or involuntarily demoted for any reason, shall be compensated at the new rate as is administratively determined by the affected employee’s department head, the Finance Director or designee, and also approved by the City Manager.

2.14 CHANGE IMPLEMENTATION

Promotions, demotions, transfers, and other pay status changes shall be implemented during the pay period closest to the effective date of the change.

2.15 DISCIPLINARY REVIEW

No employee under disciplinary review shall be eligible to receive any wage increase if implementation of said raise should fall during the review period.

2.16 AGE

Non-Civil Service:

Any employee hired by the City must be at least 18 years of age at the time of employment.

Fire:

No person shall be eligible for appointment to any position within the fire department that has not arrived at any age required for service under (ACA 14-51-301(b)(1)(B)(i), as hereafter amended, modified, or superseded.

Police:

No person shall be eligible for appointment within the police department that has not arrived at any age required for service under (ACA 14-51-301(b)(1)(B)(ii), as hereafter amended, modified, or superseded.

Maximum age restrictions regarding mandatory retirement, apply to police and firefighters only, to the extent provided for in the federal Age Discrimination in Employment Act.

The minimum age for seasonal/summer youth employees may be lowered to 14 in accordance with the State and Federal Child Labor Laws.

2.17 RESIDENCY POLICY

The City requires that any employee who is required to be “on-call” or who is subject to being called out for emergency duty of any type, shall live within an area in which the employee can respond to an emergency call to duty within thirty (30) minutes **in accordance with (ACA 14-53-113)**

2.18 NEPOTISM

In accordance with state statutes, no person shall hold an appointive or paid position with the City, who is related by blood or marriage in the third degree, either to a member of the Board of Directors or to the City Manager. Provided, however, this prohibition shall not prevent a person who holds an appointive or employment position with the City, at the time the person’s relative becomes City Manager or a member of the Board of Directors, from continuing in that position or employment. (ACA 14-47-135)

Members of the immediate family of employees may be employed by the City as long as they do not work for the same immediate supervisor. An applicant or employee shall not be eligible for a position in which he/she will be directly supervised by a member of the immediate family. Immediate family is defined as the following:

- | | | |
|---------|----------------|---------------|
| Spouse | Children | Son-in-law |
| Parents | Brother/Sister | Sister-in-law |

Grandparents
Great Grandparents
Grandchildren

Mother-in-law
Father-in-law
Daughter-in-law

Brother-in-law

2.19 AMERICANS WITH DISABILITIES ACT POLICY

It is the policy of the City of Texarkana not to discriminate against qualified individuals with a disability in regard to job application procedures, hiring, advancement, discharge of employees, employee compensation, job training and other terms, conditions, and privileges of employment because of the disability. Furthermore, it is the policy of this City that no qualified individual with a disability shall by reason of the disability, be excluded from participation in or be denied the benefits of a service, program, or activity of the City of Texarkana, or be subjected to discrimination by the City of Texarkana.

The City of Texarkana has appointed the Personnel Administrator as its Americans with Disabilities Act Coordinator. The responsibility of the ADA Coordinator is to coordinate all ADA compliance regulations and to investigate complaints or grievances, concerning violation of the Americans with Disabilities Act.

Any employee, who wishes to file a complaint or grievance for alleged violation of provisions of the Americans with Disabilities Act, may do so by contacting the Personnel Administrator.

Forms on which to file your complaint will be provided, or if necessary, your complaint will be heard verbally. A record of your complaint and the action taken will be maintained in a special complaint file in the ADA Coordinator's office. A decision concerning any grievance will be considered by the designated ADA Coordinator within 15 days of being filed.

CHAPTER III: CLASSIFICATION AND PAY

3.01 POSITION CLASSIFICATION PLAN

The City Manager, or his designee, shall be responsible for the preparation, maintenance, and revision of a Position Classification Plan for all positions in the classified service. The Position Classification Plan shall be based upon similarity of duties performed and responsibilities assumed so that the same qualifications may reasonably be required of, and the same schedule of pay may be equitably applied to, all positions in the same grade. Each grade is, in turn, assigned multiple steps. The steps are numbered from the lowest to the highest. The body of grades and steps constitutes the City's Position Classification Plan. Department Heads and supervisors have a duty to report to the City Manager substantial changes in duties and responsibilities of positions under their control in order for classification adjustments to be made and for the plan to remain current.

3.02 PAY PLAN

The City Manager, or his designee, shall be responsible for the preparation, maintenance, and revision of a pay plan, which shall be adopted by the Board of Directors. Said plan shall set forth salary ranges to include minimum and maximum rates of pay and intermediate steps for all classes of positions included in the classification plan.

Salary ranges shall be determined by the relative difficulty, responsibility, experience, and qualifications required of a class, the prevailing rates of pay for similar employment in private establishments and other public jurisdictions in the area, cost-of-living factors, the financial condition and policy of the City, and other economic considerations.

3.03 STARTING PAY

New employees shall normally start work at step "1" of the grades to which their positions are allocated by the classification plan. Upon the successful completion of 6 months employment, employees will be granted a pay increase to the next higher step established in the pay plan for such purposes, if approved by the department head.

In the case where a candidate for employment clearly has exceptionally good qualifications for the work of the position, he or she may be employed initially at a step in the pay plan higher than the "1" step; provided, however, that the department head and the City Manager shall approve such appointments and that sufficient budgeted funds are available to permit such appointments.

3.04 PERIODIC PAY INCREASES

Pay increases are normally considered by the Board of Directors in the Annual Budget. Under exceptional circumstances, department heads and supervisors may recommend periodic pay increases to the City Manager for consideration during the fiscal year. All pay rates will conform to the approved pay plan.

3.05 LONGEVITY PAY

Employees receive Longevity Pay at the following rate:

<u>LONGEVITY</u>		
COMPLETED SERVICE YEAR	BI-WEEKLY	ANNUAL
2	5.77	150.00
3	8.65	225.00
4	11.54	300.00
5	14.42	375.00
6	17.31	450.00
7	20.19	525.00
8	23.08	600.00
9	25.96	675.00
10	28.85	750.00
11	31.73	825.00
12	34.62	900.00
13	37.50	975.00
14	40.38	1,050.00
15	43.27	1,125.00
16	46.15	1,200.00
17	49.04	1,275.00
18	51.92	1,350.00
19	54.81	1,425.00
20	57.69	1,500.00
21	60.58	1,575.00
22	63.46	1,650.00
23	66.35	1,725.00
24	69.23	1,800.00
25+	72.12	1,875.00

Longevity pay shall not be included in calculating overtime pay, and shall not be considered to be a part of base pay.

Civil Service employees receive longevity pay bi-weekly. Non-Civil Service employees receive an annual lump sum payment.

Terminated employees will not receive a longevity payment.

3.06 MANDATORY DIRECT DEPOSIT

Employees of the City of Texarkana, Arkansas will be paid bi-weekly by direct deposits made to the employee's specified personal bank account. All employees who are hired or promoted on or after January 1, 2010, shall be required to accept payment of salary or wages by electronic warrants transfer. All employees will be required to complete a Direct Deposit Authorization Agreement upon employment with the City of Texarkana, Arkansas, designating a financial institution for direct deposit of funds. *NOTE: If an employee chooses to refuse said services as requested by the employer, the employee must state a hardship in writing to the Finance Director and Personnel Office.

CHAPTER IV: EMPLOYEE AND SPECIAL LEAVE BENEFITS

4.01 ANNUAL LEAVE (VACATION)

(A) Accrual:

Regular full-time employees are entitled to paid vacation leave time according to the following schedule:

Non-Civil Service:

<u>First 5 years</u>	<u>5 years – 10 years</u>
4 hrs ppp – 13 days	5 hrs ppp – 16 1/4 days
<u>10 years – 15 years</u>	<u>15+ years</u>
5 ½ hrs ppp – 17 7/8 days	6 hrs ppp – 19 ½ days

Police:

As provided by state law, each employee shall be granted an annual vacation of no less than 15 working days with full pay. [ACA 14 – 52 – 106]

<u>1 year – 5 years</u>	<u>5 years – 10 years</u>
4.60 hrs ppp – 15 days	5 hrs ppp – 16 ¼ days
<u>10 years – 15 years</u>	<u>15+ years</u>
5 ½ hrs ppp – 17 7/8 days	6 hrs ppp – 19 ½ days

Fire:

As provided by state law, each employee shall be granted an annual vacation of no less than 15 days with full pay. [ACA 14 – 53 – 107]

<u>1 year – 5 years</u>	<u>5 years - 10 years</u>
6.9 hrs ppp	7.5 hrs ppp
<u>10 years – 15 years</u>	<u>15+ years</u>
8.2 hrs ppp	9 hrs ppp

NOTE: Fire Department Civil Service personnel assigned to eight hour shifts accrue at the same rate as Police. Accrual rates are based upon years of continuous service. Vacation will not accrue during a period of leave without pay. When a Fire Department Civil Service employee transfers between 24-hour and 8-hour shifts, accrued leave balances will be converted by a factor reflecting the proportionate difference in rates of accrual.

(B) Accumulation and Carryover:

Vacation is cumulative. During a calendar year, accrued leave may exceed 30 days; however, those days in excess of 30 will be forfeited if not used before January 1 of the following year, unless the city manager has approved the excess carryover. For firefighters working 24 hour shifts, accrued leave in excess of 360 hours will be forfeited if not used before January 1, unless the City Manager has approved the excess carryover. It shall be the employee's responsibility to schedule vacation time before the maximum accumulation is reached. Otherwise, the employee forfeits any leave in excess of the maximum accumulation.

(C) Payment Upon Separation From Employment:

Upon separation from employment or layoff due to reduction in force, the employee will be paid for accrued vacation up to a maximum of 30 days. Firefighters working 24 hour shifts will be paid for accrued vacation up to a maximum of 360 hours. Employees must complete their probationary period before being paid their accrued annual vacation leave upon separation from the City.

(D) Scheduling:

Vacation shall be approved by the department head, subject to the needs and demands of the department at the time vacation is requested.

(E) Charging Vacation:

Vacations may be charged in one hour increments when approved by the department head.

(G) Cancellation:

Vacations are subject to cancellation if an emergency should warrant such action.

NOTE: Temporary, part-time, and seasonal employees do not earn annual leave.

4.02 SICK LEAVE

The City of Texarkana recognizes that inability to work because of illness or injury may cause economic hardships. For this reason, the City provides paid sick leave to regular full-time employees.

(A) Amount of Sick Leave:

Eligible employees accrue sick leave as follows:

Non-Civil Service:	4.615 hours per pay period (15 days annually)
Police Officers:	6.2 hours per pay period (20 days annually)
Firefighters:	18.5 hours per pay period (20 days annually)
Fire Personnel: (On 8 hour shifts)	6.2 hours per pay period (20 days annually)

(B) Accumulation:

(i) All regular full-time employees may accumulate a maximum of ninety (90) days of sick leave. For Firefighters working 24-hour shifts, ninety (90) days is defined as 2,160 hours. For all other full-time employees, ninety days is defined as 720 hours.

(ii) Upon March 4, 2019, sick leave accrual will cease for any employee with accrued unused sick leave currently in excess of the applicable ninety (90) day maximum set forth immediately above, until such time as said employee's unused accrued sick leave falls below said maximum, whereupon sick leave accrual will resume, but shall not, thereafter, exceed the applicable maximum set forth immediately above.

(C) Eligibility:

An employee may be eligible for sick leave days for the following reasons:

- (1) Personal illness or physical incapacity.
- (2) Quarantine of an employee by a physician or health officer.
- (3) Illness in the immediate family which would require the employee to take care of the family member(s). Immediate family is defined as spouse, children, and parents. Any paid sick leave for this purpose in excess of twenty-four hours per calendar year, shall be at the discretion of the employee's department head.
- (4) Medical, dental, or optical visits.

NOTE: Temporary, part-time, and seasonal employees do not earn sick leave.

(D) Notification:

Unless otherwise provided by departmental policy, an employee who is unable to report for work due to one of the previously listed sick leave reasons, shall report the reason for his absence to the employee's supervisor, or someone acting for the employee's supervisor, within 30 minutes from the time the employee is expected to report for work. Sick leave with pay may be denied unless such report has been made as aforementioned. Departments providing emergency services may establish additional notification requirements.

Falsification of information or failure to follow call in procedures will result in disciplinary action up to and including termination.

Failure to notify the City of an absence of three or more days, or to return to work upon expiration of sick leave, will be considered abandonment of the position.

(E) Abuse of Sick Leave:

Sick leave shall be used for the purpose for which it is intended, that being to provide employee protection against loss of pay due to illness or injury. Sick leave may not be converted into any other form of compensation such as vacation or worker's compensation. Sick leave shall not be considered a privilege an employee may use at his discretion, but shall be allowed only in case of necessity and actual sickness or disability of the employee. Abuse of sick leave or excessive use of sick leave as monitored by the department head and/or City Manager may be cause of disciplinary action which may include dismissal.

(F) Documentation of Illness:

An employee shall, upon request of the supervisor or department head, furnish a statement from the attending physician to substantiate use of sick leave. An employee on sick leave may be required to obtain a second medical opinion from a physician of the City's choice at the City's expense.

(G) Charging Sick Leave:

Absences due to illness will be charged in the following sequence:

- Accrued sick leave
- Accrued annual leave
- Catastrophic Leave when applicable
- Medical leave without pay

If an official holiday occurs during a period of illness, the holiday leave will be charged rather than sick leave.

For an employee on a shift work assignment, time off may be charged against accumulated sick leave, only for such days that the employee is scheduled to work. Sick leave shall not be charged against any employee for any period of sickness, illness, or injury for any days which the employee is not scheduled to work. [ACA 14-52-107(b)(2)]

(H) Activity While on Sick Leave:

An employee who has reported off sick is expected to remain at home during the time the employee would otherwise be working, unless hospitalized, visiting a doctor, or obtaining medication or treatment as prescribed by a doctor. An employee shall not engage in any other employment during

the time the employee is allowed to use sick leave. An employee may be required to perform light duty rather than claim sick leave if authorized by a physician.

(I) Payment on Separation from Employment:

Regular full-time employees may receive a cash payment for a maximum of 480 hours accumulated sick leave, only upon retirement. Firefighters working 24 hour shifts may receive a cash payment for a maximum of 720 hours upon retirement. Except as otherwise provided by state law, sick leave over 60 days is not to be credited to service time for retirement purposes. Resigning employees will not receive a cash payment for accumulated sick leave.

In all matters concerning sick leave for fire and police employees, strict compliance with Arkansas statutes is required.

(J) Catastrophic Leave Bank:

The purpose of the Catastrophic Leave Bank as adopted by Ordinance L-287 is to allow eligible participating employees who have exhausted all available leave balances to receive additional leave benefits for extended absences upon submission of a properly documented application. For questions, please contact the Personnel Office or visit the City's website at <https://cityoftexarkanaar.com/>.

Existing policies for other types of leave are not affected by this program.

4.03 MATERNITY LEAVE

Employees affected by pregnancy, child birth, or related medical conditions shall be treated the same for all employment-related purposes as employees disabled for non pregnancy-related reasons. Therefore, accrued sick leave and vacation leave will be granted for maternity use, after which, leave without pay must be used. Provisions of the federal Family and Medical Leave Act of 1993 will be observed in granting the leave. Additional information and applications are available in the Personnel office.

If the employee desires to return to her position of employment following maternity leave, she must submit the request in writing to the department head at least one month prior to the anticipated leave date. This information will be used for temporary replacement scheduling and processing status change records.

A pregnant employee will be allowed to work as long as her physician deems fit. However, written consent from the employee's physician may be requested after the seventh month of pregnancy. If the employee does not report for work at the expiration of the leave, she will be considered separated from employment. If complications occur, an extended leave of absence must be approved by the department head.

Employees who return to unrestricted work duties on a timely basis will be reinstated to the last position and pay rate held prior to the leave. In the event the last position is not available due to unavoidable job changes, the employee will be reinstated to a comparable position.

4.04 COURT DUTY LEAVE

This section does not apply to employees who are witnesses in court actions in which they have a personal interest.

Employees will be granted leave with pay for jury duty, or if summoned as a witness in a court action as long as they are not personally involved and their presence is not required as a result of

outside employment. Employees are also permitted to retain the allowance from the court for such service. The time off will not be counted against annual leave.

To qualify for jury or witness duty leave, employees must submit a copy of the summons or other relevant court-related paperwork to the department head as soon as possible after receiving it. In addition, proof of service must be submitted to the employee's supervisor when the period of jury or witness duty is completed. Employees working night shifts, and who are serving during the day, shall take jury/witness leave on the night shift of the day on which they serve.

Certain employees will be required to appear in court as witnesses in the course of their job duties. Non-exempt employees will be compensated through overtime payment or adjusted work schedules.

4.05 LEAVE WITHOUT PAY

Regular full-time employees may request a leave without pay for reasons of health, completion of an educational degree, or some activity which will directly benefit the City. Also, any employee who becomes a candidate for a city, county, district, state, or national office may be granted a leave of absence without pay during the time he actively campaigns. The request must be made in writing to the City Manager and after approval is made, it should be forwarded to the Personnel Office to assure the proper status changes are completed.

Leave without pay shall not be granted for an employee to try out a new, non-City position of employment.

During this leave, the employee will not accumulate sick or annual leave or be paid for holidays. The employee will be responsible for all premiums for any group insurance program.

Failure on the part of the employee to return to work promptly at the expiration of the leave of absence shall be considered as voluntary resignation.

A leave of absence without pay will not be granted when such leave will hamper the efficient operations of the City.

4.06 EDUCATIONAL LEAVE

The City recognizes there are times when required courses are not offered during night school or, as in the case of Public Safety personnel, course time may conflict with work schedules. Every effort should be made to schedule class time during non-working hours, but for those rare times when this is not possible, the City has established Educational Leave.

Educational Leave may be granted by the City Manager upon recommendation by the department head for a period not to exceed three (3) hours per week.

This period of absence shall be made up as scheduled by the appropriate department head.

The course the employee takes must be from an accredited educational institution. Courses must be directly related to the employee's duties and better equip him or her to perform them or be a part of an approved degree plan related to the job.

The Department Head may request the employee to provide verification of class attendance.

4.07 FUNERAL LEAVE

Funeral leave may be granted for up to forty (40) paid hours for employees working standard eight hour shifts, fifty-five (55) hours for employees working eleven hour shifts, and seventy-two (72) hours for employees working twenty-four hours shifts per each loss of an immediate family member, per year, to all regular full-time employees, to attend the funeral of the employee's immediate family member. Immediate family shall be defined as husband, wife, father, mother, child, brother, sister, grandparents, grandchildren, and the comparable in-law relationships.

4.08 MILITARY LEAVE

- (a) Military Leave shall be governed by applicable State and Federal Law, including the Uniformed Services Employment and Reemployment Rights Act (USERRA).
- (b) Members of the Reserve and National Guard shall be granted leave for purposes of active duty training in accordance with Federal Law. Individuals must present a copy of the orders to the Finance Director or designee. The leave shall not adversely affect vacation or sick leave benefits. The City will pay the employee's regular City salary for a period of 15 days, plus necessary travel time for annual training requirements or other duties, performed in an official duty status in any one calendar year. To the extent this leave is not used in a calendar year, it will accumulate for use in the succeeding calendar year, until it totals 15 days at the beginning of the calendar year.

4.09 MISCELLANEOUS LEAVE

The attendance of employees to seminars and training programs is considered part of continual professional development. Attendance to such meetings is to be approved prior to registration by the department head and/or City Manager. In the event exempt employees are required to attend meetings at a location requiring an overnight stay with travel time in excess of the employee's normal work day, overtime will not be paid. However, the City will pay all reasonable out-of-pocket expenses for lodging, travel costs, meals, etc., pursuant to its regular travel policy.

Non-exempt employees attending one-day training sessions related to their job shall receive compensation for time spent traveling to and from other cities. Time spent traveling to and from other cities on overnight assignment is counted as work time, only to the extent it coincides with the employee's regular work day.

4.10 HOLIDAYS

The following are official holidays for City employees:

New Year's Eve	December 31 st
New Year's Day	January 1 st
Martin Luther King, Jr. Day	Third Monday in January
Presidents' Day	Third Monday in February
Good Friday	Friday prior to Easter Sunday
Memorial Day	Last Monday in May
Juneteenth	June 19 th
Independence Day	July 4 th
Labor Day	First Monday in September
Veterans Day	November 11 th
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Day after Thanksgiving
Christmas Eve	December 24 th

Christmas
Birthday

December 25th
Birthday Month

Holidays falling on Saturday will be observed on the preceding Friday; holidays falling on Sunday are observed on the following Monday. When an employee reports in sick on the day before or the day after a holiday, a signed sick slip may be required before payment for the holiday is made.

In circumstances where a conflict exists between employee requests, departmental divisional seniority shall apply. Vacation shall not be approved when it interferes with normal operations of the City or will reduce staffing below levels acceptable to the department head or the City Manager.

Birthdays must be taken during the month the birthday occurs and be approved by the department head or supervisor.

Holiday pay is given to all regular, full-time employees, provided they worked on the last scheduled work day prior to, and next scheduled work day after the holiday, or had prior approval from the department head to take annual leave. Employees on annual or sick leave during a holiday period will receive holiday pay for authorized holidays. Employees on leave without pay status do not receive pay for holidays. Employees called in to work in emergency situations on a holiday will receive double-pay for the hours worked.

For departments which operate 24 hours a day, seven days a week, the department head will adjust the holiday leave schedule for non-Civil Service employees, according to the departmental work schedule.

The appropriation made by the City Board of Directors for salaries, will include additional pay for holidays for all eligible employees of the City including, but not limited to, Civil Service employees, as provided by the laws of the State of Arkansas.

Police:

All law enforcement officers, regardless of their titles, employed by cities of the first class, shall be compensated for all legal holidays established by the governing body of the municipality.

This compensation shall be based on the law enforcement officer's daily rate of pay and in addition to the regular pay schedule. This compensation may be included within the officer's base pay. This compensation shall be prorated and paid during the regular payroll periods, or paid in one lump sum annually, on a date in December designated by the municipality. (ACA 14-52-105)

Fire:

All firefighters employed by cities of the first class shall be compensated for all legal holidays established by the governing body of the municipality. This compensation shall be based on the firefighters' daily rate of pay and in addition to the regular pay schedule. This compensation may be included within the firefighters' base pay. This compensation shall be prorated and paid during the regular payroll periods, or paid in one lump sum annually, on a date in December designated by the municipality. (ACA 14-53-106)

All matters in question on leave will be at the City Manager's discretion and in accordance with State and Federal laws.

4.11 EMPLOYEE HEALTH BENEFITS

The City of Texarkana provides a group health plan for all its regular full-time employees. Detailed information on the policy and coverage is provided to the employee at the time of employment and

as coverage changes. Additional information may be obtained from the Personnel Office.

Policy benefits and employee contributions shall be as established by the City Board of Directors and are subject to change by the Board of Directors. An employee must pay the premium if on leave without pay as provided by federal law, unless on leave governed by the Family and Medical Leave Act of 1993. In the event an employee separates from the City, the Federal rules concerning extended health coverage under Cobra shall apply.

4.12 OCCUPATIONAL INJURIES/TRUAMATIC EVENT COUNSELING

Occupational Injuries:

All employees of the City are covered under the Arkansas State Workers' Compensation Law. Rules and regulations concerning Workers' Compensation are posted on City bulletin boards. Any employee incurring an "on-the-job" injury shall immediately notify his supervisor, who will arrange for appropriate medical treatment and prepare the necessary reports required for the employee to be compensated.

The supervisor will provide the report to the Personnel Office within 24 hours of the incident. The employee will, if possible, go to the Personnel Office and provide the data to complete the Employee's Report of Injury, and will provide any other applicable information. The employee must submit documentation of any expenses he pays himself to the Personnel Office for reimbursement, if allowed, by Workers' Compensation insurance.

Workers Compensation does not pay for the first eight days following an occupational injury. The City will allow an employee to claim sick leave for salary lost due to an occupational injury for that period.

In the event the disability extends beyond the eight day period, Workers' Compensation will pay the employee in accordance with State law. The City will allow the employee to claim sick leave to pay the employee the difference between the employee's Workers' Compensation pay and the employee's salary, for a period up to, but not exceeding six months. If, at the end of six months, the employee is unable to return to work because of reasons related to the initial injury, only Worker's Compensation insurance will be paid.

The City reserves the right to have the employee examined at any time by a physician of its choice.

The City reserves the right to assign an employee to duties at the same rate of pay, other than those being performed at the time the injury occurred, providing a physician gives approval to duties that will not hinder recovery from the injury.

Traumatic Event Counseling:

The City shall provide coverage for licensed counseling for a public safety employee who experiences a traumatic event while in the course of duty according to Act 537 HB 1302.

The coverage under subdivision (b)(1) shall allow for up to twelve (12) licensed counseling visits per calendar year. The City shall pay for the licensed counseling visits. The licensed counseling visits may be provided through telehealth.

Additional information may be obtained from the Personnel Office.

4.13 RETIREMENT PLANS

The City contributes to retirement and pension plans for its regular full-time employees. Upon employment, employees will receive information regarding the plan for which they are eligible.

Non-Civil Service:

Texarkana Arkansas Public Employees Retirement System (TAPERS):

The City administers a defined benefit plan for non-Civil Service regular hourly full-time employees. Employees hired before July 1, 2002, who are not covered under any other plan, are eligible for participation in this plan. The City contributes ten percent of the employees' salary to the plan; the participating employees must contribute two percent of compensation to this plan. Employees with 10 years service are fully vested. This is a closed-end plan, and no new participants will be enrolled in this plan effective July 1, 2012.

ICMA-RC Deferred Compensation Plans:

An employee transitioned from the TAPERS retirement system on July 1, 2012 will be enrolled in a 401(a) plan administered by the International City Management Association Retirement Corporation. If an employee has an accrued benefit in TAPERS, the benefit will be frozen and will not accrue any additional amount as of July 1, 2012. The benefit will earn vesting credit with increased service with the City. The City will contribute ten percent of the employee's salary to the 401(a) plan. The participating employee must contribute two percent of compensation to this plan. All non-civil service employees hired on or after July 1, 2012 will also be enrolled in this 401(a) plan.

Non-Civil Service regular full-time exempt employees may choose to participate in a separate 401(a) plan administered by the International City Management Association Retirement Corporation as their retirement plan. The City will contribute ten percent of the employee's salary. The participating employee must contribute two percent of compensation to the plan.

An employee who has 20 years of service or has reached age 60 with 10 years of service may retire in the eyes of the City. Upon retirement you will be eligible to receive sick time payout as well as have an option to continue health insurance coverage under the City group plan.

All employees are eligible to participate in an ICMA-RC 457 and IRA Plan as a supplemental retirement plan. The Personnel Office should be contacted for additional information about arranging payroll deductions for this program.

Civil Service:

Policemen's Pension and Relief Fund:

Police officers hired prior to January 1, 1983, are enrolled in the Policemen's Pension and Relief Fund, which is administered by a local board of trustees. The City contributes six percent of an officer's salary to the fund which is governed by the laws of the State of Arkansas (ACA 24-11-401-433).

Firemen's Relief and Pension Fund:

Firefighters hired prior to January 1, 1983, are enrolled in the Firemen's Relief and Pension Fund, which is administered by a local board of trustees. The City contributes six percent of the firefighters' salary to this fund which is governed by the laws of the State of Arkansas (ACA 24-11-801--828).

Local Police and Fire Retirement System:

Police officers and firefighters hired on or after January 1, 1983, are enrolled in the Local Police

and Fire Retirement system, which is administered by the State of Arkansas. The City's contribution to this plan is set each year by the State agency which administers the plan (ACA 24-10-101--616).

For additional information about any of these retirement plans, employees may contact the Personnel Office or their department head.

Employees who plan to retire are urged to provide the department head and Personnel Office with a minimum of two months notice. This will allow time for completing the retirement procedures and ensure that retirement benefits may commence in a timely manner.

4.14 TUITION AID

After permanent employment (6 months Non-Civil or 1 year Civil (if approved)), regular full-time employees interested in continuing their education in a job related field are eligible for financial assistance, pursuant to availability of City funding. Assistance is provided for payment of tuition only and is paid directly to the school.

Enrollment must be in an accredited college, university, or trade/vocational school in courses directly related to the employee's City position, or part of a degree plan in a field related to his or her department. The City will pay a maximum of six hours per semester. To continue receiving financial assistance, the employee must receive a grade of "B" or better for graduate courses, a "C" or better for undergraduate courses, or if applicable, a grade of "passing". The employee must submit a copy of the grades to the Personnel Office within five working days of receiving them.

Failure to provide this information will be construed as non-completion with an acceptable grade, and the employee will be required to reimburse the City.

If an employee receives an "Incomplete", the course must be completed within a year, or the City must be reimbursed for the course and the employee will not be eligible for tuition aid in advance, for a period of one year.

If an employee drops a course, the Personnel Office must be notified or the employee will be held responsible for the cost of the dropped course. If a course is dropped too late for the tuition to be refunded, the employee will be responsible for the cost of the course not refunded to the City.

An employee who separates from employment for any reason, other than reduction in force within one year of the first class, will be liable for repayment of the City's expense for tuition aid. The amount will be deducted from the employee's final check.

Enrollment Procedures

- The employee should discuss educational plans with the department head.
- Obtain tuition aid request forms from the Personnel Office, complete them (including required signatures) and return forms to Personnel.
- The Personnel Office will issue the employee an authorization to the school to bill the City for tuition.
- The employee shall file a copy of his or her degree plan with the Personnel Office.
- Requests for tuition aid must be approved by the department head and the Personnel Director.

No tuition aid will be reimbursed to the employee without prior approval from the City Manager or his designee. Tuition assistance will not be paid concurrently with any other educational assistance programs, i.e., grants, scholarships, V.A. benefits, etc.

4.15 EDUCATION INCENTIVE PAY

Civil Service employees in the Police and Fire Departments are eligible for the Education Incentive Pay Program.

Police:

Educational incentive pay of \$1.00 per credit hour for each hour necessary to obtain a degree, not to exceed a total of 128 hours, may be awarded to any police officer on the recommendation of the Chief of Police for a college degree in Law Enforcement or related field acceptable to the Chief of Police. Where the degree is not related to Law Enforcement, the Chief of Police may conditionally award the college incentive pay for a period of not exceeding 36 months, during which time the officer shall earn a minimum of 12 credit hours of Law Enforcement courses, with 6 credit hours within the first 18 months. Failure of the officer to meet that schedule shall reduce the incentive pay to the pay equivalent to the number of hours credited toward a Bachelor's Degree in Law Enforcement. Should the officer subsequently complete the 12 hours of Law Enforcement classes, the college incentive pay equivalent to a degree shall be reinstated.

Fire:

Educational incentive pay of \$1.00 per credit hour for each hour necessary to obtain a degree, not exceeding a total of 128 hours, may be awarded to any firefighter on the recommendation of the Fire Chief, for a college degree in Fire Administration or Fire Technology, or related field acceptable to the Fire Chief. Where the degree is not related to Fire Administration, the Fire Chief may conditionally award the college incentive pay for a period of not exceeding 36 months, during which time the firefighter shall earn a minimum of 12 credit hours of Fire Administration courses, with 6 credit hours within the first 18 months. Failure of the firefighter to meet that schedule shall reduce the incentive pay to the pay equivalent to the number of hours credited toward a Bachelor's Degree in Fire Administration. Should the fire fighter subsequently complete the 12 hours of Fire Administration classes, the college incentive pay equivalent to a degree, shall be reinstated.

Program Requirements:

Participants must have been employed by the City for one year, and must have received 30 credit hours toward the approved degree. No pay will be given for any hours in which a grade less than "C" is received. The City reserves the right to review each participant's class attendance in any manner it sees fit. If it is determined that the participant is not attending class adequately, pay for credits will be docked accordingly. All college hours must be from a college or university that has been accredited by a national accreditation organization, recognized by the U.S. Department of Education.

The City reserves the right to cancel the Education Incentive Pay Program, if and when the financial condition of the City becomes such, that the Board of Directors determines that the City cannot afford to continue the program.

4.16 CERTIFICATE/LICENSE/ INCENTIVE PAY PROGRAM

Purpose

The Certificate/License Incentive Pay Program has been designed to meet three major objectives. First, to promote and maintain a highly qualified, trained, and professional workforce by providing incentives for employees to participate in job related continuing education and certification/licensing programs. Second, the City hopes to enhance and improve the level of service provided to its citizens through the provision of a highly qualified and professional workforce. Finally, it is the intention of this policy to reduce and mitigate general and individual employee liability exposures by ensuring that City employees are well trained and knowledgeable of the job they perform.

Public Works:

All of the certifications must be by a state agency, SBCCI, or other recognized certifying agency and certification must be in an area directly related to the employee’s job duties.

Code Enforcement:

May receive incentive pay for up to three (3) certifications or licenses in the following areas, provided at least one (1) is a building inspector’s certification:

- Building, Commercial Electrical, Plumbing, HVAC (mechanical), Zoning and Property Standard Housing Rehabilitation, or 1 & 2 Family Dwelling Inspector; Electrical, Plumbing, HVAC Master License; Storm Water Management Certificate. \$20/month

May receive incentive pay for up to three (3) certifications in the following areas provided at least one (1) is in a building area:

- Building, Electrical, Plumbing or HVAC Plan Examiner; Storm Water Management. \$20/month

May receive incentive pay for three (3) certifications in the following areas, provided at least one (1) is in a building area:

- Building, Electrical, Plumbing or HVAC Code Analyst; Storm Water Management. \$20/month

May receive incentive pay for one (1) certification in the following areas:

- Code Enforcement & Administration Professional or CABO Certified Building Official (CBO) \$20/month

Planning:

- Associate’s Degree in Engineering Technology or Architecture, or AICP Certified Planner. \$20/month

Street Department:

- 40 hours of Arkansas T2 classes in Street Maintenance and Repair \$20/month
- 40 hours of Arkansas T2 classes in Management, Public Relations and Interpersonal Relations \$20/month

Parks:

- Pool, Ball Field, Grounds, and Landscaping Maintenance Certificate \$20/month
- 40 hours of Arkansas T2 classes in Management, Public Relations, and Interpersonal Relations \$20/month

Housing:

- Housing Construction and Rehab Management Certificate \$20/month
- ADFA Certified Home Program Administrator Certificate \$20/month

Mechanics:

The City of Texarkana, Arkansas, employs mechanics in various departments and thus, has the following incentive program for mechanics:

- Certification from a recognized program in Automatic Service Excellence \$20/month
- Certification by the National Association of Emergency Vehicle Technicians

	\$20/month
Finance Department:	
Associate's Degree in Accounting, Computer Science, Finance, or Economics	\$20/month
Bachelor's Degree in Accounting, Computer Science, Finance, or Economics	\$20/month
Master's Degree in Accounting or Computer Science, Finance, or Economics	\$20/month
CPA License	\$20/month
Municipal Court:	
Certification through Arkansas Association of Municipal Court Clerks	\$20/month
Certified Probation or Police Officer/Bailiff	\$20/month
Secretarial Staff:	
Certification from Professional Secretaries International Organization	\$20/month
Associate's Degree in Business or related field	\$20/month
Personnel:	
Associate's Degree in Personnel, Business, or Management	\$20/month
Bachelor's Degree in Personnel, Business, or Management	\$20/month
Master's Degree in Personnel, Business, or Management	\$20/month
Probation:	
Probation Officer certification	\$20/month
Court Security Officer	\$20/month
City Clerk's Office:	
Certification through International Institute of Municipal Clerks or Certified Municipal Clerk	\$20/month

4.17 SPECIALIZED POSITION INCENTIVE PAY (POLICE)

Purpose

The Specialized Position Pay Program is designed to encourage officers to take on new responsibilities, learn new skills, become crossed trained, and diversify our police department.

Guidelines

Non probationary police employees may receive \$20 additional compensation per month for service in a specialized position. In order to qualify for specialized position pay, employees must have completed their introductory period and be assigned to the specialized position. Furthermore, this pay is not to exceed five specialized positions.

Police Department Specialized Positions:

Civil Service employees in the Police Department are eligible for the specialized position incentive pay for the following positions.

Field Training Officer	\$20/month
SWAT	\$20/month
Honor Guard	\$20/month
Bilingual	\$20/month

Peer Support	\$20/month
Traffic	\$20/month
Night Shift	\$20/month
Crime Scene	\$20/month
K-9	\$20/month

4.18 POLICY INCORPORATING THE FAMILY AND MEDICAL LEAVE ACT REQUIREMENTS

General

An employee may request a leave of absence covered by FMLA. Reasons for leave under the FMLA include:

- the birth of a child
- placement of a child for adoption or foster care
- caring for immediate family members with a serious health condition
- a serious health condition that makes the employee unable to perform the essential functions of his or her job
- responding to a qualified family demand created by a service member being called to active duty, and caring for service members who have become sick or injured in the line of duty.

To ensure compliance with the Family and Medical Leave Act requirements, an employee requesting a leave of absence for one of the above stated purposes will be placed on FMLA leave.

Eligibility

To be eligible for all of the benefits and conditions described herein, an employee must have been employed for 12 months and worked at least 1250 hours in that year.

An employee who has been employed for less than 12 months and worked less than 1250 hours in that year, can request a leave, but if the leave is granted (a) must prepay insurance premiums, (b) is not guaranteed an equivalent position upon return, and (c) is not eligible for an intermittent leave or reduced leave schedule.

Duration and Schedule of Leave

An employee is limited to 12 weeks of family and medical leave in an employment year. A leave for birth, adoption, or placement of a child, must be completed by 12 months after the birth or placement.

Up to 12 weeks of leave for certain qualifying exigencies arising out of a covered military member's active duty status, or notification of an impending call or order to active duty status, in support of a contingency operation, and up to 26 weeks of leave in a single 12-month period to care for a covered service member recovering from a serious injury or illness incurred in the line of duty on active duty. Eligible employees are entitled to a combined total of up to 26 weeks of all types of FMLA leave during the single 12-month period.

An eligible employee may request an intermittent leave or a reduced leave schedule because of

the employee's serious health condition, or to care for the employee's spouse, child, or parent with a serious health condition when the need is certified by a physician or practitioner. Intermittent leave is leave taken in separate blocks of time due to a single illness or injury. Reduced leave is a schedule that reduces an employee's usual number of working hours per day or week.

Compensation

The City does not provide compensation during a leave of absence. The employee's accrued sick and/or vacation leave will be charged during Family and Medical Leave. Workers Compensation leave shall run concurrently with Family and Medical Leave; however, an employee is not required to substitute sick or vacation leave during an absence covered by payments from state workers' compensation funds.

Insurance

An employee who is receiving workers' compensation benefits, and also taking family leave, cannot be forced to return from family leave to take a "light-duty" assignment. However, a refusal to take a light-duty assignment could mean suspension of workers' compensation benefits under applicable state law. If a light-duty assignment is accepted, the employee's right to return to the original or an equivalent job continues until 12 weeks have passed. This 12 weeks period includes the employee's FMLA leave and the time spent doing light-duty work.

If the employee does not return to work at the conclusion of the leave for a reason other than (a) the continuation, recurrence, or onset of a serious health condition of the employee or immediate family member or (b) circumstances beyond the employee's control, the employee must repay the City-paid insurance premiums, or a pro rata share for an intermittent or reduced leave, within 90 days of the conclusion of the leave. Covered employees not returning to work will be offered health insurance through COBRA.

Dependent insurance premiums must be prepaid by the employee on leave on the first of each month, or insurance for the dependent(s) will be terminated.

Benefits

During a FMLA leave not covered by sick or annual leave, the employee shall retain seniority but will not earn any leave. Health insurance premiums will be maintained on the same basis as if the employee were working. In the event an employee does not return to work after the completion of FMLA, the employee will be responsible for the repayment of insurance premiums in accordance with FMLA guidelines.

Documentation

Except in emergencies, the employee must submit a completed Application for Family or Medical Leave at least 30 days in advance of the leave and a Certification of Physician or Practitioner to the Personnel Director. Additionally, for the adoption or foster placement of a child, the employee must submit a statement from the agency specifying the date of the birth or placement. Similar statements may be required at any time during the leave and prior to the employee returning to work.

The City may require second and third medical opinions at the City's expense.

Employment

When an eligible employee returns from a leave, the employee will be placed in the same or equivalent position with equivalent benefits.

When an eligible employee takes an intermittent or reduced leave, the employee may be transferred temporarily to an alternate position with equivalent pay and benefits.

(An employee who has been employed less than a year, and worked less than 1250 hours in that year is not guaranteed the same or equivalent position, pay, or benefits.)

The failure of an employee to return to work at the conclusion of the leave may subject the employee to termination of employment.

Questions

This policy is intended to comply with the Family and Medical Leave Act of 1993 (FMLA revisions effective January 16, 2009). In the event of discrepancies, the Act will control.

Additional information regarding this policy, or the definitions used herein, may be obtained from notices posted on the bulletin boards and from the Family and Medical Leave Act available in the Personnel Department.

CHAPTER V: MATTERS AFFECTING THE STATUS OF EMPLOYEES

5.01 ATTENDANCE

Employees shall be in attendance at their work stations in accordance with the rules and regulations established for each department. All departments shall keep daily attendance records of all employees, which shall be reported to the payroll office on the form and on the date specified by the City Manager.

- (A) Except for non-exempt employees, any employee who is late for work may not be paid for the time absent from work, at the discretion of the department head or designated representative.
- (B) Persistent violators shall be subject to further disciplinary action to include dismissal.

5.02 WORK HOURS

Except for firefighters, Police Officers and exempt employees, normal work hours for all employees shall be 40 hours per week. Work hours for police and fire employees shall be in accordance with state statutes and departmental regulations.

The City reserves the right to adjust and change hours of work, days of work, and schedules, in order to fulfill its responsibility to the citizens of Texarkana. In the event of an emergency, previously scheduled hours of work, days of work, and work arrangements may be altered at the discretion of the department head. Changes in work schedules will be announced as far in advance as practicable.

5.03 OVERTIME PAY

Overtime will be paid in compliance with the Federal Fair Labor Standards Act.

Eligible (non-exempt) employees will be paid overtime for hours worked in excess of 40 hours per week (except for Fire and Police Department). Eligible Fire Department personnel, working 24 hour shifts, shall be paid overtime for hours worked in excess of 212 hours per 28 day work period. Overtime compensation will be one and one-half times the regular hourly rate of pay. No leave or holiday pay will be credited toward hours worked in the computation for overtime unless it is billable overtime that will be reimbursed by an outside agency. Overtime of less than 15 minutes will not be compensated.

The Police Department may elect to adopt shift and corresponding compensation and overtime accrual models for some or all of its personnel in accordance with the Federal Fair Labor Standards Act (including, without limitation, 29 U.S.C. 207(k)).

Fire Department:

For overtime purposes, the hourly rate of pay for Fire Department employees on 24 hour shifts shall be determined by dividing total base pay by the number of hours paid for during the 28 day work period. The number of hours paid for will normally be either 216 (9 shifts) or 240 (10 shifts).

Except in case of an emergency, advance approval of all overtime shall be made by the department head.

5.04 OVERTIME COMPENSATION ELIGIBILITY

The determination of employees eligible for overtime compensation will be based on the federal Fair Labor Standards Act (FLSA) provisions for executive, administrative, and professional employee exemptions. Exempt positions include, at the City Manager's discretion, but are not limited to:

City Manager	Police Captain
Finance Director	City Planner
Police Chief	Assistant Police Chief
District Court Clerk	Chief Probation Officer
Public Works Director	Assistant Public Works Director
Parks Director	Bi-State Information Center Director
City Clerk	Public Works Superintendent
Fire Chief	Assistant Fire Chief
Fire Marshal	Fire Training Chief
Controller	Building Official
Parks Superintendent	Animal Shelter Director
Building Maintenance Manager	

5.05 COMPENSATORY TIME

Effective January 1, 2010, the City will not allow accrual of compensatory time. Overtime will be paid out as it is earned in strict accordance with Local, State and Federal laws. Employees that have prior compensatory leave accrued can use that leave as they see fit, with their Department Head's approval. All City employees that have accrued compensatory time are encouraged to request to be paid out for that accrued leave.

5.06 VACANCIES AND PROMOTIONS

It is the intent of the City of Texarkana, to hire and promote the most qualified applicant for all vacant positions. To give the employees of the City of Texarkana the opportunity to apply for job vacancies, announcements of job openings, with the job description, will be posted on employee bulletin boards for a minimum of five working days.

The final decision regarding promotions shall be made by the city manager with the department head's recommendation.

5.07 TRAINING

The City of Texarkana is committed to continuing and on-going training for all employees. However, in addition to formal training provided by the City for various positions, each employee is responsible for determining whether there has been sufficient training for proper job performance. In the event the employee feels additional training is needed, the supervisor or department head should be notified. Expenses incurred in on-the-job training will be assumed by the City.

5.08 JOB SAFETY

It is the responsibility of all department heads to formulate and ensure compliance with all job safety guidelines. Copies of all pertinent safety guidelines shall be posted in each department. Each employee has a responsibility to be aware of all safety responsibilities in all assigned duties and in the operation of all equipment. Safety is largely a practice of good judgment and the practice of good work habits. Any employee who is uncertain of a safety procedure is to ask the supervisor or department head for direction.

The following safety rules should always be observed:

- Follow all departmental safety rules.

- Use all mechanical safeguards on or for equipment.
- Immediately cease using and report any faulty or potentially faulty equipment.
- Immediately report any unsafe or potentially unsafe working condition.
- Immediately report any accident to the supervisor or department head.

The Safety Manual adopted by the Board of Directors is to be complied with by all employees as directed by the Safety Officer.

5.09 REFUSAL TO WORK

The City of Texarkana is committed to public service. Any employee work stoppage, slowdown, strike, or other intentional interruption of the operations of the City shall cause the employee to forfeit his or her employment and result in the termination of the employee from the City of Texarkana.

5.10 RESIGNATION/TERMINATION

Employees desiring to terminate their employment relationship with the City of Texarkana are urged to notify the City at least two weeks in advance of their intended termination. Such notice should be given in writing to the employee's department head or supervisor. The department head is to forward the resignation letter to the Personnel Office as soon as it is received. Proper notice generally allows the City sufficient time to calculate all final accrued moneys due the employee for the final paycheck. All final checks will be distributed from the Personnel Office. To receive a final check, the employee must have completed the following steps:

- Have a letter of resignation on file in the Personnel Office.
- Return all City-owned property to the appropriate department head.
- Complete an exit interview in the Personnel Office.

The employee's final check will include moneys due the employee for accumulated leave, insurance reimbursements, etc. Any reimbursement due the City for tuition aid, insurance payments, etc., will be deducted from the employee's final check. Unless requested in writing by the employee, all final pay will be issued on the next regular pay day.

An employee resigning to relocate to another area who has complied with the above termination procedures may submit a written request that the Personnel Office forward the final check by mail.

Special Note: Any request for references on former City employees shall be referred to the Personnel Office for response.

5.11 REEMPLOYMENT

Seniority may be reinstated subject to the following guidelines:

- The employee must have three years service with the City at time of resignation.
- The resignation must be the first from City employment.
- A vacant position must be available at the same or lower level, as the position from which the employee resigned.
- The reinstatement must occur within six months of the resignation.

Employees who have resigned in good standing may be reemployed and reinstated to the same or lower position in the same department at the discretion of the City Manager with the recommendation of the department head.

5.12 PROBATIONARY PERIODS

Civil Service:

Arkansas state law provides for a period of probation, not to exceed 12 months for potential fire department appointees and at least one (1) year but no longer than two (2) years for potential law enforcement appointees before any appointment is complete and six months before any promotion is complete. (ACA 14-51-301)(7)(A).

Non-Civil Service:

Non-civil service employees have a standard six month probationary period.

5.13 AT-WILL EMPLOYMENT

As mentioned elsewhere in this handbook, all employee relationships with the City of Texarkana are on an at-will basis. Thus, although the City of Texarkana hopes that the relationship with an employee is long term and mutually rewarded, the City reserves the right to terminate the employment relationship of any employee at any time, with or without cause.

CHAPTER VI: STANDARDS OF CONDUCT

6.01 CONDUCT TOWARD THE PUBLIC

Employees of the City of Texarkana shall at all times be civil, orderly, and courteous in their conduct and demeanor. In each contact with the public, an employee must be aware that personal appearance, actions, and statements are, in essence, those of the City.

In dealing with the public, each employee must make every effort to inspire respect for the City and to generate the cooperation and approval of the public.

Not everyone an employee may meet in the course of his or her duties will be courteous. However, an employee should treat the public with courtesy, patience, respect, and understanding. This attitude or approach to public service cannot be overemphasized.

When an employee is not certain of the correct response to an inquiry from the public, the inquiry should be referred to the individual or the department which can provide the most satisfactory response to the inquiry. It is better to admit lack of knowledge than to provide erroneous information. The following represent management's and employee commitment to our citizens and customer:

- All City employees must work together as a team to insure that residents and visitors are pleased with our public contacts and services provided.
- All employees shall take part in any training required for their positions and particularly, training provided for the best possible service to the citizens. Each employee should think of himself as an ambassador of the City, both in and outside of the workplace.
- An employee receiving a complaint or a request for service should handle that complaint or request until it's resolved or satisfied. At no time should a City employee be rude or unresponsive to any citizen or to another employee.
- Remember that you are always in the public eye. Consider every action, rest period, or public contact as if it were appearing on the front page of the newspaper.
- When dealing with the public, whether on duty or off, try to keep a positive attitude. We only hurt ourselves when we run down certain aspects of our City.
- Try to escort citizens who ask you about getting to a particular location or destination. Don't just point them in a general direction.
- Try to be generally knowledgeable about the functions of City departments, particularly about those areas which you are frequently asked.
- Use proper telephone etiquette. Try to answer every phone call within three rings. In the event that you are away from your phone and receive voicemail, answer all messages within 24 hours of when the call was made (or the following business day).
- Take pride in and care of your personal professional appearance as well as the appearance of your workplace. Ensure that you know your role in all situations. Promoting the City of Texarkana, Arkansas and serving its citizens is the responsibility of every employee.

6.02 CONDUCT TOWARD FELLOW EMPLOYEES

Just as employees are expected to be courteous in their contact with the public, they are also expected to treat co-workers with the same respect and courtesy.

6.03 CHAIN OF COMMAND

Each department shall establish a departmental chain of command and regulations. Employees are to discuss employment problems or issues with their immediate supervisor. If the supervisor cannot resolve the matter, the supervisor is to go with the employee to the next higher staff person. If necessary, the matter will continue through the chain of command to the City Manager, where, for personnel matters, the process ends. The City Board of Directors is a legislative body which sets policy and functions as authorized by Arkansas state law. However, it does not involve itself with individual personnel matters and day to day operations of the City.

The chain of command also operates in reverse, and higher level staff members should not bypass the proper chain of command procedures except in an emergency.

6.04 UNIFORMS AND PERSONAL APPEARANCE

Uniforms will be provided to personnel of certain departments, as authorized by the Board of Directors. Personnel who are provided uniforms shall wear uniforms at all times while on duty. Uniforms shall be kept as neat and presentable as working conditions permit.

Employees not required to wear uniforms should dress in appropriate, professional departmental attire.

Even in a business casual work environment, clothing should be pressed and never wrinkled. Torn, dirty, or frayed clothing is unacceptable. All seams must be finished. Any clothing that has words, terms, or pictures that may be offensive to other employees is unacceptable. Clothing that has the company logo is encouraged.

All City employees are required to wear City issued identification cards.

Certain days can be declared dress down days, generally Fridays. On these days, jeans and other more casual clothing, although never clothing potentially offensive to others, are allowed.

If an employee is not sure what appropriate attire is, his/her supervisor or department head should be consulted.

6.05 UNLAWFUL HARASSMENT

The City Board and City Manager expressly prohibit any form of unlawful employee harassment based on race, color, religion, sex, national origin, age, handicap, or status as a veteran. Improper interference with the ability of the City's employees to perform their expected job duties is not tolerated.

Harassment is any annoying, persistent act or actions that single out an employee, to that employee's objections or detriment, because of race, sex, religion, national origin, age, or disability. Harassment may include any of the following:

- Verbal abuse or ridicule
- Interference with an employee's work
- Displaying or distributing sexually offensive, racist, or other derogatory materials
- Discriminating against any employee in work assignments or job-related training because of one of the above-referenced bases
- Intimate physical contact
- Making offensive, sexual, racial, or other derogatory innuendoes, comments, or jokes

- Demanding favors (sexual or otherwise), explicitly or implicitly, as a condition of employment, promotion, transfer, or any other term or condition of employment.

It is every employee's responsibility to ensure that his or her conduct does not include or imply harassment in any form. If, however, harassment or suspected harassment has been or is taking place, the following will apply:

Complaint Procedure:

If an employee experiences any job-related harassment based on sex, race, or another factor, or believes there has been unlawful, discriminatory treatment, the incident is to be promptly reported to the department head or the Personnel Office. The complaint will be kept confidential to the maximum extent possible.

Each complaint will be fully investigated and determination of the facts with an appropriate response will be made on a case-by-case basis.

If it is determined that an employee is guilty of harassing another employee, appropriate disciplinary action will be taken against the offending employee.

The City of Texarkana will not tolerate harassment or any form of retaliation against any employee for filing a bona fide complaint under this policy or for assisting in a complaint investigation. However, if after investigating any complaint of harassment or unlawful discrimination, the City determines that the complaint is not bona fide or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or whomever provided the false information.

6.06 GUIDELINES FOR APPROPRIATE CONDUCT

An employee of the City of Texarkana is expected to accept certain responsibilities, adhere to acceptable principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times. This requires respect for the rights and feelings of others and that an employee refrains from behavior that might be harmful to the employee, any co-workers, the citizens, and/or the City.

While an employee is on duty, his or her conduct reflects on the City. An employee is encouraged to observe the highest standards of professionalism at all times.

Types of behavior and conduct that the City considers inappropriate while on duty include, but are not limited to, the following:

- 1) Falsifying employment or other City records
- 2) Violating any City non-discrimination and/or harassment policy
- 3) Soliciting or accepting gratuities from citizens
- 4) Excessive absenteeism or tardiness
- 5) Unnecessary or unauthorized use of City property
- 6) Reporting to work intoxicated or under the influence of non-prescribed drugs, and/or illegal manufacture, possession, use, sale, distribution, or transportation of drugs.
- 7) Using alcoholic beverages
- 8) Fighting or using obscene, abusive, or threatening language or gestures
- 9) Theft of property from co-workers, citizens, or the City
- 10) Disregarding safety or security regulations
- 11) Insubordination
- 12) Neglect or carelessness resulting in damage to City property or equipment
- 13) Unsatisfactory performance of the quantity or quality of work considered standard for the position
- 14) Discourtesy to the public
- 15) Gambling

16) Failure to follow the chain of command procedure

6.07 DISCIPLINARY ACTION

Non-Civil Service:

Should an employee's performance, work habits, overall attitude, conduct, or demeanor become unsatisfactory and in violation of any of the above referenced items, or any other City policies, rules, or regulations, an employee will be subject to disciplinary action up to and including dismissal.

Disciplinary Action May Be:

-Warning or Reprimand: A reprimand is action used to alert the employee that his or her performance is not satisfactory, or to call attention to the employee's violation of employment, rules, and/or regulations. City employees may be officially reprimanded orally or in writing and such reprimand will be entered in the employee's personnel file.

-Suspension: Suspension involves the removal of an employee from his or her job. An employee may be suspended with or without pay. A suspension must be in writing. The reason for such action, the period of time for the suspension, and the date the suspension is to begin and end must be noted also. Following suspension, the employee's conduct will be closely reviewed by the supervisor, and if there is a further instance of unsatisfactory performance or conduct, further disciplinary action shall be taken. This section does not apply to employees in FLSA exempt status, except when imposed in good faith for major safety violations.

-Demotion/Transfer: An employee who has committed an offense or whose work establishes grounds for demotion or transfer will be given written notice of such action. A demotion or transfer is an action that places the employee in a position of less responsibility and less pay.

-Termination: This type of disciplinary action is a removal of an employee from City employment. An employee who has committed a serious offense or whose work establishes grounds for termination will be given written reasons that can be supported at a pre-termination hearing.

In any case where a written disciplinary action is given to an employee, the employee shall acknowledge receipt of the notice with his/her signature. This is not an admission of guilt or agreement with the action. However, refusal to sign the acknowledgment of receipt of disciplinary action shall be grounds for termination.

NOTE: This section is not intended as an abridgment of the employment at-will doctrine. The City is not limited to dismissing employees for disciplinary reasons but may also dismiss employees at the will and discretion of the City at anytime with or without cause, and with or without any of the first three disciplinary actions listed above.

Civil Service:

Types of disciplinary actions for Civil Service employees are detailed in the Fire Department Manual of General Orders and/or Police Department Manual of General Orders.

6.08 PROCEDURE FOR REVIEW OF DISCIPLINARY DECISIONS

Non-Civil Service:

Review of all disciplinary matters shall be conducted as follows:

- 1) A written grievance shall be filed with the department head within five working days after the disputed disciplinary action.
- 2) The department head will investigate the situation and respond in writing to the employee, within five working days. To the extent possible, the grievance should be resolved at this level.
- 3) In the event Step 2 does not satisfy the employee, a written appeal may be made to the Personnel Office within three working days.
- 4) The Personnel Office or designee, will review the case, gather data, interview all concerned parties, and submit a written report to the City Manager within five working days.
- 5) The City Manager will review all information and respond to the complaint in writing within 10 working days. The City Manager's decision is final. A copy of the City Manager's decision shall be forwarded to the Personnel Office.

Civil Service:

The grievance and appeal procedures for City service employees are detailed in the Commissioned Officers Handbook of Rules and Regulations, as approved by the City Service Commission pursuant to the laws of the State of Arkansas.

6.09 ABSENTEEISM AND TARDINESS

The City of Texarkana expects all of its employees to be at work on time and on a regular basis. When employees are unnecessarily absent or late, it is expensive, disruptive, and places an unnecessary burden on fellow employees, supervisors, City government as a whole, and the taxpayers who receive City services. Should an employee be unable to report to work on time because of illness or personal emergency, the employee should give his supervisor proper notice as detailed in 4.02 Sick Leave. Unexcused absences and tardiness could result in disciplinary action.

6.10 INCLEMENT WEATHER

In exceptional circumstances beyond the employee's control, such as weather causing hazardous conditions, the employee is required to contact his or her supervisor for instructions regarding job assignments for that particular work day. If an employee's department is open for business, the employee is expected to report to work. However, if in the employee's opinion, the conditions are too hazardous to get to work safely, he or she will have the option of taking the time off as a vacation day. Regardless of the situation, an employee is expected to give the supervisor "proper notice", if unable to report for work. "Proper notice" is defined to be notice in advance of the time an employee should report for work or no later than 30 minutes thereof.

An absence of an employee from duty, including any absence of one day or part thereof that is not authorized in advance by the department head or the employee's supervisor, shall be deemed absence without leave. Such absence shall be without pay.

6.11 OUTSIDE EMPLOYMENT

An employee considering additional employment should discuss such plans with his or her department head and receive approval for additional employment.

If, as an employee of the City, an employee accepts an additional job, it must not interfere with the proper and effective performance of his or her job with the City. An employee's outside employment must not be of a nature that adversely affects the image of the City, resulting in embarrassment, legitimate and reasonable criticism, or of a type that may be construed by the public to be an official act of the City. It must not in any way violate City policies. City uniforms shall not be worn during outside employment unless approved in advance by the City Manager.

6.12 POLITICAL ACTIVITY

City employees are encouraged to exercise their legal right to vote and, if necessary, reasonable time will be granted for the purpose.

Generally, political activities while on duty are prohibited by Arkansas law (ACA 7-1-103). Political campaigners shall not solicit support from City employees during work hours on City premises.

6.13 CITY GOVERNMENT

Texarkana, Arkansas operates under a City Manager form of government. The City Manager is the chief executive officer and is appointed by the Board of Directors. He is responsible for overall management and operation of City Government. The Board of Directors is the supreme legislative and executive body of municipal government. Board members are elected from wards; the mayor is elected at large, votes as a Board member, has no veto power and presides at Board meetings. (14-47-100 to 14-47-140)

6.14 CIVIL SERVICE COMMISSION

All uniformed police and fire employees, once they have completed their probationary period (1 year), are governed by the City of Texarkana Arkansas Civil Service Commission. The composition and duties of the commission are established by state law.

6.15 OUTSIDE COMPENSATION

No reward, gift, or other form of remuneration, in addition to regular compensation, shall be received from any source by employees of the City for the performance of their duties. If a reward, gift, or other form of remuneration is made available to any employee, it shall be credited to the City's General Fund.

6.16 DRUG FREE WORKPLACE

Random drug testing program shall be extended to all City employees as provided in the Drug Free Workplace Ordinance adopted by the Board of Directors.

Use of Narcotics, Alcohol, and Tobacco:

It is the policy of the City of Texarkana, to maintain a work environment free from the unlawful manufacture, distribution, dispensation, possession, use, or effect of a controlled substance (as defined by the Federal Controlled Substance Act or similar state statutes) and free from the use, possession, and effect of alcoholic beverages. The City of Texarkana recognizes that drugs and alcohol impair employee judgment, which may result in increased safety risks, hazards to the public, employee injuries, faulty decision-making, and reduced productivity. Therefore, the City of Texarkana expects all employees to be in a state of mind and physical condition, fit to complete their assigned duties safely and competently during work hours.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or the possession or use of an alcoholic beverage by an employee while on duty, during lunch, and/or other breaks, or at any time while the employee is on a City work site, on City working time, or at any time while using a City vehicle or other motorized equipment is absolutely prohibited and constitutes cause for termination of employment.

Any employee convicted (a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both, by any judicial body charge with the responsibility to determine violations of federal or state criminal statutes) of violating criminal statutes pertaining to controlled substances and/or alcohol, occurring at any time on or off City property, on a City work site, or on City working time while conducting City business, must immediately (no later than 5 days from the date of the conviction) report the conviction to their supervisor or be subject to disciplinary action up to and including termination of employment. Such conviction may itself also constitute grounds for disciplinary action up to and including termination of employment.

All employees using a prescription or non-prescription drug which may in any way affect their job performance, must promptly notify their supervisor in writing as to the possible effects of such medication on the performance of their assigned duties and related physical/mental capability. A City department head or supervisor may require a physician's statement if the employee indicates that there is a need to use a prescription or non-prescription drug for three days or longer.

Each department head or supervisor may establish smoking policies for his or her departmental employees.

Drug/Alcohol Testing Upon Reasonable Suspicion:

If a City department head or supervisor has reasonable suspicion that an employee, at work or when reporting to work, appears to be under the influence of a controlled substance and/or of an alcoholic beverage and therefore appears to be impaired and unfit for duty, the employee will be required to consent to a drug/alcohol test. If an employee refuses to consent to a drug/alcohol test, disciplinary action, up to and including termination of employment will be initiated.

Reasonable suspicion is a belief based on objective facts, sufficient to lead a reasonably prudent person to suspect that an employee is under the influence of a controlled substance and/or of an alcoholic beverage, so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform the job safely is reduced.

Observations which constitute a factual basis for determining reasonable suspicion may include, but are not limited, to the odor of an alcoholic beverage or drug; erratic behavior; violent mood swings; excessive absenteeism, including tardiness; a medical emergency which could be attributed to substance or alcohol abuse; physical on-the-job performance, or an accident which is caused by the apparent action or inaction of the employee.

The department head or supervisor will describe the incident in writing, documenting the circumstances leading to the conclusion that a drug/alcohol test is necessary. Such documentation will include the date, time, place, description of incident, and statements of witnesses. Any other evidence such as drugs, drug paraphernalia, containers, etc. will be collected.

After documenting the incident, the department head will contact the Personnel Administrator to determine if drug/alcohol testing is appropriate and, if appropriate, to arrange for testing. If drug/alcohol testing is appropriate, the supervisor or department head will transport the employee to a drug/alcohol test collection facility. The drug/alcohol test may be a type based on urine, or

other type of sample, as appropriate. After testing, the employee will be transported home by his supervisor or relative, and told not to report to work until the results of the test are known. If the employee's supervisor reasonably determines that the employee is incapable of being managed, the Police Department may be contacted for assistance.

Workplace Accident:

In the event of a workplace accident, whether resulting in an on-the-job injury or not, a City department head or supervisor may require those employees in the work group experiencing the accident to submit to a drug/alcohol test under the guidelines set forth above for reasonable suspicion testing.

Searches on City Property:

A City department head or supervisor may conduct a reasonable search of any City property at any time and especially when employees in a work group experience an accident. City property includes, but is not limited to, City owned or leased buildings, parking facilities, City vehicles and/or motorized equipment, containers located in or on City vehicles and/or motorized equipment, as well as lockers and desks.

The personal property of City employees may also be searched if the employee's personal property is on City property and the employee signs a consent form. Whether or not a consent form is signed, any information obtained which may relate to violations of federal or state criminal statutes will be transmitted to the appropriate law enforcement agency.

Drug-Free Awareness Program:

To educate employees on the danger of drug abuse, the City has established a drug-free awareness program. Periodically, employees will be required to attend training sessions at which the dangers of drug abuse, the City's policy regarding drugs, the availability of counseling, and other types of information will be presented.

Employees who violate any aspect of this policy will be subject to disciplinary action, up to and including termination. At its discretion, the City may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

6.17 SOCIAL MEDIA USE

This policy provides guidance on the use of social media for all City employees. To fully understand the purpose of this policy, social media includes blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that allow users to share information with others in a contemporary manner.

Employees need to understand and comply with the City's Social Media Use policies. Failure to do so, could result in disciplinary action or termination of employment.

Job-Related Use

The City will allow job-related use of social media to further the goals of the City and the missions of its departments, where deemed appropriate. All city employees that are authorized to post information to social media sites will be subject to approval by the department head or designee. The City's website (<https://arkansas.txkusa.org/>) will remain the City's principal and predominant internet presence.

Employees shall maintain City related social media accounts separate from personal accounts, if practical.

Employees must receive a prior written approval from the department head or designee and agree to adhere to the City's social media and/or computer systems policies prior to posting any content on social media.

Personal Use

Employees should be aware of the effect their actions may have on their images, as well as the City's image. The information that employees post or publish may be public information for a long time. The following principles apply to professional and personal use of social media when referencing the City.

Employees should be aware that the City may observe content and information made available by employees through social media. Employees should use their best judgment to not post content that is inappropriate or harmful to the City or its employees.

The following list, although not inclusive, provides specific examples of prohibited social media conduct that includes examples of posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment.

Employees are not to publish, post or release any information that is considered confidential or not public. If there are questions about what is considered confidential, employees should check with the Human Resources Department and/or supervisor or department head.

Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to authorized City's spokespersons.

If employees encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and seek the advice of a supervisor or contact the Human Resources Department.

Employees should get appropriate permission before referring to or posting images of current or former employees, members, vendors or suppliers. Additionally, employees should get appropriate permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.

Social media use should not interfere with employee's responsibilities at the City. The City's computer systems are to be used for business purposes only. The use of the City's computer system and social media for business purposes is only allowed as described under Job-Related Use (ex: Facebook, Twitter, Instagram, Google, Flickr, etc. and the City's website), but personal use of social media networks or personal blogging of online content is prohibited and could result in disciplinary action, including termination of employment.

Subject to applicable law, after-hours online activity that violates the City's Standard of Conduct, Computer System Policy, and Social Media Use policies or any other company policy may subject an employee to disciplinary action or termination of employment.

CHAPTER VII: TEXARKANA COMPUTER SYSTEMS POLICY

7.01 **GENERAL**

(A.) Introduction

Information Resources are strategic assets of the City of Texarkana that must be managed as valuable City resources. Thus this policy is established to achieve the following:

- To ensure compliance with applicable statutes, regulations, and mandates regarding the management of information resources.
- To establish prudent and acceptable practices regarding the use of information resources, email, instant messaging, and the Internet.
- To educate individuals who may use information resources, emails, the Internet, the Intranet or both, with respect to their responsibilities associated with such use.
- To ensure the security integrity and proper use of the City computer network and all of the City's information resources.
- To ensure that all Information Resources are a secure and productive management tool.

(B.) Ownership

Electronic files created, sent, received, or stored on Information Resources owned, leased, administered, or otherwise under the custody and control of the City of Texarkana, are the property of the City of Texarkana.

(C.) Privacy

Electronic files created, sent, received, or stored on Information Resources owned, leased, administered, or otherwise under the custody and control of the City of Texarkana, are not private and may be accessed with the City Manager's authorization by Information Technology employees at any time, without knowledge of the employee. Department heads may access and view electronic files within their respective departments. All access shall be through Information Technology.

(D.) Responsibility

The responsibility for assuring complete compliance with the provisions of this policy rests with the department heads, supervisors, and the individual employee involved. It is the responsibility of email and Internet users to stay informed regarding City information that is disseminated electronically. This includes understanding and keeping up-to-date on system operations.

(E.) Definitions

Information Technology: The Information Technology Department of Texarkana Water Utilities is currently charged with the duty of operation and maintenance of Texarkana's computer network. In addition, Information Technology is responsible for administering the information security functions within the City network. The Information Technology Department is the City's internal and external point of contact for all information security matters.

Information Technology Director: Responsible to the City of Texarkana through the Executive Director of Texarkana Water Utilities, for management of the City's information resources. The designation of an agency information resources **director** is intended to establish clear accountability for setting policy for information resources management activities, provide for greater coordination of the City's information activities, and ensure greater visibility of such activities within and between City agencies.

Electronic Mail System: Any computer software application that allows electronic mail to be communicated from one computing system to another.

Electronic Mail (Email): Any message, image, form, attachment, data, or other communication sent, received, or stored within an electronic mail system.

Information Resources (IR): Any and all computer printouts, online display devices, magnetic storage media, and all computer-related activities involving any device capable of receiving email, browsing Web sites, or otherwise capable of receiving, storing, managing, or transmitting electronic data including, but not limited to, mainframes, servers, personal computers, notebook computers, handheld computers, personal digital assistants (PDA), pagers, distributed processing systems, network attached and computer controlled medical and laboratory equipment (i.e., embedded technology), telecommunication resources, network environments, telephones, fax machines, printers, and service bureaus. Additionally, it is the procedures, equipment, facilities, software, and data, that are designed, built, operated, and maintained to create, collect, record, process, store, retrieve, display, and transmit information.

Internet: A global system interconnecting computers and computer networks. The computers and networks are owned separately by a host of organizations, government agencies, companies, and colleges. The Internet is the present “information super highway.”

Intranet: A private network for communications and sharing of information that, like the Internet, is based on TCP/IP, but is accessible only to authorized users within an organization. An organization’s Intranet is usually protected from external access by a firewall. It is a closed network of computers across a local area network that work together to share information in a secured environment.

User: An individual or automated application or process that is authorized to access the resource by the owner, in accordance with the owner’s procedures and rules.

Vendor: Someone who exchanges goods or services for money.

World Wide Web: A system of Internet hosts that supports documents formatted in HTML (Hyper Text Markup Language) which contains links to other documents (hyperlinks) and to audio, video, and graphic images. Users can access the Web with special applications called browsers, such as Google Chrome, Firefox, and Microsoft Edge.

(F.) Disciplinary Actions

Violation of this policy may result in disciplinary action, up to and including termination. Additionally, employees are subject to loss of the City of Texarkana Information Resources access privileges, civil, and criminal prosecution, where appropriate.

All agencies using the Texarkana computer network outside the Cities of Texarkana shall adopt and enforce these policies, as a condition of continued use.

(G.) Cyber Security Training

All City employees shall participate in the Cyber Security Training program administered by information technology to follow industry best practices.

7.02 ACCEPTABLE USE OF INFORMATION RESOURCES

All employees shall abide by the security instructions, rules, directives, or other security communications as contained in the **addendum policy**, and that may from time to time be issued by the Information Technology Director (with approval of the City Manager). **See addendum Acceptable Use of Information Resources policy.**

CHAPTER VIII: MISCELLANEOUS INFORMATION

8.01 POLICY STATEMENT

This Personnel Manual outlines the rights and benefits afforded all employees by the City. The City of Texarkana, Arkansas, possesses the sole right to operate and manage the affairs of the City.

8.02 SEVERABILITY

Should any of the provisions of this Personnel Manual be determined to be contrary to federal, state, or local law, the remaining provisions of these Employee Policies and Procedures shall remain in full force and effect.

To the extent that any state law provides additional or different benefits or rights to employees, the provisions of these Employee Policies and Procedures shall be deemed to include those statements of law.

8.03 DEPARTMENTAL POLICIES AND PROCEDURES

Each department head is authorized to adopt lawful, oral, or written policies governing the day-to-day operations of that department. Departmental policies, if in conflict with these Employee Policies and Procedures, shall be governed by these Employee Policies and Procedures.

8.04 CHANGE OF ADDRESS, MARITAL STATUS, BENEFICIARY

It is important that if an employee changes his or her home address, telephone number, marital status, or beneficiary, to notify the Personnel Office of this change so that personnel files may be kept up to date. This is important in case the City must mail the employee any information that it feels the employee will need.

Employees shall not use the City as an address for personal mail.

8.05 NO SOLICITATION POLICY

Solicitation for any purpose shall not be permitted of or by City employees on the job. An employee may not be required to make any contribution or be penalized in any way in connection with City employment, according to the employee's response to authorized solicitation.

Persons who are not employees of the City may not solicit or distribute literature on City premises at any time.

8.06 USE OF CITY-OWNED VEHICLES

City-owned vehicles are to be used for official business only and unauthorized passengers are not permitted. Authorized passengers are considered to be those individuals who have reason to be in the vehicle for the purpose of conducting business, for the City or with the City, or as authorized by the Board of Directors. Anyone using City-owned vehicles must have a valid driver's license and will be subject to periodic checks of driving records.



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE: Adopt a Resolution making appointments to the Public Facilities Board. (CCD) City Clerk Heather Soyars

AGENDA DATE: July 17, 2023

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: City Clerk

PREPARED BY: Heather Soyars

REQUEST: Appointments to the Public Facilities Board for 5-Year staggered terms.

EMERGENCY CLAUSE: N/A

SUMMARY:

<u>Applicant</u>	<u>Term</u>
Mary Beck - reappointment	7/17/2023----2024
Eric Ethridge - reappointment	7/17/2023----2025
TyRhonda Henderson - appointment	7/17/2023----2026
Tyler Richards - reappointment	7/17/2023----2027
Jamie Finley - reappointment	7/17/2023----2028

EXPENSE REQUIRED: N/A

AMOUNT BUDGETED: N/A

APPROPRIATION REQUIRED: N/A

RECOMMENDED ACTION: Acting City Manager and staff recommend approval.

EXHIBITS: Resolution, member list

RESOLUTION NO. _____

WHEREAS, vacancies exist on the Public Facilities Board; and

WHEREAS, it is necessary that appointments be made to fill the vacant positions:

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Texarkana, Arkansas, that the following appointments are hereby approved to the Public Facilities Board in 5-Year staggered terms:

<u>Applicant</u>	<u>Term</u>
Mary Beck - reappointment	7/17/2023----2024
Eric Ethridge - reappointment	7/17/2023----2025
TyRhonda Henderson - appointment	7/17/2023----2026
Tyler Richards - reappointment	7/17/2023----2027
Jamie Finley - reappointment	7/17/2023----2028

PASSED AND APPROVED this 17th day of July, 2023.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

Joshua Potter, City Attorney