

Mayor – Sandy Sanders

Acting City Administrator – Jeff Dingman

City Clerk – Sherri Gard

Board of Directors

Ward 1 – Keith D. Lau

Ward 2 – Andre' Good

Ward 3 – Mike Lorenz

Ward 4 – George Catsavis

At Large Position 5 – Tracy Pennartz

At Large Position 6 – Kevin Settle

At Large Position 7 – Don Hutchings

AGENDA ~ SUMMARY

Fort Smith Board of Directors

SPECIAL MEETING & STUDY SESSION

August 11, 2015 ~ 12:00 Noon
Fort Smith Public Library Community Room
3201 Rogers Avenue

SPECIAL MEETING

ROLL CALL

- All present
- Mayor Sandy Sanders presiding

PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEMS OF BUSINESS NOT ALREADY ON THE AGENDA FOR THIS MEETING

(Section 2-37 of Ordinance No. 24-10)

None presented.

1. Resolution rescinding Resolution No. R-134-15 and authorizing the offering of Water and Sewer Revenue Bonds to refund outstanding Water and Sewer Revenue Bonds, Series 2005B and to finance sewer improvements; and prescribing other matters relating thereto *(Underwriting allocation of 65% to Stephens, Inc. / 35% to Raymond James; and, designating Stephens, Inc. as the Book Running Manager)*
APPROVED 4 in favor (Lau, Good, Catsavis & Hutchings), 3 opposed (Lorenz, Pennartz & Settle) as amended to allocate both underwriting services and management fees of 80% to Stephens, Inc. and 20% to Raymond James; and, designating Stephens, Inc. as the senior Book Running Manager / Resolution No. R-147-15

ADJOURN

12:29 p.m.

STUDY SESSION

CALL TO ORDER

- All present
- Mayor Sandy Sanders presiding

1. Continued discussion of police and fire pension funding:
 - General Fund budget reductions for 2015 ~ *Lau/Pennartz placed on agenda at the June 23, 2015 study session / Lau/Pennartz placed ordinance on July 21, 2015 regular meeting agenda / Ordinance moved 7/0 pending discussion at future study session ~*
Pennartz/Lau placed an ordinance on the August 18, 2015 regular meeting agenda.
 - Other budget reductions, i.e. incentive pay, salary reductions for upper level employees, 401 retirement plan for non-uniform employees ~ *Discussed at the July 14, 2015 study session ~*
Due to the above budget reductions for 2015, the Board conveyed no interest in moving forward with these options; however, it was clarified that such may be considered for the 2016 Budget.
 - Business license fees ~ *Discussed at the June 23, 2015 study session / Deferred at the July 14, 2015 study session ~*
There was some interest in reinstating business license fees; however, concern was expressed with the proposed \$20 per employee and assessment of a 10% administrative fee. Due to such, it was requested the estimated revenues be re-evaluated.
 - Enactment of a prepared food tax to provide replacement funding for the convention center and other General Fund tourism / promotions expenditures ~ *Discussed at the June 23, 2015 study session ~*
Due to the amount of the above noted budget reductions for 2015, the Board had no discussion regarding this item.
2. Establish city-wide budget goals for 2016
Deferred to the next study session.
3. Review City of Fort Smith employee health coverage
Deferred to the next study session.
4. Review preliminary agenda for the August 18, 2015 regular meeting

ADJOURN

1:10 p.m.

RESOLUTION NO. R-147-15

A RESOLUTION RESCINDING RESOLUTION NO R-134-15 AND AUTHORIZING THE OFFERING OF WATER AND SEWER REVENUE BONDS TO REFUND OUTSTANDING WATER AND SEWER REVENUE BONDS, SERIES 2005B AND TO FINANCE SEWER IMPROVEMENTS; AND PRESCRIBING OTHER MATTERS RELATING THERETO

WHEREAS, the City of Fort Smith, Arkansas (the "City") owns and operates a water and sewer system (the "System") that requires ongoing maintenance, upgrade, and capital improvement; and

WHEREAS, the City has outstanding its Water and Sewer Revenue Bonds, Series 2005B (the "2005B Bonds") that are payable from and secured by revenues of the System; and

WHEREAS, in order to achieve debt service savings, it is in the best interest of the City to refund the 2005B Bonds; and

WHEREAS, specific programs, replacements, upgrades and general capital improvements to the System have been identified in order to meet specific requirements set forth in a Consent Decree entered against the City for violations of the Clean Water Act; and

WHEREAS, the City has determined that the City should issue Water and Sewer Revenue Bonds in series and that the City should proceed with the issuance of the bonds (the "Series 2015 Bonds") to accomplish the refunding of the 2005B Bonds and the financing of sewer improvements; and

WHEREAS, water and sewer usage rates have been adjusted in anticipation of meeting debt service obligations related to such bonds; and

WHEREAS, pursuant to the authority granted in the Arkansas statutes authorizing the issuance of the Series 2015 Bonds, including particularly A.C.A. §14-164-409, the City has determined to sell the Series 2015 Bonds on a negotiated basis to Stephens Inc. and Raymond James & Associates, Inc. as underwriters (the "Underwriters"), with Stephens Inc. serving as the senior book running manager; and

WHEREAS, the Series 2015 Bonds and associated management fees shall be allocated between the Underwriters as follows: Stephens Inc. – 80% of Series 2015 Bonds and management fees; and Raymond James & Associates, Inc. – 20% of Series 2015 Bonds and management fees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Fort Smith, Arkansas:

Section 1. Resolution No. R-134-15 is hereby rescinded and repealed.

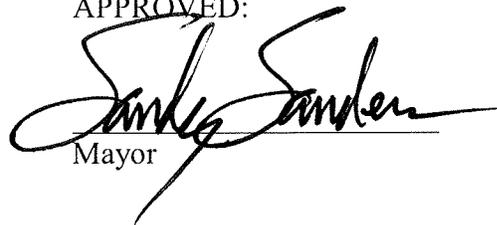
Section 2. The offering of the Series 2015 Bonds by the Underwriters as set forth herein is hereby authorized.

Section 3. The officials of the City are authorized to cooperate with the Underwriters, and Friday, Eldredge & Clark, LLP, as Bond Counsel, in the preparation of a preliminary official statement and bond ordinance and are further authorized to execute such writings and take such actions as may be appropriate to the offering of the Series 2015 Bonds.

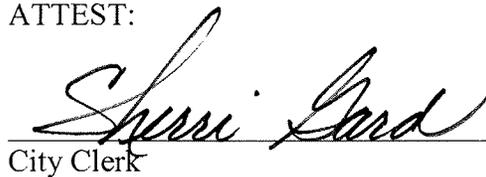
Section 4. As the issuance of the Series 2015 Bonds is, under Arkansas law, subject to the approval of the Board of Directors, by ordinance, any sale of the Series 2015 Bonds will be subject to the approval of the Board of Directors.

This Resolution passed this 11th day of August, 2015.

APPROVED:

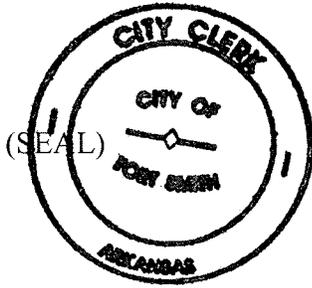

Mayor

ATTEST:


City Clerk

CERTIFICATE

The undersigned, City Clerk of the City of Fort Smith, Arkansas (the "City"), hereby certifies that the foregoing is a true and compared copy of a resolution passed at a regular session of the Board of Directors of the City, held at the regular meeting place of the Board at 12:00 o'clock p.m. on the 11th day of August, 2015





City Clerk