

ORDINANCE NO. 83-25

AN ORDINANCE ESTABLISHING REQUIREMENTS FOR BOARD STUDY SESSION REVIEW OF MAJOR CAPITAL PROJECTS PRIOR TO CONSIDERATION FOR APPROVAL AND FOR OTHER PURPOSES

WHEREAS, the Board of Directors of the City of Fort Smith (“Board”) recognizes the importance of transparency, fiscal responsibility, and public accountability in the review and approval of large capital projects;

WHEREAS, the Board finds that certain projects in recent years have proceeded to a vote without adequate public discussion, comparative analysis, or cost verification, resulting in budget overruns and public concern;

WHEREAS, it is the intent of the Board to ensure that all major capital expenditures are presented and discussed in a public study session prior to formal consideration by the Board, allowing sufficient time for questions, analysis, and community input.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS THAT:

SECTION 1: Definitions:

(a) “Major Capital Project” means any new project, improvement, or acquisition with an estimated total cost of \$100,000 or more. Major Capital Project shall not include any project, improvement, or acquisition included in a Capital Improvement Plan approved by the Board of Directors.

(b) “Emergency” means a condition posing an immediate threat to public health, safety, or property requiring urgent action, as determined by the City Administrator.

SECTION 2: Study Session Requirement and Waiting Period. No ordinance, resolution, or motion authorizing funding, appropriation, or execution of a contract for a Major Capital Project shall be placed on a regular or special meeting agenda for consideration by the Board of Directors until the project has first been presented and discussed in at least one study session meeting, as defined in Fort Smith Municipal Code Section 2-29. No vote on a Major Capital Project shall occur within seven (7) calendar days after the Major Capital Project has been presented at a study session meeting. The City Clerk shall certify compliance with this requirement prior to the scheduling of an item concerning a Major Capital Project.

SECTION 3: Required Presentation Materials. Each presentation of a Major Capital Project shall include the project scope and justification, cost estimates, funding sources, operational impacts, and alternatives considered.

as revised

SECTION 4: Exceptions. The requirements of this Ordinance may be waived only in the event of an emergency, as defined above. Any waiver shall be documented in the minutes with written justification provided by the City Administrator and attached to the official record.

SECTION 5: Oversight and Reporting. The Internal Auditor shall annually review compliance with this ordinance and report findings to the Audit Advisory Committee and the Board of Directors.

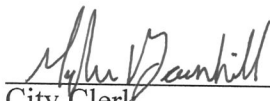
SECTION 6: Codification. The codifier shall codify the provisions of Sections 1 through 5 above within Chapter 2 of the Fort Smith Municipal Code.

SECTION 7: Emergency Clause. In order to ensure that Major Capital Projects are reviewed and approved in an appropriate fashion, the Board of Directors determines that there is an immediate need for the effectiveness of the provisions of this Ordinance; therefore, an emergency is declared to exist and this Ordinance shall be in full force and effect as of the date of its passage.

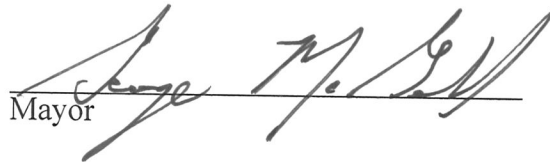
PASSED AND APPROVED THIS 18th DAY OF November, 2025.

ATTEST:

APPROVED:



City Clerk
(Acting)



Mayor

Approved as to form:
