

Special Meeting: January 12, 2024

ORDINANCE NO. 2024- 65

**AN ORDINANCE OF THE
CITY OF FAIRFIELD BAY, ARKANSAS,
IMPOSING LIMITATIONS ON
SPENDING CITY FUNDS
FOR CAMPGROUND IN 2025 WITHOUT
CITY COUNCIL APPROVAL;
DECLARING AN EMERGENCY;
AND FOR OTHER PURPOSES.**

WHEREAS, The City Council, as part of its on-going review of City finances, and as part of its obligations to manage the City's budget, has concluded that a moratorium on future spending on the Campground is necessary to promote the fiscal efficiency and financial integrity of the City of Fairfield Bay between now and December 31, 2025; and

WHEREAS, The City Council has repeatedly expressed its desire to preserve the on-going business relationships with visitors to the Campground, including those visitors who currently have made, or paid for, reservations at the Campground, the Fairfield Bay Community Club, Inc. ("Resort"), the previous sublessee, and the U.S. Army Corps of Engineers ("Corps"), by entering into a long-term lease with the Corps, and subleasing to the Resort;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRFIELD BAY, ARKANSAS:

1. That the Mayor, and the Recorder-Treasurer, and all City Department heads be, and they are hereby, **PROHIBITED FROM SPENDING ANY FUNDS, INCLUDING DONATED FUNDS, TO MAKE REPAIRS, MODIFICATIONS, AND IMPROVEMENTS TO THE CAMPGROUND** that the City leases from the U.S. Army Corps of Engineers, without approval of the City Council, by Ordinance after 11:59 p.m. on December 31, 2024.

2. That the Mayor, and the Recorder-Treasurer, and all City Department heads be, and they are hereby, **PROHIBITED FROM SPENDING ANY FUNDS, INCLUDING DONATED FUNDS, TO OPERATE THE CAMPGROUND** that the City leases from the U.S. Army Corps of Engineers, without approval of the City Council, by Ordinance after December 31, 2024.

3. The Mayor and the Recorder-Treasurer be, and they are hereby, **AUTHORIZED AND APPROVED TO TAKE ANY AND ALL ACTIONS, INDEPENDENTLY, NECESSARY TO IMPLEMENT THIS ORDINANCE IN A TIMELY MANNER.**

4. If an urgent need develops, the Mayor may call a Special Session of the City Council for purposes of reviewing the matter on a case-by-case basis. Likewise, City Department heads may ask the Budget Committee to add a review of these issues to any meeting of the City Council.

5. These prohibitions on spending are effective on and after December 31, 2024 at 11:59 p.m., and extend to, and including, December 31, 2025, unless revised by the City Council by Ordinance. These prohibitions extend to any "new" lease of the Campground for any time after 11:59 p.m. on December 31, 2024.

6. **EMERGENCY CLAUSE.** It is necessary for the efficient operation of Municipal Government that the City prohibit certain spending pending review of receipts and expenditures through the period ending with the regular City Council meeting scheduled for December 2024, **AND FURTHER** that the City maintain sufficient liquidity in its accounts in order timely to meet payroll obligations, including withholding obligations and other mandatory payments; now, therefore, **AN EMERGENCY IS DECLARED TO EXIST**, and this Ordinance being necessary for the preservation of the public peace, health, safety, and welfare, as well as for the preservation of the City's fiscal integrity, **IT SHALL BE IN FULL FORCE AND EFFECT:**

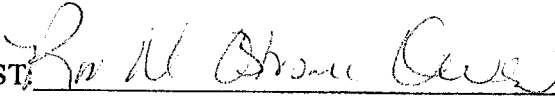
- a. **IMMEDIATELY UPON AND AFTER ITS PASSAGE**, if signed by the Mayor;
- b. At 12:01 a.m. on the 5th calendar day following passage by the City Council if not signed by the Mayor;
- c. On the date of any meeting, including any Special Meeting of the City Council, if vetoed by the Mayor, and the City Council overrides such veto.

7. **NOT TO BE CODIFIED:** This Ordinance, concerning accounting and bookkeeping matters concerning the City's accounts, shall not be codified in the Municipal Code.

8. **SEVERABILITY CLAUSE:** If any provision of this Ordinance, or the application thereof, to any person or circumstance is held invalid for any reason, such invalidity shall not affect other provisions or applications of this Ordinance, which shall be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

DATED: January 12, 2024.

APPROVED: _____
Jackie Sikes, Mayor

ATTEST: 
Rosie M Ostronic Owen, City Recorder/Treasurer

Drafted:
AJ Kelly
Kelly Law Firm, PLC
PO Box 251570
Little Rock AR 72225-1570
Rev: 1/12/24