

INTERLOCAL AGREEMENT BETWEEN
SALINE COUNTY, ARKANSAS
AND
CITY OF BRYANT, ARKANSAS

This Interlocal Agreement executed between Saline County, Arkansas ("County") and the City of Bryant, Arkansas ("City") is entered into on this _____ day of _____, 2024, pursuant to the provisions of the Interlocal Cooperation Act (the "Act") (Ark. Code Ann, §§ 25-20-101 through 25-20-108).

Whereas, the City of Bryant Arkansas and Saline County, Arkansas are political subdivisions of the State of Arkansas; and

Whereas, it is necessary for the County, through the Saline County Planning Board, to review and approve new and existing residential subdivisions and commercial developments located within unincorporated areas of Saline County, Arkansas; and

Whereas, it is necessary for the City, through the Bryant Planning Commission, to review and approve new and existing subdivision developments located within the city and the extraterritorial jurisdiction of the Bryant Planning Area Boundary of the City of Bryant; and

Whereas, the parties hereto desire to enter into an Agreement which delineates the County and City's respective authority and obligations concerning the review of planning and development projects in the City's extraterritorial jurisdiction.

Now Therefore, the parties hereby agree as follows:

1. The City will retain the authority to control the subdivision of land within its adopted and recorded planning area boundary in accordance with and under the relevant Arkansas statutory provisions, including but not limited to Ark. Code Ann. §§ 14-56-401 through 14-56-408 and §§ 14-56-410 through 14-56-425.
2. The City shall have subdivision jurisdiction, including final approval for recordation of final plats with the Saline County Recorder for proposed subdivisions lying within the City's extra-territorial jurisdiction.
3. All proposed subdivision plats located within the extraterritorial jurisdiction of the Bryant Planning Area Boundary of the City shall be first submitted to the city's Community Development Department.
4. After review by City Department Staff and Development Review Committee (DRC) for compliance with all municipal codes, a copy of all applicable plats submitted to the city shall be transmitted to the Saline County Planning Board for review and comment.
5. Upon receipt of plat and a check from the developer made payable to Saline County for all applicable fees due, the Saline County Planning Board shall Forty-five (45) days to forward to the city any suggested changes to the plat unless further time is granted in writing by the City. Developers are

required to be in attendance for the review, and all comments will be sent to the Bryant Planning Commission.

6. The Community Development Director for the City shall include any comments from the Saline County Planning Board to the Bryant Planning Commission for consideration when it reviews the plat for approval.

7. Developments that are within the city's extraterritorial jurisdiction of the Bryant Planning Area Boundary shall obtain approval of the subdivision's name from the Saline County Tax Assessor and names of the streets or roads within the development shall be approved by the Saline County Office of Emergency Management.

8. If the residential development is to have private streets or roads within the development, the developer must establish an improvement district with provisions for the maintenance and repair of said streets or roads, stormwater infrastructure and ongoing electrical cost and maintenance of street lights by said district.

9. In the event of differences in the developmental requirements for street design standards of the respective parties, those requirements most stringent shall be applied.

10. Saline County and the City of Bryant shall have the authority to inspect and otherwise ensure the quality of street construction for all subdivisions approved in the extraterritorial areas of the Bryant Planning Area Boundary.

11. Both the County and the City Public Works Department shall provide written documentation of the satisfactory completion of roadway installation and that it is compliant with the more stringent regulations of the county or city. The documentation shall be provided to City's Community Development Director or his/her designee.

12. The City requires the developer to furnish an infrastructure construction bond within 10 days after approval of the Preliminary Plat to ensure completion of improvements before Final Plat approval.

13. Upon completion of the installation of the roadway and as a condition of approval of the Final Plat, the developer shall provide a Maintenance Bond, or other acceptable instrument assigned, that meets the higher bond requirement of the respective parties, made payable to the County and City, with a copy of same to both entities.

14. Upon completion of the installation of non-road improvements (i.e. water and/or sewer, stormwater infrastructure) and as a condition of approval of the Final Plat the developer shall provide a Maintenance Bond or other instrument assigned, that meets the higher bond requirement of the respective parties, made payable to the City.

15. By mutual agreement, proof of annexation request, and written confirmation of the Saline County Judge, the provisions of this agreement may be waived for plats involving extra-territorial lands that are contiguous to the city limits of Bryant at the time of plat submittal.

16. Plans for storm water drainage lying within the City's extraterritorial jurisdiction, along with construction and implementation of said plans, must be reviewed and approved by the Director of the City's Department of Community Development and Public Works.

17. Each party shall be entitled to charge its respective customary fees for review of the plat and Inspection of the development.

18. When the City receives an application for a project located within its extraterritorial jurisdiction that does not require the City Planning Commission's review, the City shall request that the developer contact the County's Planning Board for review of the project prior to commencing construction. Likewise if the County receives an application for a project located within the City's extraterritorial jurisdiction that does not require the Saline County Planning Board's review, the County shall request that the developer contact the City's Community Development Department for review of the project prior to commencing construction.

19. This Agreement shall be administered by the Mayor of the City of Bryant and the Saline County Judge, or their respective duly designated representatives.

20. This Agreement shall continue until terminated by either party hereto.

21. Termination of the Agreement shall be effected by thirty-days' written notice to the Mayor of the City of Bryant and the Saline County Judge.

22. Any costs associated with executing the functions specified herein shall be borne by the party who is responsible, as identified herein, for executing said function.

City of Bryant, Arkansas

Saline County, Arkansas

Rhonda Sanders
City of Bryant Mayor

Matt Brumley
Saline County Judge