



**MAYOR**

George B McGill

**CITY ADMINISTRATOR**

Carl E Geffken

**CITY CLERK**

Sherri Gard

**BOARD OF DIRECTORS**

Ward 1 - Jarred Rego

Ward 2 - Andre' Good

Ward 3 - Lavon Morton

Ward 4 - George Catsavis

At-Large Position 5 - Christina Catsavis

At-Large Position 6 - Kevin Settle

At-Large Position 7 - Neal Martin

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# AGENDA ~ Summary

Fort Smith Board of Directors

## REGULAR MEETING

May 2, 2023 ~ 6:00 p.m.

Blue Lion

101 North 2nd Street

Fort Smith, Arkansas

**THIS MEETING IS BEING TELECAST LIVE AT THE FOLLOWING LINK:**

<https://video.ibm.com/channel/XqbsvFPFApS>

### INVOCATION & PLEDGE OF ALLEGIANCE

Invocation given by Director Neal Martin

Pledge of Allegiance led by Director Andre' Good

### ROLL CALL

All physically present

Vice-Mayor Jarred Rego 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 the Fort Smith Municipal Code*)

Information available by viewing rebroadcast of the meeting on the City Access Channel (Cox Channel 214), the City website, or <http://www.ustream.tv/channel/XqbsvFPFApS>

### APPROVE MINUTES OF THE APRIL 18, 2023 REGULAR MEETING AND APRIL 25, 2023 SPECIAL MEETING

**APPROVED** as written

### ITEMS OF BUSINESS

1. Ordinance rezoning identified property and amending the zoning map (*Transitional (T) to Commercial Heavy (C-5) at 6201 Rogers Avenue, Suite H*) (*Planning & Zoning*)

**APPROVED** 7 in favor, 0 opposed / Ordinance No. 43-23

2. Ordinance rezoning identified property and amending the zoning map (*Planned Zoning District (PZD) to Planned Zoning District (PZD) at 7301 and 7323 Terry Street, 7300-7313 Buckhorn Street, 7317, 7401, 7404, 7405, and 7409 Buckhorn Street, 7412 -7429 Buckhorn Street, 7300, 7308, 7312, 7402, 7412 and 7428 Ellis Street, and 11821 Darby Street*) (*Planning & Zoning*)  
**TABLED** 4 in favor (G.Catsavis, C.Catsavis, Settle, Martin), 3 opposed (Rego, Good, Morton) pending final determination of FCRA lawsuit
3. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan: Residential Detached and General Commercial to Commercial Neighborhood / Rezoning: Residential Single Family Duplex Medium/High Density Special (RSD-3 SPL) and Commercial Heavy (C-5) to Commercial Light (C-2) at 2015 and 2105 Savannah Street*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 44-23
4. Public hearing and resolution approving the Year 49 Community Development Block Grant Budget, the Year 30 HOME Investment Partnership Act Program Budget, authorizing the submission of the Program Year 2023 Action Plan and substantial amendment to the Year 2021 Annual Action Plan ~ *Morton/C.Catsavis placed on agenda at the April 25, 2023 study session ~ (Community Development)*  
**APPROVED** 7 in favor, 0 opposed / Resolution No. R-82-23
5. Public hearing and resolution authorizing the submission of the HOME-ARP Allocation Plan and substantial amendment to the Year 2021 Annual Action Plan ~ *Morton/Good placed on agenda at the April 25, 2023 study session ~ (Community Development)*  
**APPROVED** 7 in favor, 0 opposed / Resolution No. R-83-23
6. Ordinance authorizing the appropriation of insurance proceeds for various City Departments (*Finance*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 45-23
7. Ordinance amending the 2023 Budget and authorizing the appropriation of donated funds (*Police*)  
**APPROVED** 7 in favor, 0 opposed / Ordinance No. 46-23
8. Consent Agenda
  - A. Resolution authorizing and authorizing the Mayor to execute Amendment No. 1 to a professional services agreement with Witt Global Partners (AG Witt, LLC) related to facilitating FEMA public assistance reimbursement from the 2019 Flood (*City Administrator*)  
**APPROVED** 7 in favor, 0 opposed / Resolution No. R-84-23
  - B. Resolution authorizing execution of quitclaim deeds to Fort Smith Public Library (*Finance*)  
**APPROVED** 7 in favor, 0 opposed / Resolution No. R-85-23

- C. Resolution accepting completion of and authorizing final payment for the 2022 Street Striping Replacement, Project No. 22-85-A (\$195,746.00 / Engineering Department / Budgeted – Sales Tax Program) (Streets & Traffic Control)

**APPROVED** 7 in favor, 0 opposed / Resolution No. R-86-23

## OFFICIALS FORUM

- Mayor
- Board of Directors
- City Administrator

Information available by viewing rebroadcast of the meeting on the City Access Channel (Cox Channel 214), the City website, or <http://www.ustream.tv/channel/XqbsvFPFApS>

## EXECUTIVE SESSION

**TABLED** 5 in favor (Rego, Good, Morton, Settle, Martin), 2 opposed (G.Catsavis, C. Catsavis) to the May 16, 2023 regular meeting with inclusion of discussion regarding a salary increase for each position effective in 2023.

- Performance evaluation – City Administrator ~ *Directors Lavon Morton, Neal Martin, Andre' Good, and George Catsavis added to the April 18, 2023 regular meeting on April 12, 2023 / Tabled to the May 2, 2023 regular meeting at the April 18, 2023 regular meeting ~*
- Performance evaluation – Internal Auditor ~ *Directors Lavon Morton, Neal Martin, Andre' Good, and George Catsavis added to the April 18, 2023 regular meeting on April 12, 2023 / Tabled to the May 2, 2023 regular meeting at the April 18, 2023 regular meeting ~*

## ADJOURN

6:55 p.m.

ORDINANCE NO. 43-23

AN ORDINANCE REZONING IDENTIFIED PROPERTY AND AMENDING THE ZONING MAP

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No. 10-4-23 to rezone certain property hereinafter described, and, having considered said request, recommended on April 11, 2023, that said change be made;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS:

SECTION 1: That the following property to-wit:

A part of Lot 1, Widmer Place, as filed for record January 25, 1991, Fort Smith, Sebastian County, Arkansas. More particularly described as follows:

Commencing at the Northeast (NE) corner of said Lot 1; thence S02°20'14"W, 220.79 feet along the east line of said Lot 1 to the Point of Beginning; thence S02°20'14"W, 265.00 feet along said east line; thence N87°22'09"E, 190.00 feet; thence N02°20'14"E, 265.00 feet; thence S87°22'09"E, 190.00 feet to the Point of Beginning. Containing 50,350 square feet or 1.15 acres more or less.

more commonly known as 6201 Rogers Avenue, Suite H, should be, and is hereby rezoned from Transitional (T) to Commercial Heavy (C-5) subject to development plan approval by the Planning Commission prior to the issuance of a building permit for new construction.

The zoning map of the City of Fort Smith is hereby amended to reflect said rezoning.

PASSED AND APPROVED THIS 2<sup>nd</sup> DAY OF May, 2023.

ATTEST:

Shoni Gard  
City Clerk

APPROVED:

Jarred Rego  
Vice-Mayor

Approved as to form:

Jeremy Confield  
Publish One Time

ORDINANCE NO. 44-23

**AN ORDINANCE AMENDING THE MASTER LAND USE PLAN MAP AND  
REZONING IDENTIFIED PROPERTY AND AMENDING THE ZONING MAP**

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**WHEREAS**, the City Planning Commission has held a public hearing to consider request No. 4-4-23 to amend the Master Land Use Plan Map relative to property described in Section 1 of this ordinance, and, having considered the request, recommended on April 11, 2023 that said change be made; and,

**WHEREAS**, the City Planning Commission determined the change to the Master Land Use Plan Map does conform to the goals and objectives of the Comprehensive Plan; and,

**WHEREAS**, the City Planning Commission has heretofore held a public hearing to consider request No. 8-4-23 to rezone certain property, and, having considered said request, recommended on April 11, 2023, that said change be made;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF  
DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS:**

**SECTION 1:** The hereinafter described property is hereby reclassified on the Master Land Use Plan Map from Residential Detached and General Commercial to Commercial Neighborhood and the Master Land Use Plan Map is hereby amended to reflect said amendment to-wit:

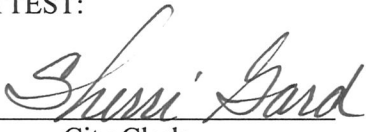
Lot 21C, the West 58 feet of Lot 22 and the Alley between, all in Mazzard Tracts Addition, also described as 2015 and 2105 S. Savannah, Fort Smith, Sebastian County, Arkansas.

**SECTION 2:** The real property described in Section 1 is hereby rezoned from Residential Single Family Duplex Medium/High Density Special (RSD-3 SPL) and Commercial Heavy (C-5) to Commercial Light (C-2).

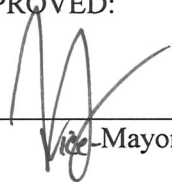
The zoning map of the City of Fort Smith is hereby amended to reflect said rezoning.

PASSED AND APPROVED THIS 2<sup>nd</sup> DAY OF May, 2023.

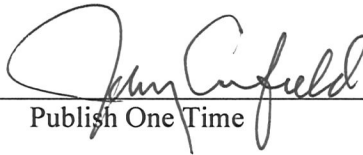
ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED:

  
\_\_\_\_\_  
Vice-Mayor Jarred Rego

Approved as to form:

  
\_\_\_\_\_  
Publish One Time

RESOLUTION NO. R-82-23

**A RESOLUTION APPROVING THE YEAR 49 COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET, THE YEAR 30 HOME INVESTMENT PARTNERSHIP ACT PROGRAM BUDGET, AUTHORIZING THE SUBMISSION OF THE PROGRAM YEAR 2023 ACTION PLAN AND SUBSTANTIAL ADMENDMENT TO THE YEAR 2021 ANNUAL ACTION PLAN.**

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**WHEREAS,** it is the intention of the Board of Directors of the City of Fort Smith to allocate Community Development Block Grant (CDBG) funds in such a manner that the maximum feasible priority is given to activities which will benefit low to moderate income families or persons and eliminate slum and blight.

**WHEREAS,** it is the intention of the Board of Directors of the City of Fort Smith to allocate HOME Investment Partnership Act (HOME) funds in such a manner as to provide affordable housing opportunities to low and moderate income persons or families.

**WHEREAS,** there is a total of \$812,865 for Year 49 funds allocated to the CDBG Program for budgetary purposes; and

**WHEREAS,** there is a total of \$462,538 in Year 30 funds allocated to the HOME Program for budgetary purposes; and

**WHEREAS,** there is a total of \$89,934.92 in HOME Down Payment Assistance (DPA) funds to be re-allocated from Year 47 (2021); and

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT:**

**SECTION 1:** The Year Forty-nine CDBG estimated budget is eight hundred twelve thousand eight hundred sixty-five (\$812,865) for budgeting purposes and is adopted by reference to the attached budget sheet.

**SECTION 2:** The Year Thirty HOME Program budget is four hundred sixty-two thousand five hundred thirty-eight (\$462,538) for budgeting purposes and is adopted by reference to the attached budget sheet.

**SECTION 3:** The in-house Affirmative Action Policy which prescribes equal opportunity policies for the recruitment, hiring, training, promoting, demotions and termination of employees, with personnel goals revised annually, as stated in Resolution No. R-7-81 is reaffirmed.

*Approved on to pass  
Jerry Carfield  
No publication required*

- SECTION 4:** A Year Forty-nine CDBG Affirmative Action Plan is adopted to provide contractual procedures with regard to equal opportunity personnel policies on the part of CDBG project contractors.
- SECTION 5:** The Fair Housing Program/Policy of the City of Fort Smith as stated in Resolution No. 2214, is reaffirmed to affirmatively further Fair Housing practices in the sale, lease or rental of housing and to prevent discrimination on the basis of race, color, religion, national origin, sex, disability or familial status and to provide a procedure and Fair Housing Officer to assist and educate the public on their rights and procedures available to have complaints reviewed, investigated and resolved.
- SECTION 6:** The Director of Community Development is authorized to prepare and submit the Program Year (PY) 2023 Annual Action Plan (AAP) to carry out the activities/projects identified to the U. S. Department of Housing and Urban Development (HUD) for review and approval and an amendment for the PY 2021 Annual Action Plan for the HOME Investment Partnership Program. Once the approvals by HUD have occurred, the Mayor is authorized to execute agreements, his signature being attested by the City Clerk, with the agencies identified in the Community Development Department Budget as application numbers 3-A through 3-S to undertake the activities/projects in the 2023 Annual Action Plan and the 2021 AAP amendment.
- SECTION 7:** All approved agencies of CDBG and HOME funds will use, at a minimum, the city's procurement procedures for any services or contracts.
- SECTION 8:** Any P. Y. 2023 CDBG project not commenced by June 30, 2024 will be canceled and the project funding will transfer to the Fort Smith Housing Assistance Program # 4107220001-70-HA unless the delay is no fault of the agency. All CDBG program income from prior projects will be distributed as follows: 80% to the Fort Smith Housing Assistance Program account code 4107220001-70-HA and the allowed 20% for CDBG program administration account code 4107220001-70-FA. Any CDBG funds not entirely spent by an agency or canceled due to closure will transfer to the Fort Smith Housing Assistance Program. In the event of a CDBG Project cost overrun the City Administrator or his designated agent may approve up to a 10% increase maximum from the un-programmed line item. On December 31, 2023 (or earlier if all construction projects have started) all un-programmed funding will be transferred to the Housing Assistance Program with no administrative funds reduction from the original entitlement allocation.
- SECTION 9:** Any P. Y. 2023 HOME project not commenced by December 31, 2023 will be canceled and the funding will transfer to the Down payment Assistance Program (DPA) account code 4107220002-70-DP with the exception of the 15% CHDO Reserve funds. All HOME program income received by the City will be distributed as follows: 90 % to the Down payment Assistance Program account code 4107210002-70-DP and 10% for HOME program administration account code 4107220002-70-FS. HOME recaptured funds will be used according to federal regulations through the DPA program – no administrative funds can be deducted. All agency held Program Income / Project Proceeds will continue to be used in the new construction or acquire, rehabilitate and resale project.
- SECTION 10:** Subject to approval of form by the City Attorney, the City Administrator or his authorized agent is authorized to execute any documents related to real property transactions that are funded with the CDBG and / or HOME funds; this includes but is not limited to deeds, mortgage releases, and subordination agreements.



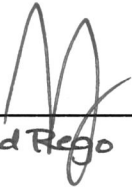
**SECTION 11:** The City Administrator is authorized to execute all grant documents and certifications required by the U. S. Department of Housing and Urban Development. The City Administrator or his authorized agent will be designated as the Environmental Certifying Officer.

**SECTION 12:** Any activity that is proposed to be altered in terms of its purpose, scope, location, or beneficiaries to such an extent that it can no longer reasonably be construed as the activity reviewed by the public and approved by the Fort Smith Board of Directors will be canceled.

**SECTION 13:** The City Administrator or his designated agent is authorized to prepare and transmit any documents required by the U. S. Department of Housing and Urban Development (HUD) related to the amendment of the PY 2021 Annual Action Plan (AAP) in the amount of eighty-nine thousand nine hundred thirty-four and ninety-two cents (\$89,934.92); adopted by reference to the attached budget sheet.

**THIS RESOLUTION APPROVED THIS 2<sup>rd</sup> DAY OF MAY 2023.**

**APPROVED:**

  
\_\_\_\_\_  
VICE- MAYOR Jarred Rego

**ATTEST:**

  
\_\_\_\_\_  
CITY CLERK

**CDBG and HOME Program Year 2023 CDAC Recommendations and  
Pre-programmed City Activities**

<b>Application Identifier</b>	<b>Agency</b>	<b>CDBG Year 49</b>
A-430732-PS	Antioch CA for Youth and Family <i>Raw food purchase</i>	\$10,547
B-427163-PS	Center for Arkansas Legal Services <i>Case Management</i>	\$2,934
C-427718-PS	Community Rescue Mission <i>Case Management</i>	\$11,297
D-427994	Community Rescue Mission <i>Facility Improvements</i>	\$17,187
E-428391	Crawford Sebastian CDC, Inc. <i>Lot Acquisition</i>	\$37,125
G-428201-PS	Crawford Sebastian CDC, Inc. <i>Dental Care Services</i>	\$15,047
H-427298-PS	Fort Smith Boys and Girls Club <i>Summer Program Assistance</i>	\$4,572
I-427889	FS Children's Emergency Shelter <i>Security Fencing</i>	\$11,020
J-427912-PS	Girls Incorporated of Fort Smith <i>Membership, Outreach</i>	\$8,772
K-427100-PS	Hamilton Center for Child Advocacy <i>Case Management</i>	\$10,047
L-427099	Harbor House <i>Flooring Rehabilitation</i>	\$14,568
M-427226-PS	Heart to Heart PSC <i>Baby Cribs/Mattresses and Diapers</i>	\$4,359
N-428308-PS	Next Step Day Room Inc. <i>Transitional Case Management</i>	\$13,797
O-428309	Next Step Day Room Inc. <i>Next Step Homeless Facility</i>	\$48,957
P-427991-PS	Riverview Hope Campus <i>Case Management</i>	\$14,713
Q-428429-PS	Sebastian Retired Citizens Association <i>Foods for Elderly</i>	\$11,047
R-428417	Western Arkansas Counseling & Guidance <i>Roof Replacement</i>	\$48,959
S-427126-PS	WestArk RSVP <i>Income Tax Preparation</i>	\$14,797
	Fort Smith Housing Rehab Assistance	\$270,226
	Fort Smith Housing Rehab Administration	\$60,000
	Fort Smith Administration	\$162,573
	Un-programmed	\$20,321
	<b>Totals</b>	<b>\$812,865</b>
<b>Application Identifier</b>	<b>Agency</b>	<b>HOME Year 29</b>
F-428193	Crawford Sebastian CDC, Inc.- <i>New Construction</i>	\$416,285
	Down Payment Assistance YR 2021 Carryover	\$89,934.92
	Fort Smith HOME Administration	\$46,253
	<b>Totals</b>	<b>\$552,472.92</b>

RESOLUTION NO. R-83-23**A RESOLUTION AUTHORIZING THE SUBMISSION OF THE HOME-ARP ALLOCATION PLAN AND SUBSTANTIAL ADMENDMENT TO THE YEAR 2021 ANNUAL ACTION PLAN.**

**WHEREAS,** on March 10, 2021, due to the nationwide impact of COVID-19, Congress through the American Rescue Plan Act of 2021 (ARP) appropriated \$5 billion to communities across the U.S. to provide housing, services, and shelter to individuals experiencing homelessness as well as other vulnerable populations;

**WHEREAS,** CPD Notice 21-10: Requirements for the Use of Funds in the HOME-ARP Program (September 13, 2021) requires the submission of an Allocation Plan for the implementation of the "HOME-ARP" program and plan was approved by the Board of Directors in Resolution #147-22

**WHEREAS,** HUD sent final approval for the City of Fort Smith's Allocation plan on November 14, 2022 awarding the city \$1,501,450 in HOME-ARP funding.

**WHEREAS,** An ad was placed in the Times Record on February 16, 2023 for a Request for Proposals for HOME-ARP funding.

**WHEREAS,** The Community Development Advisory Committee held a public meeting on March 31, 2023 to review and discuss HOME- ARP Proposals with \$1,276,232.50 available to agencies. The Supportive Services category was funded at \$255,246 and \$1,020,987 in the Affordable Rental Housing category.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT:**

**SECTION 1:** The HOME-ARP budget is one million five hundred one thousand four hundred fifty (\$1,501,450) for budgeting purposes is adopted by reference to the attached budget sheet.

**SECTION 2:** The Director of Community Development is authorized to carry out the activities identified in the HOME-ARP Allocation Plan and Program Year (PY) 2021 Annual Action Plan (AAP) Amendment. The Mayor is authorized to execute agreements, his signature being attested by the City Clerk, with the agencies identified in the HOME-ARP Budget as application numbers 1A- 1E to undertake the activities/projects in the HOME ARP Plan and 2021 Annual Action Plan Amendment.

**SECTION 3:** The Fair Housing Program/Policy of the City of Fort Smith as stated in Resolution No. 2214, is reaffirmed to affirmatively further Fair Housing practices in the sale, lease or rental of housing and to prevent discrimination on the basis of race, color, religion, national origin, sex, disability or familial status and to provide a procedure and Fair Housing Officer to assist and educate the public on their rights and procedures available to have complaints reviewed, investigated and resolved.

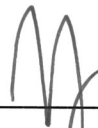
**SECTION 4:** All approved agencies of HOME-ARP funds will use, at a minimum, the city's procurement procedures for any services or contracts.

**SECTION 3:** The City Administrator is authorized to execute all grant documents and certifications required by the U. S. Department of Housing and Urban Development. The City Administrator or his authorized agent will be designated as the Environmental Certifying Officer.

**SECTION 4:** The City Administrator or his designated agent is authorized to prepare and transmit any documents required by the U. S. Department of Housing and Urban Development (HUD) related to the HOME-ARP Allocation Plan and amendment of the PY 2021 Annual Action Plan (AAP).

**THIS RESOLUTION APPROVED THIS 2<sup>nd</sup> DAY OF MAY 2023.**

**APPROVED:**



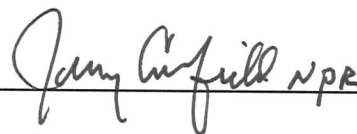
VICE-MAYOR Jarred Rego

**ATTEST:**



CITY CLERK

**Approved as to form:**



### HOME-ARP CDAC Recommendations

Organization/Project	Project Category	HOME ARP
<b>CSCDC- Rental/Deposit Assistance Program</b>	Affordable Rental Housing	\$100,000
<b>Next Step Day Room- Homeless Facility/Tiny Homes</b>	Affordable Rental Housing	\$920,987
<b>Center for Legal Services- Legal Services for Housing Stability</b>	Supportive Services	\$31,250
<b>Riverview Hope Campus- Van, Case Mgmt., Food</b>	Supportive Services	\$130,511
<b>Community Rescue Mission- Van, Case Mgmt., Food</b>	Supportive Services	\$93,485
<b>Administration</b>		\$225,217.50

ORDINANCE AUTHORIZING THE APPROPRIATION OF INSURANCE PROCEEDS FOR VARIOUS CITY DEPARTMENTS

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT:

WHEREAS, the Board of Directors approved the 2023 operating budget on December 13, 2022, by Ordinance No. 125-22; and

WHEREAS, the City of Fort Smith Police, Fire and Utilities Departments find it necessary to repair vehicles damaged in various accidents.

NOW, THEREFORE, there is hereby authorized an amendment to the 2023 Operating Budget to appropriate insurance proceeds, as follows:

Account		Current Budget	Adjustment	Revised Budget
<b>Revenues</b>				
0101-464000	Insurance Proceeds	\$ 13,323	\$ 120,676	\$ 133,999
2101-464000	Insurance Proceeds	-	4,905	4,905
			<u>125,581</u>	
<b>Expenditures</b>				
47030101-527200	Maintenance - Equipment	53,872	2,789	56,661
47040101-527200	Maintenance - Equipment	182,702	9,301	192,003
48020101-527200	Maintenance - Equipment	317,496	108,586	426,082
56560300-527200	Maintenance - Equipment	842,441	4,905	847,346
			<u>125,581</u>	
	Appropriation of Fund Balances		<u>\$ -</u>	

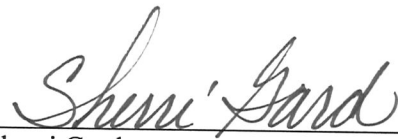
PASSED AND APPROVED THIS 2nd DAY OF May, 2023.

APPROVED:



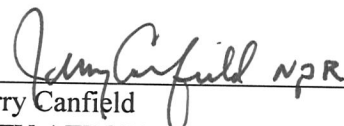
George McGill  
VICE MAYOR

ATTEST:



Sherri Gard  
CITY CLERK

Approved as to form:



Jerry Canfield  
CITY ATTORNEY

ORDINANCE NO. 46-23

ORDINANCE AMENDING THE 2023 BUDGET AND AUTHORIZING THE APPROPRIATION OF DONATED FUNDS

BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT

WHEREAS, the Board of Directors approved the 2023 operating budget with Ordinance No. 125-22 and,

WHEREAS, the Police Department has requested to appropriate donations from the Arvest Foundation to assist with community relations in providing education on policing to young adults,

NOW, THEREFORE, there is hereby authorized an amendment to the 2023 Operating Budget to appropriate donated funds, as follows:

Account		Current Budget	Adjustment	Revised Budget
<b>Revenues</b>				
47010101-457000	Contributions/Donations	\$ 16,648	\$ 5,000	\$ 21,648
<b>Expenditures</b>				
47010101-545000	Other current expenses	22,000	<u>5,000</u>	27,000
Total Appropriation of Fund Balances			<u>\$ -</u>	

PASSED AND APPROVED THIS 2nd DAY OF May, 2023.

APPROVED:

George McGill *JANOR RIGG*  
VICE MAYOR

ATTEST:

Sherri Gard  
CITY CLERK

Approved as to form:

Jerry Canfield *NPR*  
CITY ATTORNEY

RESOLUTION NO. R-84-23

RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT #1 TO A PROFESSIONAL SERVICES AGREEMENT WITH WITT GLOBAL PARTNERS (AG WITT, LLC) RELATED TO FACILITATING FEMA PUBLIC ASSISTANCE REIMBURSEMENT FROM THE 2019 FLOOD

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WHEREAS, Resolution No. R-128-19 authorized a Professional Services Agreement with Witt Global Partners for services related to seeking FEMA reimbursement for losses sustained by the 2019 Arkansas River Flood; and

WHEREAS, Witt Global Partners has changed its legal entity name to AG Witt, LLC; and

WHEREAS, certain provisions of the Agreement require updating and the parties wish to amend the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT Amendment #1 to the Professional Services Agreement adopted by Resolution No. R-128-19, attached hereto and incorporated herein, is hereby approved and the Mayor, his signature being attested by the City Clerk, is hereby authorized to execute said Amendment #1.

Passed and Approved this 2nd day of May, 2023.

APPROVED

  
\_\_\_\_\_  
VICE-MAYOR Jarred Rego

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney



RESOLUTION NO. R-85-23

A RESOLUTION AUTHORIZING EXECUTION OF QUITCLAIM DEEDS TO FORT SMITH PUBLIC LIBRARY

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: The Mayor, his signature attested by the City Clerk, is hereby authorized to execute and deliver Quitclaim Deeds from the City of Fort Smith, Arkansas, which has held title in trust for a free public library, to the Fort Smith Public Library conveying the interest of the City of Fort Smith in and to the hereinafter described library properties lying in the County of Sebastian, State of Arkansas:

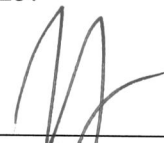
- Main Library – located in a portion of Section 15, Township 8 North, Range 32 West;
- South 28<sup>th</sup> Street Branch Library -- Lot 1, Peachtree Addition to the City of Fort Smith, Arkansas;
- Dallas Street Branch Library – located in a portion of Section 30, Township 8 North, Range 31 West; and,
- Windsor Drive Branch Library – located at 4701 Windsor Drive.

SECTION 2: On behalf of the City of Fort Smith, it is declared that the holding of title to the subject property by the City of Fort Smith in trust for a free public library was to accommodate the issuance of Sales and Use Tax Bonds for, inter alia, library purposes; that the bonds have been fully retired; and that there is no further need for the City of Fort Smith to hold title to the subject property.

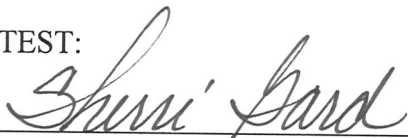
SECTION 3: The City Administrator and the City Attorney are authorized to prepare Quitclaim Deeds with appropriate legal descriptions and present same to the Mayor for execution and, after execution, delivery to the Fort Smith Public Library.

This Resolution adopted this 2<sup>nd</sup> day of May, 2023.

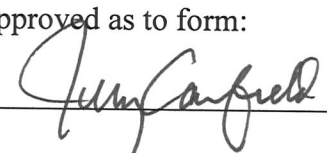
APPROVED:

  
\_\_\_\_\_  
Vice-Mayor Jarred Rego

ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
NPR

RESOLUTION NO. R-86-23

**A RESOLUTION ACCEPTING COMPLETION OF AND  
AUTHORIZING FINAL PAYMENT FOR THE  
2022 STREET STRIPING REPLACEMENT  
PROJECT NO. 22-85-A**


BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby accepts the 2022 Street Striping Replacement, Project No. 22-85-A, as complete.

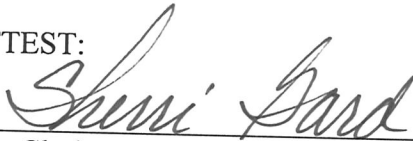
SECTION 2: Final payment is hereby authorized in the amount of \$195,746.00 to the contractor, Time Striping, Inc., for the 2022 Street Striping Replacement, Project No. 22-85-A.

This Resolution adopted this 2<sup>nd</sup> day of May, 2023.

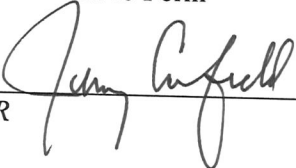
APPROVED:

  
\_\_\_\_\_  
Vice-Mayor Jarred Rego

ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved as to Form

  
\_\_\_\_\_  
NPR