



**Rescheduled Regular Meeting of the  
Board of Directors**  
City of Texarkana, Arkansas  
**Agenda - Tuesday, February 16, 2021 - 4:00 PM**

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

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

Call to Order

Roll Call

**PROCLAMATION**

1. Proclamation declaring Tuesday, February 16, 2021 as “Ava Simpson Day” (This agenda item sponsored by Director Jeff Hart) (CCD)

**CONSENT**

2. Approval of the minutes of the regular meeting February 1, 2021. (CCD)
3. Adopt a Resolution authorizing the City Manager to enter into a contract for the Millwood Water Treatment Plant Transfer Switch Project. (TWU)
4. Adopt a Resolution to award an engineering contract to A.L. Franks Engineering for the Nix Creek Drainage Study. (PWD)
5. Adopt a Resolution to award an engineering contract to A.L. Franks Engineering for the design of Sanderson Lane, Tennessee Road and E. 46th Street Road Improvements. (PWD)

**REGULAR**

6. Adopt a Resolution amending the budget to allocate funding for Interstate-30 lights from the General Fund Reserve Balance. (PWD)
7. Adopt an Ordinance amending and restating Sec. 9.7 of the *City of Texarkana, Arkansas Code of Ordinances* concerning the sale and discharge of fireworks and for other purposes. (BOD) (This item was added to the agenda at the request of Director Terry Roberts)

**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. The Board of Directors cannot respond to citizens' concerns during this time.*

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

**NEXT MEETING DATE: Monday, March 1, 2021**

**ADJOURN**



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

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**AGENDA TITLE:** Proclamation declaring Tuesday, February 16, 2021 as “Ava Simpson Day” (This agenda item sponsored by Director Jeff Hart) (CCD)

**AGENDA DATE:** February 16, 2021

**ITEM TYPE:** Ordinance  Resolution  Other : Proclamation

**DEPARTMENT:** City Clerk Department

**PREPARED BY:** Heather Soyars, City Clerk

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**REQUEST:** Proclamation

**EMERGENCY CLAUSE:** N/A

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**SUMMARY:** Proclamation

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**EXPENSE REQUIRED:** N/A

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**AMOUNT BUDGETED:** N/A

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**APPROPRIATION REQUIRED:** N/A

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**RECOMMENDED ACTION:** This agenda item sponsored by Director Jeff Hart

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**EXHIBITS:**

# *A Texarkana, Arkansas Proclamation*

## *“Ava Simpson Day”*

*February 16, 2021*

**WHEREAS**, service to others is a hallmark of the American character, and central to how we meet challenges; and

**WHEREAS**, in tough economic times, our City must increasingly turn to service and volunteerism as a cost-effective strategy to meet City needs; and

**WHEREAS**, service expands economic opportunity by creating more sustainable, resilient communities and represents a unique public-private partnership that invests in community solutions and leverages resources to strengthen community impact; and

**WHEREAS**, citizens who choose to serve our City demonstrate commitment, dedication, and patriotism by making an intensive commitment to service; and

**WHEREAS**, Jeff Hart, Director of Ward 6, has requested the City recognize this commitment in Ava Simpson, who daily volunteers her time and energy to help make Ward 6 a more pleasant place to live; and

**WHEREAS**, Ms. Simpson’s commitment to improvements in Ward 6 exemplifies the true spirit of good citizenship and serves as an excellent example to others.

**NOW THEREFORE, BE IT RESOLVED** that I, Allen L. Brown, Mayor of the City of Texarkana, Arkansas, do hereby proclaim February 16, 2021, as

## **“Ava Simpson Day”**

in our City and encourage other citizens to recognize the positive impact of service in our City and to find ways to give back to our community.

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Allen L. Brown, Mayor  
Texarkana, Arkansas

**ATTEST:**

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Heather Soyars, City Clerk  
Texarkana, Arkansas



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

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<b>AGENDA TITLE:</b>	Approval of the minutes of the regular meeting February 1, 2021. (CCD)
<b>AGENDA DATE:</b>	February 16, 2021
<b>ITEM TYPE:</b>	Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Other <input checked="" type="checkbox"/> : Minutes
<b>DEPARTMENT:</b>	City Clerk Department
<b>PREPARED BY:</b>	Heather Soyars, City Clerk

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<b>REQUEST:</b>	Approval of meeting minutes.
<b>EMERGENCY CLAUSE:</b>	N/A

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<b>SUMMARY:</b>	Approval of meeting minutes
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<b>EXPENSE REQUIRED:</b>	N/A
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<b>AMOUNT BUDGETED:</b>	N/A
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<b>APPROPRIATION REQUIRED:</b>	N/a
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<b>RECOMMENDED ACTION:</b>	The City Clerk recommends Board approval.
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<b>EXHIBITS:</b>	Meeting minutes.
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## **Regular Meeting of the Board of Directors**

City of Texarkana, Arkansas

216 Walnut Street

**Minutes - Monday, February 01, 2021 - 6:00 PM**

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

PRESENT: Mayor Allen Brown, Ward 1 Director Terry Roberts, Ward 2 Director Laney J. Harris, Assistant Mayor Ward 3 Steven Hollibush, Ward 4 Director Ulysses Brewer, Ward 5 Director Barbara S. Miner, and Ward 6 Director Jeff Hart.

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

Invocation was given by Reverend Terry Williams and Pledge of Allegiance was led by Director Laney Harris.

### **CONSENT**

Director Roberts made the motion to adopt the Consent agenda, Seconded by Assistant Mayor Hollibush. The motion carried and the following item was approved:

1. Approval of the minutes of the rescheduled regular meeting January 19, 2021. (CCD)

### **REGULAR**

2. Ordinance No. 2-2021 amended Chapter 26, Article II, Sections 26-28 and 26-29 of the *City of Texarkana, Arkansas, Code of Ordinances* to provide for revisions to water and sewer rates. (TWU)

TWU Finance Director Jim Cornelius said this ordinance would revise the water and sewer rates with an 8.5% increase, which would be an average increase of \$3.34. This rate increase would give TWU 33 days of cash reserves.

Director Hart asked if this rate increase would get TWU through the year. He also asked if Mr. Cornelius would give a mid-year budget update.

TWU Finance Director Jim Cornelius answered yes to both questions.

Director Harris said he represented the poorest people in the City and the residents in his ward still expressed their concerns that the water bill was too high.

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

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

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

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

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

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

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

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

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

Motion to adopt the ordinance made by Director Roberts, Seconded by Assistant Mayor Hollibush.

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

No one came forward.

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

Voting Nay: Director Harris.

The motion carried 6-1 and the Mayor declared the ordinance adopted.

***An emergency clause is requested. An emergency clause requires a separate and distinct vote of the board and is valid only if there is a two-thirds vote of approval by the Board.***

Motion to approve the emergency clause made by Director Roberts, Seconded by Director Brewer.

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

Voting Nay: Director Harris.

The motion carried 6-1 and the Mayor declared the emergency clause approved.

3. Resolution No. 2021-8 approved the Texarkana Water Utilities (TWU) FY 2020-2021 Budget. (TWU) (TABLED – January 19, 2021)

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

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

Director Harris asked what changes were made in the budget.

TWU Finance Director Jim Cornelius said changes were made in the budget to reflect the 8.5% rate increase.

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

The motion carried 7-0 and the Mayor declared the resolution adopted.

4. Ordinance No. 3-2021 rezoned 4050 Genoa Road from R-1 Rural residential in the R-1 Rural residential overlay zone to C-3 Open display commercial. (Jeannie Rogers) (PWD-Planning)

City Planner Mary Beck said Genoa Feed-N-Hardware located at 4045 Genoa Road requested to be rezoned from R-1 Rural residential overlay to C-3 Open display commercial to develop a commercial operation, most likely a fish drive-thru restaurant.

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

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

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

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

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

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

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

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

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

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

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

No one came forward.

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

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

5. Ordinance No. 4-2021 rezoned 3021 Will Gear Road for a Planned Unit Development (PUD). (Wesley and Carolena Mudford) (PWD-Planning)

City Planner Mary Beck said Wesley and Carolena Mudford requested their property located at 3021 Will Gear Road be rezoned for a Planned Unit Development to open a hobby farm to grow and sell products adjacent to their home.

Motion to suspend the rules and place the ordinance on its first reading in abbreviated form made by Director Miner, Seconded by Director Roberts.

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



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

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

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

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

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

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

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

Motion to adopt the ordinance made by Director Roberts, Seconded by Assistant Mayor Hollibush.

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

No one came forward.

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

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

6. Ordinance No. 5-2021 amended and supplemented Chapter 6, Article II of the *City of Texarkana, Arkansas, Code of Ordinances* relating to the Texarkana Airport and Airport Authority and for other purposes. (Airport)

Texarkana Regional Airport Director Paul Mehrlich said this ordinance was jointly written by both cities with input from Airport Staff and Airport Authority.

Director Harris said the ordinance stated if there were an administrative issue, it would be brought to the two City Managers. He said there should be 3 people making the decision in case the two City Managers disagreed. He also suggested each City take turns appointing the At-Large member of the Airport Authority. Director Harris also stated his concerns about having the ordinance read 3 times tonight. He said he would like to give citizens more time for their input.

Mayor Brown said he had a lot to do with this ordinance and saw the importance of having the ordinance enacted tonight. He said the Airport had been in financial distress with no oversight on its budget or finances. He said it was the Board's responsibility to make the appointment for economic development.

Director Brewer asked if there would be any more amendments to this ordinance.

Texarkana Regional Airport Director Paul Mehrlich said the rules and ordinances needed to be updated.

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

Director Harris asked the City Attorney if the Airport were in Arkansas how did Texas law apply?

City Attorney George Matteson said because the Airport was in Arkansas, Arkansas law applied, but Texas input was needed because both Arkansas and Texas had financial interest in the Airport.

Mayor Brown said the appointment process was different in Texas.

Director Harris objected to the ordinance being read in abbreviated form.

The City Attorney began reading the ordinance in its entirety and was halfway through when Director Harris rescinded his objection.

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

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

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

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

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

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

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

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

No one came forward.

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

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

7. TABLED - Ordinance amending and restating Sec. 9.7 of the *City of Texarkana, Arkansas Code of Ordinances* concerning the sale and discharge of fireworks and for other purposes. (BOD) (This item was added to the agenda at the request of Director Terry Roberts)

Director Roberts said recently there was a firework show for a wedding at the country club. He said 911 received numerous calls and he had at least 36 calls from citizens. He said pets went missing and citizens with PTSD were terrified. He said this ordinance required written permission from the landowner and a public notice in the newspaper 2 weeks prior of the firework display.

Mayor Brown said this ordinance would create additional issues the City would have to deal with, such as opposition to the fireworks.

Director Roberts said the same thing happened last year and you were not going to please everyone.

Mayor Brown asked what was the plan for the future?

Assistant Mayor Hollibush said this was not restricting the fireworks, just providing notice.

Director Hart said the City was doing this now without notice.

Fire Chief David Fletcher said this ordinance did not add or take away responsibilities. He did agree with Mayor Brown's aspect of opposition.

Mayor Brown said forcing publication would give opportunity for opposition.

Fire Chief David Fletcher said a protocol could be developed and notification was a great idea.

Director Roberts said he did not see how publishing notification was a problem and anything was subject to opposition.

Director Harris said there was nothing wrong with the ordinance per se, but he wanted to wait until the next Board meeting to pass the ordinance.

Assistant Mayor Hollibush made a motion amending the ordinance to allow fireworks all days of the week, if notice were given, Seconded by Director Roberts.

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

Voting Nay: Director Miner.

The motion carried 6-1 and Mayor declared the amendment to the ordinance approved.

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

Director Harris objected and the City Attorney began reading the ordinance in its entirety.

Director Harris rescinded his objection to place the ordinance on its first reading in abbreviated form.

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

The motion carried 7-0 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 Hart, Seconded by Director Brewer.

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

Voting Nay: Mayor Brown and Director Harris.

The motion carried 5-2 and the ordinance was read the second time in abbreviated form.

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

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

Voting Nay: Mayor Brown and Director Harris.

The motion carried 5-2 and the ordinance was read the second time in abbreviated form.

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

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

Prissy Hickerson, 2805 Forest, said she was in favor of this amended ordinance. She said even though the proper permits were in place, the fireworks were so loud her house shook and it was terrifying.

Dennis Young, 3503 Tiffany, said he was not for or against this ordinance but wanted to point out a serious flaw. The ordinance did not make exceptions for a rainout.

Mayor Brown said he had issues with the liability and rainouts. He said there needed to be checks and balances.

Assistant Mayor Hollibush asked what the liability would be if the section about a rainout were removed from the ordinance.

Director Hart said he felt if the rainout section were removed, the burden of what was and was not a rainout would fall on the City Manager.

Assistant Mayor Hollibush asked if the Board needed to have the language for the amendment in order to make the motion to adopt.

City Attorney George Matteson said he would suggest the amendment be established.

Director Miner made the motion to table the ordinance, Seconded by Director Hart.

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

The motion carried 7-0 and the Mayor declared the ordinance tabled.

## **CITIZEN COMMUNICATION**

Director Harris said February was Black History month. He also said he had requested a sidewalk from Grove Street to Dudley Street. He then read a press release regarding his appointment to serve on the National League of Cities' Human Development Committee, (attached).

Director Brewer said he would like the Board to revisit virtual meetings. He said the threat assessment of COVID-19 was still high for the Board to continue to meet in-person.

## **EXECUTIVE SESSION**

The Board entered Executive Session at 7:45 PM.

The Board reconvened at 8:15 PM.

8. Resolution No. 2021-9 approved appointments to the Airport Authority. [ Robin Hickerson for the term May 14, 2019----2022, and Joe Denman and Clayton Roberts for the term of May 14, 2020----2023] (CCD)

Motion to adopt the resolution made by Director Harris, Seconded by Assistant Mayor Hollibush.

Mayor Brown asked if anyone wanted to speak for or against the resolution.

No one came forward.

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

Director Hart made the motion to appoint Rob Sitterley with REDI to the At-large position on the Airport Authority, Seconded by Director Brewer.

Mayor Brown asked if anyone wanted to speak for or against the motion.

No one came forward.

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

**NEXT MEETING DATE: Tuesday, February 16, 2021**

**ADJOURN**

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

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

The meeting adjourned at 8:25 PM.

**APPROVED** this the 16<sup>th</sup> day of February 2021.

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Allen L. Brown, Mayor

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Heather Soyars, City Clerk

**FOR IMMEDIATE RELEASE**

January 29, 2021

**Press Contact:**

Laney Harris  
Texarkana, Ark.  
(903) 244-2298  
laneyharris.ward2@yahoo.com

**Laney Harris Appointed to Serve on National League of Cities'  
Human Development(HD) Committee**

**Washington D.C — January 29, 2021 —** Laney Harris, City Director, Texarkana, Arkansas, has been appointed to the National League of Cities (NLC) 2021 (HD) Federal Advocacy Committee. City Director, Harris was elected to a one-year term and will provide strategic direction and guidance for NLC's federal advocacy agenda and policy priorities. The appointment was announced by NLC President Kathy Maness, councilmember, Lexington, South Carolina.

"By serving on this NLC's federal advocacy committees ensure policymakers in Washington will get a first hand understand of the most pressing issues facing my community," said Harris.

As a committee member, Harris will play a key role among a diverse group of local leaders in shaping NLC's policy positions and advocating on behalf of America's cities and towns before Congress, with the new administration and at home.

"Our federal advocacy committees are the voices of what's happening on the ground in our communities," said **Kathy Maness, councilmember of Lexington, South Carolina, and President of the National League of Cities (NLC)**. "I am proud to have Laney Harris join NLC's HD committee on behalf of his residents. Together with a team of local leaders from around the country, we will work to solve the most pressing challenges facing our communities."

Also Harris is jointed by his colleague **Lioneld Jordan, Mayor, City of Fayetteville, AR.**

For more information on NLC's federal advocacy committees, visit:  
[www.nlc.org/advocacy/committees](http://www.nlc.org/advocacy/committees).

*The National League of Cities (NLC) is dedicated to helping city leaders build better communities. NLC is a resource and advocate for 19,000 cities, towns and villages, representing more than 218 million Americans. [www.nlc.org](http://www.nlc.org)*



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

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**AGENDA TITLE:** Adopt a Resolution authorizing the City Manager to enter into a contract for the Millwood Water Treatment Plant Transfer Switch Project. (TWU)

**AGENDA DATE:** February 16, 2021

**ITEM TYPE:** Ordinance  Resolution  Other :

**DEPARTMENT:** Texarkana Water Utilities

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

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**REQUEST:** Resolution authorizing the City Manager to enter into a contract for the Millwood Water Treatment Plant Transfer Switch Project.

**EMERGENCY CLAUSE:** None needed.

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**SUMMARY:** Resolution authorizing the City Manager to enter into a contract for the Millwood Water Treatment Plant Transfer Switch Project in an amount not to exceed \$223,820.00 with the Arkansas portion being \$82,500.05. Bids were received Thursday, January 7, 2021 for the Millwood Water Treatment Plant Transfer Switch Project. Three (3) contractors bid on the project. Quality Electric Company, Inc. of El Dorado, Arkansas was the apparent low bidder with a low Base Bid of \$223,820.00. This project consists of removing and disposing of the existing transfer switch and furnishing and installing a new transfer switch at the Millwood Water Treatment Plant. This switch is used to transfer the power supply for the Millwood Water Treatment Plant from AEP/SWEPCO to the emergency generator. Quality Electric Company, Inc. has completed numerous projects around El Dorado, Arkansas and has been recommended by the engineer for the project. This project was budgeted in the Utility's 2020-2021 Budget in the Millwood Water Treatment Plant Depreciation Fund at \$200,00.00. Additional funds are available in the Millwood Depreciation Fund.

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**EXPENSE REQUIRED:** \$223,820.00

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**AMOUNT BUDGETED:** \$223,820.00

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**APPROPRIATION  
REQUIRED:** \$82,500.05

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**RECOMMENDED  
ACTION:**

Texarkana Water Utilities staff recommends approval of the bid.

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**EXHIBITS:**

Award Letter and Bid Tab



# RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, upon advertisement, a low bid in the amount of \$223,820.00 was submitted to Texarkana Water Utilities (TWU) by Quality Electric Company, Inc., for the Millwood Water Treatment Plant Transfer Switch Project; and

**WHEREAS**, the Arkansas portion of such expense is \$82,500.05; and

**WHEREAS**, funds for such purpose are budgeted and available; and

**WHEREAS**, the City Manager and Utility staff recommend approval;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City of Texarkana, Arkansas, that Texarkana Water Utilities is hereby authorized to enter into a contract with Quality Electric Company, Inc., for the work and in the amounts described above, provided that the Arkansas portion of such amount being \$82,500.05.

**PASSED AND APPROVED** this 16<sup>th</sup> day of February, 2021.

\_\_\_\_\_  
Allen L. Brown, Mayor

**ATTEST:**

\_\_\_\_\_  
Heather Soyars, City Clerk

**APPROVED:**

\_\_\_\_\_  
George Matteson, City Attorney



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

January 7, 2021

Mr. J.D. Phillips, P.E.  
Executive Director  
Texarkana Water Utilities  
801 Wood Street  
Texarkana, Texas 75501

Re: Texarkana Water Utilities  
Millwood Lake Water Treatment Plant Transfer Switch

Dear Mr. Phillips:

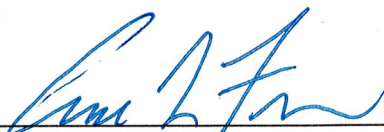
As you are aware, sealed bids were received and opened on January 7, 2021 with reference to the captioned project. The successful Contractor was Quality Electric Company, Inc. with a Base Bid of \$223,820.00, as shown on the attached Bid Tabulation.

We have worked successfully with Quality Electric Company, Inc. and are familiar with their workmanship and management. I therefore, recommend project award to Quality Electric Company, Inc. for the Base Bid in the amount of \$223,820.00 with Contract execution and construction to begin as soon as possible.

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

Sincerely,


A.L. FRANKS ENGINEERING, INC.

  
\_\_\_\_\_  
Anthony L. (Andy) Franks, P.E.  
Principal

ARKANSAS CERTIFICATE OF AUTHORIZATION NUMBER 1681  
OKLAHOMA CERTIFICATE OF AUTHORIZATION NUMBER 5503  
TEXAS CERTIFICATE OF REGISTRATION NUMBER F-10338

**TEXARKANA WATER UTILITIES  
MILLWOOD LAKE WATER TREATMENT PLANT TRANSFER SWITCH  
THURSDAY, JANUARY 7, 2021  
BID TABULATION**

ITEM	QTY	UNIT	DESCRIPTION	QUALITY ELECTRIC CO., INC.		H & K ELECTRIC		INTEGRITY ELECTRIC	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	1	L.S.	Remove and Dispose of existing electrical transfer switch per plans and specs, (the owner reserves the right to retain any equipment for future benefit to the utility):	\$3,500.00	\$3,500.00	\$3,566.20	\$3,566.20	\$8,650.00	\$8,650.00
2	1	L.S.	Provide and Install all equipment planned and required for a complete and operation 5KV Transfer Switch including, but not limited to, site work, concrete pad, and pedestrian access per plans and specs:	\$220,320.00	\$220,320.00	\$222,471.11	\$222,471.11	\$235,000.00	\$235,000.00
<b>TOTAL BASE BID</b>					<b>\$223,820.00</b>		<b>\$226,037.31</b>		<b>\$243,650.00</b>

  
**ANTHONY L. FRANKS, P.E., PROJECT ENGINEER**



\*Note correction made by A.L. Franks Engineering

STATEMENT OF QUALIFICATIONS: Quality Electric Co., Inc.  
Bidder

PO Box 207 El Dorado, AR 71730  
Address

1. NAME OF PROJECT: Union County Softball Fields  
OWNER: Union County ADDRESS: Champagnolle Rd.  
DATE STARTED: 8/2019 DATE COMPLETED: 3/2020  
APPROX. QUANTITIES OF MAJOR ITEMS: \_\_\_\_\_

VALUE OF CONTRACT: \$180,000

2. NAME OF PROJECT: El Dorado Street Lights  
OWNER: City of El Dorado ADDRESS: \_\_\_\_\_  
DATE STARTED: \_\_\_\_\_ DATE COMPLETED: \_\_\_\_\_  
APPROX. QUANTITIES OF MAJOR ITEMS: \_\_\_\_\_

VALUE OF CONTRACT: \$156,000

3. NAME OF PROJECT: El Dorado Soccer Fields  
OWNER: Union County ADDRESS: Champagnolle Rd  
DATE STARTED: 9/2020 DATE COMPLETED: 11/2020  
APPROX. QUANTITIES OF MAJOR ITEMS: \_\_\_\_\_

VALUE OF CONTRACT: \$34,250

4. NAME OF PROJECT: \_\_\_\_\_

TEXARKANA WATER UTILITIES  
MILLWOOD LAKE WATER TREATMENT PLANT  
TRANSFER SWITCH

BID PROPOSAL

<u>ITEM</u>	<u>QTY/UNIT</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
1.	1 L.S.	Remove and Dispose of existing electrical transfer switch per plans and specifications. (The Owner reserves the right to retain any equipment for future benefit to the Utility) for the lump sum price of  <i>Three thousand, Five Hundred</i> Dollars and	\$XXXXXXXXXXXX	<i>\$3,500.<sup>00</sup></i>
2.	1 L.S.	Provide and Install all equipment planned and required for a Complete and operational 5KV Transfer Switch Including, but not limited to, site work, concrete pad, And pedestrian access per the plans and specifications for the lump sum price of  <i>Two hundred twenty thousand, three hundred <del>four</del><sup>ty</sup></i> Dollars and	\$XXXXXXXXXXXX	<i>\$220,320.<sup>00</sup></i>
TOTAL BASE BID			\$	<i>223,820.<sup>00</sup></i>

**NOTES:** 1. Miscellaneous items, directed work, connections, etc., not specifically listed but required to complete the proposed Switch Gear to a complete and operational system shall be included.  
2. Time required to complete work shall be 150 calendar days.

## PROPOSAL

TO: JD Phillips  
Executive Director

FOR: Texarkana Water Utilities  
Electrical Transfer Switch at Millwood Lake  
Water Treatment Plant

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

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

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

It is understood and agreed that the work is to be completed in full within **150 calendar days** beginning on the date stated in the work order on which work is to be commenced. The Texarkana Water Utilities shall withhold, permanently from the Contractor's total compensation, the sum of One Thousand Dollars (\$1,000.00) per calendar day for liquidated damages.

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

Eleven thousand one hundred ninety one<sup>00</sup>/<sub>100</sub> Dollars (\$ 11,191.<sup>00</sup> ).

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

It is understood that the Texarkana Water Utilities reserves the right to reject any and all bids and to waive any informalities in the bidding.

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

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

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

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

Addendum No. 1 dated _____	Rec. via mail _____	Rec. via fax _____
Addendum No. 2 dated _____	Rec. via mail _____	Rec. via fax _____
Addendum No. 3 dated _____	Rec. via mail _____	Rec. via fax _____
Addendum No. 4 dated _____	Rec. via mail _____	Rec. via fax _____
Addendum No. 5 dated _____	Rec. via mail _____	Rec. via fax _____

CONTRACTOR: Quality Electric Co., Inc.

BY: [Signature]

NAME: Brad Edgerton

TITLE: President

ADDRESS: 101 Nick Springs Rd.  
(Street Address or Physical Address)

MAILING ADDRESS: PO Box 207  
(P. O. Box)

CITY, COUNTY & STATE: El Dorado, Union AR.

ZIP: 71731

TELEPHONE: 870-862-9958

FAX TELEPHONE: 870-862-9957



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

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<b>AGENDA TITLE:</b>	Adopt a Resolution to award an engineering contract to A.L. Franks Engineering for the Nix Creek Drainage Study. (PWD)
<b>AGENDA DATE:</b>	02/16/2021
<b>ITEM TYPE:</b>	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
<b>DEPARTMENT:</b>	Public Works
<b>PREPARED BY:</b>	Tracie Lee, Assistant Public Works Director

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<b>REQUEST:</b>	To Award an Engineering Contract to A.L. Franks Engineering for the Nix Creek Drainage Study
<b>EMERGENCY CLAUSE:</b>	An emergency clause is not needed as this will be approved by resolution.

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<b>SUMMARY:</b>	<p>A drainage study for Nix Creek is needed in order for the City to have a better understanding of where the improvements are needed in order to alleviate flooding throughout the City.</p> <p>The City advertised for Request for Qualifications (RFQ's) in January 2021 for engineers, architects, and surveyors. A.L. Franks was selected as a qualified engineer for City projects based on their qualifications and extensive work history with the City.</p> <p>A.L. Franks Engineering submitted their fee proposal for this project in the amount of \$81,500.00.</p>
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<b>EXPENSE REQUIRED:</b>	\$81,500.00
<b>AMOUNT BUDGETED:</b>	\$750,000.00 (101-181-54008-50501 Nix Creek Drainage Study & Improvements)
<b>APPROPRIATION REQUIRED:</b>	\$0.00

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<b>RECOMMENDED ACTION:</b>	City Manager and staff recommend approval of the engineering contract to A.L. Franks Engineering.
<b>EXHIBITS:</b>	Resolution and Fee Schedule

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# RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, following a request for qualifications for a drainage study in connection with Nix Creek Drainage Study, A.L. Franks Engineering, was selected as the best suited candidate to provide such services; and

**WHEREAS**, a drainage study for Nix Creek is needed in order for the City to have a better understanding of where the improvements are needed in order to alleviate flooding throughout the City; and

**WHEREAS**, the cost for such services is \$81,500.00; and

**WHEREAS**, funds are budgeted and available; 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 Public Works is hereby authorized to enter into a contract with A.L. Franks Engineering for the work and in the amount described above.

**PASSED AND APPROVED** this 16<sup>th</sup> day of February, 2021.

\_\_\_\_\_  
Allen L. Brown, Mayor

**ATTEST:**

\_\_\_\_\_  
Heather Soyars, City Clerk

**APPROVED:**

\_\_\_\_\_  
George Matteson, City Attorney

# **WORK ORDER FOR PROFESSIONAL SERVICES**

## **CITY OF TEXARKANA, ARKANSAS**

### **W. O. TXK-01-22**

This will constitute authorization by the City of Texarkana, Arkansas (Owner) for A.L. Franks Engineering, Inc. (Engineer) to proceed with the following described "Project":

**Provide Engineering Services for the scope of work described as follows:**

Nix Creek Maintenance and Restoration – General Engineering scope shall include a study to identify areas where dredging, vegetation removal, and bank stabilization is required to maintain and/or improve the hydraulic capacity of the existing creek channel. Wetland field determination will be completed as required for nationwide permitting. Considering the budget listed herein, the proposed scope of work will be determined according to the highest priority problem areas affecting flood control.

**Construction Budget itemized per the Creek Improvements as follows:**

A) Nix Creek (Dredging, Clearing, and Bank Stabilization Improvements) - \$750,000

Total Construction Budget including Engineering: \$750,000

Engineering services shall include the following scope of work:

1. In consideration of the work required within and along the channel at various locations a wetland field determination is recommended. Nix Creek is considered a water body of the United States and therefore the Corps of Engineers has jurisdiction over what activities can be performed in accordance with various nationwide permits. This phase will include a completed wetlands determination / delineation to be performed by Hoffman Environmental in cooperation with A.L. Franks Engineering.

For projects requiring bank stabilization of lengths greater than 500 Linear Feet this wetland determination will be necessary to obtain a Nationwide Permit No.13. For dredging of creek channels of distances further than 200-ft from a drainage structure a Nationwide Permit No.3 is necessary. For all activities within the Creek channel, a Pre-Construction notification will be performed.

It is further noted that a wetland determination is typically accepted by the USACE for a period of 5-years. This timeframe may provide useful for future maintenance activities performed in the vicinity of the study.

2. Upon performing a field review of the creek limits, key areas will be mapped and documented to include channel cross section, quantities of sediment deposits, and areas of significant bank erosion. These items will be reviewed to determine the necessary scope of work to improve and /or restore the channel.
3. Upon defining the proposed project, plans and specifications will be developed and submitted to the ADEQ, and USACE as necessary for permitting purposes. This will include detailed scope of work, quantities, locations of dredging, locations for depositing dredged materials, stormwater pollution prevention plan and best management practices to be implemented during the project.
4. A final bid package (hardcopy and electronic) will be assembled including plans, specifications, permits, and bidding requirements. The Engineer will further coordinate advertisement of the proposed project, conduct a pre-bid meeting with potential bidders, and issue addendums prior to bidding. A formal bid opening will be conducted with City officials to receive and open bids. The Engineer will then review all bids and provide a recommendation to the City Manager.
5. Upon completion of the project a final notification will be issued to the USACE and ADEQ regarding project completion and adherence to the permit requirements.

The above described services are to be performed in accordance with the basic Agreement covering such engineering services by and between City of Texarkana, Arkansas (Owner) and A.L. Franks Engineering, Inc. (Engineer) dated September 6, 2016.

For performing the services described, the Engineer is to be paid based on percent complete with a maximum not to exceed amount of \$81,500.00 as indicated as follows:

Phase 1 – Wetland Determination

\$22,000.00

Phase 2 – Mapping and Plan Production	\$40,000.00
Phase 3 – Permit Applications to ADEQ, USACE	\$12,000.00
Phase 4 – Completed Bid Package / Bidding	\$5,000.00
Construction Management	By Others
Phase 5 – Final Notifications	\$2,500.00

Meeting with the City will be performed prior to each phase to confirm scope of work, concerns that arise, etc. to ensure the expectations of the project are met.

Partial payment for services shall be made monthly, as evidenced by monthly statements submitted by the Engineer and approved by the Owner.

Items not included in the scope of work include onsite inspection services, project administration, easement acquisition, floodplain modeling, FEMA map amendments. Construction management and inspection services are not included but can be added if desired.

The period of time estimated for completing the above-described services is expected to be a minimum of 120-150 days which is largely dependent upon the review by the USACE. It is feasible at this time to consider a project that can begin in the late summer of 2021. This type of project is expected to take 90-120 days of construction time.

APPROVED:

ACCEPTED:

CITY OF TEXARKANA, ARKANSAS

A.L FRANKS ENGINEERING, INC.

By: \_\_\_\_\_  
 Dr. Kenny Haskin  
 City Manager

By: \_\_\_\_\_  
 Anthony L. (Andy) Franks, P.E.  
 President

ATTEST:

ATTEST:

\_\_\_\_\_

\_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

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<b>AGENDA TITLE:</b>	Adopt a Resolution to award an engineering contract to A.L. Franks Engineering for the design of Sanderson Lane, Tennessee Road and E. 46 <sup>th</sup> Street Road Improvements. (PWD)
<b>AGENDA DATE:</b>	02/16/2021
<b>ITEM TYPE:</b>	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
<b>DEPARTMENT:</b>	Public Works
<b>PREPARED BY:</b>	Tracie Lee, Assistant Public Works Director

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<b>REQUEST:</b>	To Award an Engineering Contract to A.L. Franks Engineering for the design of Sanderson Lane, Tennessee Road and E. 46 <sup>th</sup> Street Road Improvements.
<b>EMERGENCY CLAUSE:</b>	An emergency clause is not needed as this will be approved by resolution.

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<b>SUMMARY:</b>	<p>The City allocated funding in the 2021 budget for improvements to Sanderson Lane, Tennessee Road and E. 46<sup>th</sup> Street. In order to put the project out to bid a design and bid book is needed.</p> <p>The City submitted a RFQ in January 2021 for engineers, architects and surveyors. A.L. Franks was selected as a qualified engineer for City projects based on their qualifications and extensive work history with the City.</p> <p>A.L. Franks Engineering submitted their design fee proposal for these projects in the amount of \$53,550.00.</p>
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<b>EXPENSE REQUIRED:</b>	\$53,550.00
<b>AMOUNT BUDGETED:</b>	\$630,000.00
<b>APPROPRIATION REQUIRED:</b>	\$0.00

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<b>RECOMMENDED ACTION:</b>	City Manager and staff recommend approval of the engineering contract to A.L. Franks Engineering.
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<b>EXHIBITS:</b>	Resolution and Street Projects Fee Schedule
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# RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, following a request for qualifications for ongoing design services in connection with Sanderson Lane, Tennessee Road and East 46<sup>th</sup> Street road improvements, A.L. Franks Engineering, was selected as the best suited candidate to provide such services; and

**WHEREAS**, the cost for such services is \$53,550.00; and

**WHEREAS**, funds are budgeted and available; 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 Public Works is hereby authorized to enter into a contract with A.L. Franks Engineering for the work and in the amount described above.

**PASSED AND APPROVED** this 16<sup>th</sup> day of February, 2021.

\_\_\_\_\_  
Allen L. Brown, Mayor

**ATTEST:**

\_\_\_\_\_  
Heather Soyars, City Clerk

**APPROVED:**

\_\_\_\_\_  
George Matteson, City Attorney

# **WORK ORDER FOR PROFESSIONAL SERVICES**

## **CITY OF TEXARKANA, ARKANSAS**

### **W. O. TXK-01-21A**

This will constitute authorization by City of Texarkana, Arkansas (Owner) for A.L. Franks Engineering, Inc. (Engineer) to proceed with the following described "Project":

Provide Engineering Services for the scope of work described as follows:

Street pavement rehabilitation to include stabilization, asphalt paving, miscellaneous drainage improvements, and other various items.

Construction Budget itemized per the street schedule as follows:

A) Sanderson Lane (Sugar Hill Rd North to previous phase) - \$125,000

Total Construction Budget including Engineering: \$125,000

Engineering services shall include the following scope of work:

1. Prepare Plans and Specifications for Improvements and obtain necessary approval by the City.
2. Design shall include review of existing street conditions, pavement failures, drainage problems and shall include detailed recommendations for repair.
3. The Plans and Specifications will be provided for bidding purposes to include typical contract documents, bonding requirements, and all material and work specifications in accordance with city standards.

The above described services are to be performed in accordance with the basic Agreement covering such engineering services by and between City of Texarkana,

Arkansas (Owner) and A.L. Franks Engineering, Inc. (Engineer) dated September 6, 2016.

For performing the services described, the Engineer is to be paid based on percent complete with a maximum not to exceed amount of \$10,625.00 as indicated as follows:

Preparation of Plans and Specifications \$10,625.00

Partial payment for services shall be made monthly, as evidenced by monthly statements submitted by the Engineer and approved by the Owner.

Items not included in the scope of work include easement acquisition, boundary surveys, environmental investigation, and floodplain permitting.

Construction management and inspection services are not included but can be added if desired.

The period of time estimated for completing the above described services through Bid Phase Engineering shall be SIXTY (60) calendar days.

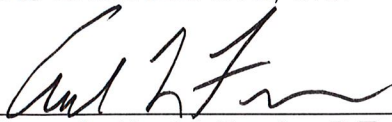
APPROVED:

ACCEPTED:

CITY OF TEXARKANA, ARKANSAS

A.L FRANKS ENGINEERING, INC.

By: \_\_\_\_\_  
Dr. Kenny Haskin  
City Manager

By:  \_\_\_\_\_  
Anthony L. (Andy) Franks, P.E.  
President

ATTEST:

ATTEST:

\_\_\_\_\_

 \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: 2/03/2021 \_\_\_\_\_



# WORK ORDER FOR PROFESSIONAL SERVICES

## CITY OF TEXARKANA, ARKANSAS

### W. O. TXK-01-21B

This will constitute authorization by City of Texarkana, Arkansas (Owner) for A.L. Franks Engineering, Inc. (Engineer) to proceed with the following described "Project":

Provide Engineering Services for the scope of work described as follows:

Street pavement rehabilitation to include stabilization, asphalt paving, miscellaneous drainage improvements, and other various items.

Construction Budget itemized per the street schedule as follows:

A) E 46<sup>th</sup> Street (Four State Fair Pkwy to Clay Pit Rd) - \$250,000

Total Construction Budget including Engineering: \$250,000

Engineering services shall include the following scope of work:

1. Prepare Plans and Specifications for Improvements and obtain necessary approval by the City.
2. Design shall include review of existing street conditions, pavement failures, drainage problems and shall include detailed recommendations for repair.
3. The Plans and Specifications will be provided for bidding purposes to include typical contract documents, bonding requirements, and all material and work specifications in accordance with city standards.

The above described services are to be performed in accordance with the basic Agreement covering such engineering services by and between City of Texarkana,

Arkansas (Owner) and A.L. Franks Engineering, Inc. (Engineer) dated September 6, 2016.

For performing the services described, the Engineer is to be paid based on percent complete with a maximum not to exceed amount of \$21,250.00 as indicated as follows:

Preparation of Plans and Specifications \$21,250.00

Partial payment for services shall be made monthly, as evidenced by monthly statements submitted by the Engineer and approved by the Owner.

Items not included in the scope of work include easement acquisition, boundary surveys, environmental investigation, and floodplain permitting.

Construction management and inspection services are not included but can be added if desired.

The period of time estimated for completing the above described services through Bid Phase Engineering shall be SIXTY (60) calendar days.


APPROVED:

ACCEPTED:

CITY OF TEXARKANA, ARKANSAS

A.L FRANKS ENGINEERING, INC.

By: \_\_\_\_\_  
Dr. Kenny Haskin  
City Manager

By:  \_\_\_\_\_  
Anthony L. (Andy) Franks, P.E.  
President

ATTEST:

ATTEST:

\_\_\_\_\_

 \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: 2/03/2021

# WORK ORDER FOR PROFESSIONAL SERVICES

## CITY OF TEXARKANA, ARKANSAS

### W. O. TXK-01-21C

This will constitute authorization by City of Texarkana, Arkansas (Owner) for A.L. Franks Engineering, Inc. (Engineer) to proceed with the following described "Project":

Provide Engineering Services for the scope of work described as follows:

Street pavement rehabilitation to include stabilization, asphalt paving, miscellaneous drainage improvements, and other various items.

Construction Budget itemized per the street schedule as follows:

A) Tennessee Rd (Beginning at Division St then eastward) - \$255,000

Total Construction Budget including Engineering: \$255,000

Engineering services shall include the following scope of work:

1. Prepare Plans and Specifications for Improvements and obtain necessary approval by the City.
2. Design shall include review of existing street conditions, pavement failures, drainage problems and shall include detailed recommendations for repair.
3. The Plans and Specifications will be provided for bidding purposes to include typical contract documents, bonding requirements, and all material and work specifications in accordance with city standards.

The above described services are to be performed in accordance with the basic Agreement covering such engineering services by and between City of Texarkana,

Arkansas (Owner) and A.L. Franks Engineering, Inc. (Engineer) dated September 6, 2016.

For performing the services described, the Engineer is to be paid based on percent complete with a maximum not to exceed amount of \$21,675.00 as indicated as follows:

Preparation of Plans and Specifications \$21,675.00

Partial payment for services shall be made monthly, as evidenced by monthly statements submitted by the Engineer and approved by the Owner.

Items not included in the scope of work include easement acquisition, boundary surveys, environmental investigation, and floodplain permitting.

Construction management and inspection services are not included but can be added if desired.

The period of time estimated for completing the above described services through Bid Phase Engineering shall be SIXTY (60) calendar days.

APPROVED:

ACCEPTED:

CITY OF TEXARKANA, ARKANSAS

A.L FRANKS ENGINEERING, INC.

By: \_\_\_\_\_  
Dr. Kenny Haskin  
City Manager

By:  \_\_\_\_\_  
Anthony L. (Andy) Franks, P.E.  
President

ATTEST:

ATTEST:

\_\_\_\_\_

 \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: 2/03/2021



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

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<b>AGENDA TITLE:</b>	Adopt a Resolution amending the budget to allocate funding for Interstate-30 lights from the General Fund Reserve Balance. (PWD)
<b>AGENDA DATE:</b>	02/16/2021
<b>ITEM TYPE:</b>	Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other <input type="checkbox"/> : _____
<b>DEPARTMENT:</b>	Public Works
<b>PREPARED BY:</b>	Tracie Lee, Assistant Public Works Director

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<b>REQUEST:</b>	To Allocate Funding for I-30 Lights from General Fund Balance.
<b>EMERGENCY CLAUSE:</b>	An emergency clause is not needed as this will be approved by resolution.

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<b>SUMMARY:</b>	<p>I-30 lights have been non-functioning in some areas for over a year or more. After numerous failed attempts to repair lights with what has been allocated in the Public Works budget further investigation was warranted by an outside contractor. Staff received a recommendation from RW Electric recommending the City replace approximately 10,000' of pipe and wire run feeding median pole lights and tie new conduit and wiring into existing conduit bored under I-30. The improvements will allow lights to function properly.</p> <p>This project is estimated to cost approximately \$120,000. In order to complete this project funding is needed from the General Fund Reserve Balance.</p>
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<b>EXPENSE REQUIRED:</b>	\$120,000.00
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<b>AMOUNT BUDGETED:</b>	\$0.00
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<b>APPROPRIATION REQUIRED:</b>	\$120,000.00
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<b>RECOMMENDED ACTION:</b>	City Manager and staff recommend funding be allocated from the General Fund Reserve Balance.
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<b>EXHIBITS:</b>	Resolution
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# RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, upkeep and continued operation of certain lights installed by others along Interstate-30 has been a continuing issue; and

**WHEREAS**, in consultation with private, professional electricians, it has been recommended that approximately 10,000 feet of underground conduit be replaced; and

**WHEREAS**, it is necessary to amend the budget to appropriate \$120,000.00 (being the estimated prepared cost) for such purpose; and

**WHEREAS**, the City Manager and city staff recommend approval so that the next steps in carrying-out such repairs might commence;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the City of Texarkana, Arkansas, that the Fiscal Year Budget is amended to appropriate \$120,000.00 for Interstate-30 light repair.

**PASSED AND APPROVED** this 16<sup>th</sup> day of February, 2021.

\_\_\_\_\_  
Allen L. Brown, Mayor

**ATTEST:**

\_\_\_\_\_  
Heather Soyars, City Clerk

**APPROVED:**

\_\_\_\_\_  
George Matteson, City Attorney



## CITY OF TEXARKANA, AR BOARD OF DIRECTORS

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**AGENDA TITLE:** Adopt an Ordinance amending and restating Sec. 9.7 of the *City of Texarkana, Arkansas Code of Ordinances* concerning the sale and discharge of fireworks and for other purposes. (BOD) (This item was added to the agenda at the request of Director Terry Roberts)

**AGENDA DATE:** February 16, 2021

**ITEM TYPE:** Ordinance  Resolution  Other : \_\_\_\_\_

**DEPARTMENT:** Board of Directors

**PREPARED BY:**

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**REQUEST:** Amend fireworks ordinance

**EMERGENCY CLAUSE:**

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**SUMMARY:** Amend fireworks ordinance.

An ordinance was brought before the Board on February 1, 2021, was amended during the meeting and then tabled.

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**EXPENSE REQUIRED:** N/A

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**AMOUNT BUDGETED:** N/A

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**APPROPRIATION  
REQUIRED:** N/A

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**RECOMMENDED  
ACTION:** This item was added to the agenda at the request of Director Terry Roberts

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**EXHIBITS:** ordinance

# ORDINANCE NO. \_\_\_\_\_

## **AN ORDINANCE AMENDING AND RESTATING SECTION 9-7 OF THE *CITY OF TEXARKANA, ARKANSAS, CODE OF ORDINANCES,* CONCERNING THE SALE AND DISCHARGE OF FIREWORKS, AND FOR OTHER PURPOSES**

**WHEREAS**, in order to provide for revised provisions in the city ordinances concerning the sale and discharge of fireworks within the City of Texarkana, Arkansas, it is necessary to restate and amend Section 9-7 of the Code of Ordinances of the City of Texarkana, Arkansas;

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Directors of the City of Texarkana, Arkansas, that Section 9-7 of the Code is deleted in its entirety and the following is substituted for the same:

### **Sec. 9-7. - Sale, discharge of fireworks.**

- (a) It shall be unlawful for any person to display for retail sale, offer for retail sale, sell at retail or give away any fireworks of any kind or character whatsoever within the limits of this city unless otherwise permitted and in compliance with other applicable ordinance; provided, however, nothing contained in this provision shall be deemed to prohibit the wholesale sale of fireworks to merchants within or without of the city limits.
- (b) It shall be unlawful for any person or entity to discharge any fireworks of any kind or character whatsoever within the limits of this city; provided that a permit may be obtained for a display of fireworks as more particularly set out in this section.
- (c) The fire marshal (or, in absence of a fire marshal, the fire chief), shall issue a permit for the outdoor display of fireworks, only as follows:



(1) Submission of application by an applicant, containing such detail as may be required by, and in form and substance sufficient in the opinion of the fire marshal (or, as may be the case, fire chief), to allow the fire marshal (or, as applicable, fire chief) to determine that:

(A) All applicable provisions and requirements of the fire prevention code, state statute, and NFPA 1123 (or the successor thereto) are met;

(B) All other necessary federal, state or County permits have been issued and obtained by the applicant and presented as part of the application (or, if such permits require local permit issuance as a prerequisite, then any permit issued hereunder shall not be final unless and until all other permitting is obtained and evidence of the same provided to the city);

(C) The display will be handled and personally overseen by a person or operator having all licensing that may be otherwise required by state or federal law to discharge the type of fireworks to be included in the display;

(D) The display will occur no earlier than 10:00 a.m.;

(E) The display will conclude no later than 10:00 p.m.;

(F) The duration of the actual display will not exceed thirty (30) minutes;

(G) The fireworks will be launched from real property other than property belonging to the city, and all owners of record (as determined by the records of the Miller County Arkansas Tax Assessor) have consented in writing to the use of said property (or such portion thereof as may be required) by the applicant for such purpose and, further, that said owners, in writing, release, to the extent not otherwise prohibited by applicable law, the city from any liability incurred by the owner or any person or entity claiming by

or through the said owners relating to or arising from the permit or the display; and,

(H) The applicant, in writing, releases, to the extent not otherwise prohibited by applicable law, the city from any liability incurred by the applicant or any person claiming by or through the applicant relating to or arising from the permit or the display.

(2) Upon approval of an application, no permit shall be issued unless and until the applicant presents written affidavit from the publisher of newspaper of general circulation within the city limits of Texarkana, Arkansas, of publication, occurring no less than once time per week for two consecutive weeks, of a Public Notice of Fireworks Display to Occur Within the City Limits of Texarkana, Arkansas, containing: the date of the upcoming display; the name mailing address and phone number of the permit applicant; the name, mailing address and phone number of the operator conducting the display (if different than the applicant); the physical address of the display launch location; whether the display is a private display or a display that is open to general public; if the public is invited to attend, the location reserved for such viewing by the general public and the cost of admission to the same; and a statement, substantially in the following form: "This display is subject to rescheduling by the applicant for up to eight days without notice." The cost of publication shall be the responsibility of the applicant.

(3) Any permit issued pursuant to this section is not transferrable.

(4) Except as specifically allowed by this paragraph, no permit issued pursuant to this section will be subject to rescheduling or relocation, for any reason, absent renewed application and issuance of a new permit in accordance with the requirements of this section (including, without limitation, publication requirements); provided that, any display permitted under this section may be rescheduled (but not relocated) by the applicant to a date occurring not

more than eight (8) days following the date of original permitted display so long as

- (A) the applicant complied with the public noticing requirements of (c)(2) above as relates to the originally scheduled display date; and,
- (B) the applicant complies with all other provisions of this Section as relates to the rescheduled display date.

(5) Notwithstanding the foregoing, any person to whom or entity to which a permit has been issued under this section may, but absent requirement by the fire marshal (or, as applicable, the fire chief), shall not be required to, conduct a small test firing on the date of the display, but in no event shall such test firing occur prior to 10:00 a.m.

**PASSED AND APPROVED** this 16<sup>th</sup> day of February, 2021.

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Allen L. Brown, Mayor

**ATTEST:**

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Heather Soyars, City Clerk

**APPROVED:**

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George Matteson, City Attorney