

City Council of Jacksonville, Arkansas

A G E N D A

Regular City Council Meeting

March 15, 2018 7:00 p.m.

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1. OPENING PRAYER:		
2. ROLL CALL:		
3. PRESENTATION OF MINUTES:	Regular City Council Meeting March 1, 2018	1-3
4. APPROVALS AND/OR CORRECTION OF MINUTES:	Regular City Council Meeting February 15, 2018	
5. CONSENT AGENDA:		
Code Enforcement:	Regular Monthly Report/February Administrative Consultant G. Herweg	4
Fire Department:	Regular Monthly Report/February Fire Chief Alan Laughy	5
Engineering:	Regular Monthly Report/February City Engineer Jay Whisker	6
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6. WATER DEPARTMENT:	ORDINANCE 1583 (#05-2018) Authorizing the issuance and sale of a Water Capital Improvement Revenue Refunding Bond (Mayor Fletcher)	8-27
7. WASTEWATER DEPARTMENT:		
8. FIRE DEPARTMENT:		
9. POLICE DEPARTMENT:		
10. STREET DEPARTMENT:		
11. SANITATION DEPARTMENT:		
12. PARKS & REC. DEPT:		
13. PLANNING COMMISSION:		
14. GENERAL:		
	a. ORDINANCE 1582 (04-2018) Authorizing a three-year lease agreement for all City servers for Dell Services through Contract with Ritter Communications (Mayor Fletcher)	28-29
	b. CDBG 2017 CAPER Consolidated Annual Performance & Evaluation Report (included in packet) (Mayor Fletcher)	
15. APPOINTMENTS: ANNOUNCEMENTS: ADJOURNMENT		

CITY OF JACKSONVILLE
REGULAR CITY COUNCIL MEETING
MARCH 1, 2018
7:00 P.M. - 7:12 P.M.

REGULAR CITY COUNCIL MEETING - CITY HALL - #1 MUNICIPAL DRIVE

The City Council of the City of Jacksonville, Arkansas met in regular session on March 1, 2018 at the regular meeting place of the City Council. Councilman Bolden delivered the invocation and Mayor Fletcher led a standing audience in the "Pledge of Allegiance" to the flag.

ROLL CALL: City Councilman: Elliott, Bolden, Sansing, Traylor, Smith, and Collins answered ROLL CALL. Mayor Fletcher also answered ROLL CALL declaring a quorum. Councilmen McCleary, Ray, Mashburn, and Twitty were absent. PRESENT SIX (6) ABSENT (4).

Others present for the meeting were: City Attorney Robert Bamburg, Finance Director Cheryl Erkel, City Engineer Jay Whisker, Professional Administrative Consultant Geoffrey Herweg, IT Director Scott Rothlisberger, Parks and Recreation Director Kevin House, Human Resource Director Jill Ross, CDBG Director Theresa Watson, Glenda Fletcher, Planning Commissioner Patrick Thomas, Jeannie Herweg, Johnny Simpson, interested citizens, and members of the press.

PRESENTATION OF MINUTES:

Mayor Fletcher presented the minutes of the regular City Council meeting of February 15, 2018 for approval and/or correction at the next regularly scheduled City Council meeting.

APPROVAL AND/OR CORRECTION OF MINUTES:

Councilman Traylor moved, seconded by Councilman Bolden that the minutes of the regular City Council meeting of 1 February 2018 be APPROVED. MOTION CARRIED.

CONSENT AGENDA:

WATER DEPARTMENT:

WASTEWATER DEPARTMENTS:

FIRE DEPARTMENT:

POLICE DEPARTMENT: RESOLUTION 765 (#02-2018)

A RESOLUTION EXPRESSING APPRECIATION AND GRATITUDE FOR THE GENEROUS DONATIONS OF BRIAN BLEVINS/RAY BLEVINS OF THE GAME STORE AND JAMES AREL OF TIGER INSURANCE AGENCY FOR THE PURCHASE OF A NEW K9 FOR THE JACKSONVILLE POLICE DEPARTMENT; DESIGNATING THE NAME OF THE NEW K9 OF THE DEPARTMENT; AND, FOR OTHER PURPOSES.

Councilman Elliott moved, seconded by Councilman Bolden to read Resolution 765. MOTION CARRIED. Whereupon City Attorney Bamburg read the heading of Resolution 765 (#02-2018).

Councilman Sansing moved, seconded by Councilman Bolden to approve Resolution 765 (#02-2018) in its entirety.

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7:00 P.M. - 7:12 P.M.

Mayor Fletcher recognized K-9 Supervisor Johnny Hicks and Greg Stewart who will be Canine Officer Zoe's handler.

At this time, MOTION CARRIED.

Mayor Fletcher presented a plaque of appreciation to Brian Blevins, Ray Blevins, and James Arel. He commended them for their community service and generous donation, describing them as exceptional. He recognized their contribution to the Jacksonville Police Department.

Mr. Mayor then related that in September Brian Blevins took it upon himself to help the Boys' and Girls' Club with their feeding programs. He stated that Brian secured donations of food and money for the Boys' and Girls' Club, commenting that Brian has a huge heart.

Parks and Recreation Director Kevin House acknowledged Brian Blevins, explaining that he also donated a 3-D printer and three 40" flat screen TVs to the Martin Street Youth Center.

Mr. Brian Blevins thanked the City Council, saying that it was the support already given to the City that gave him the drive to donate. He added that he wanted to thank the City for going the extra mile in letting him do something that honored his hero; his father. He related that his dad has been battling cancer his entire life and they just received a diagnosis of Leukemia, saying that if there is anyone who will fight - it will be his dad. He stated that he has been gracious enough to be able to have focus to do good things in a time, right now, noting that their business was hit with the ceiling falling in, which destroyed over 80% of the business. He related that he has not been able to be open, but added that luckily he has an amazing support system personally, and also the City has supported him "hands down". He related that he had previously said that he believes 2018 is going to be the year that Jacksonville rises into the lime light. He stated that this year is important to him, because this is the year that he has lived in Jacksonville longer than he hasn't. He then stated that he has seen the good and bad, explaining that most recently he has seen a change, people are coming together to positively honor a common cause. He related that he has seen the "believers" defend the people they support, adding he has seen people change their views of the City and the City leaders after the realization that there are so many things the City does that just go unrecognized. He stated he has seen naysayers challenged, not only in the double standards they project, but also with the acknowledgement they are a minority in a group of many. He related he has first hand witnessed good deeds silence the people that have the agenda of perpetrating a bleak outlook on the City. He added this is the year that Jacksonville quits focusing on what it doesn't have and starts accepting and building on what it does have. He related this is the year that all the new voices will be heard and supported the forward momentum this City currently has and this is the year the City will propel out of the reach of people that don't want the true colors of Jacksonville to be seen. This is the year of Jacksonville, saying he is hyped, pumped, and proud to call Jacksonville his home.

CITY OF JACKSONVILLE
REGULAR CITY COUNCIL MEETING
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7:00 P.M. - 7:12 P.M.

The audience responded in applause. Mayor Fletcher offered that Brian and his dad would be in everyone's prayers.

STREET DEPARTMENT:

SANITATION DEPARTMENT:

PARKS & RECREATION:

PLANNING COMMISSION:

GENERAL: AFA Presentation by Jerry Reichenbach

Mr. Reichenbach stated that on behalf of the Air Force Association members in Arkansas and specifically in regard to the support the City of Jacksonville has shown the AFA, they are presenting Mayor Fletcher on behalf of the City of Jacksonville with a citation of appreciation. He read the dedication: "I present this citation, Air Force Association David D. Terry, Jr. recognizing the City of Jacksonville for their continued support to our Chapter and the Air Force Association."

He presented Mayor Fletcher with the plaque of appreciation. He then related a brief story regarding Mayor Fletcher's personal financial donation to their Chapter.

APPOINTMENTS: PLANNING COMMISSION

Councilman Elliott moved, seconded by Councilman Bolden to approve the appointment of Dan Brown to the Planning Commission for a term to expire 01/01/2021. MOTION CARRIED.

ANNOUNCEMENTS:

ADJOURNMENT: Without objection, Mayor Fletcher adjourned the meeting at approximately 7:12 p.m. MOTION CARRIED.

Respectfully,

Susan L. Davitt
City Clerk-Treasurer

MAYOR GARY FLETCHER



Jeff S. Herweg
 Code Enforcement Director
 1400 Marshall Road
 Jacksonville, Arkansas 72076
 501-982-0688

JACKSONVILLE POLICE DEPARTMENT
COURAGE * INTEGRITY * PROFESSIONALISM

To: Mayor Fletcher/City Council
 From: Jeff Herweg/Code Enforcement
 Please find below the Monthly Recap Report for the Code Enforcement Dept
 for the Month of **Feb-18**

Assigned Calls	59
Self Initiated Calls	218
Follow Ups	428
Meetings/Court Hearings Attended	3
Warnings Issued	36
Tickets Issued	0
Notices / Letters Written	84
Vehicles Tagged	1
Vehicles Towed	0
Lots Posted	0
Signs Removed	90
Trash Cans Tagged	6
Basketball Goals	1
Structures Inspected	0
Rentals Inspected	0
Properties Red Tagged	1
Search Warrants Served	0
Structures Rehabbed	0
Structures Condemned	0
Houses Demo by City	0
Houses Demo by Owner	0
Parking Violations	125
Grass Letters	0
Grass Mowed	0

000004



JACKSONVILLE

FIRE & RESCUE SERVICES

PRIDE of the City!

900 N. Redmond Rd.
Jacksonville, AR. 72076
(501) 982-5048
Fax 982-0579

Alan Laughey, Chief

9 March 2018

Honorable Gary Fletcher
Members of the Council
City of Jacksonville

Gentlemen & Ladies:

I respectfully submit a report of Emergency Response Activity for the month of **February 2018**.

National Emergency Medical Service Information System (NEMSIS)

Ambulance Responses classified as:

Transported Runs 229

Non-Transported Runs 100

National Fire Incident Reporting System (NFIRS)

Estimated fire loss for the month: \$231,500.00

Savings total for the month: \$518,500.00

Rescue (312)

Rescue, EMS Call, other (13)
Medical Assist (25)
EMS Incident (273)
Water Rescue (1)

Service Call (42)

Person in Distress (7)
Public Service Assistance (30)
Unauthorized Burning (5)

False Alarm (15)

False Alarm/False Call, other (6)
System or Detector Malfunction (2)
Unintentional System/Detector (7)

Fire (15)

Fire, other (1)
Structure Fire (6)
Mobile Vehicle Fire (3)
Natural Vegetation Fire (3)
Outside Rubbish Fire (1)
Special Fire (1)

Hazardous Condition, No Fire (6)

Chemical Release, Reaction (1)
Electrical Wiring/Equip Problem (2)
Accident, Potential Accident (2)
Attempted Burning, Illegal Action (1)

Good Intent Call (9)

Good Intent Call, other (2)
Dispatched and Canceled En Route (3)
Wrong Location, No Emergency (2)
Controlled Burning (1)
Steam, Gas Mistaken for Smoke (1)

Respectfully,

Bob Thornton, Acting Fire Chief

Bob Thornton, Acting Fire Chief
Jacksonville Fire & Rescue Services

000005

CITY OF JACKSONVILLE



To: Mayor Fletcher, Jacksonville City Council
From: Engineering Department

Please find below the consent agenda for the Engineering Department

ENGINEERING REPORT FOR FEBRUARY 2018

PERMITS/LICENSE ISSUED

Building Permits	8
Business License	10

INSPECTIONS PERFORMED

Building Inspections	25
Electrical	30
Plumbing	31
HVACR	15

000006

CITY OF JACKSONVILLE ANIMAL SHELTER MONTHLY REPORT

REPORTING PERIOD: January-18

	DOG	CAT	TOTAL	
ON HAND (BEGIN REPORTING PERIOD)	89	20	109	
RECEIVED	68	22	90	
ADOPTED	64	16	80	
RETURNED TO OWNER	15	0	15	
EUTHANIZED	1	0	1	
DIED/ESCAPED/STOLEN	3	0	3	
D.O.A.			38	
ON HAND (END REPORTING PERIOD)	74	26	100	
CITY LICENSE ISSUED			28	
INSPECTIONS			0	
RESCUES			0	
CRUELTY INVESTIGATIONS			0	
BITE CASES:				
ANIMAL-HUMAN			0	
ANIMAL-ANIMAL			0	
WARNING LETTERS:				
RUNNING AT LARGE			4	
NUMBER OF ANIMALS			0	
RABIES VACCINATION/CITY LICENSE			5	
CRUELTY			0	
UNSANITARY CONDITIONS			0	
NUISANCE			2	
FAILURE TO STERILIZE			0	
CITATIONS:				
RUNNING AT LARGE			3	
NUMBER OF ANIMALS			0	
RABIES VACCINATION/CITY LICENSE			0	
CRUELTY			0	
UNSANITARY CONDITIONS			0	
WARNING			0	
PIT BULL			1	
WARRANTS			0	
REVENUES: ADOPTION FEE WAIVED/DONATED STERILIZATIONS - 69			\$ 3,795.00	
ADOPTION FEES/FINES			\$ 1,160.00	
CONTRIBUTIONS			\$ -	
TOTAL			\$ 1,160.00	
OVERTIME HOURS PERFORMED:			19	
VEHICLES:				
UNITS:	# 162	# 163	#170	#172
BEGINNING MILEAGE	94,406	146,574	56,600	109,782
ENDING MILEAGE	94,878	146,582	56,950	110,347
MILES DRIVEN	472	8	350	565

090007

ORDINANCE NO. 1583 (#05-2018)

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF FOURTEEN MILLION TWO HUNDRED EIGHTY-SEVEN THOUSAND TWO HUNDRED SIXTY-THREE AND 94/100 DOLLARS (\$14,287,263.94) OF A WATER CAPITAL IMPROVEMENT REVENUE REFUNDING BOND, SERIES 2018, BY THE CITY OF JACKSONVILLE, ARKANSAS FOR THE PURPOSE OF REFUNDING THE CITY'S OUTSTANDING WATER CAPITAL IMPROVEMENT REVENUE BOND, SERIES 2011; PROVIDING FOR PAYMENT OF THE PRINCIPAL AND INTEREST ON THE SERIES 2018 BOND; AUTHORIZING EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT PROVIDING FOR SALE OF THE SERIES 2018 BOND; AUTHORIZING AN AMENDED AND RESTATED MORTGAGE AND SECURITY AGREEMENT; PRESCRIBING OTHER MATTERS RELATING THERETO; AND, DECLARING AN EMERGENCY.

WHEREAS, the City of Jacksonville, Arkansas (the "City"), a City of the First class, presently owns and operates water treatment, storage and distribution facilities as part of the City's Water System, known as Jacksonville Water Works (the "System");

WHEREAS, the City is authorized and empowered under the provisions of the Constitution and laws of the State of Arkansas, including particularly Amendment 65 and ACA § 14-164-401 *et. seq.* (Repl. 1998 & 2015 Supp.) (as from time to time amended, the "Act") to issue and sell its water revenue bonds for the purpose of financing and refinancing the cost of improvements to the System;

WHEREAS, pursuant to the provisions of Ordinance No. 1428 (#16-2011) of the City, adopted and approved on October 6, 2011, the City has previously issued its Water Capital Improvement Revenue Bond, Series 2011 (the "Series 2011 Bond"), in the original principal amount of Twenty-five Million Dollars (\$25,000,000.00);

WHEREAS, in order to secure funds necessary to refund and redeem the Series 2011 Bond in whole, the City has made arrangements for the issuance and sale of its Water Capital Improvement Revenue Refunding Bond, Series 2018, in the aggregate principal amount of Fourteen Million Two Hundred Eighty-seven Thousand Two Hundred Sixty-three and 94/100 Dollars (\$14,287,263.94) (the "Series 2018 Bond"), to the Arkansas Development Finance Authority, as purchaser (the "Bondholder"), at a price of par, which Series 2018 Bond shall bear interest at the rate of One Half of One Percent (0.5%) per annum, pursuant to a Bond Purchase Agreement (the "Bond Purchase Agreement") among the City, the Bondholder and the Arkansas Natural Resources Commission (the "Commission");

WHEREAS, the City will also be required to pay to the Arkansas Development Finance Authority, as servicer with respect to the Series 2018 Bond (the "Authority"), a

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semiannual servicing fee equal to One Percent (1.00%) per annum of the outstanding principal amount of the Series 2018 Bond (the "Servicing Fee"); and,

WHEREAS, the City will pledge Water Works revenues and deliver an Amended and Restated Mortgage and Security Agreement to secure repayment of the Series 2018 Bond.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, ARKANSAS THAT:

SECTION ONE: The sale to the Bondholder of the City's Series 2018 Bond in the principal amount of Fourteen Million Two Hundred Eighty-seven Thousand Two Hundred Sixty-three and 94/100 Dollars (\$14,287,263.94) at a price of par, such Series 2018 Bond to bear interest at the rate of One Half of One Percent (0.5%) per annum and to be subject to a Servicing Fee of One Percent (1.00%) per annum and otherwise be subject to the terms and provisions hereafter in this Ordinance set forth in detail be and is hereby approved. The sale shall be accomplished by exchange of the Series 2018 Bond for the Series 2011 Bond currently owned by the Bondholder. The Series 2011 Bond shall then be cancelled by the City. The Mayor is hereby authorized and directed to execute and deliver the Bond Purchase Agreement on behalf of City and to take all action required on the part of City to fulfill its obligations under the Bond Purchase Agreement. The Bond Purchase Agreement is hereby approved in substantially the form submitted to this meeting with such changes as may be approved by the Mayor, his execution to constitute complete evidence of such approval.

SECTION TWO: The City Council hereby finds and declares that the period of usefulness of the System after the refunding of the Series 2011 Bond will be more than Twenty (20) years, which is longer than the term of the Series 2018 Bond.

SECTION THREE: Under the authority of the Constitution and laws of the State of Arkansas, including particularly Amendment 65 to the Constitution of the State of Arkansas and the Act, the City of Jacksonville, Arkansas Water Capital Improvement Revenue Refunding Bond, Series 2018 (the "Series 2018 Bond"), is hereby authorized to be issued in the total principal amount of Fourteen Million Two Hundred Eighty-seven Thousand Two Hundred Sixty-three and 94/100 Dollars (\$14,287,263.94), the proceeds of the sale of which are necessary to provide sufficient funds to refund and redeem the Series 2011 Bond in whole.

ORDINANCE NO. 1583 (#05-2018)
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The Series 2018 Bond shall bear interest at the rate of One Half of One Percent (0.5%) per annum and shall be subject to a Servicing Fee of One Percent (1.00%) per annum based upon a Three Hundred Sixty (360) day year of Twelve (12) consecutive Thirty (30) day months compounded semiannually. The Series 2018 Bond shall be dated the date of its delivery to the Bondholder, Principal, interest and the Servicing Fee shall be payable on April 15, 2018, and on each April 15 and October 15 thereafter until the unpaid principal is paid in full as follows:

Date	Principal	1.00% Servicing Fee	0.500% Interest	Payment Amount
Apr 15, 2018	\$747,714.94	\$71,448.06	\$35,718.00	\$854,868.00
Oct 15, 2018	753,321.00	67,710.00	33,849.00	854,868.00
Apr 15, 2019	758,971.00	63,944.00	31,966.00	854,868.00
Oct 15, 2019	764,664.00	60,149.00	30,068.00	854,868.00
Apr 15, 2020	770,399.00	56,326.00	28,156.00	854,868.00
Oct 15, 2020	776,177.00	52,474.00	26,230.00	854,868.00
Apr 15, 2021	781,998.00	48,593.00	24,290.00	854,868.00
Oct 15, 2021	787,863.00	44,683.00	22,335.00	854,868.00
Apr 15, 2022	793,772.00	40,744.00	20,365.00	854,868.00
Oct 15, 2022	799,725.00	36,775.00	18,381.00	854,868.00
Apr 15, 2023	805,723.00	32,777.00	16,382.00	854,868.00
Oct 15, 2023	811,766.00	28,748.00	14,367.00	854,868.00
Apr 15, 2024	817,854.00	24,690.00	12,338.00	854,868.00
Oct 15, 2024	823,988.00	20,600.00	10,293.00	854,868.00
Apr 15, 2025	830,168.00	16,481.00	8,233.00	854,868.00
Oct 15, 2025	836,394.00	12,330.00	6,158.00	854,868.00
Apr 15, 2026	842,667.00	8,148.00	4,067.00	854,868.00
Oct 15, 2026	784,099.00	3,935.00	1,960.00	789,979.00

The Series 2018 Bond shall be issued in the form of a single typewritten bond, registered as to both principal and interest, payable to the Bondholder, or registered assigns, as set forth hereinafter in the bond form, and shall be numbered R18-1.

Payment of principal and interest shall be by check or draft mailed to the Bondholder at its address shown on the registration books of the City which shall be maintained by the City Clerk or his/her designee as Bond Registrar, without presentation or surrender of the Series 2018 Bond (except upon final payment), and such payments shall discharge the obligation of the City to the extent thereof. The City Clerk or his/her designee shall keep a payment record and make proper notations thereon of all payments of principal and interest.

ORDINANCE NO. 1583 (#05-2018)
Page Four

Payment of principal and interest shall be in any coin or currency of the United States of America which, as at the time of payment, shall be legal tender for the payment of debts due the United States of America. When the principal of and interest on the Series 2018 Bond has been fully paid, it shall be delivered to the City Clerk and shall be canceled.

SECTION FOUR: The Series 2018 Bond shall be executed on behalf of the City by its Mayor and City Clerk and shall have impressed thereon the Seal of the City. In order to pay the principal of and interest on the Series 2018 Bond and the Servicing Fee in connection therewith, there is hereby pledged all of the revenues derived from the operation of the Jacksonville Water Works (the "Revenues"). The City and Water Commission covenant and agree that all Revenues will be accounted for separately as special funds on the books of the System and receipts of said Revenues will be deposited and will be, used solely as provided herein. The Series 2018 Bond is not a general obligation of the City but is a special obligation, the principal of and the interest on which, and the Servicing Fee in connection therewith, are secured by a pledge of the Revenues of the System. The principal of and interest on the Series 2018 Bond shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory debt limitation or restriction.

SECTION FIVE: The Series 2018 Bond shall be in substantially the following form, and the Mayor and City Clerk are hereby authorized and directed to make all the recitals contained therein:

ORDINANCE NO. 1583 (#05-2018)
Page Five

Registered
No. R18-1

Registered
\$14,287,263.94

United States of America

State of Arkansas
County of Pulaski
City of Jacksonville, Arkansas
Water Capital Improvement Revenue Refunding Bond
Series 2018

Registered Owner: ARKANSAS DEVELOPMENT FINANCE AUTHORITY

Principal Amount: FOURTEEN MILLION TWO HUNDRED EIGHTY SEVEN THOUSAND
TWO HUNDRED SIXTY THREE DOLLARS AND NINETY FOUR CENTS
(\$14,287,263.94)

Know All By These Presents:

That the City of Jacksonville, Arkansas, by and through the Jacksonville Water Works (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the order of the Arkansas Development Finance Authority or registered assigns, but solely from the special fund provided therefor as hereinafter set forth, in lawful money of the United States of America, the Principal Amount shown above, and to pay in like coin or currency interest thereon at the rate of One Half of One Percent (0.5%) per annum from the date of each advance. A servicing fee of One Percent (1.00%) per annum (the "Servicing Fee") shall also be payable by the City to the Arkansas Development Finance Authority or its successor in the same manner and upon the same dates as interest hereon.

ORDINANCE NO. 1583 (#05-2018)
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Principal, interest and the Servicing Fee shall be payable on April 15, 2018, and on each April 15 and October 15 thereafter until the unpaid principal is paid in full as follows:

Date	Principal	1.00% Servicing Fee	0.500% Interest	Payment Amount
Apr 15, 2018	\$747,714.94	\$71,448.06	\$35,718.00	\$854,868.00
Oct 15, 2018	753,321.00	67,710.00	33,849.00	854,868.00
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Oct 15, 2019	764,664.00	60,149.00	30,068.00	854,868.00
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Apr 15, 2021	781,998.00	48,593.00	24,290.00	854,868.00
Oct 15, 2021	787,863.00	44,683.00	22,335.00	854,868.00
Apr 15, 2022	793,772.00	40,744.00	20,365.00	854,868.00
Oct 15, 2022	799,725.00	36,775.00	18,381.00	854,868.00
Apr 15, 2023	805,723.00	32,777.00	16,382.00	854,868.00
Oct 15, 2023	811,766.00	28,748.00	14,367.00	854,868.00
Apr 15, 2024	817,854.00	24,690.00	12,338.00	854,868.00
Oct 15, 2024	823,988.00	20,600.00	10,293.00	854,868.00
Apr 15, 2025	830,168.00	16,481.00	8,233.00	854,868.00
Oct 15, 2025	836,394.00	12,330.00	6,158.00	854,868.00
Apr 15, 2026	842,667.00	8,148.00	4,067.00	854,868.00
Oct 15, 2026	784,099.00	3,935.00	1,960.00	789,979.00

Payments of principal and interest due hereon shall be made except for final payment, without presentation and surrender of this bond, directly to the Registered Owner at its address shown on the registration book of the City maintained by the City Clerk or her designee as Bond Registrar, and such payments shall fully discharge the obligation of the City to the extent of the payments so made.

This bond is issued for the purpose of refunding and redeeming in whole the City's outstanding Water Capital Improvement Revenue Bond, Series 2011, and is issued pursuant to and in full compliance with the Constitution and laws of the State of Arkansas, including particularly Amendment No. 65 to the Constitution of the State of Arkansas ("Amendment 65") and Arkansas Code Annotated Sections 14-164-401 *et seq.* (Repl. 1998 & 2015 Supp.) (as from time to time amended, the "Act"), and pursuant to Ordinance No. 1583 (#05-2018) of the City, duly adopted and approved on the 15th day of March, 2018 (the "Authorizing Ordinance"). Reference is hereby made to the

ORDINANCE NO. 1583 (#05-2018)
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Authorizing Ordinance for the details of the nature and extent of the security and of the rights and obligations of the City and the Registered Owner of this bond.

This bond may be assigned only upon the written approval of the Arkansas Natural Resources Commission (the "Commission"), and in order to effect such assignment, the assignor shall promptly notify the City Clerk by registered mail, and the assignee shall surrender this bond along with a written assignment and written approval of the Commission to the City Clerk for transfer on the registration records. Every assignee shall take this bond subject to all payments and prepayments of principal and interest (as reflected on the Payment Record maintained by the City Clerk or her designee) prior to such surrender for transfer.

This bond may not be prepaid prior to its final maturity on October 15, 2026.

This bond does not constitute an indebtedness of the City or the State of Arkansas within the meaning of any constitutional or statutory limitation or provision, and the taxing power of the City is not pledged to the payment of the principal of and interest on this bond.

This bond is not a general obligation of the City, but is a special limited obligation payable solely from the revenues derived from the operation of the City's water system (the "Revenues"). The City has covenanted, and agreed that all Revenues will be accounted for separately as special funds on the books of the City, and receipts of said Revenues will be deposited and will be used solely as provided in the Authorizing Ordinance. Pursuant to the Authorizing Ordinance, an amount of Revenues sufficient to pay principal and interest on this bond as due shall be set aside monthly in a special fund created for that purpose identified as the 2018 Bond Fund. The City has fixed and has covenanted and agreed in the Authorizing Ordinance to maintain rates for System services which shall be sufficient at all times to provide for the payment of the reasonable expenses of operation and maintenance of the System, to provide for the payment of principal and interest on all indebtedness to which Revenues are pledged as the same shall become due, and to establish and maintain any required debt service reserves. Reference is made to the Authorizing Ordinance for a detailed statement of the nature and extent of the security, and the rights and obligations of the City and registered owner of this bond.

This bond is issued with the intent that the laws of the State of Arkansas will govern its construction.

No recourse shall be had for the payment of the principal of or premium, if any, or interest on this bond or for any claim based thereon or upon any obligation, covenant, or agreement contained in this bond or in the Authorizing Ordinance against any past, present or future alderman officer or employee of the City, or any alderman, officer or employee of any successor of the City, as such, either directly or through the City or any successor of the City, under any rule of law of equity, statute, or

ORDINANCE NO. 1583 (#05-2018)
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constitution or by the enforcement of any assessment or penalty or otherwise, and all such liability of any such alderman, officer or employee as such is hereby expressly waived and released as a condition of and consideration for the issuance of this bond.

IT IS HEREBY CERTIFIED, RECITED, AND DECLARED that all acts, conditions and things required by the Constitution and statutes of the State of Arkansas to exist, happen and be performed precedent to and in the issuance of this bond do exist, have happened and have been performed in due time, form and manner as required by law; that the indebtedness represented by this bond does not exceed or violate any constitutional or statutory limitation of indebtedness; and that provision has been made for the payment of the principal of and interest on this bond, as provided in the Authorizing Ordinance.

IN WITNESS WHEREOF, the City of Jacksonville, Arkansas has caused this bond to be executed in its name by the manual signatures of its Mayor and City Clerk, thereunto duly authorize, and its corporate seal to be affixed hereto, all as of the _____ day of March, 2018.

CITY OF JACKSONVILLE, ARKANSAS

Gary Fletcher, Mayor

ATTEST:

Susan L. Davitt, City Clerk

Date of Registration	Name of Registered Owner	Signature of City Clerk

RECORD OF PAYMENT OF ADVANCES

Date of Advance*	Amount of Advance	Total Principal Outstanding	Signature of Vice President of Arkansas Development Finance Authority
April 16, 2018	\$14,287,263.94	\$14,287,263.94	

*The date of each advance shall be the interest commencement date from which the principal amount of such advance bears interest and from which the Servicing Fee is calculated.

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SECTION SIX: The City has heretofore fixed rates for services of the System by Ordinance No. 1368 (#11-2009) adopted and approved on April 16, 2009 (the "Rate Ordinance"), which rates are hereby ratified and confirmed. The City covenants and agrees that the rates established by the Rate Ordinance will produce Gross Revenues at least sufficient to pay monthly operation and maintenance expenses of the System, to pay the principal of and interest on all indebtedness to which Revenues are pledged as the same become due, to pay the Servicing Fee as the same becomes due, and to create and maintain any required debt service reserves (collectively, the "Required Payments"). The City covenants always to maintain rates for System services (including increases as necessary) sufficient to provide for the Required Payments.

SECTION SEVEN: None of the facilities or services afforded by the System shall be furnished without a charge being made therefor. In the event that the City or any department, agency, or instrumentality thereof shall avail itself of the facilities and services afforded by the System, the reasonable value of the service or facilities so afforded shall be charged against the City or such department, agency, or instrumentality and shall be paid for as the charges accrue. The revenues so received shall be deemed to be revenues derived from the operation of the System and shall be used and accounted for in the same manner as the other revenues derived from the operation of the System.

SECTION EIGHT: The City covenants that it will continuously operate the System as a revenue-producing undertaking and will not sell or lease the same, or any substantial portion thereof, without the prior written approval of the Bondholder and the Commission; provided, however, that nothing herein shall be construed to prohibit the City from making such dispositions of properties of the System and such replacements and substitutions for properties of the System as shall be necessary or incidental to the efficient operation of the System as a revenue-producing undertaking.

SECTION NINE: All revenues derived from the operation of the System shall be paid into a special fund which is hereby established and designated the "Water Revenue Fund" (the "Revenue Fund"). The revenues so deposited in the Revenue Fund are hereby pledged and shall be applied to the payment of the reasonable and necessary expenses of operation, repair and maintenance of the System, to the payment of the principal of and interest on the Series 2018 Bond and to the providing of a Depreciation Fund, as hereafter set forth. The Revenue Fund, and the other special funds hereafter in this Authorizing Ordinance provided for or referred to, shall be maintained in such depositories of the City as shall from time to time be designated by the Jacksonville Water Commission (the "Water Commission"),

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with all such depositories to hold membership in the Federal Deposit Insurance Corporation (the "FDIC"), to be located in the State of Arkansas, and to have a capital and surplus of not less than Ten Million Dollars (\$10,000,000), and with all deposits in any depository in excess of the amount insured by the FDIC to be secured by bonds or other direct or fully guaranteed obligations of the United States of America unless otherwise invested in accordance with the provisions of Arkansas law.

SECTION TEN: There shall be paid from the Revenue Fund into a fund which is hereby established and designated "Operation and Maintenance Fund," on or before the first business day of each month while the Series 2018 Bond is outstanding, an amount sufficient to pay the reasonable and necessary monthly expenses of operation, repair, and maintenance of the System for such month and from which disbursements shall be made only for those purposes. Fixed annual charges such as insurance premiums and the cost of major repair and maintenance may be computed and set up on an annual basis, and One-Twelfth (1/12) of the amount thereof may be paid into the Operation and Maintenance Fund each month.

If in any month for any reason there shall be a failure to transfer and pay the required amount into the Operation and Maintenance Fund, the amount of any deficiency shall be added to the amount otherwise required to be transferred and paid into said Fund in the next succeeding month. If in any fiscal year a surplus shall be accumulated in the Operation and Maintenance Fund over and above the amount which shall be necessary to defray the reasonable and necessary cost of operation, repair, and maintenance of the System during the remainder of the then current fiscal year and the next ensuing fiscal year, such surplus may be transferred and deposited in the ADFA Water Bond Fund (hereinafter created or referred to) or to the Depreciation Fund (hereinafter created or referred to) as the Water Commission may designate; provided, however, that any such transfer into the ADFA Water Bond Fund shall be in addition to all other payments required to be made into such Fund, if any.

SECTION ELEVEN: (a) After making the monthly deposit into the Operation and Maintenance Fund, there shall be transferred and paid from the Revenue Fund (i) into a special fund, which is hereby established and designated "ADFA 2018 Water Capital Improvement Revenue Refunding Bond Fund" (the "ADFA Water Bond Fund") the sums in the amounts and at the times hereafter stated in subsection (b) for the purpose of providing funds for the payment of the principal of and interest on the Series 2018 Bond and the Servicing Fees in connection therewith as the same become due and (ii) into any water revenue bond fund established in connection with the additional bonds issued pursuant to Section Fifteen hereof on a parity of security with the Series 2018 Bond, sums in the amounts and at times sufficient for payment of the

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principal of, premium, if any, and interest on such additional water revenue bonds and the fees in connection therewith as the same become due. The ADFA Water Bond Fund, and any water revenue bond funds established in connection with additional bonds issued on a parity of security therewith, shall hereafter be collectively referred to as "Water Revenue Bond Funds;"

(b) In order to pay interest on the Series 2018 Bond, there shall be deposited from moneys in the Revenue Fund, into the ADFA Water Bond Fund on each April 15 and October 15 after the Series 2018 Bond is issued and delivered until and including October 15, 2026, the interest due on the Series 2018 Bond on such dates. Commencing on the first business day of each month thereafter, there shall be deposited from moneys in the Revenue Fund into the ADFA Water Bond Fund an amount equal to 1/6 of the amount of interest on and principal of the Series 2018 Bond next due;

(c) If moneys in the Revenue Fund are insufficient to make the required payment on or before the first business day of the following month into the ADFA Water Bond Fund, then the amount of any such deficiency in the payment made shall be added to the amount otherwise required to be paid into the ADFA Water Bond Fund on the first business day of the next month;

(d) When the moneys held in the ADFA Water Bond Fund which represent payments by the City and interest earnings thereon or proceeds of investments therefrom (collectively, "City Funds") shall be and remain sufficient to pay in full the principal of and interest on the Series 2018 Bond, the City shall not be obligated to make any further payments into the ADFA Water Bond Fund;

(e) All moneys in the ADFA Water Bond Fund representing City Funds shall be used solely for the purpose of paying the principal of and interest on the Bond and the City shall automatically receive a credit for the amount of such City Funds on hand in the ADFA Water Bond Fund and available for the payment of any principal and interest currently due on an interest or principal payment date irrespective of whether the Bondholder has applied or caused to be applied such funds on that date for such purpose. The City shall receive a credit for all earnings and income derived from the investment of City Funds each April 15 and October 15 and such earnings and income shall be credited against the next six monthly payments in substantially equal amounts; and,

(f) The Series 2018 Bond shall be specifically secured by a pledge of all Revenues required to be placed into the ADFA Water Bond Fund. This pledge in favor of the Bond is hereby irrevocably made according to the terms of this Ordinance, and the City and its officers and employees shall execute, perform and carry out the terms thereof in strict conformity with the provisions of this Ordinance.

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SECTION TWELVE: After making the payments and deposits described in Section Eleven hereof, there shall be paid from the Revenue Fund, the Servicing Fee to the Authority. The Servicing Fee shall be payable on each date interest on the Series 2018 Bond is due and shall be calculated on the same basis as interest on the Series 2018 Bond. The payment of the Servicing Fee is expressly made subordinate to the payment of the principal of and interest on the Bond.

SECTION THIRTEEN: The City shall assure that: (i) not in excess of Ten Percent (10%) of the proceeds of the Bond is used for Private Business Use if, in addition, the payment of more than Ten Percent (10%) of the principal or Ten Percent (10%) of the interest due on the Series 2018 Bond during the term thereof is, under the terms of the Series 2018 Bond or any underlying arrangement, directly or indirectly secured by any interest in property used or to be used for a Private Business Use or in payments in respect of property used or to be used for a Private Business Use or is to be derived from payments, whether or not to the City, in respect of property or borrowed moneys used or to be used for a Private Business Use; and, (ii) that, in the event that both (A) in excess of Five Percent (5%) of the proceeds of the Series 2018 Bond are used for a Private Business Use; and, (B) an amount in excess of Five Percent (5%) of the principal or Five Percent (5%) of the interest due on the Series 2018 Bond during the term thereof is, under the terms of the Series 2018 Bond or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for said Private Business Use or in payments in respect of property used or to be used for said Private Business Use or is to be derived from payments, whether or not to the City, in respect of property or borrowed money used or to be used for said Private Business Use, then said excess over said Five Percent (5%) of proceeds of the Series 2018 Bond used for a Private Business Use shall be used for a Private Business Use related to the governmental use of the Improvements.

The City shall assure that not in excess of Five Percent (5%) of the proceeds of the Series 2018 Bond are used, directly or indirectly, to make or finance a loan to persons other than state or local governmental units.

As used in this Section, "Private Business Use" means use directly or indirectly in a trade or business carried on by a natural person or in any activity carried on by a person other than a natural person, excluding, however, use by a state or local governmental unit and use as a member of the general public.

The City covenants that it will not enter into any wholesale water contracts with non-governmental entities or modify existing wholesale water contracts with non-governmental entities if such contracts or modifications of existing contracts will cause a violation of this Section.

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SECTION FOURTEEN: The principal and interest installments shall not be pre-payable prior to maturity of the Series 2018 Bond on October 15, 2026.

SECTION FIFTEEN: As long as the Series 2018 Bond is outstanding, the City shall not issue or attempt to issue any bonds having or claimed to be entitled to a priority of lien on Revenues over the lien securing the Series 2018 Bond, including any and all future extensions, betterments and improvements to the System except as provided in this Section.

The City may issue additional revenue bonds to finance or pay the cost of constructing extensions, betterments and improvements to the System or to refund outstanding System Obligations having a priority on or on a parity with the lien on Revenues in favor of the Series 2018 Bond if there shall have been procured and filed with the City Clerk and the Bondholder a statement by a certified public accountant not in the regular employ of the City ("Accountant") reciting the opinion that: (i) the Available Revenues (Available Revenues being gross Revenues less operation and maintenance expenses) for the fiscal year preceding the year in which such additional bonds are to be issued were not less than One Hundred Ten (110%) of the average annual debt service requirements (including principal, interest and servicing and administrative fees) on all outstanding debt of the System to which revenues are pledged and the bonds then proposed to be issued plus the average annual Servicing Fee; or, (ii) the Available Revenues for the fiscal year succeeding the year in which such additional bonds are to be issued are projected to be sufficient in amount, taking in consideration any enacted increase in Revenues, to be not less than One Hundred Ten (110%) of the Total Annual Debt Service requirements (including principal, interest and servicing and administrative fees) on all outstanding debt of the System to which Revenues are pledged, and the bonds then proposed to be issued plus the average annual Servicing Fee.

The additional bonds, the issuance of which is restricted and conditioned by this Section, shall not be deemed to mean bonds the security and source of payment of which are subordinate and subject to the priority of the Series 2018 Bond and such additional bonds may be issued without complying with the terms and conditions of this Section. The provisions of this Section may be waived by the holders of Seventy-Five Percent (75%) in principal amount of the Series 2018 Bond at any time outstanding.

SECTION SIXTEEN: It is covenanted and agreed by the City with the Bondholder, the Authority and ANRC that it will faithfully and punctually perform all duties with reference to the System required by the Constitution and laws of the State and by this Ordinance, including, without limitation, the making and collecting of reasonable and sufficient rates lawfully established for services rendered by the System,

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segregating Revenues and applying them to the respective funds maintained pursuant to this Ordinance.

The City covenants and agrees that the Bondholder shall have the protection of all the provisions of the Authorizing Legislation, and that the City will diligently proceed to enforce those provisions to the end of the Bondholder realizing fully upon its security. And, if the City shall fail to proceed within Thirty (30) days after written request shall have been filed by the Bondholder, the Bondholder may proceed to enforce all such provisions.

If there be any default in the payment of the principal of or interest on the Bond, or if the City defaults in any ADFA Water Bond Fund requirement or in the performance of any of the other covenants contained in this Ordinance, the Bondholder may, by proper suit, compel the performance of the duties of the officials of the City under the laws of the State. In the case of a default in the payment of the principal of and interest on the Series 2018 Bond, the Bondholder may apply in a proper action to a court of competent jurisdiction for the appointment of a receiver to administer the System on behalf of the City and the Bondholder with power to charge and collect (or by mandatory injunction or otherwise to cause to be charged and collected) rates sufficient to provide for the payment of the expenses of operation, repair and maintenance and to pay the Series 2018 Bond and interest outstanding and to apply Revenues in conformity with this Ordinance. When all defaults in principal and interest payments have been cured, the custody and operation of the System shall revert to the City. No remedy herein conferred upon or reserved to the Bondholder is intended to be exclusive of any other remedy or remedies herein provided or provided by law, and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or given by law. No delay or omission of the Bondholder to exercise any right or power accrued upon any default shall impair any such right or power or shall be construed to be a waiver of any default or an acquiescence therein; and every power and remedy given by this Ordinance to the Bondholder may be exercised from time to time and as often as may be deemed expedient.

No waiver of any default shall extend to or affect any other existing or any subsequent default or defaults or impair any rights or remedies consequent thereon. Any costs of enforcement of the Series 2018 Bond or of any provision of this Ordinance, including reasonable attorney's fees, shall be paid by the City. The Authority may enforce all rights and exercise all remedies available to the Bondholder in the event the Servicing Fee is not paid when due.

SECTION SEVENTEEN: The terms of this Ordinance shall constitute a contract among the City, the Bondholder and ANRC and no variation or change in the

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undertaking herein set forth shall be made while the Series 2018 Bond is outstanding unless consented to in writing by the Bondholder and ANRC.

SECTION EIGHTEEN: The City agrees that it will keep proper records, books and accounts relating to the operation of the System, which shall be kept separate from all other records and accounts of the City, in which complete and correct entries shall be made of all transactions relating to the operation of the System in accordance with generally accepted government accounting standards. Such books shall be available for inspection by the Bondholder and ANRC, or the agent or the representative of either, at reasonable times and under reasonable circumstances. The City agrees to have these records audited by an Accountant selected by the City at least once each year. The City agrees that it shall also furnish to the Bondholder and ANRC: (1) on or before Thirty (30) days after the close of each fiscal year a statement of the operations of the System for the past fiscal year in form and content in the manner hereinafter specified; and, (2) on or before One Hundred Twenty (120) days after the close of each fiscal year a copy of the audit report of the Accountant. The first report required by the last preceding sentence shall contain at least the following information:

- (a) Statement of income and expense for the System;
- (b) Balance sheet for the System;
- (c) Schedule of insurance policies and fidelity bonds showing, with respect to each policy and bond, the amount and nature of risk covered, the expiration date, and the name of the insurer; and,
- (d) Schedule of the number of customers (connected and unconnected to the System) and showing the rate schedule currently in effect.

The reports referred to above shall cover the operations of the System for all of the last ensuing fiscal year. In the event the City fails or refuses to furnish or cause such reports to be furnished, the Bondholder may have the reports made, and the cost thereof shall be charged against the Operation and Maintenance Fund.

SECTION NINETEEN: The City covenants and agrees that it will maintain the System in good condition and operate it in an efficient manner and at reasonable cost. While the Series 2018 Bond is outstanding, the City agrees that to the extent comparable protection is not otherwise provided to the satisfaction of ANRC and the Bondholder, it will insure, and at all times keep insured in a responsible insurance company or companies selected by the City and authorized and qualified under the laws of the State to assume the risk thereof, all above-ground structures of the System against loss or damage thereto in amounts and against such risks as are customarily insured against in connection with similar facilities and undertakings as the System. In the event of loss, the proceeds of such insurance shall be applied solely toward the

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reconstruction, replacement or repair of the System, and in such event the City will, with reasonable promptness, cause to be commenced and completed the reconstruction, replacement and repair work. If such proceeds are more than sufficient for such purposes, the balance remaining shall be deposited to the credit of the Revenue Fund, and if such proceeds shall be insufficient for such purposes, the deficiency shall be supplied, first, from moneys in the Depreciation Fund, if any, second, from moneys in the Operation and Maintenance Fund, and third, from available moneys in the Revenue Fund. Nothing herein shall be construed as requiring the City to expend any funds for reconstruction, replacement or repair of the System or for operation and maintenance of the System or for premiums on its insurance which are derived from sources other than insurance proceeds or Revenues, but nothing herein shall be construed as preventing the City from doing so.

SECTION TWENTY: There shall be a statutory mortgage lien upon the water facilities of the System (including all extensions, improvements and betterments now or hereafter existing) which shall exist in favor of the Bondholder, and such water facilities shall remain subject to such statutory mortgage lien until payment in full of the interest on and principal of the Series 2018 Bond. The statutory mortgage lien shall be evidenced by an Amended and Restated Mortgage and Security Agreement (the "Mortgage"), executed and delivered by the City, which Mortgage amends and restates that certain Mortgage and Security Agreement dated as of November 29, 2011, and recorded in the office of the Circuit/County Clerk of Pulaski County, Arkansas on November 29, 2011. The Mortgage is hereby approved in substantially the form submitted to this meeting with such changes as may be approved by the Mayor, his execution to constitute conclusive evidence of such approval.

SECTION TWENTY-ONE: The City agrees that the Bondholder may pledge the Series 2018 Bond as security for the ADFA Bonds, and the ADFA Trustee and/or the municipal bond insurer for the ADFA Bonds may exercise any rights and remedies available to the Bondholder under this Ordinance or the Agreement while the Series 2018 Bond is pledged and/or the ADFA Bonds are insured. In addition, the City agrees that while the Series 2018 Bond is pledged and/or the ADFA Bonds are insured, copies of all financial information shall be furnished to the ADFA Trustee and/or the municipal bond insurer.

SECTION TWENTY-TWO: Continuing Disclosure. In addition to the City's responsibility to provide financial information and operating data to ANRC under the regulations of ANRC, the City agrees that if ADFA notifies the City that it is deemed to be an "obligated person" with respect to the ADFA Bonds (which is the Series 2018 Bond issued or which may be issued to ADFA to provide all or a portion of the funds for

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the Series 2018 Bond), as defined in Securities and Exchange Commission Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (17 CFR Part 240 § 240.15c2-12) ("Rule 15c2-12") it will: (i) provide to ADFA complete audited financial statements for the System within One Hundred Twenty (120) days of the close of its fiscal year for each year while the Series 2018 Bond is outstanding; and, (ii) provide certain additional financial and operating data (including financial information of the City) as requested by ADFA to the requirements of Rule 15c2-12.

SECTION TWENTY-THREE: The provisions of this Ordinance are hereby declared to be separable, and if any provision shall for any reason be held illegal or invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION TWENTY-FOUR: Reference in this Ordinance to "Bondholder" shall include the original Bondholder or any registered assign thereof.

SECTION TWENTY-FIVE: All Ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION TWENTY-SIX: It is hereby ascertained and declared that the planning, design and construction of betterments and improvements must be accomplished as soon as possible in order to provide debt service revenues for the System adequate for the needs of the City and its inhabitants, without which the life, health, safety and welfare thereof are jeopardized, and that the issuance of the bonds and the taking of the other action authorized by this ordinance is necessary for the accomplishment thereof. It is, therefore, declared that an emergency exists and this Ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall take effect and be in force from and after its passage.

APPROVED AND ADOPTED THIS _____ DAY OF MARCH, 2018.

CITY OF JACKSONVILLE, ARKANSAS

Gary Fletcher, Mayor

ATTEST:

Susan Davitt, City Clerk/Treasurer

APPROVED AS TO FORM:

Robert E. Bamburg, City Attorney

(SEAL)

CERTIFICATE

The Undersigned, City Clerk/Treasurer of the City of Jacksonville, Arkansas (the "City"), hereby certifies that the foregoing pages are a true and perfect copy of Ordinance No. 1583 (#05-2018), adopted at a regular session of the City Council, held at the regular meeting place of the City Council at 7:00 p.m., on the 15th day of March, 2018, and that the Ordinance is of record and now in my possession.

Given under my hand and seal on this _____ day of _____, 2018.

Susan Davitt, City Clerk/Treasurer

(SEAL)

ORDINANCE NO. 1582 (#04 - 2018)

AN ORDINANCE AUTHORIZING A LEASE AGREEMENT FOR UPGRADES AND IMPROVEMENTS TO THE SERVERS FOR ALL CITY SERVERS THROUGH A THREE (3) YEAR LEASE AGREEMENT; PROVIDING FOR PAYMENT OF THE LEASE OBLIGATION; DECLARING AN EMERGENCY; AND, PRESCRIBING OTHER MATTERS RELATING THERETO.

Whereas, the City Council of the City of Jacksonville, Arkansas (the "City"), has experienced difficulties and is in need of improvement to "refresh" all City Servers, particularly City Hall, 911 Communication Center, the Police Department, and the Fire Department. In examining and researching the difficulties, our Information Technologies Department (IT) has determined a manner in which to improve said Servers and save funds from current services;

Whereas, in doing so, IT sought information and pricing from the State Procurement Office for providers of such services in the area. In doing so, IT learned that Dell Services can provide the appropriate hardware, software, and services to "refresh" the City's Servers and improve the City's abilities to conduct business and service the citizens with faster and improved Server capacities and speeds; and,

Whereas, Dell Services provided bidding information and a proposed Lease Agreement at a savings, having been awarded a State Bid for such products/services. As a result, it would be a waste of time and resources for the City to bid such separately.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, ARKANSAS, THAT:

SECTION ONE: Competitive bidding for purchase and maintenance of improvements to the City's Servers as outlined on the attached would be costly and non-productive, making said competitive bidding unfeasible and impractical. Competitive bidding is hereby waived, pursuant to ACA §14-58-383, to authorize contracting with Dell Services, as approved through the State Bidding process, for a Lease Agreement for said improvement to the City's Servers. Authorization is hereby given to the Mayor and/or his authorized representative(s) to enter into contract with Ritter Communications for said equipment improvement and improved services, all for a total cost not to exceed Thirty-two Thousand Two Hundred Eighty-nine and 25/100 Dollars (\$3,289.25) per month for Sixty (60) months, plus applicable taxes.

SECTION TWO. The City Council hereby finds that the needed upgrades and improved internet provider services are necessary and will save funds from the 2018 budgeted amounts previously approved by the Council.

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SECTION THREE: The provisions of this Ordinance are hereby declared to be separable and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of this Ordinance.

SECTION FOUR: All Ordinances and Resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FIVE: This Ordinance, because of the immediate need to improve the City's Servers as addressed herein for improved public services and financial savings, requires that an emergency is hereby declared. As a result, this Ordinance shall take effect immediately upon passage and publication, as provided by and subject to the requirements of applicable law.

APPROVED AND ADOPTED THIS _____ DAY OF MARCH, 2018.

CITY OF JACKSONVILLE, ARKANSAS

By: _____
GARY FLETCHER, MAYOR

ATTEST:

SUSAN L. DAVITT, CITY CLERK

APPROVED AS TO FORM:

ROBERT E. BAMBURG, CITY ATTORNEY

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