



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

Agenda - Monday, August 19, 2019 - 6:00 PM

Call to Order

Roll Call

Invocation and Pledge of Allegiance given by Mayor Allen Brown

CONSENT

- [1.](#) Approval of the minutes of the regular meeting August 5, 2019. (CCD)
- [2.](#) Adopt a Resolution authorizing the City Manager to purchase a Crew Cab 1 Ton Truck for the Public Works Department Streets Division. (PWD)

REGULAR

- [3.](#) Consider the following action concerning the 2019 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 2019 application and further authorizing the City Manager to execute a Memorandum of Understanding (MOU) Interlocal Agreement with Miller County, regarding the Byrne Justice Assistance Grant (JAG-yearly grant). (TAPD) Lieutenant Zachary White
- [4.](#) Adopt an Ordinance levying the 2019 tax rate. (FIN) Finance Director TyRhonda Henderson

CITIZEN COMMUNICATION

NEXT MEETING DATE: Tuesday, September 3, 2019

ADJOURN

2019 City Calendar

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

75th Annual Four States Fair & Rodeo Parade - Saturday, September 14, 2019

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

AMA Benefit Show - Saturday, September 28, 2019

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



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Approval of the minutes of the regular meeting August 5, 2019. (CCD)

AGENDA DATE: August, 19, 2019

ITEM TYPE: Ordinance Resolution Other : Minutes

DEPARTMENT: City Clerk

PREPARED BY: Heather Soyars, City Clerk

REQUEST: Approval of meeting minutes.

EMERGENCY CLAUSE: N/A

SUMMARY: Approval of meeting minutes.

EXPENSE REQUIRED: N/A

AMOUNT BUDGETED: N/A

**APPROPRIATION
REQUIRED:** N/A

**RECOMMENDED
ACTION:** The City Clerk recommends approval.

EXHIBITS: Meeting minutes.



Regular Meeting of the Board of Directors

City of Texarkana, Arkansas

216 Walnut Street

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

Mayor Allen Brown called the meeting to order.

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

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

ABSENT: Ward 4 Director Travis Odom

Director Steven Hollibush gave the Invocation and led the Pledge of Allegiance.

PRESENTATION(S)

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

Mayor Brown presented an award and pin to Gary East for 10 years of service for Specialized and Transport with the Police Department.

Mayor Brown also acknowledged Jana Dial, Property and Evidence Technician for 10 years of service with the Police Department and Jeffery W. Tanner for 25 years of service with the Fire Department.

CONSENT

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

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

2. Approval of the minutes of the regular meeting July 15, 2019, and the called meeting July 24, 2019. (CCD)
3. Resolution No. 2019-28 authorized the City Manager to enter into a construction contract with Tatum Excavating Company, Inc. (TEC) for East 50th Street Rehabilitation. (PWD)
4. Resolution No. 2019-29 authorized the City Manager to enter into contracts with various suppliers for chemicals for water treatment for use at the Wright Patman Water Treatment

Plant and Millwood Water Treatment Plant and wastewater treatment for use at the South Regional Wastewater Treatment Plant and North Texarkana Wastewater Treatment Plant. (TWU)

REGULAR

Mayor Brown requested Agenda Item 7 and Agenda Item 8 be moved to the beginning of the Regular Agenda to accommodate out-of-town visitors.

7. Consider the following action concerning proposed revenue notes of the Texarkana Airport Authority:

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

Mayor Brown opened the Public Hearing.

Jim Fowler, Rose Law Firm said the revenue notes in the ordinance provided short term interim financing for projects the airport was receiving from federal and state grants. Mr. Fowler said the obligation was from the airport only and not the cities of Texarkana, Arkansas or Texarkana, Texas.

Texarkana Regional Airport Director Mike Mellinger gave a brief presentation explaining the new additions for the airport. He said there would be a new taxi-way, terminal building, ramp, new parking lot and the loop road. Mr. Mellinger said all the projects were eligible for FFA funding, 90% grant. He said the airport would have to match the grant with 10% of local money. He said at the end of the project the airport would get money back from the state of Arkansas for the 10% match.

Jim Fowler, Rose Law Firm said there would not be more than \$3 million of the interim financing outstanding at one time and there would be a maximum true interest cost not to exceed 6% and no note would have a maturity longer than 5 years.

Director Harris asked what the interest rate would be.

Texarkana Regional Airport Director Mike Mellinger said the interest rate was 4%.

Director Peavy said she was thrilled the \$7 million in grant funds came through.

Assistant Mayor Teeters said the Texas side had already promised funds, Redi was on board, and she did not want the Arkansas side to be the one who held up the progress.

Mayor Brown closed the Public Hearing.

Ordinance No. 15-2019 authorized the Texarkana Airport Authority to borrow funds on a short-term basis; delegating certain powers under the Municipal Airports Act and authorize one or more series of Airport Revenue Notes. (Airport)

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 read the ordinance the first time in abbreviated form made by Director Harris, Seconded by Director Hollibush.

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

The motion carried 6-0. The 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 Harris, Seconded by Assistant Mayor Teeters.

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

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

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

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

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

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

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

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

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

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

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

8. Ordinance No. 16-2019 granted the request for prerequisite municipal approval of a private club application for Caminos de Guanajuato Restaurant. (CCD)

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

Jake Potter representing Caminos de Guanajuato Restaurant requested a prerequisite approval to continue the application process through the State.

Director Peavy asked where the restaurant was located.

Jake Potter said it was in the old Amigo Juan's building.

Mayor Brown said with the new process from the Alcohol Beverage Control (ABC) the Board had to grant them the prerequisite approval then the applicant could apply for the private club application.

Assistant Mayor Teeters asked if each permit were for the building or the establishment.

Mayor Brown said the permit was for the establishment.

Director Miner asked if the permit could be transferred.

Jake Potter said there were certain instances where the license could be transferred but that did not happen very often.

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

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

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

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

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

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

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

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

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

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

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

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

Motion to adopt the emergency clause made by Director Peavy, Seconded by Director Miner.

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

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

5. Assistant Mayor Teeters made a motion to table indefinitely the ordinance she sponsored at the Called Meeting of July 24, 2019, which was read for the first time. Director Peavy seconded the motion.

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

The motion carried 6-0. The Mayor declared the ordinance tabled indefinitely.

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

The ordinance was read the first time in its entirety.

Assistant Mayor Teeters said she thought after the workshop and speaking with other citizens she felt any issues with the ordinance had been covered.

Director Peavy said from the workshop and what was sent to the Board she felt like this ordinance was a good compromise.

Mayor Brown said he had a few issues with the new ordinance from the financial aspect. He said the City Attorney had read the ordinance and the City Attorney thought this ordinance was a good compromise from the standpoint of unconstitutional.

City Attorney George Matteson said he was asked to look at the ordinance from a constitutional side. He said it removed Texarkana, Texas, from the ordinance and brought it back to the Board for annual approval.

Mayor Brown said there were still open language issues with the new ordinance like defining three types of base pay instead of describing base pay. He said in "C", it stated any year the City's two ¼ cent sales tax raised enough money to cover the deficit, the City would give the pay increase. Mayor Brown said what if the City could not match the salaries after they increased, then what would the City do.

Assistant Mayor Teeters said in Section 2/C was only when the two ¼ cent sales tax did make the difference, then the City gave the increases.

Mayor Brown asked how the City would know the tax made enough money to cover the increase.

Assistant Mayor Teeters said let's say next year on sales tax, the two ¼ cent sales tax brought in an astronomical amount the City was not anticipating. She said in her opinion, Section 2/C would cover this. Assistant Mayor Teeters said the ordinance was saying when the City had enough in sales tax it would not be an issue, but if there were not enough to cover then the City would go into D, E and F sections of the proposed ordinance.

Mayor Brown said there could still be an increase in sales tax, but it still might not cover the deficit of what would be given. He said when sales tax was up then yes, the City would

reward employees and he hoped the non-civil employees would be included also. Mayor Brown said not knowing where the City would be in the General Fund Balance and the reserve days, it would be difficult to give a 4% raise and to maintain it if the next year the revenue was not good.

Assistant Mayor Teeters said you gave raises when the City could afford them, not sit back and say maybe in ten years we could afford it.

City Manager Dr. Kenny Haskin said to look at item I, it set the tone for the ordinance. He said it gave the Board the authority to issues raises at the end of the year if the City had the revenue to make it happen.

Director Peavy asked Finance Director TyRhonda Henderson how the City knew there was not enough money from the sales tax back in 2008.

Finance Director TyRhonda Henderson said she compared revenue received and the expenditures and combined them into a spreadsheet. There had been a deficit in the revenue collected in comparison to the expenditures that had been paid out.

Mayor Brown said he would base the salary increases on how well the City did. He said there were citizens that disagreed with the City and said the reserve days being at 60 days were too high but there was not a state mandate that said the City had to keep 60 days, just a suggestion.

Finance Director TyRhonda Henderson said from a cash flow standpoint if you allowed the fund to go below 60 days the City would be in trouble.

Director Peavy said who would the City be in trouble with since the Mayor said it was just suggested for the City to have 60 days in reserve fund balance.

Finance Director TyRhonda Henderson said from a cash flow standpoint, the amount of money the City would have to flow.

Mayor Brown said if you increased the fund balance by 5 days was roughly \$50,000 a day so you added a \$200,000 cushion to the reserve fund balance. He said if the City gave out the 4% raise it would only cover half of the amount and that was why he would like to see the reserve fund balance higher. Mayor Brown said he could not guarantee employment, but he wanted to have a policy in place that the City would have enough to cover salary increases going forward.

Assistant Mayor Teeters said she did not want this issue to drag out any longer and asked what Mayor Brown's proposal would be if the 4% increase were taken out.

Mayor Brown said he would look at a 3% increase. He said to look at what the City could do instead of what the City thought it could do. He said the City thought it could do this and it was a great idea when it was passed, but it had not kept up with the amount of salaries the City had to pay. Mayor Brown said there were loopholes for the City to get out of having to pay since it would go back to the Board yearly. He said there were a few items in the ordinance he did not think the City could uphold down the road.

Director Miner said 3% would be around \$370,000 and that would be a lot of money for the City.

Mayor Brown said the parity tax had gotten the salaries in a very competitive position and the problem was trying to maintain it. He said if you could maintain a 3% raise on an every other year basis, you would maintain parity if that person stayed in that same job. Mayor Brown said this year the national average rate of increase was going to be around 3% and the increase was normally .75% - 2%.

Assistant Mayor Teeters said the City needed to have a base line to start somewhere.

Mayor Brown said the perfect scenario would be to work off the actual ending year fund balance. He said then you would know what the City had to spend each year.

Director Peavy asked when would Finance Director TyRhonda Henderson get that information.

Finance Director TyRhonda Henderson said she should have that information by August 31, 2019.

Mayor Brown said he would like to see the ordinance move to only being able to spend what the City had, and not what it projected to have. He said how did the City know the two ¼ cent sales taxes did not cover parity.

Director Peavy said going back to 2008 was when the two ¼ cent sales tax stop being enough and if there were anything wrong, the auditors would have caught that. She said Ms. Henderson did a very fine job projecting those numbers.

Mayor Brown said he agreed Ms. Henderson did a great job. He was not saying there was something wrong with the money, the money was there and 100% accounted for. Mayor Brown said it was the calculation between what parity had actually cost and what had come in. He said the problem was with the spreadsheets, how they were calculated by how the ordinance was written.

Finance Director TyRhonda Henderson said she had not had a problem with anyone regarding the numbers and how it was calculated. She said if anyone had an issue, she would be willing to sit down and explain the spreadsheets in detail just like she had done with the Mayor, Board of Directors and the Police Department.

Director Harris said Texarkana, Texas' budget ran from October to October and Texarkana, Arkansas, budget was from January to December. He said he got the Texarkana, Texas, 2018-2019 budget offline and their projected revenue was \$34,878,544.00, ticket writing and courts projected \$1,167,870.00, franchise fees were \$1,460,750.00, property tax were \$13,000,000.00, and the sales/other tax were \$16,740,658.00. He said the proposed police salary was \$8,939,800.00 and \$6,460,000.00 was the fire department. Director Harris said the Texas side had 475 fee categories to receive money for their budget. He said the budget for the Texarkana, Texas, police department was around 22% of the City's total budget and the fire department was around 16% of the total budget. Director Harris said Texarkana, Arkansas, total projected revenue was around \$19,000,000.00, franchise fees were \$2,777,000.00, property tax were \$2,626,000.00, and sales tax were \$9,571,000.00. He said he wanted to let the voters hear what it was based upon and he did not see how Texarkana, Arkansas, could ever compete with Texarkana, Texas, based on those facts. Director Harris said Texarkana, Arkansas, police department salaries were 42% of the City's total budget and paid \$7,766,000.00; the fire department was 27% of the total budget and paid

\$4,984,000.00. He asked if there would need to be another election since the voters voted for parity pay and the Board was changing the wording in the new ordinance.

Assistant Mayor Teeters said if you were at the summary judge hearing, Judge Johnson made it perfectly clear he wanted the City Board to do something about this issue. She said he told them not to let him outlaw parity because it was illegal. Assistant Mayor Teeters said this new ordinance was trying in earnest to not lose the two ¼ cent sales taxes that the City collected. She said the Board had to address it now and not kick it down the road or the judge would rule that it would be unconstitutional, and the entire City would lose.

Director Peavy said she did not think the Board would get the perfect ordinance right off the bat, but the Board could go back and readdress issues in the future once it became clearer.

City Attorney George Matteson said no vote of the people could be amended or appealed by any City council except upon the yea or nay by 2/3 vote of the members of the City council.

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

David Haak said the plaintiffs would be opposed to this ordinance and he thought the judge said all parties needed to be a part of this and come up with a common solution to the problem. He said so far there had been no communication with the plaintiffs and the police association, no workshop to where they could come and have an open discussion with the Board. Mr. Haak said there had to be an agreed solution and a court order on the agreed solution in order to take it off the table. He said it would be unconstitutional and the City did not want to go there and if the City passed this ordinance then the plaintiffs would ask the judge to make a ruling. Mr. Haak said they would ask for the return of funds to the citizens for as long as they could go back. He said if the City could not pay, then the City was bankrupt, and they would ask the state to come in with a special master to replace the Board and the City Manager.

Director Peavy said at the end of the workshop John Warmack was invited to speak.

Assistant Mayor Teeters said she wanted to apologize to Fire Chief David Fletcher for not asking him if he wanted to speak at the previous workshop.

Fire Chief David Fletcher said he wanted to thank the Board for trying to create an ordinance that could prevent a possible disaster from happening with the lawsuit the City faced. He said the Fire Department had tried to remain neutral, but it was going to be impossible now. Fire Chief Fletcher said the ordinance that was being brought forward, the Fire Department could not support it. He said the two reasons the Fire Department could not support the ordinance were it still linked the Fire Department with the Police Department and the Police Department budget was considerably larger than the Fire Department and it would delude the ¼ cent sales tax, and the other reason was the competitive pay definition was so vague as to who it would be based on and the Fire Department could possibly not see a raise in years. He said nothing was more important than quality personnel and the Fire Department was blessed with them and he would like to keep it that way. Chief Fletcher said the Fire Department would like to be removed from

the ordinance under consideration now and would like to stand alone on their own ordinance.

Assistant Mayor Teeters asked Finance Director TyRhonda Henderson if the two ¼ cent sales taxes were not separated in the ordinance.

Finance Director TyRhonda Henderson said it was separated.

Fire Chief Fletcher said it was only separated in one sentence and the rest of the ordinance it was not.

Assistant Mayor Teeters said she requested that the two ¼ cent sales taxes be separated in the new ordinance.

City Manager Dr. Kenny Haskin said that would be a simple adjustment.

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

Voting Nay: Mayor Brown

The motion carried 5-1. The ordinance was read the second time in abbreviated form.

Director Harris said apparently this ordinance was not going anywhere from what he was hearing, and he wanted to get it off the table.

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

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

Voting Nay: Mayor Brown and Director Harris.

The motion failed 4-2. The ordinance would have its Third Reading at the August 19, 2019, Regular Meeting of the Board of Directors.

6. Adopt an Ordinance to establish an Entertainment District that allowed open containers of alcohol and consumption in the district. (This item recommended for Board approval by the Planning Commission) (PWD-Planning)

City Planner Mary Beck said April 2019, the Senate Bill 492 was passed which allowed municipalities that had commercial areas like restaurants and venues that served alcohol, an entertainment district would allow for open container consumption in the designated areas. She said letters of invitation were mailed to property owners in the downtown area and it was advertised in the Texarkana Gazette to attend the Planning Commission meeting to discuss this issue. Ms. Beck said after the meeting there was a request to receive additional information and they scheduled another meeting regarding the entertainment district. She

said there had been one phone call opposing the entertainment district and all the other calls had been in support of establishing the district. Ms. Beck said a workshop was held and business owners said they wanted to be able to control any restrictions for their own establishments and were very much in favor of the entertainment district. She said another workshop was held to draft an ordinance for the City Attorney to review and the boundaries were chosen. Ms. Beck said restrictions decided on were the boundaries, hours of operation to be posted with signage, no glass containers of any kind, all other state laws applying, adding emphasis to no underage drinking and no carryout of open containers from liquor stores. She said Police Chief Harrison recommended the hours of operation to be the hours you could buy alcohol by state law. Ms. Beck said the Planning Commission certified recommendation of this ordinance.

Director Peavy asked how many blocks the district would encompass.

City Planner Mary Beck said about 14 and ½ blocks.

Director Peavy said she had been contacted by several citizens not happy about the entertainment district. She went online to look at what El Dorado passed, and she wanted to see the rules that were established for our City, such as the hours.

City Planner Mary Beck said it was in the ordinance and the hours were Sunday 11 a.m. - 10 p.m. and Monday through Saturday 11 a.m. – 2 a.m.

Director Peavy said in Little Rock their district allowed open containers in a 4 block zoned area for weekends with limited hours and certain events and holidays. She said what was the vision to have all days open for this and were the restaurant owners okay with the people coming in and out of their business.

City Planner Mary Beck said yes, the business owners were okay with this. She said at first the Planning Commission said no one could bring in alcohol to a business but the owners said no. If they did not want that they would post a sign if they needed to. She said the business owners wanted the traffic.

Assistant Mayor Teeters asked if this were just for special events or all the time.

Director Miner said it was for all the time.

Director Peavy said El Dorado had many more rules than what she was hearing.

City Planner Mary Beck said there were more rules at first regarding the hours of operation but, they went with the recommendation of Police Chief Harrison.

Director Peavy asked how the City would designate the area.

City Planner Mary Beck said there would be signs at the corners of the boundary's areas.

Director Peavy asked how many signs it would take.

City Planner Mary Beck said they had talked about 5-9 signs.

Mayor Brown said in the ordinance it did reference posting signs to define the boundaries of the district. He asked if new signs would be made or would the signs be on other posts.

Public Works Director Tyler Richards said new signs would be made and he would place them at every intersection within the boundaries.

Director Miner asked what the design of the signs would be.

Public Works Director Tyler Richards said they had not come up with the design yet.

Director Peavy asked who would be responsible for the person having too much to drink once they left the restaurant. She said would the police need to have more of a presence downtown.

Public Works Director Tyler Richards said it would be up to the City Manager and Police Chief Harrison.

Assistant Mayor Teeters said we all know someone could go to a restaurant here in town and have a few drinks and then they might go to Fat Jack's to drink and then maybe go to another place. She said Police Chief Harrison's officers were trained to patrol the streets and it would be no different.

Police Chief Harrison said if they were not intoxicated and driving, they would not be violating the law.

Director Peavy asked what type of container would be allowed.

City Planner Mary Beck said any type of container besides glass.

Director Peavy asked if there could be a workshop to discuss the questions she had.

Mayor Brown said yes, the City could have a workshop and he thought the Planning Commission should be included since they were the ones who came up with the ordinance. He said there was no rush on reading the ordinance three times tonight.

City Planner Mary Beck said the Planning Commission had been discussing this since April 2019, and had another set of regulations to follow but the business owners wanted them to be different and we really listened to them to support them.

Mayor Brown said we could have the ordinance read for the first time tonight and then Ms. Beck could get together with the Planning Commission and get possible dates for a workshop to be scheduled.

Motion to have the ordinance read in its entirety made by Director Harris, Seconded by Assistant Mayor Teeters.

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

The ordinance was read the first time in its entirety.

Director Harris asked if there were any houses in the district.

City Planner Mary Beck said there were no homes located in the district.

No further action taken.

CITIZEN COMMUNICATION

Buddy Allen, 3802 Water Oaks Drive, said he wanted to request a plan for an upgrade and repair for the City streets in the Tall Oaks subdivision. He said they were looking at roughly 2.4 miles in the subdivision and to meet the repair it would take about \$2 million dollars. Mr. Allen said

of the 2.4 miles of streets, 1.6 miles needed significant repair. He said the residents met to find alternatives and they found a municipal improvement district and that would mean the residents would bear the cost of the 2 million dollars repair and that did not go over well. Mr. Allen said he was here to make a request for the City to come up with a plan to repair the streets in the Tall Oaks subdivision.

Director Peavy said she had asked Finance Director TyRhonda Henderson how much tax went to the street maintenance on a \$300,000.00 house.

Finance Director TyRhonda Henderson said \$18.00.

Director Peavy said this was based on the milage rate that had been in effect since 2007, and it was not even 1%. She said the quorum court could raise the milage as high as 3% for street repair.

No one else came forward.

NEXT MEETING DATE: Monday, August 19, 2019

ADJOURN

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

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

The motion carried 6-0. The meeting adjourned at 7:47 PM.

APPROVAL of the minutes on this 19th day of August, 2019.

Allen L. Brown, Mayor

Heather Soyars, City Clerk



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE:	Adopt a Resolution authorizing the City Manager to purchase a Crew Cab 1 Ton Truck for the Public Works Department Streets Division. (PWD)
AGENDA DATE:	08/19/2019
ITEM TYPE:	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
DEPARTMENT:	Public Works Department
PREPARED BY:	Tracie Lee, Assistant Public Works Director

REQUEST:	Purchase a Crew Cab 1 Ton Truck for the Public Works Department Streets Division.
EMERGENCY CLAUSE:	This item will be approved by a resolution; therefore, it will not need an emergency clause.

SUMMARY:	<p>The Public Works Department would like to purchase a Crew Cab 1 Ton Truck for the Public Works Department Streets Division in the amount of \$36,234.00 from McClarty Ford.</p> <p>Bid was advertised in July 14th and 21st, 2019 legal section of the Texarkana Gazette with one bid submitted by McClarty Ford.</p> <p>Purchase from this source meets all bidding requirements. Funds were budgeted and are available for the purchase of this vehicle in the Streets Capital Outlay Fund.</p>
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EXPENSE REQUIRED:	\$36,234.00
AMOUNT BUDGETED:	\$36,234.00
APPROPRIATION REQUIRED:	\$0.00

RECOMMENDED ACTION:	City Manager and staff recommend board approval.
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EXHIBITS:	Resolution and Bid from McClarty Ford.
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RESOLUTION NO. _____

WHEREAS, after advertisement by the Public Works Department, a low bid was submitted by McClarty Ford for one (1) Crew Cab 1 Ton Truck in the amount of \$36,234.00; and

WHEREAS, the funding for the purchase is budgeted and will come from Streets Capital Outlay Fund; and

WHEREAS, the City Manager and staff recommend approval;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Texarkana, Arkansas, that the City Manager is authorized and directed to enter into a contract with McClarty Ford in the amount and for the purposes set forth above with funding from the sources so indicated.

PASSED AND APPROVED this 19th day of August, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George M. Matteson, City Attorney



CITY OF TEXARKANA ARKANSAS
DEPARTMENT OF PUBLIC WORKS
216 WALNUT ST 71854-6024
P O BOX 2711 TEXARKANA ARKANSAS 75504-2711
PHONE (870) 779-4971 – FAX (870) 773-2395

Invitation to Bid: Crew Cab 1 Ton Truck
Deadline: July 30, 2019 at 4:00 PM, Central Standard Time
Delivery Location: Public Works Office
Purchasing Contact: Tyler Richards, tyler.richards@txkusa.org
Date of Issue of Advertisement: July 14th and 21st of 2019

No late bids will be accepted. Bids shall be submitted in sealed envelopes labeled "Truck Bid" with the name and address of the bidder.

All bids shall be submitted in accordance with the attached City of Texarkana specifications and bid documents attached hereto. Each bidder is required to fill in every blank and shall supply all information requested; failure to do so may be used as basis of rejection.

The undersigned hereby offers to furnish & deliver the articles or services as specified, at the prices & terms stated herein, and in strict accordance with the specifications and general conditions of bidding, all of which are made a part of this offer. This offer is not subject to withdrawal unless upon mutual written agreement by the Proposer/Bidder and City Public Works Director.


Name of Firm: McLarty Ford

Contact Person: Jack Sims Title: Sales

E-Mail: JSims@McLartyFord.com Phone: 903-735-4650

Business Address: 3232 Summerhill Road

City: Texarkana State: TX Zip: 75503

Signature:  Date: 7/30/19

Execution of Bid:

Bidders are required to indicate by check mark or "Yes/No" on each line of the Technical Specifications the compliance of the item bid. Actual specification of any deficient item must be noted on the bid sheet or separate attachment. If specifications of item bid differ from provided literature, deviation must be documented and certified by the manufacturer as a regular production option.

Upon signing this Bid, the bidder certifies that:

- 1. He/she has read and agrees to the requirements set forth in this proposal, including specifications, terms, standard conditions, and any pertinent information regarding the articles being bid on.**
- 2. Unless otherwise noted and explained, the unit bid and listed meets or exceeds all of these requirements as specified by The City of Texarkana.**
- 3. The Bidder can and will comply with all specifications and requirements for delivery, documentation and support as specified herein.**
- 4. The City of Texarkana reserves the right to award the bid in its whole, by line item, or all rejection.**

Unsigned bids will be rejected.

General Terms and Conditions:

- 1. The City reserves the right to accept or reject any or all bids, waive formalities in the bidding and make a bid award deemed to be in the best interest of the City.**
- 2. The quantities listed are based on the needs of the City and availability of funds at the time bids are posted. The City shall be able to purchase more or less than the quantity indicated subject to availability of funds or change in needs.**
- 3. The bid price shall remain good and firm until project is completed.**
- 4. All products delivered shall comply with applicable standards of quality.**
- 5. Any exceptions to the specification requirements of the City of Texarkana must be noted on the Bid Form.**
- 6. Prices shall include all labor, materials, overhead, profit, insurance, inventory tax/fees, etc., to cover the furnishing of the items bid. *Arkansas Sales tax is NOT to be included in the bid price.***

City of Texarkana, Arkansas
Truck 1 Ton Streets
Terms and Conditions

7. Each bidder shall state in the bid document the anticipated number of days from the date of receipt of an order for delivery of equipment and installation to the City of Texarkana. Failure to deliver on or before the time specified in the contract may subject the bidder to payment of damages or other appropriate sanctions.
8. Bidders must provide the City with their bids signed by an employee having legal authority to submit bids on behalf of the bidder. The entire cost of preparing and providing responses shall be borne by the bidder.
9. The City reserves the right to request any additional information it deems necessary from any or all bidders after the submission deadline.
10. The request for bid is not to be construed as an offer, a contract, or a commitment of any kind; nor does it commit the city to pay for any costs incurred by bidder in preparation of bid.
11. If products and/or components other than those described in this bid document are proposed, the bidder must include complete descriptive literature and technical specifications. All requests for additional information must be received within five working days following the request. Each apparent low bid will be reviewed line by line to ensure compliance with specifications prior to recommendation for award.
12. Vendor should call the Public Works Office at (870.779.4977) to ensure receipt of their bid documents prior to opening time and date listed on the bid form.
13. Units must be fully assembled, serviced, and ready for operation as delivered unless otherwise specified. No dealer/distributor logo or other identification will be installed other than standard manufacturer name badges and specification plates.
14. Any reference to a particular brand or manufacturer is done in an effort to establish an acceptable level of quality for this project. Brands or manufacturers that are of equal quality to what is specified will be acceptable for consideration. The City reserves the right to determine if a product is equal to a specified item.
15. **NOTE: Any uncertainties shall be brought to the attention to Tyler Richards immediately via telephone (870.397.0008) or e-mail (Tyler.Richards@txkusa.org). It is the intent and goal of the City of Texarkana to provide bid packets that provide a clear and accurate understanding of the scope of work to be completed and/or goods to be provided. We encourage all interested parties to ask questions to enable all bidders to be on equal bidding terms & documents.**
16. Pursuant to Arkansas Code Annotated §22-9-203 The City of Texarkana encourages all *qualified* small, minority and women business enterprises to bid on and receive contracts for goods, services, and construction. Also, City of Texarkana encourages all

general contractors to subcontract portions of their contract to *qualified* small, minority and women business enterprises.

Specific Terms and Conditions:

1.0 GENERAL -

- 1.1 These specifications are to describe a Crew Cab 1 Ton Truck licensed for use on public roads. Crew Cab refers to full size rear doors and at least 39 inches of rear leg room.
- 1.2 Bids must be submitted on the attached forms or the bid will be rejected as incomplete.
- 1.3 All bids must be accompanied by descriptive literature of the vehicle being bid for Bid Compliance Review. It is not the intent to exclude items that normally compose the product being bid. Therefore any features/equipment listed on manufactures literature as standard shall be included with the product you are bidding. No features/equipment shall be removed from the vehicle.
- 1.4 Each apparent low bid will be reviewed line by line prior to recommendation for award. Consideration will be given for vehicles including more features than specified and for model year 2019 vehicles. Within the limits of the funding available, the award shall be given to the bidder offering the greatest discount off Total Manufacturer Suggested Retail Price and newest model year that meets the needs of the City of Texarkana. Provide a copy of the MSRP or similar window sticker for the vehicle being bid.
- 1.5 Delivery time and unit pricing will be used in determining bid award.
- 1.6 All specifications are written to minimums, unless otherwise noted.
- 1.7 Liquidated damages of \$100 per day will be assessed by the City to cover additional cost, not as a penalty, beginning on the first day following the guaranteed delivery date and each day thereafter until full delivery is made.

2.0 MANUFACTURER / MODEL -

- 1.1 Unit bid must be new and model year 2019 as offered for commercial trade.

F350 / 2019 (model and year)

1.0 SPECIFICATION VARIANCES -

- 1.1 All specifications written are to minimums, unless otherwise noted.

City of Texarkana, Arkansas
Truck 1 Ton Streets
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1.2 The City of Texarkana reserves the right to waive minor variation(s) if in the opinion of the Public Works Department variations will not interfere with the City's standard maintenance and operation of the bid unit.

2.0 **Crew Cab 1 Ton TRUCK (place a \checkmark if able to provide, place an x if unable to provide; bid may be rejected for if unable to provide listed items; these are minimum specifications exceeding them is acceptable and should be checked)**

2.1 ENGINE:

- a. 6.7 5.7 Liters or greater
- b. (Diesel)
- c. (8 Cylinders)

1.2 TRANSMISSION:

- a. ✓ Six-speed automatic or better
- b. ✓ Transmission fluid cooler

2.2 BRAKES:

- a. ✓ Four wheel antilock brake system

2.3 GROSS VEHICLE WEIGHT RATING:

- a. ✓ 1 Ton Truck or more

2.4 FRONT AXLE AND SUSPENSION:

- a. ✓ Heavy Duty

2.5 REAR AXLE AND SUSPENSION:

- a. ✓ Limited Slip Axle Ratio
- b. ✓ Trailer Receiver Hitch with trailer wiring (7 pin)
15,000 lbs (state towing capacity for hitch and truck)

2.6 COOLING SYSTEM:

- a. ✓ Maximum cooling capacity offered

2.7 TIRES/WHEELS:

- a. ✓ Steel or Aluminum wheels
- b. ✓ Four Wheel Mud flaps

1.3 ELECTRICAL SYSTEM:

- a. ✓ 2 Power ports for cell phone and laptop computer

1.4 CABIN:

- a. ✓ Light Color Interior light grey, tan, bisque, camel, light stone
grey (state color bid)

City of Texarkana, Arkansas
Truck 1 Ton Streets
Terms and Conditions

- b. Heavy-duty 40/20/40 vinyl front seats with two (2) sets of seat belts
- c. Rear heavy-duty vinyl seats with three (3) sets of seat belts
- d. Factory installed air conditioning
- e. Tinted safety glass (5" strip along top of front windshield with 20-30% light transfer; side and back glass with 65-75% light transfer) reducing 90-100% uva/uvb and 60-100% of heat transfer (no variances allowed past stated amounts)

_____ (state bid)

- f. Air Condition/Heating System for cabin
- g. Am/Fm radio
- h. Cruise Control
- i. Power Windows and Door Locks
- j. Bluetooth phone in radio built in

1.5 FRAME:

- a. 1 Ton Truck
- b. Crew Cab with 6-8' Bed

6 3/4 _____ (state bed length)

1.6 FUEL TANK:

- a. Unit must have a full tank of fuel upon delivery

2.8 PAINT:

- a. White

1.0 **WARRANTY –**

- 1.1 Must have national brand manufactures standard warranty.
- 1.2 Warranty shall include all parts, labor, and transportation (if out of a 25 mile radius of Public Services) F.O.B. City of Texarkana Arkansas Public Works Department.
- 1.3 All Warranties shall be administered by the successful bidder to eliminate any split warranty responsibility.
- 1.4 Each unit shall be delivered with the following warranty documents which shall be placed into effect upon the first day of final acceptance of each unit:
 - a. Manufacturer's new vehicle warranty which shall be honored at any local manufacturer-authorized dealership.

1.0 **DELIVERY / DOCUMENTATION -**

- 1.7 All units are to be delivered F.O.B. to the City's streets department facility, located at 216 Walnut Street, Texarkana, Arkansas 71854, **for compliance review and final acceptance.** City may decline deliver fee and pick up vehicle at its

City of Texarkana, Arkansas
Truck 1 Ton Streets
Terms and Conditions

discretion.

1.8 Delivery shall include the following documents as a minimum:

- a. Manufacturer's Certificate of Origin if available
- b. Dealer invoice
- c. Odometer Disclosure Statement
- d. Manufacturer's line setting ticket, window sticker, or other documentation of components installed by manufacturer.

Delivery time required: 20 days or less. Delivery time, as stated below, may be a determining factor in bid award.

1.0 **BIDDERS CERTIFICATION AND RESPONSE-**

I certify that I have read and understand the above Minimum Requirements. The unit bid and listed below has the general intent to meet or exceed all of these requirements as specified by The City of Texarkana. Bidder can and will comply with all requirements for documentation and support. I further agree to meet with a representative of the City's Public Works Department and provide all requested information for compliance of specifications prior to bid award recommendation. Bid includes all taxes, fees, and other miscellaneous cost associated with selling this vehicle except the licensing fee to the State of Arkansas for car tags. ***Bid shall NOT include Arkansas sales tax.***

◆ Crew Cab 1 Ton Truck: \$

◆ Delivery Charge: \$

36,234 / no delivery charge

Statement of Disclosure – To Be Submitted With ALL Bids

This page does not count towards page limitations set forth in this request for proposal or bid. Proposer must disclose any possible conflict of interest with the City of Texarkana, including, but not limited to, any relationship with any City of Texarkana employee. Your response must disclose if a known relationship exists between any principal or employee of your firm and any City of Texarkana employee or elected City of Texarkana official.

If, to your knowledge, no relationship exists, this should also be stated in your response. Failure to disclose such a relationship may result in cancellation of a purchase and/or contract as a result of your response. This form must be completed and returned in order for your bid/proposal to be eligible for consideration.

PLEASE CHECK ONE OF THE FOLLOWING TWO OPTIONS, AS IT APPROPRIATELY APPLIES TO YOUR FIRM:

 / 1.) NO KNOWN RELATIONSHIP EXISTS

 2.) RELATIONSHIP EXISTS (Please explain)

PLEASE FILL OUT THE SECTION BELOW AND SUBMIT THIS FORM WITH YOUR BID OR PROPOSAL:

1.) I, as an officer of this organization, or per the attached letter of authorization, am duly authorized to certify the information provided herein are accurate and true; and

2.) My organization shall comply with all State and Federal Equal Opportunity and Non-Discrimination requirements and conditions of employment.

Andy Johnson
Printed Name

[Signature]
Signature

7/30/19
Date

Statement of No Bid – If Applicable

In order to assist the Public Works Department of Texarkana in evaluating and improving our solicitation process, we are asking for completion of this form and returning via fax or e-mail. By submitting this form, it will assist us in evaluating all response, improving our bid solicitation process, and to maintain a positive relationship with our vendors.

We, the undersigned, have declined to bid for the following reason(s):

1. _____ We do not offer this service/product
2. _____ Our schedule would not permit us to perform
3. _____ Unable to meet specifications
4. _____ Insufficient time to respond to the Invitation to Bid
5. _____ We are unable to meet bond requirements
6. _____ Other (Explain)

*NAME OF FIRM: _____

*BUSINESS ADDRESS: _____

*CITY: _____ *STATE: _____ *ZIP: _____

*PHONE: _____ FAX: _____

*E-MAIL ADDRESS: _____

*BY :(PRINTED NAME): _____

*AUTHORIZED SIGNATURE: _____

*TITLE: _____ *DATE: _____

*PLEASE LIST OTHER COMMENTS BELOW:



CITY OF TEXARKANA, AR BOARD OF DIRECTORS

AGENDA TITLE: Consider the following action concerning the 2019 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 2019 application and further authorizing the City Manager to execute a Memorandum of Understanding (MOU) Interlocal Agreement with Miller County, regarding the Byrne Justice Assistance Grant (JAG-yearly grant). (TAPD) Lieutenant Zachary White

AGENDA DATE: August 19, 2019

ITEM TYPE: Ordinance Resolution Other

DEPARTMENT: TAPD _____

PREPARED BY: Lieutenant Zachary White

REQUEST: Requesting permission to submit the 2019 application and further authorizing the City Manager to execute a Memorandum of Understanding (MOU) Interlocal Agreement with Miller County, regarding the Byrne Justice Assistance Grant.

EMERGENCY CLAUSE: N/A

SUMMARY: The Texarkana Police Department receives money through the DOJ LLEBG Block Grant Program each year. We request permission to submit the joint 2019 application and enter into an Inter-local Agreement with Miller County concerning the division of the funds in the amount of \$16,330.00. The money splits \$10,941.00 TAPD & \$5,389.00 with MCSO.

This year we are eligible for a new grant “Byrne Justice Assistance Grant Program” or JAG in the amount of \$16,330.00 dollars to be split with Miller County. Unless both City and County agree to the disparate certification resolution for Texarkana/Miller County neither governmental agency will receive funds. Miller County has agreed to take \$5,389.00 dollars as their share to resolve the disparate certification. This is approximately at 67/33 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.

We propose to use the city's share, (\$10,941.00) towards the purchase of six (6) Dell Latitude 5490 laptop computers. The Texarkana Police Department currently deploys Dell Latitude laptops as MDTs in the field, and these laptops have proven to be very stable and durable; however, the service life of most of our MDTs have been surpassed. Because of the vast number of MDTs that need replacement, the Texarkana Police Department has elected to earmark the city's portion of this grant to purchase six (6) Dell Latitude 5490 laptop computers.

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

We will need to hold a brief public hearing as part of the grant process tonight to see if there is any public opposition to the use of this money. Public recommendations are non-binding. There is no local match requirement for the JAG funds.

EXPENSE REQUIRED: N/A

AMOUNT BUDGETED: N/A

**APPROPRIATION
REQUIRED:** N/A

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

EXHIBITS: Resolution and MOU

RESOLUTION NO. _____

WHEREAS, the Police Department has been receiving funds through the Department of Justice LLEBG Block Grant program for many years and is requesting permission to submit the 2019 application and to enter into an Interlocal Agreement with Miller County concerning the division of funds received from the grant; and

WHEREAS, the City and Miller County will split a \$16,330.00 grant from the “2019 Byrne Justice Assistance Grant Program” (JAG) and must agree to a disparate certification resolution before either agency can receive the grant; and

WHEREAS, the City has agreed to receive \$10,941.00 as their share leaving the County with \$5,389.00, an approximate 67/33 split; and

WHEREAS, the Police Department is proposing that the City’s share of the funds be used to purchase new Dell Latitude 5490 laptop computers;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Texarkana, Arkansas, that the Police Department is authorized and directed to submit the 2019 application under the LLEGB Block Grant Program, to execute the disparate certification resolution with Miller County to split the grant money as set out above, and to use the grant money for the purposes set forth within.

PASSED AND APPROVED this 19th day of August, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George Matteson, City Attorney

**FY 2019 JAG Award Program
GMS Application Number: 2019-H3603-AR-DJ
DUNS 14-012-6850**

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.
2019 Byrne Justice Assistance Grant (JAG) Program Award**

This agreement is made and entered the 1st day of August, 2019 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 \$5,389.00 from the 2019 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.

NOW THEREFORE, the County and City agree as follows:

Section 1.

The CITY agrees to pay the COUNTY a total of \$5,389.00 of 2019 JAG funds. Under this agreement, the CITY will maintain \$10,941.00.

Section 2.

The COUNTY agrees to use \$5,389.00 for the purpose of equipment and salaries and the CITY will use \$10,941.00 for the purpose of equipment and/or salaries, until September 30, 2021.

FY 2019 JAG Award Program

GMS Application Number: 2019-H3603-AR-DJ

DUNS 14-012-6850

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.

Section 7.

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

CITY of Texarkana, AR.

COUNTY of Miller, AR.

City Manager, Dr. Kenny Haskin

County Judge, Cathy Hardin-Harrison

ATTEST: APPROVED AS TO FORM

City Clerk, Heather Soyars

County Clerk, Stephanie Harvin

City Attorney, George Matteson



CITY OF TEXARKANA, AR

BOARD OF DIRECTORS

AGENDA TITLE: Adopt an Ordinance levying the 2019 tax rate. (FIN) Finance Director TyRhonda Henderson

AGENDA DATE: August 19, 2019

ITEM TYPE: Ordinance Resolution Other : _____

DEPARTMENT: Finance

PREPARED BY: TyRhonda Henderson, Finance Director

REQUEST: Levy the 2019 tax rate.

EMERGENCY CLAUSE: N/A

SUMMARY: Each year, the City is required to establish the property tax levy for that year which is then applied by the County to property tax bills in the next year. The proposed 2019 tax levy is the same as in prior years—5 mils for general fund operations, 1 mil for the fire pension fund, 1 mil for the police pension fund, 1 mil for the library fund, and 2.5 mils for general obligation bond debt service payments. Passage of this ordinance will not increase property tax rates for any City resident.

EXPENSE REQUIRED: \$0

AMOUNT BUDGETED: \$0

APPROPRIATION REQUIRED: \$0

RECOMMENDED ACTION: The City Manager and staff recommend that the City Board of Directors approve the attached ordinance.

EXHIBITS: Ordinance

ORDINANCE NO. _____

**AN ORDINANCE LEVYING THE 2019 TAX RATES
AND FOR OTHER PURPOSES**

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

Section 1: That upon each and every dollar of taxable property, real and personal, there shall be and is hereby levied the following rate of taxation for the year 2019:

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

Section 2: The County Clerk of Miller County, Arkansas, on receipt of duly certified copy of this ordinance from the City Clerk of the City of Texarkana, Arkansas, is directed to enter upon the Tax Books of Miller County, Arkansas, for the year 2019, the foregoing rate of taxation by which all property, both real and personal, is assessed in the City of Texarkana, Arkansas, and pay over to the Treasurer of the City of Texarkana, Arkansas, the respective amounts so collected and found due to said City on this statement with the County Clerk of Miller County, Arkansas.

PASSED AND APPROVED this 19th day of August, 2019.

Allen L. Brown, Mayor

ATTEST:

Heather Soyars, City Clerk

APPROVED:

George M. Matteson, City Attorney