

TITLE 3

FISCAL AFFAIRS

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CHAPTER 3.04

PURCHASES

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- 3.04.01 \$20,000.00 or under
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- 3.04.03 Approval of payments
- 3.04.04 Sale or exchange of supplies, materials or equipment valued at less than \$10,000.00
- 3.04.05 Legal Defense Fund

3.04.01 \$20,000.00 or under The Mayor shall be allowed to make purchases, contract for labor or services and all other things requisite for proper purposes without competitive bidding when said expenditures are less than Twenty Thousand Dollars (\$20,000.00). (Ord. No. 1690, Sec. 2.)

3.04.02 Over \$20,000.00 Where the amount of expenditure for any purchase or contract exceeds the sum of Twenty Thousand Dollars (\$20,000.00), the Mayor or his duly authorized representative shall invite competitive bids thereon by legal advertisement in any local newspaper. Bids received pursuant to said advertisement shall be opened and read on the date set for receiving said bids, in the presence of the Mayor, or his duly authorized representative. The contract shall be awarded to the lowest responsible bidder; provided, however, the Mayor, or his duly authorized representative, may reject any and all bids received.

3.04.03 Approval of payments The Mayor or his duly authorized representative may approve for payment out of any funds previously appropriated for that purpose, or disapprove any bills, debts or liabilities asserted as claims against the city, when funds on hand are adequate to pay such bills, debts or liabilities. That the payment or disapproval of any bills, debts or liabilities not covered by a previous appropriation shall require confirmation of the governing body.

3.04.04 Sale or exchange of supplies, materials or equipment valued at less than \$10,000.00 That the Mayor or his duly authorized representative may sell or exchange any municipal supplies, materials or equipment without competitive bidding if such supplies, materials or equipment have a value of less than Ten Thousand Dollars (\$10,000.00). That no supplies, materials or equipment shall be sold without receiving competitive bids therefore if the value thereof exceeds the sum of Ten Thousand Dollars (\$10,000.00); provided, however, if the Mayor shall certify in writing to the governing body that, in his opinion, the fair market value of such item or lot (to be disposed of in one unit) is less than Ten Thousand Dollars (\$10,000.00), the same may be sold by the Mayor without competitive bidding.
(Ord. No. 1231, Sec. 1.)

3.04.05 Legal Defense Fund

- A. In each budgetary cycle, the city includes a line item entitled “Legal Defense Fund.” The current amount allocated to the fund is Six Thousand Dollars (\$6,000.00).
- B. The new carrier, AML, provides a larger amount of coverage for the city than the previous carrier but in some instances requires a shared payment of expenses associated with the defense of the city.
- C. The Mayor shall be granted the authority and discretion with respect to the payment of sums from the Legal Defense Fund up to the balance of the fund without further Council approval. Any amounts in excess of the fund balance shall require Council approval. This authority shall be subject to A.C.A. 14-58-303.
- D. Payments from said Fund shall include the retention of experts, payment of discovery expenses, retention of private council, settlements of actions and similar expenses.
- E. The authority extended to the Mayor shall include cases where the city itself is the named defendant, in cases where city officials or employees are named defendants or city departments or city entities are named defendants. (Ord. No. 1995, Secs. 1-5.)

CHAPTER 3.08

GENERAL PROVISIONS

Sections:

- 3.08.01 At least one budget hearing shall be held each November
- 3.08.02 Time for performance must be on all bid specifications
- 3.08.03 Police authorized to donate unclaimed bicycles to charity
- 3.08.04 Mayor authorized to hire or contract for persons when an urgent need arises

3.08.01 At least one budget hearing shall be held each November There shall be at least one budget hearing each November concerning the budget for the following year. The proposed budget must be presented to the City Council at this meeting. Specifically, professional fees, travel expenses, public relation items and expenses, to be set out in as much detail as possible. (Ord. No. 914, Secs. 1-2)

3.08.02 Time for performance must be on all bid specifications Henceforth, all bid and proposal specifications shall contain a clause setting forth a time for performance for delivery of goods and/or services and the amount of liquidated damages in the event said time is not met. (Ord. No. 725, Sec. 1.)

3.08.03 Police authorized to donate unclaimed bicycles to charity The Sherwood City Police Department is hereby authorized to donate any and all unclaimed bicycles to a charitable organization. (Ord. No. 853, Sec. 1.)

3.08.04 Mayor authorized to hire or contract for persons when urgent need arises

A. The Mayor is authorized to hire or contract for persons when he deems an urgent need is necessary to carry out city services.

B. There is hereby appropriated \$3,000.00 from the General Fund to accomplish the purposes in Section A. The Budget Ordinance is amended to reflect the purposes of this ordinance. If there is no job description, then the Mayor is to write one. Within thirty (30) days the Personnel Commission will review the action of the Mayor and advise Council. (Ord. No. 1156, Secs. 1-2.)

CHAPTER 3.12

REPEAL OF MILLAGE IN EVENT

SALES TAX IS PASSED

Sections:

3.12.01 Sales tax levied

3.12.01 Sales tax levied There shall be levied a one percent (1%) sales and use tax levied in accordance with state laws, then the City Council shall not pass legislation authorizing any or all of the five (5) mill real and personal property tax authorized by the Arkansas Code and Constitution, giving said authority to cities. (Ord. No. 1108, Sec. 1.)

CHAPTER 3.16

GRANT FOR PULASKI COUNTY SCHOOL SYSTEM

Sections:

3.16.01 Appropriation
3.16.02 Amendment

3.16.01 Appropriation There is hereby appropriated the sum of \$15,000.00 from the General Fund for a grant to the Pulaski County School District for Sylvan Hills High School for a study/detention program. (Ord. No. 1883, Sec. 1.)

3.16.02 Amendment

- A. The Budget Ordinance is amended accordingly.
- B. Any parts of conflicting ordinances are repealed
- C. If any part of this ordinance is declared void, it shall not affect the remaining parts. (Ord. No. 1336, Sec. 2-4.)

CHAPTER 3.20

ARKANSAS LOCAL GOVERNMENT CASH MANAGEMENT TRUST

Sections:

- 3.20.01 Authorization of trust
- 3.20.02 Execution of document
- 3.20.03 Authorization of investments
- 3.20.04 Treasurer
- 3.20.05 Authorization to serve as member of Board of Trustees
- 3.20.06 Further authority

3.20.01 Authorization of trust The City is hereby authorized to become a participant in the Arkansas Local Government Cash Management Trust, in substantially the form attached to this Ordinance and marked Exhibit A (the “Trust Agreement”), submitted to and reviewed by the Governing Body of the City, a copy of which shall be filed with the minutes of the meeting at which this Ordinance is adopted. (Ord. No. 1329, Sec. 1.)

3.20.02 Execution of document The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, and deliver the Joinder Agreement to the Trust Agreement for and on behalf of and as the act and deed of the City.

Such officers are further authorized to execute and attest, respectively, such other documents, certificates and instruments and to take and perform such further acts on behalf of the City as may be necessary or desirable to carry out and comply with and give effect to the intent of this Ordinance and the Trust Agreement. (Ord. No. 1329, Sec. 2.)

3.20.03 Authorization of investments The City hereby authorizes the investment and withdrawal of its available funds from time to time in accordance with the Trust Agreement. The City hereby confirms that the permitted interests set forth in the Trust Agreement do not violate any local ordinance or other governing documents and shall indemnify and hold harmless the Arkansas Local Government Cash Management Trust, its Board of Trustees and any employees or agents thereof for any liability arising from any such violation. (Ord. No. 1329, Sec. 3.)

3.20.04 Treasurer The following officer is hereby designated as Treasurer, as defined in the Trust Agreement, who shall have full power and authority to invest and withdraw invested funds of the City as provided in the Trust Agreement and shall represent and vote on behalf of the City as a participant as provided in the Trust Agreement:

Bobbie Chapman, City Clerk/Treasurer. (Ord. No. 1329, Sec. 4.)

3.20.05 Authorization to serve as member of Board of Trustees The members of the Governing Body and officers of the City are hereby authorized to serve as members of the Board of Trustees of the Arkansas Local Government Cash Management Trust if they are a full-time employee of the City and are elected or appointed under the provisions of the Trust Agreement. (Ord. No. 1329, Sec. 5.)

3.20.06 Further authority The City shall, and the officers and agents of the City are hereby authorized and directed to, take such action, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out, and comply with and perform the duties of the City with respect to the Trust Agreement. (Ord. No. 1329, Sec. 6.)

CHAPTER 3.24

FUNDING FOR ANIMAL CONTROL DEPARTMENT

Sections:

3.24.01 Transfer of funds from General Fund

3.24.01 Transfer of funds from General Fund There is to be transferred \$53,000 from the General Fund to the Animal Control Department, for the purpose of constructing and furnishing an addition to the present animal shelter. The 1997 Budget Ordinance shall be amended to reflect this transfer. (Ord. No. 1361, Sec. 1.)