

ORDINANCE NO. 2025-02

AN ORDINANCE ESTABLISHING A PROCEDURE FOR PURCHASING, SALE, OR EXCHANGE OF PROPERTY IN COMPLIANCE WITH ACT NO. 28 OF 1959, AS AMENDED BY ACT 208 OF 2023, AND ARKANSAS CODE ANNOTATED §14-58-303(b)(3)(A)-(B); ADOPTED 2025 REPEALING ORDINANCE NO 2021-07 AND FOR OTHER PURPOSES; DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MALVERN AS FOLLOWS:

Section 1. That the Mayor, or his/her duly authorized representative, shall have exclusive power and responsibility to make purchases of all supplies, apparatus, equipment, materials and other things requisite to public purposes for the City of Malvern and to make all necessary contracts for work or labor to be done, or material or other necessary things to be furnished for the benefits of the City where the amount of the expenditures or any purchase or contract does not exceed the sum of Forty-two Thousand Nine Hundred Twenty-one Dollars (\$42,921.00).

Section 2. Where the amount of expenditure for any purchase or contract exceeds the sum of Forty-two Thousand Nine Hundred Twenty-one Dollars (\$42,921.00), the Mayor or his/her 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/her duly authorized representative. The contract shall be awarded to the lowest responsible bidder, provided, however, the Mayor or his/her duly authorized representative may reject any and all bids received.

Section 3. The Mayor, or his/her duly authorized representative, may approve 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, debits, or liabilities not covered by a previous appropriation shall require confirmation of the governing body.

Section 4. That the Mayor, or his/her 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 Forty-two Thousand Nine Hundred Twenty-one Dollars (\$42,921.00). That no supplies, material or equipment shall be sold without receiving competitive bids therefore if the value thereof exceeds the sum of Forty-two Thousand Nine Hundred Twenty-one Dollars (\$42,921.00); provided

however, if the Mayor shall certify in writing to the governing body, that in his/her opinion, the fair market value of such items or lot (to be disposed of in one unit) is less than Forty-two Thousand Nine Hundred Twenty-one Dollars (\$42,921.00) the same may be sold by the Mayor without competitive bidding.

Section 5. The governing body, by ordinance, may waive the requirements of competitive bidding in exceptional situations where the bidding procedure is deemed not feasible or practical (as provided by Arkansas State Statute 14-58-303).

Section 6. The amounts specified in this ordinance reflect the adjustment required by Arkansas Code Annotated §14-58-303(b)(3)(A)-(B) as implemented by the Arkansas Department of Finance and Administration effective January 1, 2025, based on the Consumer Price Index for All Urban Consumers.

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed. It is necessary that this Ordinance shall become effective immediately in order to provide for the immediate protection of the public peace, health, and safety, and shall take effect upon its passage and approval.

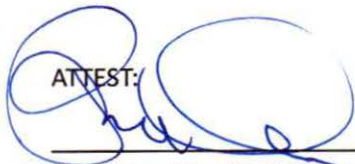
PASSED AND ADOPTED this 13th day of January 2025.

APPROVED:



Brenda J. Weldon, Mayor

ATTEST:



Kim Taber, City Clerk/Treasurer



AFFP

ORDINANCE NO. 2025-02 AN ORD

Affidavit of Publication

STATE OF ARKANSAS }
COUNTY OF HOT SPRING } SS

Kathy Pappas, being duly sworn, says:

That she is Kathy Pappas of the Malvern Daily Record, a daily newspaper of general circulation, printed and published in Malvern, Hot Spring County, Arkansas; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

January 22, 2025

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Kathy Pappas

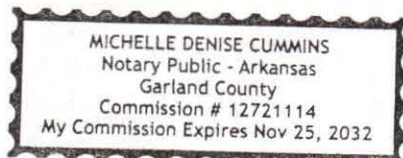
Subscribed to and sworn to me this 22nd day of January 2025.

Michelle Denise Cummins, General Manager, Hot Spring County, Arkansas

My commission expires: November 25, 2032

a0104515 00183624

Kim Taber
City of Malvern (22)
120 W Third St
MALVERN, AR 72104



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APPROVED:
Brenda J. Weldon, Mayor

ATTEST:
Kim Taber, City Clerk/Treasurer

The City Finance Office provides funding for this advertisement in the amount of
\$345.75.

#183624
1/22