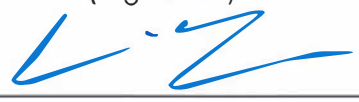
AGENDA ITEM HISTORY SHEET

ITEM TITLE	**AGENDA NO.** 9 & 10
Resolution 2024-56 & Ordinance 2024-26	**AGENDA DATE:** 12/17/2024

FUNDING CERTIFICATION (Finance Director) (Signature, if applicable)

MANAGEMENT STAFF REVIEW (Signature)

MAYOR (Signature)



ITEM HISTORY (Previous Council reviews, action related to this item, and other pertinent history)

This is the same agreement we have entered into in years prior.

ITEM COMMENTARY (Background discussion, key points, recommendations, etc.) Please identify any or all impacts this proposed action would have on the City budget, personnel resources, and/or residents.

CareLink will report back mid-year regarding funding. We have committed to keeping the center open 5 days a week with the same amount of meals.

(This section to be completed by the Mayor)

ACTION PROPOSED (Motion for Consideration)

Motion to approve

ORDINANCE No. 2024 - _____

AN ORDINANCE AUTHORIZING A CONTRACT FOR SERVICES WITH THE BRYANT SENIOR ADULT CENTER COUNCIL; WAIVING COMPETITIVE BIDDING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, The City Council has previously appropriated funds for recreational activities within the City; and

WHEREAS, the Bryant Senior Adult Center Council of Bryant is an Arkansas nonprofit corporation created for the purpose of providing recreational activities; and

WHEREAS, the Bryant Senior Adult Center Council of Bryant is in a unique position to assist in the provision such activities on behalf of the City of Bryant; and

WHEREAS, Ark. Code Ann. §§ 14-47-138 and 14-58-303 provide that the City may, by ordinance, waive the requirements of competitive bidding in exceptional situations where such procedure is found to be not feasible or practicable.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bryant Arkansas:

Section 1. Authority To Execute Contract

The Council hereby approves a contract between the City of Bryant Arkansas and the Bryant Senior Adult Center Council of Bryant in the amount of $30,000 to provide public recreational services, in addition to those enumerated in and provided in consideration for the contract for use of the Bishop Park facilities, for the seniors of Bryant during the 2025 calendar year. The Mayor is hereby authorized to enter into a "Contract for Services" with the Bryant Senior Adult Center Council of Bryant, wherein the Council agrees to provide certain recreational activities on behalf of the City of Bryant, Arkansas during 2025, in exchange for, *inter alia*, payment in the amount of $30,000, payable in the manner specified in the Contract attached hereto as Exhibit A.

Section 2. Waiver of Competitive Bidding

Given the variety of services offered by the Bryant Senior Adult Center Council of Bryant, the City Council for the City of Bryant Arkansas hereby finds that circumstances exist which constitute an exceptional situation where competitive bidding is not feasible or practical and waives the requirements of formal competitive bidding.

Section 3. Severability

The provisions of this Ordinance are separable and in the event that any section or part hereof shall be held to be invalid, such invalidity shall not affect the remainder of this Ordinance.

Section 4. General Repealer

All ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Emergency Clause

The City Council wishes to avoid any interruption to the services provided by the Bryant Senior Adult Center Council of Bryant and hereby declares an emergency, placing this Ordinance in full force and effect immediately upon its passage and approval.

PASSED and APPROVED this _____ day of_____, 2024.

Attest:

_____ _____

Mayor Chris Treat Mark Smith, City Clerk

Exhibit A

Contract for Services

THIS AGREEMENT made and entered into on ____ day of_____, 2024, by and between the CITY OF BRYANT, doing business at 210 S.W. 3rd Bryant Arkansas, 72022 (hereinafter called "THE CITY"), and Bryant Senior Adult Center Council, doing business at 6401Boone Road, Number 3, Bryant, Arkansas 72022 (hereinafter called "BSAC").

WITNESSETH

WHEREAS, THE CITY maintains property at Bishop Park in Bryant, Arkansas (Hereinafter referred to as "Facilities"); and

WHEREAS, the use of said Facilities for the purpose of the BSAC has been considered the best use of this property for recreational purposes and to better service the citizens of Bryant, Arkansas.

WHEREAS, THE PARTIES agree that additional funding is necessary to support the Bryant Senior Adult Center's operations at the Bishop Park Community Facilities.

WHEREAS, THE CITY has authorized the payment of thirty-thousand dollars ($30,000.00) to be paid from CITY's General Account to support and provide additional funding to BSAC to further their mission of supporting the activities at the Facilities.

WHEREAS, BSAC agrees to accept the funding authorized by the CITY in exchange for assurances that such funding will be utilized solely at the Facilities and to further the programs, mission, purposes, and activities at the Facilities and within the City of Bryant, Arkansas.

NOW, THEREFORE, in consideration of mutual covenants and promises set forth herein, the parties agree as follows:

THE CITY will pay to BSAC thirty-thousand dollars ($30,000.00) for fiscal year 2025 to further the programs, mission, purposes, and activities of BSAC at the Facilities and within the City of Bryant, Arkansas. The City will remit $7,500 quarterly.

BSAC will provide written documentation when requested by THE CITY showing the expenditures paid directly by BSAC to further the activities, programs and mission of BSAC at the Bryant Facilities and within the City of Bryant, Arkansas.

BSAC will provide a final accounting of the expenditures, payments, reimbursements or otherwise paid by it from the funds provided by the CITY herein.

BSAC assures and agrees that all expenditures authorized by it from the monies provided by the CITY will be used solely for the activities, programs, expenses and mission at the Facilities in Bryant and within the City of Bryant.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed in their behalf on BSAC.

CITY OF BRYANT,

_____,
Chris Treat, Mayor

Attest:

_____,
Mark Smith, City Clerk

Recipient Organization,

_____,
Bryant Senior Adult Center Council

Dated this _____ day of _____, 2024