

RESOLUTION NO. R-133-22

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR AND CITY ATTORNEY TO CONCLUDE LITIGATION STYLED AS CITY OF FORT SMITH, ARKANSAS V. CITY OF BARLING AND APPROVING SETTLEMENT AGREEMENT

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

SECTION 1: The City filed the civil action styled as City of Fort Smith, Arkansas v. City of Barling; Crawford County Circuit Court, Case No. CV-19-248-G (“subject action”) regarding alleged damages the City of Barling (“Barling”) owed the City of Fort Smith (“Fort Smith”) under the August 14, 2002, Agreement to Adjust Municipal Boundaries, Provide Municipal Services and Related Issues (the “Agreement”) resulting from Barling’s failure to comply with the Agreement’s water purchase obligation.

SECTION 2: The attached Settlement Agreement providing for the settlement of the claims asserted in the subject action is hereby approved.

SECTION 3: The City Administrator and City Attorney are hereby authorized to effectuate the terms of the Settlement Agreement and to execute and deliver any and all necessary documents.

This Resolution adopted this 6th day of September, 2022.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:

 NPR