City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

City Council Tentative Agenda

Tuesday, February 14, 2023

4:30 PM

City Hall Room 219

City Council Members

Council Member Sonia Harvey Ward 1
Council Member D'Andre Jones Ward 1
Council Member Sarah Moore Ward 2
Council Member Mike Wiederkehr Ward 2
Council Member Scott Berna Ward 3
Council Member Sarah Bunch Ward 3
Council Member Teresa Turk Ward 4
Council Member Holly Hertzberg Ward 4

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Treasurer Kara Paxton

Zoom Information:

https://us06web.zoom.us/webinar/register/WN_nYce7Gf_QsShuQpWjON57Q
Webinar ID: 823 4780 2707

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MAYOR' S ANNOUNCEMENTS, PROCLAMATIONS AND RECOGNITIONS

CITY COUNCIL MEETING PRESENTATIONS, REPORTS AND DISCUSSION ITEMS

A. CONSENT

A.1. APPROVAL OF THE FEBRUARY 7, 2023 CITY COUNCIL MEETING MINUTES

(2023-406)

A.2. MEMORANDUM OF UNDERSTANDING SOUTHEAST FAYETTEVILLE COMMUNITY CENTER, INC. D/B/A FRIENDS OF YVONNE RICHARDSON COMMUNITY CENTER:

A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE SOUTHEAST FAYETTEVILLE COMMUNITY CENTER, INC. D/B/A FRIENDS OF YVONNE RICHARDSON COMMUNITY CENTER TO CLARIFY THE RESPONSIBILITIES OF EACH ENTITY (2023-404)

A.3. ACCEPTANCE OF AN ASSISTANCE TO FIREFIGHTERS GRANT:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF AN ASSISTANCE TO FIREFIGHTERS GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF $84,081.81, AND TO APPROVE A BUDGET ADJUSTMENT (2023-412)

A.4. RFP 22-06 MGT OF AMERICA CONSULTING, LLC.:

A RESOLUTION TO AUTHORIZE A CONTRACT WITH MGT OF AMERICA CONSULTING, LLC, PURSUANT TO RFP 22-06, IN THE AMOUNT OF $48,312.50, FOR THE DEVELOPMENT OF AN UPDATED COST ALLOCATION PLAN & USER FEE STUDY, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $4,832.00 (2023-413)

A.5. 10 YEAR WATER PURCHASE AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE AND THE CITY OF ELKINS:

A RESOLUTION TO APPROVE A 10 YEAR WATER PURCHASE AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE AND THE CITY OF ELKINS TO ALLOW THE CITY OF FAYETTEVILLE TO FURNISH WHOLESALE POTABLE WATER TO THE CITY OF ELKINS AND ITS RESIDENTS (2023-359)

A.6. KIM PETRONE WATER DAMAGE CLAIM:

A RESOLUTION PURSUANT TO §39.10(C)(4) OF THE FAYETTEVILLE CITY CODE TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF $50,000.00 TO KIM PETRONE, PRIVACY FENCE, INC., AND JDE FOUNDATIONS, INC. FOR A WATER DAMAGE CLAIM ARISING AT 3263 NORTH MAKEIG COURT (2023-411)

A.7. CARDS HOLDINGS, INC. - WEST END APARTMENTS:

A RESOLUTION TO APPROVE ADDITIONAL FUNDING IN THE AMOUNT OF $3,078.08 ASSOCIATED WITH THE DEMOLITION OF THE STRUCTURES LOCATED AT THE FORMER WEST END APARTMENTS, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 DRAINAGE IMPROVEMENT BOND PROJECT (2023-372)

B. UNFINISHED BUSINESS

B.1. AMEND 130.39 GRAFFITI:

AN ORDINANCE TO AMEND §130.39 **GRAFFITI** IN THE *FAYETTEVILLE CODE* TO CREATE A GRAFFITI ABATEMENT PROGRAM (2022-279)

AT THE DECEMBER 6, 2022 CITY COUNCIL MEETING, THIS ORDINANCE WAS AMENDED TO ADD EXHIBIT A AND OMIT LEASEHOLD TENANT. THIS ORDINANCE WAS LEFT ON THE SECOND READING AND TABLED TO THE JANUARY 3, 2023 CITY COUNCIL MEETING.

AT THE JANUARY 3, 2023 CITY COUNCIL MEETING, THIS ORDINANCE WAS LEFT ON THE SECOND READING AND TABLED TO THE FEBRUARY 7, 2023 CITY COUNCIL MEETING.

AT THE FEBRUARY 7, 2023 CITY COUNCIL MEETING, THIS ORDINANCE WAS TABLED TO THE FEBRUARY 21, 2023 CITY COUNCIL MEETING.

B.2. FAYETTEVILLE ACTIVE TRANSPORTATION PLAN UPDATE:

A RESOLUTION TO APPROVE AN UPDATE TO THE FAYETTEVILLE ACTIVE TRANSPORTATION PLAN (2023-323)

AT THE FEBRUARY 7, 2023 CITY COUNCIL MEETING, THIS ITEM WAS TABLED UNTIL THE FEBRUARY 21, 2023 MEETING.

C. NEW BUSINESS

C.1. AFRICAN AMERICAN TRAIL BLAZERS:

A RESOLUTION TO HONOR AFRICAN AMERICAN TRAIL BLAZERS OF FAYETTEVILLE (2023-421)

C.2. APPEAL LSD 2022-039 (788 S. SHERMAN AVE./E. HUNTSVILLE RD. MULTI-FAMILY WEST):

A RESOLUTION TO GRANT THE APPEAL OF DCI AND TO APPROVE LARGE SCALE DEVELOPMENT 2022-039 LOCATED AT 788 SOUTH SHERMAN AVENUE IN WARD 1 (2023-374)

C.3. APPEAL CUP 2022-0129: CONDITIONAL USE PERMIT (215 W. LAFAYETTE ST/BAXTER):

A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS D'ANDRE JONES, HOLLY HERTZBERG, AND SCOTT BERNA AND APPROVE CONDITIONAL USE PERMIT CUP 2022-0129 FOR A SHORT-TERM RENTAL AT 215 WEST LAFAYETTE STREET (2023-401)

C.4. RZN 22-053 (3017 W.OLD FARMINGTON RD./ARNOLD):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-053 LOCATED AT 3017 WEST OLD FARMINGTON ROAD IN WARD 1 FOR APPROXIMATELY 0.50 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-18, RESIDENTIAL SINGLE-FAMILY, 18 UNITS PER ACRE (2023-400)

C.5. RZN 22-055 (N. BOB YOUNKIN DR. & W. BISHOP DR./LEGACY VENTURES NWA):

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-055 LOCATED AT NORTH BOB YOUNKIN DRIVE AND WEST BISHOP DRIVE IN WARD 3 FOR APPROXIMATELY 7.76 ACRES FROM R-O, RESIDENTIAL-OFFICE TO CS, COMMUNITY SERVICES AND RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE (2023-371)

C.6. VAC 22-019 (2231 W. MARKHAM RD/MARKHAM HOSPITALITY):

AN ORDINANCE TO APPROVE VAC 22-019 FOR PROPERTY LOCATED AT 2231 WEST MARKHAM ROAD IN WARD 4 TO VACATE A PORTION OF A UTILITY EASEMENT (2023-399)

C.7. VAC 22-028 (EAST SAIN STREET./TRAILS AT THE CREEK):

AN ORDINANCE TO APPROVE VAC 22-028 FOR PROPERTY LOCATED AT 1074 EAST SAIN STREET IN WARD 3 TO VACATE A PORTION OF UTILITY EASEMENT AND A PORTION OF A GRADING EASEMENT (2023-405)

C.8. VAC 22-029 (1074 E. SAIN ST/THE TRAILS ON THE CREEK):

AN ORDINANCE TO APPROVE VAC 22-029 FOR PROPERTY LOCATED AT 1074 EAST SAIN STREET IN WARD 3 TO VACATE A PORTION OF STREET RIGHT-OF-WAY (2023-403)

C.9. STUDY, POSSIBLY AMEND, AND AFFIRM SUPPORT OF THE AMENDED CITY PLAN 2040:

A RESOLUTION TO STUDY, POSSIBLY AMEND, AND AFFIRM SUPPORT OF THE AMENDED CITY PLAN 2040 (2023-420)

PROPOSED AGENDA ADDITIONS

D. CITY COUNCIL AGENDA SESSION PRESENTATIONS

D.1. 71B CORRIDOR STUDY IMPLEMENTATION UPDATE

(2023-366)

D.2. UPDATE ON ARPA CHILDCARE ASSISTANCE, PAUL BECKER AND YOLANDA FIELDS

(2023-425)

E. CITY COUNCIL TOUR

F. ANNOUNCEMENTS

G. ADJOURNMENT

CITY OF
FAYETTEVILLE
ARKANSAS

CITY COUNCIL MEMO
2023-406

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU:

FROM:

DATE: February 2, 2023

SUBJECT:

RECOMMENDATION:

BACKGROUND:

DISCUSSION:

BUDGET/STAFF IMPACT:

ATTACHMENTS:

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-404

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Alison Jumper, Director of Parks, Natural Resources and Cultural Affairs
Lee Farmer, Recreation Superintendent
Tiffany Hoover, Assistant Recreation Superintendent

FROM: Joshua Lainfiesta, YRCC Director

DATE: February 1, 2023

SUBJECT: **Memo of Understanding between City of Fayetteville and Southeast Fayetteville Community Center, Inc. d/b/a Friends of Yvonne Richardson Community Center**

RECOMMENDATION:
A resolution to enter into a Memorandum of Understanding with Southeast Fayetteville Community Center, Inc. d/b/a Friends of Yvonne Richardson Community Center (YRCC).

BACKGROUND:
The Friends of YRCC was established in 1995 to serve as an advisory board to the Yvonne Richardson Community Center. Their mission is "Provide support to underserved families of Fayetteville. This support includes social, educational, and recreational programming in hopes of providing life lessons and skills to develop leaders who, in turn, invest in their communities in the future."

Parks, Natural Resources and Cultural Affairs staff works closely with the Friends of YRCC board to achieve this mission and is very thankful for their contributions to support underserved families in Fayetteville. Friends of YRCC have donated over $130,000 to the City for this cause over the past ten years.

DISCUSSION:
The purpose of this Memorandum of Understanding is to outline the responsibilities of each entity, recognizing the City owns and staffs the YRCC and is responsible for the general provision of services to all residents of Fayetteville while Friends of YRCC is focused on ensuring programming is accessible and available to underserved families.

BUDGET/STAFF IMPACT:
N/A

ATTACHMENTS: SRF_Memo of Understaning between City of Fayetteville and FOYRCC, Memo of Understand between City of Fayetteville and FOYRCC

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-404

Memo of Understanding between City of Fayetteville and Southeast Fayetteville Community Center, Inc. d/b/a Friends of Yvonne Richardson Community Center

A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE SOUTHEAST FAYETTEVILLE COMMUNITY CENTER, INC. D/B/A FRIENDS OF YVONNE RICHARDSON COMMUNITY CENTER TO CLARIFY THE RESPONSIBILITIES OF EACH ENTITY

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to sign a Memorandum of Understanding with the Southeast Fayetteville Community Center, Inc. d/b/a Friends of Yvonne Richardson Community Center, to clarify the responsibilities of each entity with respect to operations, programming, and other matters at the Yvonne Richardson Community Center.

City of Fayetteville Staff Review Form

2023-404

Item ID

2/14/2023

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Josh Lainfiesta	2/1/2023	PARKS & RECREATION (520)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Memo of Understanding between the City of Fayetteville and Southeast Fayetteville Community Center, Inc. d/b/a Friends of Yvonne Richardson Community Center

Budget Impact:

Account Number	Fund
Project Number	Project Title

Budgeted Item?	No	Total Amended Budget	$	-
		Expenses (Actual+Encum)	$	-
		Available Budget	$	-
Does item have a direct cost?	No	Item Cost	$	-
Is a Budget Adjustment attached?	No	Budget Adjustment	$	-
		Remaining Budget	$	-

V20221130

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

Original Contract Number:

Comments:

MEMORANDUM OF UNDERSTANDING

between
The City of Fayetteville, Arkansas and
Southeast Fayetteville Community Center, Inc. d/b/a Friends of YRCC

WHEREAS, the Southeast Fayetteville Community Center, Inc., d/b/a Friends of YRCC an Arkansas domestic nonprofit corporation, was established in 1994 to serve as an advisory board to the Yvonne Richardson Community Center, which is owned and operated by the City of Fayetteville; and

WHEREAS, Friends of YRCC is committed to shaping today's youth for tomorrow's challenges by providing recreational, educational, and social opportunities to underserved and underprivileged communities; and

WHEREAS, the City of Fayetteville has partnered with the Friends of YRCC since 1995 as a fundraising and advisory board.

NOW, THEREFORE, THIS MEMORANDUM OF UNDERSTANDING is made by and between the City of Fayetteville, Arkansas ("City") and Southeast Fayetteville Community Center, Inc. d/b/a Friends of YRCC ("Friends") and the parties agree as follows:

1. **Purpose**. The purpose of this document is to outline the responsibilities of each party recognizing that the City owns and staffs the Yvonne Richardson Community Center ("YRCC") and is responsible for the general provision of services to all residents of the City of Fayetteville while Friends is focused on expanding these services to underserved families and individuals in our community.

   Underserved families and individuals include those: 1) living in subsidized housing in the City of Fayetteville; 2) identified by school counselors to the board or staff as needing access to YRCC services; or 3) are in the Extremely Low, Very Low, or Low categories of the Annual CDBG / HUD Income Guidelines.

2. **Term**. The term of this Agreement shall begin January 1, 2023 and shall end December 31, 2023. The Agreement shall renew automatically unless either party provides notice in writing at least 60 days prior to the end of the term that it does not wish to renew.

3. **General Recreation**

a. As the City provides recreational services for City residents at the YRCC:

i. Friends will provide to the City funding to support program participants from the underserved community, to include all program expenses, during the annual program donation request process, or as new program opportunities arise.
ii. City will identify the number of registrations allocated for underserved participants for each City program and submit an annual program donation request to be reflective of those numbers.

b. With respect to programs developed by Friends specifically for underserved individuals and families:
   i. Friends will:
      - Notify the City 60-90 days in advance of the proposed program (depending on scope/scale of program) and include any transportation request associated with hosting the program. Friends shall follow the City's standard reservation policies for all programs requiring use of the YRCC facilities.
      - Pay all the costs of the program including program staffing, materials, and transportation.
      - Pay the cost of YRCC staff for programming taking place outside of the YRCC's regular hours.
      - Help with any marketing needed for the program, specifically to underserved populations identified by Friends.
      - Return the YRCC to the same condition they found the facility.
      - Report and pay for any damage to the YRCC as a result of the program.
      - Provide a report of the program to the City at its completion.
   ii. The City will
      - Perform background checks as needed for any facilitators, volunteers, or instructors
      - Open the YRCC for the program at least 30 minutes before or longer as agreed by program staff and the YRCC.
      - Allow the use of the YRCC with rental fees waived.
      - Assist with marketing, such as flyer creation and email distribution to YRCC databases.
      - Immediately report to Friends any issues or damage within the facility post-usage as determined by YRCC staff.

4. **Transportation**

    a. Friends will
        i. Provide the City with funding, through the annual program donation request process, to pay for any transportation services required for programs.
        ii. Provide a detailed transportation request for Friends-hosted programs taking place at the YRCC.

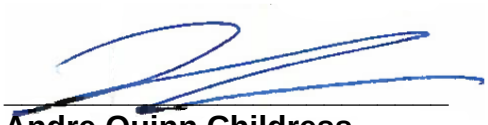
    b. The City will
        i. Hire and coordinate transportation services for programs if such services cannot be adequately provided by existing YRCC staff and YRCC or City fleet vans.
            i. Perform background check for drivers.
            ii. Confirm insurance coverage by service provider.
        ii. Provide the YRCC van to be used for programs when available.
        iii. Be responsible for maintenance and storage of the YRCC van. The City will pay the gas for the YRCC van
    c. Additional transportation needs, based on individual programs offered, can be coordinated on a case by case basis.

5. **General Operations**.
    a. The Mayor of the City of Fayetteville shall have the right to appoint two members to the Friends of YRCC Board of Directors.
    b. Friends shall be primarily responsible for raising funds that will be used pursuant to this Agreement to support programming for underserved communities. This responsibility includes, but is not limited to:
        i. Pursuing grants opportunities.
        ii. Hosting at least one fundraising event per year.
        iii. The City will seek additional funding through grant opportunities, donations, and general operational support through the annual budget process.

6. **Contract Amendments.** Changes, modifications or amendments to the scope of this Agreement shall not be allowed without a prior formal amendment approved by the City and by the authorized agent of Friends of YRCC in advance of the change.

IN WITNESS WHEREOF, the parties hereto have caused their signatures to be set by their authorized representative effective the date set forth below.

SOUTHEAST FAYETTEVILLE COMMUNITY CENTER, INC.



Andre Quinn Childress
Board President

Date: January 30, 2023

CITY OF FAYETTEVILLE

_____

Lioneld Jordan, Mayor

Date: _____

ATTEST:

_____

Kara Paxton, City Clerk Treasurer

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-412

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Brad Hardin, Fire Chief

FROM: Granville Wynn, Financial Analyst - Fire

DATE: February 2, 2023

SUBJECT: **Approval of a resolution authorizing acceptance of an Assistance to Firefighters Grant from The Department of Homeland Security's Federal Emergency Management Agency (FEMA) in the amount of $84,081.81, and approving a budget adjustment.**

RECOMMENDATION:
Approval of a resolution authorizing acceptance of an Assistance To Firefighters Grant from The Department of Homeland Security's Federal Emergency Management Agency (FEMA) in the amount of $84,081.81, and approving a budget adjustment to the Fire FEMA Grant Fireground Command Training project which utilizes Fire ACT 833 Revenue for the 10% grant match ($8,408.19) and 15% contingency funds ($13,874) to allow total funding of $106,364 for the Training Course, Mastering Fireground Command, Calm the Chaos per AFG Grant Guidelines.

BACKGROUND:
The Department of Homeland Security (DHS) Federal Emergency Management Agency's (FEMA) Grant Programs Directorate implements and administers the Assistance to Firefighters (AFG) Grants. The purpose of the AFG Program is to enhance, through direct financial assistance, the health and safety of the public and firefighting personnel and to provide a continuum of support for emergency responders regarding fire, medical, and all-hazard events. The Fire Department applied to the AFG grant program to request funding for the Train-the-Trainer Mastering Fireground Command-Calm the Chaos Training Course from Firefighter Inspiration Readiness and Education, LLC including the workshop and online training.

DISCUSSION:
We will use the grant to purchase the Train-the-Trainer Mastering Fireground Command-Calm the Chaos Training Course from Firefighter Inspiration Readiness and Education, LLC. This course will be beneficial in enabling fire personnel to have hands-on fireground command training exercises that reinforce like-minded practices and terminology to further enhance the safety of firefighters when working with multiple agencies. This includes sets and simulations along with training on multi-company response scenes. Simply stated, The Fayetteville Fire Department will be able to ensure the safety of citizens and provide a safer and efficient response capability for our fire individuals responding to the needs of the citizens of Fayetteville and the region.

BUDGET/STAFF IMPACT:
Approving a budget adjustment to Fire FEMA Grant Fireground Command Training project which utilizes Fire ACT 833 Revenue for the 10% grant match ($8,408.19) and 15% contingency funds ($13,874) to allow total

funding of $106,364 for the Training Course, Mastering Fireground Command, Calm the Chaos per AFG Grant Guidelines.

ATTACHMENTS: 2023SRF Acceptance of 2021 AFG Grant Award_Training Course, 2023-412 BA Fire FEMA Grant - Mastering Fireground Command Training, FY2021 AFG Grant_EMW-2021-FG-06754 Award Package

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-412

Approval of a resolution authorizing acceptance of an Assistance to Firefighters Grant from The Department of Homeland Security's Federal Emergency Management Agency (FEMA) in the amount of $84,081.81, and approving a budget adjustment.

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF AN ASSISTANCE TO FIREFIGHTERS GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF $84,081.81, AND TO APPROVE A BUDGET ADJUSTMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to execute a grant agreement accepting a grant from the Assistance to Firefighters Grant from the Department of Homeland Security's Federal Emergency Management Agency in the amount of $84,081.81.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2023-412

Item ID

2/21/2023

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Brad Hardin	2/2/2023	FIRE (300)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Approval of a resolution authorizing acceptance of an Assistance To Firefighters Grant from The Department of Homeland Security's Federal Emergency Management Agency (FEMA) in the amount of $84,081.81, and approving a budget adjustment to the Fire FEMA Grant Fireground Command Training project which utilizes Fire ACT 833 Revenue for the 10% grant match ($8,408.19) and 15% contingency funds ($13,874) to allow total funding of $106,364 for the Training Course, Mastering Fireground Command, Calm the Chaos per AFG Grant Guidelines.

Budget Impact:

2230.900.8008-5314.00	2230 - Special Grants
Account Number	Fund
32301.1	Fire - FEMA Grant for Fireground Command Training
Project Number	Project Title

Budgeted Item?	No	Total Amended Budget		
		Expenses (Actual+Encum)	$	-
		Available Budget	$	-
Does item have a direct cost?	Yes	Item Cost	$	92,490.00
Is a Budget Adjustment attached?	Yes	Budget Adjustment	$	106,364.00
		Remaining Budget	$	13,874.00

V20221130

Purchase Order Number: _____ **Previous Ordinance or Resolution #** _____

Change Order Number: _____ **Approval Date:** _____

Original Contract Number: _____

Comments:

City of Fayetteville, Arkansas - Budget Adjustment (Agenda)

Budget Year	Division /Org2	Adjustment Number
2023	FIRE (300)	
	Requestor: Brad Hardin	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

Approval of a resolution authorizing acceptance of an Assistance To Firefighters Grant from The Department of Homeland Security's Federal Emergency Management Agency (FEMA) in the amount of $84,081.81, and approving a budget adjustment to the Fire FEMA Grant Fireground Command Training project which utilizes Fire ACT 833 Revenue for the 10% grant match ($8,408.19) and 15% contingency funds ($13,874) to allow total funding of $106,364 for the Training Course, Mastering Fireground Command, Calm the Chaos per AFG Grant Guidelines.

RESOLUTION/ORDINANCE

COUNCIL DATE: 2/21/2023

ITEM ID#: **2023-412**

Holly Black
2/2/2023 3:44 PM

Budget Division Date

TYPE: **D - (City Council)**

JOURNAL #:

GLDATE: **2/21/2023**

CHKD/POSTED: /

v.202313

TOTAL	106,364	106,364				
	Increase / (Decrease)		Project.Sub#			
Account Number	Expense	Revenue	Project	Sub.Detl	AT	Account Name
1010.300.3020-7602.28	22,282	-	33047	1	EX	Transfers To Funds - Special Grants
1010.300.3020-5911.00	(22,282)	-	33047	900	EX	Contingency - Savings Other
2230.900.8008-6602.01		22,282	32301	1	RE	Transfer from Fund - General
2230.900.8008-4309.00		84,082	32301	1	RE	Federal Grants - Capital
2230.900.8008-5314.00	106,364	-	32301	1	EX	Professional Services
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Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 01/23/2023

FEMA

Brad Hardin
FAYETTEVILLE, CITY OF
303 W CENTER
FAYETTEVILLE, AR 72701

EMW-2021-FG-06754

Dear Brad Hardin,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2021 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of $84,081.81 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or $8,408.19 for a total approved budget of $92,490.00. Please see the FY 2021 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2021 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

PAMELA WILLIAMS
Assistant Administrator, Grant Programs

Summary Award Memo

Program: Fiscal Year 2021 Assistance to Firefighters Grant
Recipient: FAYETTEVILLE, CITY OF
UEI-EFT: JVL9DSGDM3L5
DUNS number: 883381550
Award number: EMW-2021-FG-06754

Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for Fiscal Year (FY) 2021 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	$0.00
Fringe benefits	$0.00
Travel	$0.00
Equipment	$0.00
Supplies	$0.00
Contractual	$92,490.00
Construction	$0.00
Other	$0.00
Indirect charges	$0.00
Federal	$84,081.81
Non-federal	$8,408.19
Total	$92,490.00
Program Income	$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2021 AFG NOFO.

Approved request details:

Training

Specialized

DESCRIPTION

Travel and lodging for 3 instructors for 3 days for the Mastering Fireground Command-Calm the Chaos Train-the-Trainer workshop. Travel is $800 roundtrip for each person total in flights is $2,400. Lodging is $150 per night for 3 nights at $450 a person total in lodging is $1,350. Per diem for is $59 a day for each person and total is $531.

QUANTITY	UNIT PRICE	TOTAL
1	$3,750.00	$3,750.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Item created

JUSTIFICATION

The award reflects a change from the amount requested in the application. Items were originally grouped together in one-line item. Each item requested is now listed as a separate line item. -- Food and beverages are ineligible items so $531 was deducted for per diem.

Specialized

DESCRIPTION

Mastering Fireground Command- Calm the Chaos Train-the-Trainer workshop for 18 trainers for 3 days.

QUANTITY	UNIT PRICE	TOTAL
1	$37,000.00	$37,000.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Description changed
Unit price from **$106,000.00** to **$37,000.00**

JUSTIFICATION

The award reflects a change from the amount requested in the application. Items were originally grouped together in one-line item. Each item requested is now listed as a separate line item.

Specialized

DESCRIPTION

Online Operations Training License course for 300 personnel

QUANTITY	UNIT PRICE	TOTAL
1	$51,740.00	$51,740.00

BUDGET CLASS

Contractual

CHANGE FROM APPLICATION

Item created

JUSTIFICATION

The award reflects a change from the amount requested in the application. Items were originally grouped together in one-line item. Each item requested is now listed as a separate line item.

Agreement Articles

Program: Fiscal Year 2021 Assistance to Firefighters Grant
Recipient: FAYETTEVILLE, CITY OF
UEI-EFT: JVL9DSGDM3L5
DUNS number: 883381550
Award number: EMW-2021-FG-06754

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Article 1 **Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the awarding agency. II. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R.Part 3002. III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. § 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

Article 2	**General Acknowledgements and Assurances** All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities or personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance. V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool. DHS Civil Rights Evaluation Tool | Homeland Security. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.
Article 3	**Acknowledgement of Federal Funding from DHS** Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.
Article 4	**Activities Conducted Abroad** Recipients must ensure that project activities performed outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article 5	**Age Discrimination Act of 1975** Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
Article 6	**Americans with Disabilities Act of 1990** Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
Article 7	**Best Practices for Collection and Use of Personally Identifiable Information** Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.
Article 8	**Civil Rights Act of 1964 – Title VI** Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.
Article 9	**Civil Rights Act of 1968** Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article 10	**Copyright** Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.
Article 11	**Debarment and Suspension** Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.
Article 12	**Drug-Free Workplace Regulations** Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).
Article 13	**Duplication of Benefits** Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons.
Article 14	**Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX** Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

Article 15	**E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety** Recipient State, Tribal, local, or territorial law enforcement agencies must comply with the requirements of section 12(c) of E.O. 14074. Recipient State, Tribal, local, or territorial law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.
Article 16	**Energy Policy and Conservation Act** Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.
Article 17	**False Claims Act and Program Fraud Civil Remedies** Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)
Article 18	**Federal Debt Status** All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)
Article 19	**Federal Leadership on Reducing Text Messaging while Driving** Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the Federal Government.
Article 20	**Fly America Act of 1974** Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C.) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article 21	**Hotel and Motel Fire Safety Act of 1990** Recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a
Article 22	**John S. McCain National Defense Authorization Act of Fiscal Year 2019** Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons
Article 23	**Limited English Proficiency (Civil Rights Act of 1964, Title VI)** Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: https://www.dhs.gov/guidance-published-help-department- supported-organizations-provide-meaningful-access-people-limited and additional resources on http://www.lep.gov.
Article 24	**Lobbying Prohibitions** Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article 25	**National Environmental Policy Act** Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq. and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans
Article 26	**Nondiscrimination in Matters Pertaining to Faith-Based Organizations** It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statues, regulations, and guidance governing the participations of faith- based organizations in individual DHS programs.
Article 27	**Non-Supplanting Requirement** Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.
Article 28	**Notice of Funding Opportunity Requirements** All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.
Article 29	**Patents and Intellectual Property Rights** Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

Article 30	**Procurement of Recovered Materials** States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
Article 31	**Rehabilitation Act of 1973** Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
Article 32	**Reporting of Matters Related to Recipient Integrity and Performance** General Reporting Requirements: If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.
Article 33	**Reporting Subawards and Executive Compensation** Reporting of first tier subawards. Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.
Article 34	**Required Use of American Iron, Steel, Manufactured Products, and Construction Materials** Recipients must comply with the “Build America, Buy America” provisions of the Infrastructure Investment and Jobs Act and E.O. 14005. Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was

manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. Information on the process for requesting a waiver from these requirements is on the website below. (a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that: (1) applying the domestic content procurement preference would be inconsistent with the public interest; (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at “Buy America” Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. The awarding Component may provide specific instructions to Recipients of awards from infrastructure programs that are subject to the “Build America, Buy America” provisions. Recipients should refer to the Notice of Funding Opportunity for further information on the Buy America preference and waiver process.

Article 35 **SAFECOM**

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article 36	**Terrorist Financing** Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.
Article 37	**Trafficking Victims Protection Act of 2000 (TVPA)** Trafficking in Persons. Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.
Article 38	**Universal Identifier and System of Award Management** Requirements for System for Award Management and Unique Entity Identifier Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.
Article 39	**USA PATRIOT Act of 2001** Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.
Article 40	**Use of DHS Seal, Logo and Flags** Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.
Article 41	**Whistleblower Protection Act** Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

Article 42	**Environmental Planning and Historic Preservation (EHP) Review** DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal,state and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and any other applicable laws and executive orders. To access the FEMA EHP screening form and instructions, go to the DHS/FEMA website. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.
Article 43	**Applicability of DHS Standard Terms and Conditions to Tribes** The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.
Article 44	**Acceptance of Post Award Changes** In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@fema.dhs.gov if you have any questions.

Article 45	**Disposition of Equipment Acquired Under the Federal Award** For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state subrecipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state subrecipients must follow the disposition requirements in accordance with state laws and procedures.
Article 46	**Prior Approval for Modification of Approved Budget** Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308. For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Threfore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently $250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.
Article 47	**Indirect Cost Rate** 2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.
Article 48	**Award Performance Goals** FEMA will measure the recipient's performance of the grant by comparing the number of items requested in its application, the numbers acquired (ordered, paid, and received) within the period of performance. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the recipients compliance with the applicable industry, local, state and national standards described in the NOFO.

Obligating document

1.Agreement No.	2. Amendment No.	3. Recipient No.	4. Type of Action	5. Control No.
EMW-2021-FG-06754	N/A	716018462	AWARD	WX00794N2023T

6. Recipient Name and Address	7. Issuing FEMA Office and Address	8. Payment Office and Address
FAYETTEVILLE, CITY OF 303 W CENTER FAYETTEVILLE, AR 72701	Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646	FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742

9. Name of Recipient Project Officer	9a. Phone No.	10. Name of FEMA Project Coordinator	10a. Phone No.
Brad Hardin	4795758365	Assistance to Firefighters Grant Program	1-866-274-0960

11. Effective Date of This Action	12. Method of Payment	13. Assistance Arrangement	14. Performance Period / Budget Period
01/23/2023	OTHER - FEMA GO	COST SHARING	**Performance Period** 01/30/2023 to 01/29/2025 **Budget Period** 01/30/2023 to 01/29/2025

15. Description of Action a. (Indicate funding data for awards or financial changes)

Program Name Abbreviation	Assistance Listings No.	Accounting Data(ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
AFG	97.044	2023-FD-GB01 - P410-xxxx-4101-D	$0.00	$84,081.81	$84,081.81	$8,408.19
		Totals	$0.00	$84,081.81	$84,081.81	$8,408.19

b. To describe changes other than funding data or financial changes, attach schedule and check here:
N/A

~~**16.FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)**~~
This field is not applicable for digitally signed grant agreements

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title) PAMELA WILLIAMS, Assistant Administrator, Grant Programs	DATE 01/23/2023

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-413

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Paul Becker, Chief Financial Officer

FROM: Kevin Springer, Budget Director

DATE: February 3, 2023

SUBJECT: **Approval of an agreement with MGT of America Consulting, LLC in the amount of $48,312.50 to create an updated Cost Allocation Plan & User Fee Study (RFP 22-06) plus a project contingency of $4,832 (10%).**

RECOMMENDATION:
Approval of an agreement with MGT of America Consulting, LLC in the amount of $48,312.50 to create an updated Cost Allocation Plan & User Fee Study (RFP 22-06) plus a project contingency of $4,832 (10%).

BACKGROUND:
The last cost allocation plan and user fee study for the City of Fayetteville was performed in 2012.

DISCUSSION:
Pursuant to the attached contract, this project will be broken into two phases. In Phase I, MGT will review and update the City's current cost allocation plan, as well as provide City staff with a model for adjusting the plan in the future. In Phase II, MGT will review the City's permitting and development fees, prepare a report that identifies each service and its full cost, and provide a model for adjusting the fees in the future.

BUDGET/STAFF IMPACT:
This project has been budgeted in the Sales Tax Capital Improvements fund in the 2023 budget.

ATTACHMENTS: 2023-0413 SRF Cost Allocation MGT contract, RFP 22-06 CONTRACT - Cost Allocation User Fee Study-signed PJD, RFP 22-06 Appendix A - Scope of Work 10.20.22, RFP 22-06, Appendix B - City RFP, RFP 22-06, Appendix C - MGT of America Consulting Submittal

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-413

Approval of an agreement with MGT of America Consulting, LLC in the amount of $48,312.50 to create an updated Cost Allocation Plan & User Fee Study (RFP 22-06) plus a project contingency of $4,832 (10%).

A RESOLUTION TO AUTHORIZE A CONTRACT WITH MGT OF AMERICA CONSULTING, LLC, PURSUANT TO RFP 22-06, IN THE AMOUNT OF $48,312.50, FOR THE DEVELOPMENT OF AN UPDATED COST ALLOCATION PLAN & USER FEE STUDY, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $4,832.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to sign a contract with MGT of America Consulting, LLC, pursuant to RFP 22-06, in the amount of $48,312.50 for the development of an updated Cost Allocation Plan & User Fee Study, and further approves a project contingency in the amount of $4,832.00.

City of Fayetteville Staff Review Form

2023-0413

Item ID

2/21/2023

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Kevin Springer	2/2/2023	BUDGET & INFORMATION MGMT (133)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Approval of an agreement with MGT of America Consulting, LLC in the amount of $48,312.50 for a Cost Allocation Plan & User Fee Study (RFP 22-06) plus a project contingency of $4,832 (10%).

Budget Impact:

4470.133.8900-5315.00	Sales Tax Capital Improvements
Account Number	Fund
21002.1	Cost Allocation Plan & User Fee Study
Project Number	Project Title

Budgeted Item?	Yes	Total Amended Budget	$	83,814.00
		Expenses (Actual+Encum)	$	-
		Available Budget	$	**83,814.00**
Does item have a direct cost?	Yes	Item Cost	$	48,312.50
Is a Budget Adjustment attached?	No	Budget Adjustment	$	-
		Remaining Budget	$	**35,501.50**

V20221130

Purchase Order Number: _____ **Previous Ordinance or Resolution #** _____

Change Order Number: _____ **Approval Date:** _____

Original Contract Number: _____

Comments:

CONTRACT FOR PROFESSIONAL SERVICES

RFP 22-06, COST ALLOCATION & USER FEE STUDY

between

City of Fayetteville, Arkansas

and

Type text here **MGT of America Consulting, LLC**

THIS AGREEMENT is executed this _____ day of _____, 2022, by and between the City of Fayetteville acting by and through its Mayor (hereinafter called CITY OF FAYETTEVILLE or CITY) and MGT of America Consulting, LLC. (hereinafter called MGT).

CITY OF FAYETTEVILLE from time to time requires professional services in connection with the cost allocation & user fee study consultation services. MGT was selected through RFP 22-06 to provide the scope of work outlined and identified in this contract. Therefore, City and MGT in consideration of their mutual covenants agree as follows:

MGT shall provide cost allocation & user consultation services to the CITY in those assignments to which this Agreement applies and shall give consultation and advice to CITY OF FAYETTEVILLE during the performance of services defined in the scope of work. All services shall be performed under the direction of a licensed - registered in the State of Arkansas and qualified in the particular field.

1. Contracted parties:
    a. This agreement shall be binding between all parties. Fees for services shall be provided as identified in appendices.
2. Entire Agreement and Exhibits: This Agreement sets forth the entire agreement and understanding between the parties on the subject matter of this Agreement. Parties shall not be bound by any conditions, definitions, representations or warranties with respect to the subject matter of this Agreement other than those as expressly provided herein. This agreement may be modified only by a duly executed written instrument signed by the City and MGT.
    a. Appendices included under this agreement include the following and shall govern in the following order. Contract language in this document shall prevail over all exhibits:
        i. Appendix A: Scope of Work & Fees
        ii. Appendix B: City's Solicitation identified as RFP 22-06, Cost Allocation & User Fee Study
        iii. Appendix C: MGT 's RFP response
        iv. Appendix D: MGT's Certificate of Insurance

3. **Notices:** Any notice required under this Agreement shall be in writing, address to the appropriate party at the following addresses:

    a. **City of Fayetteville**: Attention: Mayor Lioneld Jordan, 113 W. Mountain, Fayetteville, AR 72701

    b. **MGT**: Attention: Patrick Dyer, 4320 W. Kennedy Blvd., Suite 200, Tampa, FL 33609

4. **Fees, Expenses, and Payments:**

    a. The maximum not-to-exceed amount authorized for this agreement is **$48,312.50 US DOLLARS** per year, which includes $3,270 in anticipated travel expenses and services as itemized in **Appendix A**. Progress payments shall be paid to the **MGT** as described in **Appendix A**.

    b. Payment Terms: All invoices are payable upon approval and due within thirty (30) calendar days. If a portion of an invoice or statement is disputed by CITY, the undisputed portion shall be paid. CITY OF FAYETTEVILLE shall advise **MGT** in writing of the basis for any disputed portion of any invoice. CITY shall make reasonable effort to pay invoices within 30 calendar days of date the invoice is approved.

    c. Monthly invoices for each calendar month shall be submitted to CITY OF FAYETTEVILLE or such parties as CITY OF FAYETTEVILLE may designate for with **MGT**'s normal billing schedule. Once established, the billing schedule shall be maintained throughout the duration of the Project. Invoices shall be made in accordance with a format to be developed by **MGT** and approved by CITY OF FAYETTEVILLE. Applications for payment shall be accompanied each month by the updated project schedule as the basis for determining the value earned as the work is accomplished. Final payment for professional services shall be made upon CITY OF FAYETTEVILLE'S approval and acceptance with the satisfactory completion of professional services for the Project.

    d. Final Payment: Upon satisfactory completion of the work performed under this Agreement, as a condition before final payment under this Agreement, or as a termination settlement under this Agreement, **MGT** shall execute and deliver to CITY OF FAYETTEVILLE a release of all claims against CITY OF FAYETTEVILLE arising under or by virtue of this Agreement, except claims which are specifically exempted by **MGT** to be set forth therein.

        i. Unless otherwise provided in this Agreement or by State law or otherwise expressly agreed to by the parties to this Agreement, final payment under this Agreement or settlement upon termination of this Agreement shall not constitute a waiver of CITY OF FAYETTEVILLE claims against **MGT** or sureties under this Agreement.

5. **Approval of Agent:** The City reserves the right to require the **MGT** to replace the assigned agent with another agent of the same company if, in the opinion of the City staff, the agent is not rendering or is incapable of rendering the quality of service and cooperation required.

6. **Notices**: Any notice required to be given under this Agreement to either party to the other shall be sufficient if addressed and mailed, certified mail, postage paid, delivery, fax or e-mail (receipt confirmed), or overnight courier.

7. **Jurisdiction**: Legal jurisdiction to resolve any disputes shall be Arkansas with Arkansas law applying to the case.

8. **Venue**: Venue for all legal disputes shall be Washington County, Arkansas.

9. **Freedom of Information Act:** City of Fayetteville contracts and documents prepared while performing city contractual work are subject to the Arkansas Freedom of Information Act. If a Freedom of Information Act request is presented to the City of Fayetteville, MGT will do everything possible to provide the documents in a prompt and timely manner as prescribed in the Arkansas Freedom of Information Act (A.C.A. 25-19-101 et. Seq.). Only legally authorized photo coping costs pursuant to the FOIA may be assessed for this compliance.

10. **Changes in Scope or Price:** Changes, modifications, or amendments in scope, price or fees to this contract shall not be allowed without a prior formal contract amendment approved by the Mayor and the City Council in advance of the change in scope, cost or fees.

11. **Omissions:** If MGT fails to include or omits an item from the Contract Documents, which was fully anticipated to be included in the Project, thereby necessitating the need for a Change Order, MGT will not receive a fee for work associated with the Change Order.

12. **Insurance:** MGT shall furnish a certificate of insurance addressed to the City of Fayetteville, showing coverages for the following insurance which shall be maintained throughout the term of this agreement. Any work sublet to major subconsultants MGT shall require the subconsultant to provide the insurance identified. In case any employee engaged in work on the project under this contract is not protected under Worker's Compensation Insurance, MGT shall provide and shall cause each Subcontractor to provide adequate insurance for the protection of such of his employees as are not otherwise protected.

    a. MGT shall provide to the City certificates as evidence of the specified insurance presented in Appendix D within ten (10) calendar days of the date of this agreement and upon each renewal coverage.

    b. Subconsultants shall maintain reasonable insurance including but not limited to worker's compensation, auto as applicable, general liability, errors and omissions, etc.

13. **Professional Responsibility:** MGT will exercise reasonable skill, care, and diligence in the performance of services and will carry out its responsibilities in accordance with customarily accepted professional practices. CITY OF FAYETTEVILLE will promptly report to MGT any defects or suspected defects in services of which CITY OF FAYETTEVILLE becomes aware, so MGT can take measures to minimize the consequences of such a defect. CITY OF FAYETTEVILLE retains all remedies to recover for its damages caused by any negligence of MGT.

    a. MGT will perform its duties, responsibilities and obligations with the care, skill, prudence and diligence that a prudent cost allocation & users fee study consultant acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims under the circumstances prevailing.

    b. **Conflict of Interest:** MGT's engagement under this Agreement will not prevent it from taking similar engagements with other clients. MGT will, nevertheless, exercise care and diligence to prevent any actions or conditions which could result in a conflict of interest.

    c. **Subcontractors:** MGT may cause another person or entity, as a subcontractor of MGT, to provide some of the services required to be performed by MGT hereunder; provided that MGT shall remain responsible for all acts and omissions of any such subcontractors, each of which shall be bound by MGT's obligations under this Agreement. MGT shall seek prior written approval from the City for any subcontractors providing substantive consulting, processional or managerial services. Prior written approval shall not be required for clerical, office, secretarial, IT back-up, administrative or similar support services.

14. Responsibility of the City of Fayetteville

a. CITY OF FAYETTEVILLE shall, within a reasonable time, so as not to delay the services of MGT:

i. Provide full information as to the requirements for the Project.

ii. Assist MGT by placing at MGT's disposal all available information pertinent to the assignment including previous reports and any other data relative thereto.

iii. Assist MGT in obtaining access to property reasonably necessary for MGT to perform its services under this Agreement.

iv. Examine all studies, reports, sketches, cost opinions, proposals, and other documents presented by MGT and render in writing decisions pertaining thereto.

v. Review all documents and provide written comments to MGT in a timely manner.

vi. The City of Fayetteville's Chief Financial Officer or his/her designee is the project representative with respect to the services to be performed under this Agreement. The City CFO or designee shall have complete authority to transmit instructions, receive information, interpret and define policies and decisions with respect to materials, equipment, elements and systems to be used in the Project, and other matters pertinent to the services covered by this Agreement.

15. Debarment Certification: MGT hereby provides debarment/suspension certification indicating compliance with the below Federal Executive Order. Federal Executive Order (E.O.) 12549 "Debarment and Suspension" requires that all contractors receiving individual awards, using federal funds, and all sub-recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government. MGT hereby attests its principal is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

16. Termination:

a. This Agreement may be terminated in whole or in part in writing by either party in the event of substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party, provided that no termination may be effected unless the other party is given:

i. Not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate,

ii. An opportunity for consultation with the terminating party prior to termination.

b. This Agreement may be terminated in whole or in part in writing by CITY OF FAYETTEVILLE for its convenience, provided that MGT is given:

i. Not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate,

ii. An opportunity for consultation with the terminating party prior to termination.

c. If termination for default is affected by CITY OF FAYETTEVILLE, an equitable adjustment in the price provided for in this Agreement shall be made, but

i. No amount shall be allowed for anticipated profit on unperformed services or other work,

ii. Any payment due to MGT at the time of termination may be adjusted to cover any additional costs to CITY OF FAYETTEVILLE because of MGT's default.

d. If termination for default is affected by MGT, or if termination for convenience is affected by CITY OF FAYETTEVILLE, the equitable adjustment shall include a reasonable profit for services or other work performed. The equitable adjustment for any termination shall provide for payment to MGT for services rendered and expenses incurred prior to the termination, in addition to termination settlement costs reasonably incurred by MGT relating to commitments which had become firm prior to the termination.

e. Upon receipt of a termination action, MGT shall:

i. Promptly discontinue all affected work (unless the notice directs otherwise),

ii. Deliver or otherwise make available to CITY OF FAYETTEVILLE all data, drawings, specifications, reports, estimates, summaries and such other information and materials as may have been accumulated by MGT in performing this Agreement, whether completed or in process.

f. Upon termination under sections above CITY OF FAYETTEVILLE may take over the work and may award another party an agreement to complete the work under this Agreement.

g. If, after termination for failure of MGT to fulfill contractual obligations, it is determined that MGT had not failed to fulfill contractual obligations, the termination shall be deemed to have been for the convenience of CITY OF FAYETTEVILLE. In such event, adjustments of the agreement price shall be made as provided in this agreement.

17. Delays

a. In the event the services of MGT are suspended or delayed by CITY OF FAYETTEVILLE or by other events beyond MGT's reasonable control, MGT shall be entitled to additional compensation and time for reasonable documented costs actually incurred by MGT in temporarily closing down or delaying the Project.

b. In the event the services are suspended or delayed by MGT, City shall be entitled to compensation for its reasonable costs incurred in temporarily closing down or delaying the project. The City does not agree to waive its right to claim (in addition to direct damages) special, indirect, or consequential damages, whether such liability arises in breach of contract or warranty, tort (including negligence), strict or statutory liability, or any other cause of action.

18. Rights and Benefits

a. MGT's services shall be performed solely for the benefit of CITY OF FAYETTEVILLE and not for the benefit of any other persons or entities.

19. Dispute Resolution

a. Scope of Paragraph: The procedures of this Paragraph shall apply to any and all disputes between CITY OF FAYETTEVILLE and MGT which arise from, or in any way are related to, this Agreement, including, but not limited to the interpretation of this Agreement, the enforcement of its terms, any acts, errors, or omissions of CITY OF FAYETTEVILLE or MGT in the performance of this Agreement, and disputes concerning payment.

b. Exhaustion of Remedies Required: No action may be filed unless the parties first negotiate. If timely Notice is given as described in this agreement, but an action is initiated prior to exhaustion of these procedures, such action shall be stayed, upon application by either party to a court of proper jurisdiction, until the procedures in this agreement have been complied with.

c. Notice of Dispute

i. For disputes arising prior to the making of final payment promptly after the occurrence of any incident, action, or failure to act upon which a claim is based, the party seeking relief shall serve the other party with a written Notice.

ii. For disputes arising within one year after the making of final payment, CITY OF FAYETTEVILLE shall give MGT written Notice at the address listed in this agreement within thirty (30) calendar days after occurrence of any incident, accident, or first observance of defect or damage. In both instances, the Notice shall specify the nature and amount of relief sought, the reason relief should be granted, and the appropriate portions of this Agreement that authorize the relief requested.

iii. Negotiation: Within seven (7) calendar days of receipt of the Notice, the Project Managers for CITY OF FAYETTEVILLE and MGT shall confer in an effort to resolve the dispute. If the dispute cannot be resolved at that level, then, upon written request of either side, the matter shall be referred to the President of MGT and the Mayor of CITY OF FAYETTEVILLE or his designee. These officers shall meet at the Project Site or such other location as is agreed upon within 30 calendar days of the written request to resolve the dispute.

20. Sufficient Funds: The CITY represents it has sufficient funds or the means of obtaining funds to remit payment to MGT for services rendered by MGT.

21. Publications:

a. Recognizing the importance of professional development on the part of MGT's employees and the importance of MGT's public relations MGT may prepare publications, such as technical papers, articles for periodicals, promotional materials, and press releases, in electronic or other format, pertaining to MGT's services for the Project. Such publications will be provided to CITY OF FAYETTEVILLE in draft form for CITY OF FAYETTEVILLE's advance review. CITY OF FAYETTEVILLE shall review such drafts promptly and provide CITY OF FAYETTEVILLE's comments to MGT, CITY OF FAYETTEVILLE may require deletion of proprietary data or confidential information from such publications, but otherwise CITY OF FAYETTEVILLE will not unreasonably withhold approval. Approved materials may be used in a variety of situations and do not require additional review or approval for each use. The cost of MGT's activities pertaining to any such publication shall be for MGT's account.

22. Indemnification:

a. MGT shall indemnify, hold harmless and, not excluding the City's right to participate, defend the City and any of its officers, or employees from and against all liabilities, claims, actions, damages, losses and expenses, including without limitation reasonable attorneys' fees and costs, arising out of or resulting in any way from the performance of professional services for the City in MGT's capacity as a consultant, and caused by any willful or negligent error, omission, or act MGT or any person employed by it or anyone for whose acts MGT is legally liable.

23. Additional Responsibilities of MGT:

a. Review, approval, or acceptance of design drawings, specifications, reports and other services furnished hereunder by CITY shall not in any way relieve MGT of responsibility for the technical adequacy of the work. Review, approval or acceptance of, or payment for any of the services by CITY shall not be construed as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

b. MGT shall be and shall remain liable, in accordance with applicable law, for all damages to CITY OF FAYETTEVILLE caused by MGT's negligent performance, except beyond the MGT normal standard of care, of any of the services furnished under this Agreement, and except for errors, omissions or other deficiencies to the extent attributable to CITY OF FAYETTEVILLE or CITY OF FAYETTEVILLE-furnished data.

c. MGT's obligations under this clause are in addition to MGT's other express or implied assurances under this Agreement or State law and in no way diminish any other rights that CITY OF FAYETTEVILLE may have against MGT for faulty materials, equipment, or work.

24. Audit and Access to Records:

a. MGT shall maintain books, records, documents and other evidence directly pertinent to performance on work under this Agreement in accordance with generally accepted accounting principles and practices consistently applied in effect on the date of execution of this Agreement.

b. MGT shall also maintain the financial information and data used by MGT in the preparation of support of the cost submission required for any negotiated agreement or change order and send to CITY OF FAYETTEVILLE a copy of the cost summary submitted. CITY OF FAYETTEVILLE, or any of their authorized representatives shall have access to all such books, records, documents and other evidence for the purpose of inspection, audit and copying during normal business hours. MGT will provide proper facilities for such access and inspection.

c. Records shall be maintained and made available during performance on assisted work under this Agreement and until three years from the date of final payment for the project. In addition, those records which relate to any controversy arising out of such performance, or to costs or items to which an audit exception has been taken, shall be maintained and made available until three years after the date of resolution of such appeal, litigation, claim or exception.

d. This right of access clause (with respect to financial records) applies to:

    i. Negotiated prime agreements:

    ii. Negotiated change orders or agreement amendments affecting the price of any formally advertised, competitively awarded, fixed price agreement:

    iii. Agreements or purchase orders under any agreement other than a formally advertised, competitively awarded, fixed price agreement. However, this right of access does not apply to a prime agreement, lower tier sub agreement or purchase order awarded after effective price competition, except:

        1. With respect to record pertaining directly to sub agreement performance, excluding any financial records of MGT;

        2. If there is any indication that fraud, gross abuse or corrupt practices may be involved;

3. If the sub agreement is terminated for default or for convenience.

25. Gratuities:

a. If CITY OF FAYETTEVILLE finds after a notice and hearing that MGT or any of MGT's agents or representatives, offered or gave gratuities (in the form of entertainment, gifts or otherwise) to any official, employee or agent of CITY OF FAYETTEVILLE, or related third party contractor associated with this project, in an attempt to secure an agreement or favorable treatment in awarding, amending or making any determinations related to the performance of this Agreement, CITY OF FAYETTEVILLE may, by written notice to MGT terminate this Agreement. CITY OF FAYETTEVILLE may also pursue other rights and remedies that the law or this Agreement provides. However, the existence of the facts on which CITY OF FAYETTEVILLE bases such finding shall be in issue and may be reviewed in proceedings under the Remedies clause of this Agreement.

b. The CITY may pursue the same remedies against MGT as it could pursue in the event of a breach of the Agreement by MGT. As a penalty, in addition to any other damages to which it may be entitled by law, CITY OF FAYETTEVILLE may pursue exemplary damages in an amount, as determined by CITY, which shall be not less than three nor more than ten times the costs MGT incurs in providing any such gratuities to any such officer or employee.

26. Clarification and Understanding of all parties:

a. MGT shall not assign its duties under the terms of this agreement without prior written consent of the City. Subconsultants identified in MGT's response shall be permitted as being referenced herein.

27. Equal Employment Opportunity: The parties hereby incorporate by reference the Equal Employment Opportunity Clause required under 41 C.F.R. § 60-1.4, 41 C.F.R. § 60-300.5(a), and 41 C.F.R. § 60-741.5(a), if applicable.

a. MGT shall abide by the requirements of 41 CFR §§ 60-1.4(a), 60- 300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity, or national origin. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, protected veteran status or disability.

b. MGT and subconsultants certify that they do not maintain segregated facilities or permit their employees to perform services at locations where segregated facilities are maintained, as required by 41 CFR 60-1.8.

28. Pursuant to Arkansas Code Annotated §22-9-203 The City of Fayetteville encourages all qualified small, minority and women business enterprises to bid on and receive contracts for goods, services, and construction. Also, City of Fayetteville encourages all general contractors to subcontract portions of their contract to qualified small, minority and women business enterprises.

IN WITNESS WHEREOF, **CITY OF FAYETTEVILLE, ARKANSAS** by and through its Mayor, and **MGT OF AMERICA CONSULTING, LLC,** by its authorized officer have made and executed this Agreement as of the day and year first above written.

CITY OF FAYETTEVILLE, ARKANSAS	MGT OF AMERICA CONSUILTING, LLC
By:_____	By: Patrick Dyer
LIONELD JORDAN, MAYOR	PATRICK J. DYER, VICE PRESIDENT
ATTEST:	
By:_____	
Kara Paxton, City Clerk	
Date Signed: _____	Date Signed: January 24, 2023

CONTRACT FOR PROFESSIONAL SERVICES
RFP 22-06, COST ALLOCATION & USER FEE STUDY
APPENDIX A
Scope of Work & Fees

1. INTRODUCTION:

The City of Fayetteville engages MGT as the professional consultant to provide consulting services to first conduct a costs allocation plan among City funds and second, a user fee study for services provided to external customers for building, planning and development services including allocated costscost allocation & user fee study consulting services described within this Appendix.

2. SCOPE OF WORK:

a. *PHASE 1: COST ALLOCATION PLAN*: The purpose of this phase is to ensure that the City of Fayetteville City has a basis of calculating comprehensive overhead rates and by departments identified in the scope. Furthermore, best practices, make it necessary for the City to maintain a well-documented cost allocation plan that will help to appropriately allocate general or specific internal costs incorporated in the City's budget.

Phase I shall include reviewing the City's current cost allocation plan for appropriateness and shall include MGT recommendations to improve or update the cost allocation methodology, bases, and procedures. The plan shall be compliant with OMB Circular A-87 and any other OMB circulars which may be applicable. Phase I tasks shall include, but are not limited to, the following:

i. MGT shall work with selected City staff to refine the project scope, purpose, uses and goals of the City's current cost allocation plan to ensure the plan is both accurate and appropriate to meet the City's needs.
ii. Collaborate with key staff as needed to develop and document an understanding of the City's practices and operations, including services being provided to/for enterprise funds and governmental funds.
iii. Advise on potential costs not currently subject to allocation that may be eligible for allocation.
iv. Develop a fair and equitable allocation method for costs for current services performed. MGT shall include a detailed explanation of the methodology and data sources for each schedule.
v. MGT shall work with designated City staff to design templates to more accurately capture data inputs and provide understanding of allocation process. MGT shall prepare documentation of the data collection processes and assumptions, and an assessment of the data strengths and weaknesses, so the resulting plan can be updated by the City on an annual basis.
vi. MGT shall Report on other matters which may get discovered during the evaluation that, according to experience and industry best practices, should be considered or evaluated by the City in these studies.
vii. Present the plan to the City's management group and make necessary adjustments as requested.
i. Provide the City with an electronic copy of the final comprehensive review, including related schedules and cost documentation in a format that can be edited and updated by City staff to accommodate changes in the organization or changes in cost.
i. Prepare a final report and provide five bound copies, and a single Microsoft Excel and PDF file of the Full Cost Recovery Plan that can be made available to City staff. Models, tables and graphs should be provided in Microsoft Excel. Any Cost Allocation Model revisions developed shall also be made available to the City in Microsoft Excel and PDF formats, providing the ability to add, delete and/or update information as needed.

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i. Provide a computer-based model in Microsoft Excel for adjusting these fees and charges for the City's current and future needs and provide the City with an electronic copy of the final comprehensive study, including related schedules and cost documentation in a format that can be edited and updated by City staff to accommodate changes in the organization or changes in costs.

b. *PHASE 2: USER FEE STUDY*: The second purpose of this project is to also ensure the City of Fayetteville utilizes a fee structure which takes into consideration the full cost of providing various development related services within City operations and to establish and assess appropriate fees and rates allowing the City to take allocated costs into consideration to recover fees for related services. MGT shall commit contractually to provide the specified services in accordance with the City's requirements.

Phase II shall involve a study of current services and their associated costs for selected City departments. These departments and associated services (revenue sources) are detailed in the City's RFP. The detailed work program shall include, and is not limited to, the following:

i. Schedule of planning and building fees and charges, as identified in the City's RFP. Current fees and charges shall be identified and documented. A survey of the Development Services, Planning, and Engineering departments shall be conducted to determine what services are revenue producers, what fees are charged and the current true cost of providing those services, specifically related to fees and charges.
ii. MGT shall compare total service costs with existing fee structure. This shall include any service areas where they City is currently charging for services.
iii. Recommend appropriate fees and charges based on the analysis together with the appropriate subsidy percentage for those fees where full cost recovery may be unrealistic.
iv. Prepare a report that identifies each service, its full cost, recommended and current costs fee levels. The report shall also identify the direct cost, the indirect cost, and the overhead cost for each service; and provide a model for adjusting these fees and rates for the City's current and future needs.
v. Identify new fees for possible implementation. Determine services which could produce revenue, and cost each at a level which is measurable in specific units of service.
vi. Provide training for City staff in the use of the cost recovery system and provide program technical support for one year following acceptance of the final product.
vii. Identify a mechanism or draft a model ordinance for staff to pursue regular systemwide or targeted fee schedule adjustments based on regional standards, such as CPI.
viii. Prepare final report to the City, relative to the full scope of work identified. The results of the study shall be documented in a written report to the city. The report shall project current revenues compared to increased revenue as determined by the study.
ix. Presentation of data. MGT shall be available to present findings to the City Council and the public at a regularly scheduled Council meeting. This item shall have a separate cost clearly identified in the proposal response. City reserves the right to increase or decrease the contract amount due to the number of public presentations required.
    1. Presentation cost shall be provided with both virtual (Zoom) and in-person attendance options.
x. MGT's report and presentation to City Council shall include a provision for three sample adoption options for consideration, an adoption schedule and plan, and specific implementation assistance to City staff.
xi. The calculation of user fees is a prerequisite to adoption; but, does not guarantee adoption. MGT shall identify a process that increases the ability and feasibility for the City Council to comprehend, support, and adopt the resultant user fees.

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xii. MGT shall detail the cost of the study and expected payment schedule. Progress payments shall match project outputs during the engagement.

3. PRICING:
   a. MGT shall perform the services included in this proposal for a fixed fee of $48,312.50. This budget will provide the City with 210.5 consulting hours, which will provide the City with ample time and resources to produce a cost allocation plan as described in the scope of services.
      i. Estimated expenses are shown for anticipated travel, copying, and other costs related to the scope of work in the amount of *$3,270.* Only actual expenses will be charged.
      ii. Additional services requested that fall outside the scope of this project shall be provided based on a mutually agreed schedule and price.
   b. MGT shall strive to make decisions based on what is best for the City. As such, the MGT compensation is structured as a consulting fee. In addition, the City of Fayetteville Arkansas will be provided with many value-added services as part of MGT's service package.

4. PROJECT STRUCTURE:
   a. The City will designate a City Project Officer for this project. City Project Officer shall function as the primary point of contact for the project, and coordinate and facilitate the flow of information and communication between the county departments and MGT.
   b. The City Project Officer will ensure that comments on draft documents are consolidated into a single document and any conflicting comments are reconciled before delivering the comments to MGT.
   c. MGT shall provide two draft reports as part of the not to exceed fee. Additional reports shall be negotiated and agreed upon by both parties via formal executed change order.
   d. MGT shall have access to and cooperation and participation by staff and management. The City shall grant MGT reasonable, timely access to City personnel and data.
   e. Onsite meeting facilities shall be arranged for and used at the expense of the City. The City will provide all requested documents at its own expense.
   f. All costs and other data provided by the City will be considered accurate and valid. MGT will not be responsible for the audit and/or verification of any cost or other data provided by the City.

5. TIMEFRAME & PROPOSED SCHEDULE:
   a. The City andticipates a notice to proceed to MGT within ten (10) business days of contract award by the City Council.
   b. A draft copy of the User Fee Study shall be completed within ninety (90) calendar days from the start date. The final study shall be completed within one hundred twenty (120) calendar days from the start date. MGT and the City hereby agree to the following anticipated project timeline:
      i. Coordinate with MGT for timeline and confirm draft/final days are in accordaince with 90/120

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City of Fayetteville, Arkansas
Purchasing Division – Room 306
113 W. Mountain
Fayetteville, AR 72701
Phone: 479.575.8256
TDD (Telecommunication Device for the Deaf): 479.521.1316

RFP (REQUEST FOR PROPOSAL)

Request for Proposal: RFP 22-06, Cost Allocation & User Fee Study
DEADLINE: Tuesday, August 23, 2022 before 2:00 PM, local time
Pre-Proposal Conference: Tuesday, August 2, 2022 at 2:00 PM, local time, via Zoom
PURCHASING MANAGER: Andrea Foren, aforen@fayetteville-ar.gov
DATE OF ISSUE AND ADVERTISEMENT: Sunday, July 31, 2022

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REQUEST FOR QUALIFICATIONS
RFP 22-06, Cost Allocation & User Fee Study

No late submittals will be accepted. Proposals shall be submitted in one of the following methods: (1) through the City's third-party electronic bidding platform, Ion Wave, or (2) delivering in person via sealed envelope to the City of Fayetteville Purchasing Division. Submitting through the City's electronic bidding platform is strongly encouraged. All proposals shall be submitted in accordance with the attached City of Fayetteville specifications and solicitation documents attached hereto. Each proposer is required to fill in every blank and shall supply all information requested; failure to do so may be used as basis of rejection. Any bid, proposal, or statements of qualification will be rejected that violates or conflicts with state, local, or federal laws, ordinances, or policies.

The undersigned hereby offers to furnish & deliver the articles or services as specified, at the prices & terms stated herein, and in strict accordance with the specifications and general conditions of submitting, all of which are made a part of this offer. This offer is not subject to withdrawal unless upon mutual written agreement by the Proposer/Bidder and City Purchasing Official.

Name of Firm: _____

Contact Person: _____ Title: _____

E-Mail: _____ Phone: _____

Business Address: _____

City: _____ State: _____ Zip: _____

Signature: _____ Date: _____

City of Fayetteville, AR
Request for Proposal
RFP 22-06, Cost Allocation & User Fee Study

The City of Fayetteville is seeking requests for proposal for a cost allocation & user fee study. Any questions concerning this solicitation process should be directed to Andrea Foren, City of Fayetteville Purchasing Manager, at aforen@fayetteville-ar.gov or by calling (479) 575-8256.

Solicitation documents and addenda shall be obtained at the City of Fayetteville Purchasing Division's electronic bidding platform at www.fayetteville-ar.gov/bids. All proposals shall be received by **Tuesday, August 23, 2022 before 2:00 PM, Local Time** utilizing the City's electronic bidding software. All proposals are due before the time stated. Submitting electronically is required No late proposals shall be accepted. The City of Fayetteville shall not be responsible for lost or misdirected proposals, or for failure of proposer's technical equipment.

A non-mandatory pre-proposal conference will be held **Tuesday, August 2, 2022 at 2:00 PM** virtually via Zoom. Information regarding the pre-proposal conference is available on the project page on the City's electronic bidding platform. All interested parties are encouraged to attend.

All interested parties shall be qualified to do business and licensed in accordance with all applicable laws of the state and local governments where the project is located.

Pursuant to Arkansas Code Annotated §22-9-203 The City of Fayetteville encourages all *qualified* small, minority and women business enterprises to bid on and receive contracts for goods, services, and construction. Also, City of Fayetteville encourages all general contractors to subcontract portions of their contract to *qualified* small, minority and women business enterprises.

The City of Fayetteville reserves the right to reject any or all proposals and to waive irregularities therein, and all parties agree that such rejection shall be without liability on the part of the City of Fayetteville for any damage or claim brought by any interested party because of such rejections, nor shall any interested party seek any recourse of any kind against the City of Fayetteville because of such rejections. The filing of any Statement in response to this invitation shall constitute an agreement of the interested party to these conditions.

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City of Fayetteville
By: Andrea Foren, City Purchasing Manager
P: 479.575.8256 Email: aforen@fayetteville-ar.gov
TDD (Telecommunications Device for the Deaf): (479) 521-1316
Date of advertisement: 07.31.22
This publication was paid for by the Purchasing Division of the City of Fayetteville, Arkansas. Amount paid: $XXX.XX.

1. SUBMISSION OF A PROPOSAL SHALL INCLUDE:
   Each proposal shall contain the following at a minimum. Proposer must also address detailed requirements as specified in the Scope of Work.

   a. A written narrative describing the method or manner in which the Proposer proposes to satisfy requirements of this RFP in the most cost-effective manner.

   b. A description of the Proposer's experience in providing the same or similar services as outlined in the RFP. This description should include the names of the person(s) who will provide the services, their qualifications, and the years of experience in performing this type of work. Also, include the reference information requested in this RFP.

   c. The complete fee and cost to the City for all services outlined in this RFP.

   d. Statement should be no more than twenty-five (25) pages; single sided, standard, readable, and print on standard 8.5x11 papers. Proposers shall also submit a three (3) page (maximum) executive summary. The following items will not count toward the page limitations: appendix, cover sheet, 3-page executive summary, resumes (resumes shall be no more than 1 page per person), and forms provided by the City for completion.

      a. Submitting and responding to this RFP: Proposals shall be prepared simply and economically, providing a straightforward, concise description of its ability to meet the requirements for the project. Fancy bindings, colored displays, and promotional material are not required. Emphasis should be on completeness and clarity of content. All documents physically submitted should be typewritten on standard 8 ½" x 11" white papers and bound in one volume. Exceptions would be schematics, exhibits, one-page resumes, and City required forms. Limit proposal to twenty- five (25) pages or less, excluding one-page team resumes, references, and forms required by the City for completion. All proposals shall be sealed upon delivery to the City of Fayetteville.

         i. Electronic Submittal (***required***): Proposers can go to www.fayetteville-ar.gov/bids and follow the prompts to submit a proposal within the electronic bidding platform. Physical submissions are not allowed for this solicitation. All Proposers must register in order to be able to submit. There is no fee for registration.

            (1) The use of Adobe PDF documents is strongly recommended. Files contained on a USB or electronic media shall not be restricted against saving or printing. Electronic copies shall not be submitted via e-mail to City employees and should only be uploaded by submission in the City's electronic bidding portal.

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e. Proposals will be reviewed following the stated deadline, as shown on the cover sheet of this document. Only the names of Proposers will be available after the deadline until a contract has been awarded by the Fayetteville City Council. All interested parties understand proposal documents will not be available until after a valid contract has been executed.

f. Proposers shall submit a proposal based on documentation published by the Fayetteville Purchasing Division.

g. Proposals submitted within the City of Fayetteville online bidding platform in the corresponding solicitation associated with submittal.

h. Proposals must follow the format of the RFP. Proposers should structure their responses to follow the sequence of the RFP.

i. Proposers shall have experience in work of the same or similar nature and must provide references that will satisfy the City of Fayetteville. Proposer shall furnish a reference list of clients for whom they have performed similar services and must provide information as requested in this document.

j. Proposer is advised that exceptions to any of the terms contained in this RFP or the attached service agreement must be identified in its response to the RFP. Failure to do so may lead the City to declare any such term non-negotiable. Proposer's desire to take exception to a non-negotiable term will not disqualify it from consideration for award.

k. Local time shall be defined as the time in Fayetteville, Arkansas on the due date of the deadline. Documents shall be received before the deadline time as shown in the City's electronic bidding platform.

2. WRITTEN REQUESTS FOR INTERPRETATIONS OR CLARIFICATION:

No oral interpretations will be made to any firms as to the meaning of specifications or any other contract documents. All questions pertaining to the terms and conditions or scope of work of this proposal must be sent in writing via e-mail to the Purchasing Department. Responses to questions may be handled as an addendum if the response would provide clarification to the requirements of the proposal. All such addenda shall become part of the contract documents. The City will not be responsible for any other explanation or interpretation of the proposed RFP made or given prior to the award of the contract.

3. DESCRIPTION OF SUPPLIES AND SERVICES:

Any manufacturer's names, trade name, brand name, catalog number, etc. used in specifications are for the purpose of describing and establishing general quality levels. Such references are NOT intended to be restrictive. Proposals shall be considered for all brands that meet the quality of the specifications listed for any items.

4. RIGHTS OF CITY OF FAYETTEVILLE IN REQUEST FOR QUALIFICATIONS PROCESS:

In addition to all other rights of the City of Fayetteville, under state law, the City specifically reserves the following:

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a. The City of Fayetteville reserves the right to rank firms and negotiate with the highest-ranking firm. Negotiation with an individual Proposer does not require negotiation with others.

b. The City reserves the right to select the proposal it believes will serve the best interest of the City.

c. The City of Fayetteville reserves the right to accept or reject any or all proposals.

d. The City of Fayetteville reserves the right to cancel the entire request for proposal.

e. The City of Fayetteville reserves the right to remedy or waive technical or immaterial errors in the request for proposal or in proposals submitted.

f. The City of Fayetteville reserves the right to request any necessary clarifications, additional information or proposal data without changing the terms of the proposal.

g. The City of Fayetteville reserves the right to make selection of the Proposer to perform the services required on the basis of the original proposals without negotiation.

h. The City reserves the right to ask for a best and final offer from one or more Proposers. The best and final offer process is not guaranteed; therefore, Proposers shall submit and respond to this RFP on the most favorable terms available.

5. EVALUATION CRITERIA:

The evaluation criterion defines the factors that will be used by the selection committee to evaluate and score responsive, responsible and qualified proposals. Proposers shall include sufficient information to allow the selection committee to thoroughly evaluate and score proposals. Each proposal submitted shall be evaluated and ranked by a selection committee. The contract will be awarded to the most qualified Proposer, per the evaluation criteria listed in this RFP. Proposers are not guaranteed to be ranked.

6. COSTS INCURRED BY PROPOSERS:

All expenses involved with the preparation and submission of proposals to the City, or any work performed in connection therewith, shall be borne solely by the Proposer(s). No payment will be made for any responses received, or for any other effort required of, or made by, the Proposer(s) prior to contract commencement.

7. ORAL PRESENTATION:

An oral presentation and/or interview may be requested of any firm, at the selection committee's discretion.

8. CONFLICT OF INTEREST:

a. The Proposer represents that it presently has no interest and shall acquire no interest, either direct or indirect, which would conflict in any manner with the performance or services required hereunder, as provided in City of Fayetteville Code Section 34.26 titled "Limited Authority of City Employee to Provide Services to the City".

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b. The Proposer shall promptly notify Amanda Beilfuss, City Purchasing Agent, in writing, of all potential conflicts of interest for any prospective business association, interest, or other circumstance which may influence or appear to influence the Proposer's judgment or quality of services being provided. Such written notification shall identify the prospective business association, interest or circumstance, the nature of which the Proposer may undertake and request an opinion to the City as to whether the association, interest or circumstance would, in the opinion of the City, constitute a conflict of interest if entered into by the Proposer. The City agrees to communicate with the Proposer its opinion via e-mail or first-class mail within thirty days of receipt of notification.

9. WITHDRAWAL OF PROPOSAL:

A proposal may be withdrawn prior to the time set for the proposal submittal based on a written request from an authorized representative of the firm; however, a proposal shall not be withdrawn after the time set for the proposal.

10. LATE PROPOSAL OR MODIFICATIONS:

a. Proposal and modifications received after the time set for the proposal submittal shall not be considered. Modifications in writing received prior to the deadline will be accepted. The City will not be responsible for misdirected responses. Proposers should call the Purchasing Division at (479) 575-8258 to ensure receipt of their submittal documents prior to opening time and date listed.

b. The time set for the deadline shall be local time for Fayetteville, AR on the date listed. All proposals shall be received by the Purchasing Division BEFORE the deadline stated. The official clock to determine local time shall be the atomic clock located in the Purchasing Division, Room 306 of City Hall, 113 W. Mountain, Fayetteville, AR.

11. LOCAL, STATE, AND FEDERAL COMPLIANCE REQUIREMENTS:

a. The laws of the State of Arkansas apply to any purchase made under this request for proposal. Proposers shall comply with all local, state, and federal directives, orders and laws as applicable to this proposal and subsequent contract(s) including but not limited to Equal Employment Opportunity (EEO), Disadvantaged Business Enterprises (DBE), & OSHA as applicable to this contract.

b. Pursuant to Arkansas Code Annotated §22-9-203 The City of Fayetteville encourages all *qualified* small, minority and women business enterprises to bid on and receive contracts for goods, services, and construction. Also, City of Fayetteville encourages all general contractors to subcontract portions of their contract to *qualified* small, minority and women business enterprises.

12. PROVISION FOR OTHER AGENCIES:

Unless otherwise stipulated by the Proposer, the Proposer agrees to make available to all Government agencies, departments, municipalities, and counties, the proposal prices submitted in accordance with said proposal terms and conditions therein, should any said governmental entity desire to buy under this proposal. Eligible users shall mean all state of Arkansas agencies, the legislative and judicial branches, political

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subdivisions (counties, local district school boards, community colleges, municipalities, counties, or other public agencies or authorities), which may desire to purchase under the terms and conditions of the contract.

13. COLLUSION:

The Proposer, by affixing his or her signature to this proposal, agrees to the following: "Proposer certifies that his proposal is made without previous understanding, agreement, or connection with any person, firm or corporation making a proposal for the same item(s) and/or services and is in all respects fair, without outside control, collusion, fraud, or otherwise illegal action."

14. RIGHT TO AUDIT, FOIA, AND JURISDICITON:

a. The City of Fayetteville reserves the privilege of auditing a Contractor's records as such records relate to purchases between the City and said Contractor.

b. Freedom of Information Act: City contracts and documents prepared while performing City contractual work are subject to the Arkansas Freedom of Information Act. If a Freedom of Information Act request is presented to the City of Fayetteville, the (contractor) will do everything possible to provide the documents in a prompt and timely manner as prescribed in the Arkansas Freedom of Information Act (A.C.A. §25-19-101 et. seq.). Only legally authorized photocopying costs pursuant to the FOIA may be assessed for this compliance.

c. Legal jurisdiction to resolve any disputes shall be Arkansas with Arkansas law applying to the case.

15. CITY INDEMNIFICATION:

The successful Proposer(s) agrees to indemnify the City and hold it harmless from and against all claims, liability, loss, damage or expense, including but not limited to counsel fees, arising from or by reason of any actual or claimed trademark, patent or copyright infringement or litigation based thereon, with respect to the services or any part thereof covered by this order, and such obligation shall survive acceptance of the services and payment thereof by the City.

16. VARIANCE FROM STANDARD TERMS & CONDITIONS:

All standard terms and conditions stated in this request for proposal apply to this contract except as specifically stated in the subsequent sections of this document, which take precedence, and should be fully understood by Proposers prior to submitting a proposal on this requirement.

17. ADA REQUIREMENT FOR PUBLIC NOTICES & TRANSLATION:

Persons with disabilities requiring reasonable accommodation to participate in this proceeding/event, should call 479.521.1316 (telecommunications device for the deaf), not later than seven days prior to the deadline. Persons needing translation of this document shall contact the City of Fayetteville, Purchasing Division, immediately.

18. CERTIFICATE OF INSURANCE:

The successful Proposer shall provide a Certificate of Insurance in accordance with specifications listed in this request for proposal, prior to commencement of any work. Such certificate shall list the City of Fayetteville as an additional insured. Insurance shall remain valid throughout project completion.

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19. PAYMENTS AND INVOICING:

The Proposer must specify in their proposal the exact company name and address which must be the same as invoices submitted for payment as a result of award of this RFP. Further, the successful Proposer is responsible for immediately notifying the Purchasing Division of any company name change, which would cause invoicing to change from the name used at the time of the original RFP. Payment will be made within thirty days of invoice received. The City of Fayetteville is very credit worthy and will not pay any interest or penalty for untimely payments. **Payments can be processed through Proposer's acceptance of Visa at no additional costs to the City for expedited payment processing.** The City will not agree to allow any increase in hourly rates by the contract without PRIOR Fayetteville City Council approval.

20. CANCELLATION:

a. The City reserves the right to cancel this contract without cause by giving thirty (30) days prior notice to the Contractor in writing of the intention to cancel or with cause if at any time the Contractor fails to fulfill or abide by any of the terms or conditions specified.

b. Failure of the contractor to comply with any of the provisions of the contract shall be considered a material breach of contract and shall be cause for immediate termination of the contract at the discretion of the City of Fayetteville.

c. In addition to all other legal remedies available to the City of Fayetteville, the City reserves the right to cancel and obtain from another source, any items and/or services which have not been delivered within the period of time from the date of order as determined by the City of Fayetteville.

d. In the event sufficient budgeted funds are not available for a new fiscal period, the City shall notify the Contractor of such occurrence and contract shall terminate of the last day of the current fiscal period without penalty or expense to the City.

21. ASSIGNMENT, SUBCONTRACTING, CORPORATE ACQUISITIONS AND/OR MERGERS:

a. The Contractor shall perform this contract. No assignment of subcontracting shall be allowed without prior written consent of the City. If a Proposer intends to subcontract a portion of this work, the Proposer shall disclose such intent in the proposal submitted as a result of this RFP.

b. In the event of a corporate acquisition and/or merger, the Contractor shall provide written notice to the City within thirty (30) calendar days of Contractor's notice of such action or upon the occurrence of said action, whichever occurs first. The right to terminate this contract, which shall not be unreasonably exercised by the City, shall include, but not be limited to, instances in which a corporate acquisition and/or merger represent a conflict of interest or are contrary to any local, state, or federal laws. Action by the City awarding a proposal to a firm that has disclosed its intent to assign or subcontract in its response to the RFP, without exception shall constitute approval for purpose of this agreement.

22. NON-EXCLUSIVE CONTRACT:

Award of this RFP shall impose no obligation on the City to utilize the Contractor for all work of this type, which may develop during the contract period. This is not an exclusive contract. The City specifically reserves

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the right to concurrently contract with other companies for similar work if it deems such an action to be in the City's best interest. In the case of multiple-phase contracts, this provision shall apply separately to each item.

23. LOBBYING:

Lobbying of selection committee members, City of Fayetteville employees, or elected officials regarding request for proposals, request for qualifications, bids or contracts, during the pendency of bid protest, by the bidder/proposer/protestor or any member of the bidder's/proposer's/protestor's staff, and agent of the bidder/proposer/protestor, or any person employed by any legal entity affiliated with or representing an organization that is responding to the request for proposal, request for qualification, bid or contract, or has a pending bid protest is strictly prohibited either upon advertisement or on a date established by the City of Fayetteville and shall be prohibited until either an award is final or the protest is finally resolved by the City of Fayetteville; provided, however, nothing herein shall prohibit a prospective/bidder/proposer from contacting the Purchasing Division to address situations such as clarification and/or questions related to the procurement process. For purposes of this provision lobbying activities shall include but not be limited to, influencing or attempting to influence action or non-action in connection with any request for proposal, request for qualification, bid or contract through direct or indirect oral or written communication or an attempt to obtain goodwill of persons and/or entities specified in this provision. Such actions may cause any request for proposal, request for qualification, bid or contract to be rejected.

24. ADDITIONAL REQUIREMENTS:

The City reserves the right to request additional services relating to this RFP from the Proposer. When approved by the City as an amendment to the contract and authorized in writing prior to work, the Contractor shall provide such additional requirements as may become necessary.

25. SERVICES AGREEMENT:

A written agreement, in substantially the form attached, incorporating the RFP and the successful proposal will be prepared by the City, signed by the successful Proposer and presented to the City of Fayetteville for approval and signature of the Mayor.

26. INTEGRITY OF REQUEST FOR PROPOSAL (RFP) DOCUMENTS:

Proposers shall use the original RFP form(s) provided by the Purchasing Division and enter information only in the spaces where a response is requested. Proposers may use an attachment as an addendum to the RFP form(s) if sufficient space is not available on the original form for the Proposer to enter a complete response. **Any modifications or alterations to the original RFP documents by the Proposer, whether intentional or otherwise, will constitute grounds for rejection of such RFP response.** Any such modifications or alterations a Proposer wishes to propose shall be clearly stated in the Proposer's RFP response and presented in the form of an addendum to the original RFP documents.

27. CONTRACT FORMATION:

If the negotiation produces mutual agreement, the draft contract shall be constructed and forwarded to the Fayetteville City Council for final approval. If negotiations with the highest-ranking Proposer fail, negotiations

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shall be initiated with the next highest-ranking Proposer until an agreement is reached. The City reserves the right to reject all offers and end the process without executing a contract.

28. INSURANCE:

Proposer shall provide and maintain insurance throughout the contract, which shall be inclusive of standard insurance within the respective industry. Listing of existing insurance coverages should be included with RFP response.

29. OTHER GENERAL CONDITIONS:

a. Proposers must provide the City with their proposals signed by an employee having legal authority to submit proposals on behalf of the Proposer. The entire cost of preparing and providing responses shall be borne by the Proposer.

b. The City reserves the right to request any additional information it deems necessary from any or all Proposers after the submission deadline.

c. This solicitation is not to be construed as an offer, a contract, or a commitment of any kind; nor does it commit the city to pay for any costs incurred by Proposer in preparation. It shall be clearly understood that any costs incurred by the Proposer in responding to this request for proposal is at the Proposer's own risk and expense as a cost of doing business. The City of Fayetteville shall not be liable for reimbursement to the Proposer for any expense so incurred, regardless of whether or not the proposal is accepted.

d. If products, components, or services other than those described in this bid document are proposed, the Proposer must include complete descriptive literature for each. All requests for additional information must be received within five working days following the request.

e. **Any uncertainties shall be brought to the attention to Andrea Foren immediately via telephone (479.575.8289) or e-mail (aforen@fayetteville-ar.gov). It is the intent and goal of the City of Fayetteville Purchasing Division to provide documents providing a clear and accurate understanding of the scope of work to be completed and/or goods to be provided. We encourage all interested parties to ask questions to enable all Proposers to be on equal terms.**

f. Any inquiries or requests for explanation in regard to the City's requirements should be made promptly to Andrea Foren, City of Fayetteville, Purchasing Manager via e-mail (aforen@fayetteville-ar.gov) or telephone (479.575.8256). No oral interpretation or clarifications will be given as to the meaning of any part of this request for qualifications. All questions, clarifications, and requests, together with answers, if any, will be provided to all firms via written addendum. Names of firms submitting any questions, clarifications, or requests will not be disclosed until after a contract is in place.

g. At the discretion of the City, one or more firms may be asked for more detailed information before final ranking of the firms, which may also include oral interviews.

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h. Any information provided herein is intended to assist the Proposer in the preparation of proposals necessary to properly respond to this RFP. The RFP is designed to provide qualified Proposers with sufficient basic information to submit proposals meeting minimum specifications and/or test requirements but is not intended to limit a RFP's content or to exclude any relevant or essential data.

i. Proposers irrevocably consent that any legal action or proceeding against it under, arising out of or in any manner relating to this Contract shall be controlled by Arkansas law. Proposer hereby expressly and irrevocably waives any claim or defense in any said action or proceeding based on any alleged lack of jurisdiction or improper venue or any similar basis.

j. The successful Proposer shall not assign the whole or any part of this Contract or any monies due or to become due hereunder without written consent of City of Fayetteville. In case the successful Proposer assigns all or any part of any monies due or to become due under this Contract, the Instrument of assignment shall contain a clause substantially to the effect that is agreed that the right of the assignee in and to any monies due or to become due to the successful Proposer shall be subject to prior liens of all persons, firms, and corporations for services rendered or materials supplied for the performance of the services called for in this contract.

k. The successful Proposer's attention is directed to the fact that all applicable Federal and State laws, municipal ordinances, and the rules and regulations of all authorities having jurisdiction over the services shall apply to the contract throughout, and they will be deemed to be included in the contract as though written out in full herein. The successful Proposer shall keep himself/herself fully informed of all laws, ordinances and regulations of the Federal, State, and municipal governments or authorities in any manner affecting those engaged or employed in providing these services or in any way affecting the conduct of the services and of all orders and decrees of bodies or tribunals having any jurisdiction or authority over same. If any discrepancy or inconsistency should be discovered in these Contract Documents or in the specifications herein referred to, in relation to any such law, ordinance, regulation, order or decree, s/he shall herewith report the same in writing to the City of Fayetteville.

30. APPENDICES:

a. **Appendix A:** Previous Comprehensive User Fee Study
b. **Appendix B:** Current Services by Department
c. **Appendix C:** Current City Organizational Chart

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1. PURPOSE & OVERVIEW: The City of Fayetteville, Arkansas (hereinafter referred to as the "City") requests proposals for consulting services to first conduct a costs allocation plan among City funds and second, a user fee study for services provided to external customers for building, planning and development services including allocated costs.

   PHASE 1: COST ALLOCATION PLAN

   The purpose of this project is to ensure that the City of Fayetteville City has a basis of calculating comprehensive overhead rates and by departments identified in the scope. Furthermore, best practices, make it necessary for the City to maintain a well-documented cost allocation plan that will help to appropriately allocate general or specific internal costs incorporated in the City's budget.

   PHASE 2: USER FEE STUDY

   The second purpose of this project is to also ensure the City of Fayetteville utilizes a fee structure which takes into consideration the full cost of providing various development related services within City operations and to establish and assess appropriate fees and rates allowing the City to take allocated costs into consideration to recover fees for related services.

   Awarded firm shall commit contractually to provide the specified services in accordance with the City's requirements.

   Both the proposals received in response to this RFP and the performance of the firm awarded a contract through this RFP shall be evaluated based on performance outcomes (results) as opposed to specified inputs or outputs. When evaluating a proposer's proposed approach to achieving the required performance outcome, the City shall consider the relative feasibility to the City of the proposed method of achieving the result, and the relative degree of risk, if any, the proposed method poses to the City.

2. INTRODUCTION AND BACKGROUND:
   The City of Fayetteville (City) is a City with Mayor-Council form of government. The City has approximately 750 employees who deliver high quality municipal services to approximately 95,000 residents. The City specifically and Northwest Arkansas in general has become one of the fastest growing regions in the country, due in large part to a growing job base coupled with a beautiful natural environment and enviable quality of life. Housing development permits per 10,000 residents would place our region third in the nation for activity.

   The City's 2022 fiscal year appropriations for its General Fund is approximately $56,085,000 with a total operating budget of $190,846,000. The last comprehensive cost allocation plan and user fee study was performed in 2004.

3. SCOPE OF WORK: The City is seeking a highly qualified and experienced firm to assist in a two-phase comprehensive study, phase one consisting of a cost allocation plan followed by a second phase user fee

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study. City Departments and fees included in this scope of work are identified in **Appendix B – Current Services by Department**. The City is seeking to engage the services of a qualified professional firm to prepare both phases and the full scope of work.

The City reserves the right to negotiate with the successful proposer to add additional scope of work to expand the study and work performed under a contract resulting from this RFP.

The City also reserves the right to negotiate with the awarded Proposer for a second cost allocation plan, user fee study, or re-evaluation of the resulting cost allocation plan and user fee study within a three (3) year period after the scope of work for this resulting contract is complete.

a. **PHASE I – COST ALLOCATION PLAN**

Phase I involves reviewing the City's current cost allocation plan for appropriateness and making recommendations to improve or update the cost allocation methodology, bases, and procedures. The plan should be compliant with OMB Circular A-87 and any other OMB circulars which may be applicable. If the Proposer feels additional tasks are warranted, they shall be clearly identified in the RFP response. Phase I tasks shall include, but are not limited to, the following:

i. Work with selected City staff to refine the project scope, purpose, uses and goals of the City's current cost allocation plan (Appendix A) to ensure that the plan is both accurate and appropriate to meet the City's needs.
ii. Collaborate with key staff as needed to develop and document an understanding of the City's practices and operations, including services being provided to/for enterprise funds and governmental funds.
iii. Advise on potential costs not currently subject to allocation that may be eligible for allocation.
iv. Develop a fair and equitable allocation method for costs for current services performed. Include a detailed explanation of the methodology and data sources for each schedule.
v. Work with designated City staff to design templates to more accurately capture data inputs and provide understanding of allocation process. Prepare documentation of the data collection processes and assumptions, and an assessment of the data strengths and weaknesses, so the resulting plan can be updated by the City on an annual basis.
vi. Report on other matters which may get discovered during the evaluation that, according to experience and industry best practices, should be considered or evaluated by the City in these studies.
vii. Present the plan to the City's management group and make necessary adjustments as requested.
i. Provide the City with an electronic copy of the final comprehensive review, including related schedules and cost documentation in a format that can be edited and updated by City staff to accommodate changes in the organization or changes in cost.
i. Prepare a final report and provide five bound copies, and a single Microsoft Excel and PDF file of the Full Cost Recovery Plan that can be made available to City staff. Models, tables and graphs should be provided in Microsoft Excel. Any Cost Allocation Model revisions

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developed shall also be made available to the City in Microsoft Excel and PDF formats, providing the ability to add, delete and/or update information as needed.

i. Provide a computer-based model in Microsoft Excel for adjusting these fees and charges for the City's current and future needs and provide the City with an electronic copy of the final comprehensive study, including related schedules and cost documentation in a format that can be edited and updated by City staff to accommodate changes in the organization or changes in costs.

b. PHASE II – USER FEE STUDY

Phase II will involve a study of current services and their associated costs for selected City departments. These departments and their associated services (revenue sources) are detailed in **Appendix B.** The detailed work program shall include, and is not limited to, the following:

i. Schedule of planning and building fees and charges, as identified in **Appendix B**. Current fees and charges shall be identified and documented. A survey of the Development Services, Planning, and Engineering departments shall be conducted to determine what services are revenue producers, what fees are charged and the current true cost of providing those services, specifically related to fees and charges.
ii. Compare total service costs with existing fee structure. This should include any service areas where they City is currently charging for services.
iii. Recommend appropriate fees and charges based on the analysis together with the appropriate subsidy percentage for those fees where full cost recovery may be unrealistic.
iv. Prepare a report that identifies each service, its full cost, recommended and current costs fee levels. The report should also identify the direct cost, the indirect cost, and the overhead cost for each service; and provide a model for adjusting these fees and rates for the City's current and future needs.
v. Identify new fees for possible implementation. Determine services which could produce revenue, and cost each at a level which is measurable in specific units of service.
vi. Provide training for City staff in the use of the cost recovery system and provide program technical support for one year following acceptance of the final product.
vii. Identify a mechanism or draft a model ordinance for staff to pursue regular systemwide or targeted fee schedule adjustments based on regional standards, such as CPI.
viii. Prepare final report to the City, relative to the full scope of work identified. The results of the study shall be documented in a written report to the city. The report shall project current revenues compared to increased revenue as determined by the study.
ix. Presentation of data. The firm's representative shall be available to present findings to the City Council and the public at a regularly scheduled Council meeting. This item shall have a separate cost clearly identified in the proposal response. City reserves the right to increase or decrease the contract amount due to the number of public presentations required.
    1. Presentation cost shall be provided with both virtual (Zoom) and in-person attendance options.
x. The Consultant's report and presentation to City Council shall include a provision for three sample adoption options for consideration, an adoption schedule and plan, and specific implementation assistance to City staff.

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xi. The calculation of user fees is a prerequisite to adoption; but, does not guarantee adoption. The consultant shall identify a process that increases the ability and feasibility for the City Council to comprehend, support, and adopt the resultant user fees.

xii. Detail the cost of the study and expected payment schedule. Progress payments shall match project outputs during the engagement.

4. <u>PROPOSAL CONTENTS:</u> Proposals should be structured in the following manner:

a. Proposals shall be prepared simply and economically, providing a straightforward, concise description on the Proposer's ability to meet the requirements for the project. Fancy bindings, colored displays, and promotional material are not required. Emphasis shall be on completeness and clarity of content. All documents shall be typewritten on standard 8 ½" x 11" white papers unbound in one volume. Exceptions would be schematics, exhibits, or other information necessary to facilitate the City of Fayetteville's ability to accurately evaluate the proposal. Proposers shall limit proposal to twenty-five (25) pages or less.

   i. One-page team resumes, references, forms required by the City for completion, and tab/divider sheets may be included in addition to the twenty-five (25) page limit.

b. Proposals shall include all information requested in this RFP, which includes, but is not limited to the following:

   i. Provide a general description of the Company, its history, organizational structure, and services provided by the proposal firm.

   ii. Proposer shall provide a proposed methodology for the study, including a step-by-step work plan and the timing proposed for completion of the scope of work.

   iii. How long has the vendor been in business providing related services?

   iv. List any experience working with other public entities.

   v. Provide information regarding the resources and involvement which shall be requested from the City.

   vi. Proposer shall provide a detailed description of a work product similar to that meeting the City's needs and desired deliverables in relation to the scope of work as outlined in this RFP.

   vii. Proposer shall provide a minimum of six (6) client references, including name, title, organization, telephone number, and email address for which you have performed similar work. Governmental references are preferred.

   viii. Proposer shall provide an example final report, similar in nature to the scope of work requested.

   ix. <u>Fees</u>

      1. Submit a not-to-exceed fee for completion of the scope of work including all professional services and expenses incurred. Please list a not-to-exceed cost for each of the following areas listed. Firm shall not request additional fees from the City, regardless of its actual time and reimbursable expenses on the engagement.
         a. City-Wide Cost Allocation,
         b. Current Cost of Services Delivered,
         c. Analysis of Existing Revenue Sources,
         d. Identification of New Revenue Sources and the Charges for Each Source.

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2. The cost of the study and expected payment schedule shall be listed in detail. Progress payments shall match project outputs during the length of contract.
3. Proposer shall provide an itemized list of any fee for additional services not outlined in this RFP but may be available to the City.
4. Details of and cost of any "extras" or "add-ons" not included in your basic price but recommended for the successful completion or supplementation to this scope of work.

5. TIMEFRAME

Unless changed by the City, services under the anticipated contract shall commence within ten (10) business days of contract award by the City Council.

A draft copy of the User Fee Study is desired to be completed within ninety (90) calendar days from the start date. The City desires the final study to be completed within one hundred twenty (120) calendar days from the start date. However, proposers shall provide an anticipated project timeline, inclusive of completion milestones-based availability and existing contractual commitments.

6. SELECTION CRITERIA: The following criteria shall be used by the City to evaluate and score responsive proposals. Proposers shall include sufficient information to allow the City to thoroughly evaluate and score each proposal. Each proposal submitted is not required to be ranked by the selection committee; however, all proposals will be evaluated. The contract may be awarded to the most qualified firm, per the evaluation criteria listed below, based on the evaluation of the selection committee.

Following the evaluation of the proposals, the Selection Committee may request the top-ranking firms make an oral presentation or be interviewed. Any presentations/interview will take place in Fayetteville, Arkansas. Meeting notices and information will be sent by the Purchasing Division.

1) 20% **Qualifications in Relation to Specific Project to be Performed:** Information reflecting qualifications of the firm. Indicated specialized experience and technical competence of the firm in connection with the type and complexity of the service required. Subcontractors, if used, shall be listed.

2) 25% **Experience, Competence, and Capacity for Performance:** Information reflecting the names, titles, and qualifications (including experience and technical competence) of the major personnel assigned to this specific project.

3) 20% **Proposed Method of Doing Work:** A proposed work plan (description of how the project would be conducted as well as other facts concerning approach to scope) indicating methods and schedules for accomplishing scope of work. Include with this the amount of work presently underway.

4) 25% **Past Performance:** Previous evaluations shall be considered a significant factor. If previous evaluations with the City are not available, the Proposer's past performance records with the City and others will be used, including quality of work, timely performance, diligence, and any other pertinent information. Proposers shall provide a list of similar jobs performed and person whom the City can contact for information.

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5) 10% **Price:** Proposers shall list all fees and expenses to be paid by the City and shall be structured based on the provided pricing summary to be completed by all Proposers. The City desires all mark ups and fees shall remain firm for the entire contract term.

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1. DISCLOSURE INFORMATION

Proposer shall disclose any possible conflict of interest with the City of Fayetteville, including, but not limited to, any relationship with any City of Fayetteville employee. Proposer response shall disclose if a known relationship exists between any principal or employee of your firm and any City of Fayetteville employee or elected City of Fayetteville official.

If, to your knowledge, no relationship exists, this shall also be stated in your response. Failure to disclose such a relationship may result in cancellation of a purchase and/or contract as a result of your response. This form shall be completed and returned in order for your bid/proposal to be eligible for consideration.

PLEASE CHECK ONE OF THE FOLLOWING TWO OPTIONS, AS IT APPROPRIATELY APPLIES TO YOUR FIRM:

_____1) NO KNOWN RELATIONSHIP EXISTS

_____2) RELATIONSHIP EXISTS (Please explain): _____

_____

I certify that; as an officer of this organization, or per the attached letter of authorization, am duly authorized to certify the information provided herein are accurate and true; and my organization shall comply with all State and Federal Equal Opportunity and Non-Discrimination requirements and conditions of employment.

Pursuant Arkansas Code Annotated §25-1-503, the Proposer agrees and certifies that they do not currently boycott Israel and will not boycott Israel during any time in which they are entering into, or while in contract, with any public entity as defined in §25-1-503. If at any time during contract the contractor decides to boycott Israel, the contractor must notify the contracted public entity in writing.

2. PRIMARY CONTACT INFORMATION

At the discretion of the City, one or more Proposer may be asked for more detailed information before final ranking of the firms, which may also include oral interviews. **NOTE: Each Proposer shall submit to the City a primary contact name, e-mail address, and phone number (preferably a cell phone number) where the City's Selection Committee can call for clarification or interview via telephone.**

Corporate Name of Firm: _____

Primary Contact: _____ Title of Primary Contact: _____

Phone#1 (cell preferred): _____Phone#2: _____

E-Mail Address: _____

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3. ACKNOWLEDGEMENT OF ADDENDA

Acknowledge receipt of addenda for this invitation to bid, request for proposal, or request for qualification by signing and dating below. All addendums are hereby made a part of the bid or RFP documents to the same extent as though it were originally included therein. Proposers/Bidders should indicate their receipt of same in the appropriate blank listed herein. Failure to do so may subject Contractor to disqualification.

ADDENDUM NO.	SIGNATURE AND PRINTED NAME	DATE ACKNOWLEDGED

4. PRICING:

All fees or charges shall be provided within the RFP response, be fully itemized, and inclusive of any charges or fees the City could be charged, as identified in the scope of work.

5. DEBARMENT CERTIFICATION:

As an interested party on this project, you are required to provide debarment/suspension certification indicating in compliance with the below Federal Executive Order. Certification can be done by completing and signing this form.

Federal Executive Order (E.O.) 12549 "Debarment and Suspension" requires that all contractors receiving individual awards, using federal funds, and all sub-recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government.

Signature certifies that neither you nor your principal is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

Questions regarding this form should be directed to the City of Fayetteville Purchasing Division.

NAME OF COMPANY: _____

PHYSICAL ADDRESS: _____

MAILING ADDRESS: _____

PRINTED NAME: _____

PHONE: _____ FAX: _____

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E-MAIL: _____

SIGNATURE: _____

TITLE: _____ DATE: _____

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End of Form

EXECUTIVE SUMMARY

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INTRODUCTION

This report presents the results of a study, conducted by MAXIMUS, Inc., of the full cost of services provided by the City of Fayetteville, Arkansas, for services for which user fees are currently being charged or might be considered. By calculating the full cost of these services, including an appropriate share of City-wide administrative overhead and departmental overhead, and comparing that cost to the associated revenues received, MAXIMUS, Inc. was able to determine the amount of cost subsidy being drawn from general tax dollars in these areas. **Any proposed changes in fees should be reviewed by the City's legal staff prior to implementation to verify compliance with all applicable state and local laws.** MAXIMUS has not investigated the legality of any fee recommendations within this study, as that is the exclusive responsibility of the City of Fayetteville.

COST ALLOCATION METHODOLOGY

It is very important when reviewing the result of a cost of services study to comprehend exactly what types of costs are being included in the calculation of "Full Cost."

"Full Cost" is defined as the total amount of expenditures related to the resources utilized with a given activity. Therefore, the individual user fees presented within our study include all direct and indirect costs associated with the performance of that activity. This means that "Full Cost" not only includes the direct labor, fringe benefits, and operating costs for a particular fee area but also the related overhead cost. Under true Cost Allocation Methodology, overhead costs are not limited to items such as building and equipment use but include, in addition, those indirect support costs incurred by other divisions.

Examples of indirect support costs include the cost of the payroll, purchasing, data processing, and other such elements that provide services to the program's operating elements. Therefore, the "Full Cost" identified within any of the user fees contained within the study reflects this manner of cost allocation.

USER FEE METHODOLOGY

The methodology utilized by MAXIMUS in the cost of Services Study to determine the individual fees includes the incremental cost of performing the task requested by the user of the service. For example, the cost of writing an accident report is not included within the accident report copy fee calculation. Only the cost associated with making the report copy is considered. It is assumed that the general tax dollar is spent to provide recovery of the initial report writing expenditures. This practice of fee calculation avoids the argument as to which services ought to be paid for by the general taxpayer, and which services should be reimbursed by the ultimate user. The technique is commonly utilized and widely accepted throughout the country.

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SUMMARIZED RESULTS

The study indicates that the full cost of current and potential fee-for-service activities is $5,834,322 and that only $2,715,138 is being recovered in revenue, with the subsidy currently required to support these services is $3,119,184. Listed below is a breakdown of the revenue and costs for each of the divisions analyzed as a part of this study:

Department/Division	Fee Revenue	Cost Of Services	Current Subsidy
Planning	$106,242	$350,878	$244,636
Parking	$244,862	$217,388	$(27,474)
Fire	$5,008	$28,524	$23,516
Meter Services	$187,425	$371,815	$184,390
Billing & Collections	$354,250	$104,052	$(250,198)
Animal Services	$159,603	$530,340	$370,737
Water & Sewer	$260,350	$1,991,286	$1,730,936
Transportation	$11,439	$55,952	$44,513
Police	$23,362	$98,019	$74,657
Alcohol & Privilege Permits	$32,820	$3,565	$(29,255)
Building Safety	$1,073,431	$751,974	$(321,457)
Parks & Recreation	$289,376	$1,062,133	$772,757
Totals	**$2,748,168**	**$5,565,926**	**$2,817,758**

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The subsidy identified in the table above represents the maximum amount of additional fee revenue, assuming constant demand, the City can expect to receive as a result of raising all fees included in this study to the level of full cost recovery. For an in depth analysis of the individual user fees included in each of the divisions reviewed, please refer to the appropriate section of this document as shown on the Table of Contents.

CLOSING COMMENTS

The results of our study indicate that in providing services, there are significant costs incurred which are not being recovered through the City's present user fee structure. However, with the aid of the information contained within this comprehensive Cost of Services Study, the City now has the information to make informed user fee policy decisions which can enhance revenues from these activities.

MAXIMUS greatly appreciates the opportunity to serve the City of Fayetteville, Arkansas, in the identification of user fee costs, and we will be pleased to assist the City in any future cost accounting projects.

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I. INTRODUCTION

Being a full service city government, the City of Fayetteville, Arkansas, must provide high quality services to the public (in essence its stockholders). Like most local government in the United States, Fayetteville has seen an increase in demand by the general public for more services and a higher quality of service delivery, thereby increasing pressure on City funding sources.

As a result of these pressures, the City must examine all opportunities for enhanced revenues and explore new revenue sources in order to avoid cutting valuable City service levels. This study represents one of the City's strategies to learn how to alleviate the revenue pressure.

The City recognizes that revenues from user fees can be an appropriate means of achieving revenue enhancement for local governments. Typically, one of the following conditions exists before a full cost user fee study is undertaken by a city:

- Current user fees are set far below the actual cost of providing the service.
- No fee is being charged for services that could generate revenue.
- Current fee levels and policy have not been set with full knowledge of the relationship between the value of a service and the amount of the fee.

Providing certain public services at an amount equal to their full cost can have numerous benefits to both the City and its citizens:

- User fees are paid by all service users, including those exempt from certain taxes.

- User fees are paid by non-residents when they utilize a service, thereby reducing the cost of government operation for City residents.
- Accurate user fees can create a “rationing” of services and allow for the measurement of true market demand.

It is for these reasons that local governments all over the United States are shifting from a near-total dependence on property, sales and income taxes for financing local services, to a more broad-based revenue stream. Although there may be political reaction to increasing fees for services that were previously free or heavily subsidized, local governments are becoming aware that user charges can be a more acceptable method for raising revenue than is an increase in taxes.

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II. APPROACH AND METHODOLOGY

The primary purpose of this study is to document the full cost of providing City services for which user fees are assessed or can be reasonably assessed. This work will allow City executives to make an informed determination of the level of general tax subsidy it wants to maintain as a matter of public policy in an environment where both the full and actual cost of doing business is known. Once all the facts are known, fee levels then become a true measure of the City's intentions and not simply a continuation of historical practices.

Among the tools that MAXIMUS uses in all its cost studies are the principles of governmental cost accounting. This means that a detailed and comprehensive analysis of all the costs associated with each unit of service provision is undertaken. This approach differs from general governmental accounting, which is primarily concerned with the flow of financial resources during the fiscal year.

In order to accomplish a custom, departmental cost of service/revenue analysis for the City of Fayetteville, MAXIMUS went through the following stages of research and analysis:

- Extensive data collection and research were accomplished in all central service departments of the City, as well as in the direct service departments.
- Interviews with key management and operational personnel were conducted to identify all potentially fee related service activities.
- A complete and comprehensive "full cost" cost allocation plan was prepared; apportioning out all central service overhead costs to the operating departments.
- A computer based cost analysis was completed which compares service costs per unit to revenue amounts.

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This approach results in a detailed cost of service/revenue analysis that the City is able to use as an accurate basis for changing the levels of existing fees and/or implementing new fees.

The primary tool used at the culmination of this process to develop full costs for each fee area is MAXIMUS, Inc.'s proprietary cost allocation software, MAXCars. The system provides the structure in which to allocate both direct and indirect costs to the individual fee areas, based on the results of the aforementioned research and analysis components of the process.

The system of course, is only as valid as the information it processes. The final results incorporate multiple iterations and fine tuning of data. We believe the analysis and conclusions to be the best obtainable – the result of the cooperative efforts of MAXIMUS and City staff.

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III. ECONOMIC AND POLICY CONSIDERATIONS

The purpose of this section is to provide additional background considerations in the setting of user fees, in the event the City wishes to review current subsidy decisions. Setting fees is essentially equivalent to establishing prices for services. In the private sector, prices are usually set in a manner that is expected to maximize profits. Since making a profit is not an objective of the City in providing services, it is commonly felt that fees should be established at a level that will exactly recover the cost of providing each service.

There are circumstances, however, in which it might be regarded as a reasonable policy to set fees at a level that does not reflect the full cost of providing the service. Therefore, it is important to discuss some of the ramifications of these non-cost factors so that the role of the cost information may be placed in proper perspective.

Elasticity of Demand

The price charged for a service often affects the quantity demanded by potential users. In many instances, raising the price of a service results in fewer units of service being demanded. To complicate matters, since the costs of providing services to the public include both a fixed and a variable component, the unit cost of a service is affected by the volume of that service produced. This poses a special problem for the City when attempting to set fees on a basis that will recover the full cost of providing the services. As noted above, the unit cost of a service may rise or fall depending on the volume produced, and that volume may depend on the volume demanded, which, in turn, may depend on the fee charged.

Fees charged for recreational services provide a good example of this concept. Quite reasonably, children, senior citizens and others with limited means may discontinue using a recreational facility if fees are raised significantly. They may regard the service as desirable, but not essential, and find other means of recreation. The resulting decrease in volume would then increase the unit cost, a situation that would require additional fee increases. Some services' fees, however, probably will not be responsive to volume

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demand because the services will be used regardless of the fees charged. An example might be fees charged for services such as design review for a construction project. Because the fee associated with a service of this type represent such a small portion of the overall costs of the construction project, builders are less likely to adjust their usage of City services because of price changes.

Subsidization Policy

User fees are often established on a principle that requires those who use the service to bear the cost of producing it. Although this principle is firmly established in the private enterprise system, there may be City activities for which it is regarded as inappropriate. Accordingly, it may be preferable to set fees for some services below full cost. Consequently, the ramifications of a subsidy policy should be fully understood.

Subsidies are provided for two basic purposes. The first is to permit an identified group (e.g., senior citizens, students, public assistance recipients) to participate in services that they might not otherwise be able to afford. This is a legitimate function of government, assuring access to important services by all citizens without regard to their ability to pay. While such subsidies could be granted on the basis of a means test (not all senior citizens are economically deprived), ease of administration and concern for dignity often suggest offering particular subsidies to broad groups that may include many who are able to afford the full cost of the service. Such subsidies may be achieved either through rate structures (i.e., charging lower fees to certain groups for common service) or through reducing fees for services most likely to be utilized by particular groups.

The second purpose of subsidies is to provide services that may benefit those not qualifying as immediate recipients. For example, code enforcement inspections ensure compliance with City zoning ordinances. Ordinances are designated to safeguard communities form deteriorating properties, which ultimately impact the business and home owners by lowering property values and causing possible health and safety problems. In this case and similar cases, it may be regarded as appropriate to spread the cost of services over the large base of potential beneficiaries.

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Economic Incentives

It may be desirable to use fees as a means of encouraging certain activities or pattern of use. For example, setting a relatively high fee for scarce resources such as water may encourage conservation. Inexpensive products or services, on the other hand, do nothing to discourage waste. By setting fee structures that offer lower rates during off-peak hours or seasons, it may be possible to modify user behavior to the benefit of all.

Competitive Constraints

Although the City may monopolize certain services within its boundaries, there are many instances of competitive pressure that restrict the ability to raise fees. There may be, in the private sector, alternatives to using City services. For example, instead of attending a recreation program at a park, citizens may go to a movie or watch television.

When there are alternatives available, the City may decide the private sector or another governmental entity can provide cheaper and more effective service, thereby eliminating the City's role in a particular service area. In this manner, competition may inhibit full recovery of costs, but at the same time, it also gives the City the option of reducing nonessential services and reducing City costs.

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PLANNING DEPARTMENT

The table below presents a summary of the comparison of cost and revenue for the user fee services provided by the Planning Department. As the table depicts, the identified full cost of providing user fee services totals **$350,878** and the revenue generated from these activities amounts to **$106,242**.

Detailed Breakdown of Fees/Revenues

	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1.1	Concurrent Plat: Non Res	1	$800.00	$1,535.00	52.1%	$800.00	$1,535.00	92%	$735.00
1.2	Concurrent Plat: 10 or Less Res	3	$600.00	$4,436.00	13.5%	$200.00	$1,478.67	639%	$3,836.00
1.3	Concurrent Plat: 11-25 Res	1	$400.00	$1,477.00	27.1%	$400.00	$1,477.00	269%	$1,077.00
1.4	Concurrent Plat: 26+ Res	1	$800.00	$1,527.00	52.4%	$800.00	$1,527.00	91%	$727.00
2	Concept Plat	1	$50.00	$1,681.00	3.0%	$50.00	$1,681.00	3262%	$1,631.00
3.1	Final Plat: 10 or Less Res	1	$200.00	$1,667.00	12.0%	$200.00	$1,667.00	734%	$1,467.00
3.2	Final Plat: 11-25 Res	2	$800.00	$3,529.00	22.7%	$400.00	$1,764.50	341%	$2,729.00
3.3	Final Plat: 26+ Res	2	$1,600.00	$3,722.00	43.0%	$800.00	$1,861.00	133%	$2,122.00
3.4	Final Plat: Non Res	2	$1,600.00	$3,873.00	41.3%	$800.00	$1,936.50	142%	$2,273.00

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	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
4.1	Large Scale Dev: 10 or Less Res	1	$200.00	$2,154.00	9.3%	$200.00	$2,154.00	977%	$1,954.00
4.2	Large Scale Dev: 11-25 Res	1	$400.00	$2,868.00	13.9%	$400.00	$2,868.00	617%	$2,468.00
4.3	Large Scale Dev: 26+ Res	4	$3,200.00	$13,674.00	23.4%	$800.00	$3,418.50	327%	$10,474.00
4.4	Large Scale Dev: Non Res	25	$20,000.00	$87,971.00	22.7%	$800.00	$3,518.84	340%	$67,971.00
5	Lot Split	59	$11,800.00	$55,328.00	21.3%	$200.00	$937.76	369%	$43,528.00
6.1	Alteration of Land: 1-2 Acres	25	$2,500.00	$1,252.00	199.7%	$100.00	$50.08	-50%	-$1,248.00
6.2	Alteration of Land: < 1 Acre	35	$2,625.00	$1,752.00	149.8%	$75.00	$50.06	-33%	-$873.00
6.3	Alteration of Land: > 2 Acres	15	$3,000.00	$1,127.00	266.2%	$200.00	$75.13	-62%	-$1,873.00
6.4	Alteration of Land: Appeals	1	$100.00	$50.00	200.0%	$100.00	$50.00	-50%	-$50.00
7.1	Preliminary Plat: 10 or Less Res	4	$800.00	$8,967.00	8.9%	$200.00	$2,241.75	1021%	$8,167.00
7.2	Preliminary Plat: 11-25 Res	1	$400.00	$2,737.00	14.6%	$400.00	$2,737.00	584%	$2,337.00
7.3	Preliminary Plat: 26+ Res	7	$5,600.00	$21,151.00	26.5%	$800.00	$3,021.57	278%	$15,551.00
7.4	Preliminary Plat: Non Res	4	$3,200.00	$10,082.00	31.7%	$800.00	$2,520.50	215%	$6,882.00
8.1	Planned Zoning Dist: 10 or Less Res	1	$525.00	$2,984.00	17.6%	$525.00	$2,984.00	468%	$2,459.00
8.2	Planned Zoning Dist: 11-25 Res	1	$725.00	$2,984.00	24.3%	$725.00	$2,984.00	312%	$2,259.00
8.3	Planned Zoning Dist: 26+ Res	5	$5,625.00	$18,558.00	30.3%	$1,125.00	$3,711.60	230%	$12,933.00
8.4	Planned Zoning Dist: Non Res	2	$2,250.00	$6,686.00	33.7%	$1,125.00	$3,343.00	197%	$4,436.00

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	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
9	Sign Fee	240	$14,917.00	$10,924.00	136.6%	various	$45.52	-26.8%	-$3,993.00
10	Sign Variance	6	$2,100.00	$2,070.00	101.4%	$350.00	$345.00	-1.4%	-$30.00
11	Windblown Signs	45	$450.00	$814.00	55.3%	$10.00	$18.09	80.9%	$364.00
12	Zoning: Rezoning	42	$13,650.00	$35,369.00	38.6%	$325.00	$842.12	159.1%	$21,719.00
13	Zoning: Conditional Use	29	$2,900.00	$22,039.00	13.2%	$100.00	$759.97	660.0%	$19,139.00
14	Board of Adjustment Variance	32	$800.00	$11,678.00	6.9%	$25.00	$364.94	1359.8%	$10,878.00
15	Annexation	5	$1,625.00	$4,212.00	38.6%	$325.00	$842.40	159.2%	$2,587.00
	Totals		**$106,242.00**	**$350,878.00**	**30.3%**			**230%**	**$244,636.00**

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Service Descriptions

1. **Concurrent Plats** – The City of Fayetteville currently charges for the submittal of a Concurrent Plat in four different categories.
   - 1.1. Non-Residential – Full cost and revenue are based on 1 occurrence.
   - 1.2. 10 or Less Residential Units– Full cost and revenue are based on 3 occurrences.
   - 1.3. 11-25 Residential Units– Full cost and revenue are based on 1 occurrence.
   - 1.4. 26+ Residential Units - Full cost and revenue are based on 1 occurrence.
2. **Concept Plat** – When a developer intends to subdivide land within the City Planning Area boundary, he may first submit a Concept Plat for the Planning Commission's consideration. The purpose of the concept plat process is to allow all interested parties an opportunity to provide the developer with their input or requirements before the developer invests a great deal of time

or money in the preparation of a detailed plat. The City of Fayetteville currently charges for the submittal of a Concept Plat. Full cost and revenue are based on one Concept Plat.

3. **Final Plats** – Final Plat must be submitted for approval by the Planning Commission and must be filed with the County before construction permits for housing may be issued. The City of Fayetteville currently charges for the submittal of a Final Plat in four different categories.

   3.1. 10 or Less Residential Units – Full cost and revenue are based on 1 occurrence.

   3.2. 11-25 Residential Units – Full cost and revenue are based on 2 occurrences.

   3.3. 26+ Residential Units – Full cost and revenue are based on 2 occurrences.

   3.4. Non-Residential -Full cost and revenue are based on 2 occurrences.

4. **Large Scale Developments** – The Planning Department must approve all Large Scale Developments within the City. Fees are currently charged in four different categories.

   4.1. 10 or Less Residential Units – Full cost and revenue are based on 1 occurrence.

   4.2. 11-25 Residential Units – Full cost and revenue are based on 1 occurrence.

   4.3. 26+ Residential Units – Full cost and revenue are based on 4 occurrences.

   4.4. Non-Residential - Full cost and revenue are based on 25 occurrences.

5. **Lot Split** – Currently, there is a $200 fee for a Lot Split. Full cost and revenue are based on 59 occurrences.

6. **Alteration of Land** – Applications for the physical alteration of land (grading and drainage) currently have fees in four different categories.

   6.1. 1 – 2 Acres – Full cost and revenue is based on 25 occurrences.

   6.2. <1 Acre – Full cost and revenue is based on 35 occurrences.

   6.3. >2 Acres – Full cost and revenue is based on 15 occurrences.

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6.4. Appeals – Full cost and revenue are based on 1 occurrence.

7. **Preliminary Plats** – When a subdivision of land is proposed, a preliminary plat must be submitted to the Planning Commission for review. Approval of the preliminary plat is effective for one year and continues as long as work is actively progressing on the installation of required improvements. The City of Fayetteville currently charges for the submittal of a Preliminary Plat in four different categories

   7.1. 10 or Less Residential Units – Full cost and revenue are based on 4 occurrences.

   7.2. 11-25 Residential Units – Full cost and revenue are based on 1 occurrence.

   7.3. 26+ Residential Units – Full cost and revenue are based on 7 occurrences.

   7.4. Non-Residential - Full cost and revenue are based on 4 occurrences.

8. **Planned Zoning Districts** – The City of Fayetteville currently charges for the submittal of an application for Planned Zoning Districts in four different categories.

   8.1. 10 or Less Residential Units – Full cost and revenue are based on 1 occurrence.

   8.2. 11-25 Residential Units – Full cost and revenue are based on 1 occurrence.

   8.3. 26+ Residential Units – Full cost and revenue are based on 5 occurrences.

   8.4. Non-Residential - Full cost and revenue are based on 2 occurrences.

9. **Signs** – Each sign or other advertising structure regulated by City code must be approved by the Planning Department. Full cost and revenue are based on 240 occurrences.

10. **Sign Variance** – An application for variance in the sign code may be submitted where special circumstances exist. A fee is currently charged to cover the cost of the application process. Full cost and revenue are based on 6 occurrences.

11. **Windblown Signs** – Windblown signs require a temporary permit, however records indicate that these permits are not sought and many violations exist. Information in this section indicates expected rates based on individuals obtaining required permits. Full cost and revenue are based on 45 occurrences.

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12. **Zoning - Rezoning** – Rezoning applications are evaluated by the Planning Commission. Full cost and revenue are based on 42 occurrences.

13. **Zoning – Conditional Use** – An application for Conditional Use may be brought before the Planning Commission for use of land, structures, or buildings that are non-conforming to zoning codes within a district. Full cost and revenue are based on 29 occurrences.

14. **Board of Adjustments Variance** – An application for variance in the zoning code may be submitted to the Board of adjustments is special conditions and circumstances exist which are peculiar to the land, structure, or building which are not applicable to other lands, structures or buildings in the same district. Currently the City charges the applicant a fee to cover the cost of the application process. Full cost and revenue are based on 32 occurrences.

15. **Annexation –** Revenue and full cost is based on 5 occurrences.

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PARKING MANAGEMENT DEPARTMENT

The table below presents a summary of the comparison of cost and revenue for the user fee services provided by the Parking Management. As the table depicts, the identified full cost of providing user fee services totals **$217,388** and the revenue generated from these activities amounts to **$244,862**.

Detailed Breakdown of Fees/Revenues

	Service	# of Occurrances	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1	Gated Lot 5 per Quarter	230.00	$20,719.00	$12,346.00	167.8%	$90.00	$53.68	-40%	-$8,373.00
2	Gated Lot 7 per Quarter	311.00	$28,014.00	$15,842.00	176.8%	$90.00	$50.94	-43%	-$12,172.00
3	Hang Tag per Quarter	323.00	$29,107.00	$18,927.00	153.8%	$90.00	$58.60	-35%	-$10,180.00
4	Leased Spaces per Month	300.00	$15,000.00	$9,441.00	158.9%	$50.00	$31.47	-37%	-$5,559.00
5	Municipal Deck per Quarter	902.00	$121,718.00	$87,729.00	138.7%	$135.00	$97.26	-28%	-$33,989.00
6	Town Square Deck per Quarter	192.00	$28,734.00	$71,445.00	40.2%	$150.00	$372.11	149%	$42,711.00
7	Town Square Deck Tokens	1,300.00	$1,300.00	$901.00	144.3%	$1.00	$0.69	-31%	-$399.00
8	Hang Tag or Card Replacement	15.00	$225.00	$291.00	77.3%	$15.00	$19.40	29%	$66.00
9	Temp Off Street Tag	24.00	$45.00	$466.00	9.7%	VARIOUS	$19.42	936%	$421.00
	Totals		**$244,862.00**	**$217,388.00**	**112.6%**			**-11%**	**-$27,474.00**

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Service Descriptions

1. **Gated Lot 5 (per quarter)** – The City's current fee structure calls for a quarterly payment for access to this lot. The full cost is based on 53 spaces within Lot 5.
2. **Gated Lot 7 (per quarter)** – The City's current fee structure calls for a quarterly payment for access to this lot. The full cost is based on 66 spaces within Lot 7.
3. **Hang Tag (per quarter)** – Citizens are able to purchase hang tags which allow them to park in Ciity owned spaces. The full cost is based on 323 occurrences per year.
4. **Leased Spaces (per month)** – Citizens are also able to lease parking spaces in City owned lots. The full cost is based on 300 occurrences per year.
5. **Municipal Deck (per quarter)** – Spaces in the Municipal Deck are available to citizens on a quarterly basis. The full cost is based on 902 occurrences per year.
6. **Town Square Deck (per quarter) –** Spaces in the Town Square Deck are available to citizens on a quarterly basis. The full cost is based on 192 occurrences per year. All revenue from the Town Square Deck is turned over to the Fayetteville Town Center.
7. **Town Square Deck (tokens) –** Spaces in the Town Square Deck are also available to citizens on a daily basis using a token system. The full cost is based on 1,300 tokens sold. All revenue from the Town Square Deck is turned over to the Fayetteville Town Center.
8. **Hang Tag or Card Replacement –** The City currently charges a $15 fee for the replacement of parking cards or tags that are issued for the various City owned parking spaces. The full cost is based on 15 occurrences per year
9. **Temp Off Street Hang Tag –** As an alternative to paying standard parking fees, temporary off-street hang tags are available to citizens which allow them to park in for-pay spaces. Tags are sold for three different time frames of parking – short, medium and long. The full cost is based on the issuance of 24 temporary hang tags.

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FIRE DEPARTMENT

The table below presents a summary of the comparison of cost and revenue for the user fee services provided by the Fire Department. As the table depicts, the identified full cost of providing user fee services totals **$28,524** and the revenue generated from these activities amounts to **$5,008.00**.

Detailed Breakdown of Fees/Revenues

	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1	Rural Fire Contracts	9	$4,383.00	$1,111.00	394.5%	$487.00	$123.44	-75%	-$3,272.00
2	Fire Reports	25	$625.00	$667.00	93.7%	$25.00	$26.68	7%	$42.00
3	EMS Lifting Assistance *	50	$0.00	$2,057.00	0.0%	$0.00	$41.14	100%	$2,057.00
4	False Alarm Response *	600	$0.00	$24,689.00	0.0%	$0.00	$41.15	100%	$24,689.00
	Totals		**$5,008.00**	**$28,524.00**	**17.6%**			**470%**	**$23,516.00**

* Services currently provided for no charge.

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Service Descriptions

1. **Rural Fire Contracts** – The Fire Department provides fire protection services to areas outside the City limits on a contract basis. Prior to 2003, the City provided this service to approximately 325 locations. However, due to the availability of the Automatic Mutual Aid Agreements between the City Fire Department and the Rural Fire Protection Districts, the number of locations served by this service has declined to only 9. The Automatic Mutual Aid Agreements require the homeowners to

contract with their rural Fire Protection District rather than directly with the City of Fayetteville. Costs are based on an assumed service time of 1 hour per year.

2. **Fire Reports** – Fire Reports are available to citizens on a fee basis. Costs are based on an average of 25 reports sold per year.
3. **EMS Lifting Assistance** – Private EMS personnel occasionally require assistance in lifting a patient into a medical vehicle or onto a gurney. No fee is currently charged either to the citizen or the private EMS companies. Costs are based on 50 occurrences per year.
4. **False Alarm Response** – Traditionally, any charges assessed to citizens associated with this activity is considered a 'fine' rather than a 'fee'. However, it is nonetheless important for City officials to be aware of the cost of the activity when establishing a pricing schedule. As such, full costs have been calculated for this activity Costs are based on 600 occurrences per year. No fee is currently collected from citizens for this activity.

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METER OPERATIONS DEPARTMENT

The table below presents a summary of the comparison of cost and revenue for the user fee services provided by the Meter Operations Department. As the table depicts, the identified full cost of providing user fee services totals **$371,815** and the revenue generated from these activities amounts to **$187,425**, leaving a current City subsidy of Meter related for-fee services of $184,390.

Detailed Breakdown of Fees/Revenues

	Meter Services	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1	Meter Tampering	16	$640.00	$621.00	103.1%	$40.00	$38.81	-3%	-$19.00
2	No House Number - 2nd Trip	50	$500.00	$1,292.00	38.7%	$10.00	$25.84	158%	$792.00
3	No House Number - After Hours	50	$750.00	$3,881.00	19.3%	$15.00	$77.62	417%	$3,131.00
4	Meter Service Call	982	$9,820.00	$39,639.00	24.8%	$10.00	$40.37	304%	$29,819.00
5	Meter Reconnect	4,998	$174,930.00	$253,501.00	67.7%	$35.00	$51.72	48%	$83,571.00
6	Meter Turn On - Non-Working Hours	50	$750.00	$3,882.00	19.3%	$15.00	$77.64	418%	$3,132.00
7	Meter Reconnect - Non-Working Hours	1	$35.00	$79.00	44.3%	$35.00	$79.00	126%	$44.00
8	Meter Re-read	150	$0.00	$1,699.00	0.0%	$0.00	$11.33	100%	$1,699.00
9	Reset Pulled Meter	20	$0.00	$951.00	0.0%	$0.00	$47.55	100%	$951.00
10	Emergency Service Call	400	$0.00	$21,311.00	0.0%	$0.00	$53.28	100%	$21,311.00
11	Emergency Svc Call - Non-Working Hours	500	$0.00	$39,959.00	0.0%	$0.00	$79.92	100%	$39,959.00
	Totals		**$187,425.00**	**$371,815.00**	**50.4%**			**98%**	**$184,390.00**

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Service Descriptions

1. **Meter Tampering** – If the City discovers that a customer has been tampering with their meter, a lock or coupling is placed on the meter to prevent further interference. Full cost and revenue is based on 16 occurrences.
2. **No House Number – 2nd Trip** – City ordinance requires permanent visible house numbers to be displayed on customer's homes, and a $10 fee is charged when city staff must make more than one return trip to perform work when this number is not displayed. Currently, there is no fee for the first return trip. Current revenue and full cost are based on an estimated 50 service trips.
3. **No House Number - After Hours** – City ordinance requires permanent visible house numbers to be displayed on customer's homes, and a $15 fee is charged when city staff must make more than one return trip after hours to perform work when this number is not displayed. Currently, there is no fee for the first return trip. Current revenue and full cost are based on an estimated 50 service trips.
4. **Meter Service Call** – A $10 fee is currently charged for service calls, most often for leak tests and pressure tests. Full cost and revenue is based on 982 occurrences per year.
5. **Meter Reconnect** – A $35 fee is charged for standard reconnects. After a serviceman cuts off water for nonpayment, a customer will come in and pay the outstanding bill plus the reconnect fee. At this point the serviceperson must go back out and reconnect the water. Full cost of service and current revenue are based on 4,998 reconnects.
6. **Meter Turn On – After Hours / Weekends / Holidays –** For new accounts, the standard turn on service is provided at no fee. However, when a customer requests their service be turned on after hours, on a weekend, or on a holiday, this separate fee is charged. Full cost and revenue are based on an estimated 50 turn ons.
7. **Meter Reconnect – After Hours / Weekends / Holidays –** This service is the same as the 'Meter Reconnect' listed above, except it takes place after hours, on weekends, or on a holiday. Currently, the City does not have a separate fee for this service. Full cost of service is based on 1 after hours reconnect.

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8. **Meter Re-read –** No fee is currently charged for re-reading a meter when a customer thinks there was a mistake on the first read. If implemented, this fee would be best reserved for instances only where the original read was correct. Full costs are based on an estimated 150 instances. **(NO CURRENT FEE)**

9. **Reset Pulled Meter –** In cases where a customer is delinquent in payment, and has the lock or coupling on their meter broken, a serviceman pulls the meter in order to prevent further theft. When the customer pays the delinquent bill(s) and fees, then the serviceman will reinstall the meter. Full costs have been based on an estimate of 20 pulled meters resets each year. **(NO CURRENT FEE)**

10. **Emergency Service Call –** This service is provided for a customer who has a line break and needs the meter shut off to fix the break. On some occasions, the break is not corrected the first time but requires additional trips by city staff to shut off the meter. Current full cost is based on an estimated 400 trips. **(NO CURRENT FEE)**

11. **Emergency Service Call – After Hours / Weekends / Holidays –** This service is provided for a customer who has a line break and needs the meter shut off to fix the break after regular working hours, on weekends, or on holidays. Current full cost is based on an estimated 500 trips. **(NO CURRENT FEE)**

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BILLINGS & COLLECTIONS DEPARTMENT

The table below presents a summary of the comparison of cost and revenue for the user fee services provided by the Billing & Collections. As the table depicts, the identified full cost of providing user fee services totals **$104,052** and the revenue generated from these activities amounts to **$354,250**.

Because the fees listed below all have a punitive nature to them, the City should not necessarily feel limited by actual costs in setting these fees. The purpose of the Billing & Collections fees is more to deter slow (or non) payment than it is a payment for a service rendered.

Detailed Breakdown of Fees/Revenues

	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1	Collection Fees	710.00	$1,775.00	$11,801.00	15.0%	$2.50	$16.62	565%	$10,026.00
2	Late Payment Charges	65,990.00	$329,134.78	$77,623.00	424.0%	10%	$1.18	-76%	-$251,511.78
3	Returned Check Charge	1,167.00	$23,340.00	$14,628.00	159.6%	$20.00	$12.53	-37%	-$8,712.00
	Totals		**$354,249.78**	**$104,052.00**	**340.5%**			**-71%**	**-$250,197.78**

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Service Descriptions

1. **Collection Fees** – Accounts over 60 days old are turned over to a collection agency. At the time this occurs, the City adds a final charge of $5 to the bill, of which the City only keeps half when the collection agency is successful in collecting from the customer. Full cost is based on 710 collections.

2. **Late Payment Charges** – A 10% penalty fee is added to customer's invoice once the bill has gone unpaid for 20 days after the due date. Because this penalty fee is a variable amount dependant upon the total amount due from the customer, costs and revenues have been presented in total. Full cost is based on 65,990 occurrences.
3. **Returned Check Charge** – When a customer's check is returned due to insufficient funds, the Billing & Collections staff send out an additional notice to the customer requesting payment. State Law currently allows a maximum fee of $25. Full cost is based on 1,167 occurrences.

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ANIMAL CONTROL FEES

The table below presents a summary of the comparison of cost and revenue for the user fee services provided by the Animal Services Division. As the table depicts, the identified full cost of providing user fee services totals **$530,340** and the revenue generated from these activities amounts to **$159,603**.

Detailed Breakdown of Fees/Revenues

Animal Services	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1. Animal - Adoptions (excludes Spay/Neuter)	1,100.00	$22,000.00	$143,019.00	15.4%	$20.00	$130.02	550%	$121,019.00
2.1. Animal - Impounds (per day - total)	24,970.00	$65,023.00	$198,381.00	32.8%	VARIOUS	$7.94	n/a	n/a
2.2. Animal - Impounds (city animals - no rev) *	16,820.00	$0.00	$133,631.09	0.0%	VARIOUS	$7.94	n/a	n/a
2.3. Animal - Impounds (days) (recoverable)	8,150.00	$65,023.00	$64,749.91	100.4%	VARIOUS	$7.94	0%	-$273.09
3. Animal - License Tags	2,000.00	$15,000.00	$14,985.00	100.1%	VARIOUS	$7.49	0%	-$15.00
4. Animal - Euthanasia *	2,285.00	$0.00	$162,352.00	0.0%	$0.00	$71.05	n/a	n/a
5. Cremation - Ashes Not Saved	50.00	$500.00	$1,519.00	32.9%	$10.00	$30.38	204%	$1,019.00
6. Cremation - 0-20 Lbs	5.00	$100.00	$731.00	13.7%	$20.00	$146.20	631%	$631.00
7. Cremation - 21-50 Lbs	3.00	$150.00	$439.00	34.2%	$50.00	$146.33	193%	$289.00
8. Cremation - 51-75 Lbs	2.00	$150.00	$292.00	51.4%	$75.00	$146.00	95%	$142.00
9. Cremation - 76-100 Lbs	1.00	$100.00	$158.00	63.3%	$100.00	$158.00	58%	$58.00
10. Cremation - 101-200 Lbs	1.00	$150.00	$158.00	94.9%	$150.00	$158.00	5%	$8.00

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Animal Services	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
11 . Animal - Feline Leukemia	30.00	$300.00	$473.00	63.4%	$10.00	$15.77	58%	$173.00
12 . Animal - Microchip	1,100.00	$11,000.00	$14,869.00	74.0%	$10.00	$13.52	35%	$3,869.00
13 . Animal - Spay/Neuter	1,872.00	$37,660.00	$65,493.00	57.5%	VARIOUS	$34.99	74%	$27,833.00
14 . Animal - Rabies Booster	960.00	$6,720.00	$5,390.00	124.7%	$7.00	$5.61	-20%	-$1,330.00
15 . Animal - Rabies Testing (Head Shipment)	5.00	$250.00	$85.00	294.1%	$50.00	$17.00	-66%	-$165.00
16 . Animal - Heartworm Test	50.00	$500.00	$788.00	63.5%	$10.00	$15.76	58%	$288.00
17 . Animal - Lost & Found Reports *	1,000.00	$0.00	$11,613.00	0.0%	$0.00	$11.61	100%	$11,613.00
18 . Animal - Bite Report *	125.00	$0.00	$12,378.00	0.0%	$0.00	$99.02	100%	$12,378.00
19 . Animal - Trapping *	630.00	$0.00	$27,850.00	0.0%	$0.00	$44.21	100%	$27,850.00
20 . Animal - Dead Animal Pickup *	1,000.00	$0.00	$9,284.00	0.0%	$0.00	$9.28	100%	$9,284.00
21 . Animal - Creulty Investigation *	100.00	$0.00	$74,271.00	0.0%	$0.00	$742.71	100%	$74,271.00
22 . Animal - Patrol (total costs)*	1.00	$0.00	$59,301.00	0.0%	$0.00	$59,301.00	100%	$59,301.00
23 . Animal - Community Education *	175.00	$0.00	$22,494.00	0.0%	$0.00	$128.54	100%	$22,494.00
Totals (excluding 2.1, 2.2, 4)		**$159,603.00**	**$530,339.91**	**30.1%**			**232%**	**$370,736.91**

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* Services provided with no current fees

** Service not available to citizens, unit cost shown for informational purposes only

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Service Descriptions

1. **Adoption Fee** – The City currently charges a fee to adopt animals from the Animal Shelter. The current fee as calculated does not include the cost of the required animal license, the first round of vaccination shots and de-worming, sterilization, a microchip ID, and an animal care kit. Each of those items are identified separately in this document. The current unit cost is based on 1,100 instances.

2. **Impound Fees –** The costs and revenue associated with impounding animals in the City shelter has been segregated into categories.

   2.1 Total Impounds – The total cost of impounding animals in the City shelter has been calculated based on 24,970 impound days.

   2.2 City Animal Impounds – Many of the impounds that the shelter performs generate no revenue for the City as no citizen claims their animal. As such, we've segregated the costs associated with these non-revenue impounds to assist the City with this analysis. Costs are based on 16,820 impound days.

   2.3 Recoverable Animal Impounds – Only those impound days for which the City can recover a fee have been included here. Costs and revenue is based on 8,150 impound days.

3. **License Tag** – Citizens are required to license their pet cats and dogs thru the City's Animal Patrol department. Full costs and revenues are based on an estimated 2,000 occurrences.

4. **Euthanasia **** – While not available to the general public, the full cost of euthanizing animals has been calculated based on 2,285 occurrences.

5. **Cremation – Ashes Not Saved -** The unit cost is based on 50 instances.

6. **Cremation – 0-25 Pounds** - The unit cost is based on 5 instances.

7. **Cremation – 26-50 Pounds -** The unit cost is based on 3 instances.

8. **Cremation – 51-75 Pounds** - The unit cost is based on 2 instances.

9. **Cremation – 76-100 Pounds -** The unit cost is based on one instance.
10. **Cremation – 101-200 Pounds -** The unit cost is based on one instance.
11. **Feline Leukemia Test –** The City vet clinic offers feline leukemia tests for citizen's pets. The unit cost is based on 30 instances.
12. **Microchip Identification** – Costs associated with implanting a microchip into animals for identification are recorded in this fee area. The unit cost is based on 1,100 instances.
13. **Spay/Neuter of Dogs/Cats -** The City vet clinic offers sterilization services for citizen's cats and dogs. The unit cost is based on 1,872 instances.
14. **Rabies Booster –** The City hosts a 'low cost' vet clinic on weekends that offers rabies booster shots for citizen's pets. The unit cost is based on 960 instances.
15. **Rabies Testing – Head Shipment -** In cases of suspected rabies, the head is removed from the animal in question and shipped to Little Rock for further testing. The unit cost is based on 5 instances.
16. **Heartworm Test –** The City vet clinic offers heartworm tests for citizen's pets. The unit cost is based on 50 instances.
17. **Lost & Found Reports * –** The City keeps lost and found reports filed by citizens. Unit cost is based on 1,000 occurrences.
18. **Bite Reports * -** City staff create bite reports whenever an incident is reported. Unit cost is based on 125 occurrences.
19. **Animal Trapping * -** Sometimes, animals must be trapped by City staff – either wild animals, or domestic pets causing problems in a neighborhood. Unit cost is based on 630 occurrences.
20. **Dead Animal Pickup * -** City staff will collect dead animals reported by citizens because of health reasons. The unit cost is based on 1,000 occurrences.
21. **Cruelty Investigations * -** Reports of animal cruelty are followed up on by City staff and an investigation is conducted. The unit cost is based on 100 occurrences.
22. **Patrol –** Costs associated with all animal patrol activities have been recorded here for informational purposes.

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23. Community Education – Animal Control staff provide outreach and education to the community on animal related issues. While there is no revenue associated with this function, the full cost of the activity has been calculated based on 175 occurrences.

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WATER & SEWER FEES

The table below presents a summary of the comparison of cost and revenue for the user fee services provided by the Water & Sewer Departments. As the table depicts, the identified full cost of providing user fee services totals **$1,991,286** and the revenue generated from these activities amounts to **$260,350**.

Detailed Breakdown of Fees/Revenues

	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1	Taps: 1" Water Inside	56	$29,400	$48,933	60.1%	$525.00	$873.80	66%	$19,533
2	Taps: 1" Water Outside	2	$1,150	$1,788	64.3%	$575.00	$894.00	55%	$638
3	Taps: 2" Water Inside	18	$21,600	$32,935	65.6%	$1,200.00	$1,829.72	52%	$11,335
4	Taps: 2" Water Outside	1	$1,250	$1,849	67.6%	$1,250.00	$1,849.00	48%	$599
5	Taps: 4" Sewer	113	$48,025	$98,680	48.7%	$425.00	$873.27	105%	$50,655
6	Taps: 5/8" Water Inside	64	$27,200	$51,043	53.3%	$425.00	$797.55	88%	$23,843
7	Taps: 5/8" Water Outside	16	$7,600	$13,084	58.1%	$475.00	$817.75	72%	$5,484
8	Taps: 5/8" Double Water Inside	50	$47,500	$83,453	56.9%	$950.00	$1,669.06	76%	$35,953
9	Taps: 5/8" Double Water Outside	1	$1,050	$1,690	62.1%	$1,050.00	$1,690.00	61%	$640
10	Taps: 6" Sewer	5	$3,125	$5,419	57.7%	$625.00	$1,083.80	73%	$2,294
11	City Street Bore	28	$6,300	$13,367	47.1%	$225.00	$477.39	112%	$7,067
12	City Street Cut - Asphalt	72	$41,400	$74,548	55.5%	$575.00	$1,035.39	80%	$33,148
13	City Street Cut - Concrete	10	$5,750	$10,916	52.7%	$575.00	$1,091.60	90%	$5,166

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	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
14	Customer Request Water Sample*	16	$0	$485	0.0%	$0.00	$30.31	100%	$485
15	Customer Sewer Backup - Ground*	16	$0	$3,142	0.0%	$0.00	$196.38	100%	$3,142
16	Deep Taps 7-10' *	35	$0	$7,066	0.0%	$0.00	$201.89	100%	$7,066
17	Deep Taps >10' *	11	$0	$4,441	0.0%	$0.00	$403.73	100%	$4,441
18	Fire Hydrant Flow Test*	57	$0	$6,394	0.0%	$0.00	$112.18	100%	$6,394
19	Flouride Sample*	55	$0	$1,667	0.0%	$0.00	$30.31	100%	$1,667
20	State Highway Bore	10	$4,250	$7,384	57.6%	$425.00	$738.40	74%	$3,134
21	State Highway Cut	10	$12,250	$22,321	54.9%	$1,225.00	$2,232.10	82%	$10,071
22	State Highway Permit	20	$2,500	$6,103	41.0%	$125.00	$305.15	144%	$3,603
23	Investigate Bill Jobs*	8	$0	$213	0.0%	$0.00	$26.63	100%	$213
24	Investigate Emergency Bill*	28	$0	$897	0.0%	$0.00	$32.04	100%	$897
25	Investigate Sewer Odor*	36	$0	$2,546	0.0%	$0.00	$70.72	100%	$2,546

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	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
26	Large Locates*	1,899	$0	$348,955	0.0%	$0.00	$183.76	100%	$348,955
27	Medium Locates*	2,659	$0	$201,593	0.0%	$0.00	$75.82	100%	$201,593
28	Sewer Backup - Bldg*	13	$0	$4,517	0.0%	$0.00	$347.46	100%	$4,517
29	Sewer Cleanup*	55	$0	$11,641	0.0%	$0.00	$211.65	100%	$11,641
30	Sewer Jobs - City*	2,277	$0	$591,398	0.0%	$0.00	$259.73	100%	$591,398
31	Sewer - Meet with Plumber*	200	$0	$18,425	0.0%	$0.00	$92.13	100%	$18,425
32	Sewer Svc Pt Rep*	147	$0	$124,700	0.0%	$0.00	$848.30	100%	$124,700
33	Slow Drain*	15	$0	$1,512	0.0%	$0.00	$100.80	100%	$1,512
34	Small Locates*	3,039	$0	$165,428	0.0%	$0.00	$54.44	100%	$165,428
35	Water Leak Investigate*	418	$0	$22,753	0.0%	$0.00	$54.43	100%	$22,753
	Totals		**$260,850**	**$1,991,286**	**13.1%**			**665%**	**$1,730,936**

* Services provided with no current fees

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Service Descriptions

1. **Taps – 1" Water Inside** – Full cost and revenue for this service is based on 56 instances.
2. **Taps – 1" Water Outside** – Full cost and revenue for this service is based on 2 instances.
3. **Taps – 2" Water Inside** – Full cost and revenue for this service is based on 18 instances.
4. **Taps – 2" Water Outside** – Full cost and revenue for this service is based on 1 instance.

5. **Taps – 4" Sewer** – Full cost and revenue for this service is based on 113 instances.
6. **Taps – 5/8" Water Inside** – Full cost and revenue for this service is based on 64 instances.
7. **Taps – 5/8" Water Outside** – Full cost and revenue for this service is based on 16 instances.
8. **Taps – 5/8" Double Water Inside** – Full cost and revenue for this service is based on 50 instances.
9. **Taps – 5/8" Double Water Outside** – Full cost and revenue for this service is based on one instance.
10. **Taps – 6" Sewer** – Full cost and revenue for this service is based on 5 instances.
11. **City Street Bore** – Full cost and revenue for this service is based on 28 instances.
12. **City Street Cut, Asphalt** – Full cost and revenue for this service is based on 72 instances.
13. **City Street Cut, Concrete** – Full cost and revenue for this service is based on 10 instances.
14. **Customer Requested Water Sample** – Full cost and revenue for this service is based on 16 instances. (NO CURRENT FEE)
15. **Customer Sewer Backup (Ground Cleanup)** – Full cost and revenue for this service is based on 16 instances. (NO CURRENT FEE)
16. **Deep Taps – 7-10'** – Full cost and revenue for this service is based on 35 instances. (NO CURRENT FEE)
17. **Deep Taps – >10'** – Full cost and revenue for this service is based on 11 instances. (NO CURRENT FEE)
18. **Fire Hydrant Flow Test** – Full cost and revenue for this service is based on 57 instances. (NO CURRENT FEE)
19. **Flouride Sample** – Full cost and revenue for this service is based on 55 instances. (NO CURRENT FEE)
20. **State Highway Bore** – Full cost and revenue for this service is based on 10 instances.
21. **State Highway Cut** – Full cost and revenue for this service is based on 10 instances.
22. **State Highway Permit** – Full cost and revenue for this service is based on 20 instances.
23. **Investigate Bill Jobs** – Full cost and revenue for this service is based on 8 instances. (NO CURRENT FEE)

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24. **Investigations Emergency Bill Jobs** – Full cost and revenue for this service is based on 28 instances. (NO CURRENT FEE)
25. **Investigate Sewer Odor** – Full cost and revenue for this service is based on 36 instances. (NO CURRENT FEE)
26. **Large Locates** – Full cost and revenue for this service is based on 1899 instances. (NO CURRENT FEE)
27. **Medium Locates** – Full cost and revenue for this service is based on 2659 instances. (NO CURRENT FEE)
28. **Sewer Backup Building** – Full cost and revenue for this service is based on 13 instances. (NO CURRENT FEE)
29. **Sewer Clean Up** – Full cost and revenue for this service is based on 55 instances. (NO CURRENT FEE)
30. **Sewer Jobs City** – Full cost and revenue for this service is based on 2277 instances. (NO CURRENT FEE)
31. **Sewer – Meet w/ Plumber** – Full cost and revenue for this service is based on 200 instances. (NO CURRENT FEE)
32. **Sewer Svc Pt Rep** – Full cost and revenue for this service is based on 147 instances. (NO CURRENT FEE)
33. **Sewer Slow Drain** – Full cost and revenue for this service is based on 15 instances. (NO CURRENT FEE)
34. **Small Locates** – Full cost and revenue for this service is based on 3039 instances. (NO CURRENT FEE)
35. **Water Leak Investigation** – Full cost and revenue for this service is based on 418 instances. (NO CURRENT FEE)

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TRANSPORTATION DEPARTMENT

The table below presents a summary of the comparison of cost and revenue for the user fee services provided by the Transportation Department. As the table depicts, the identified full cost of providing user fee services totals **$55,952** and the revenue generated from these activities amounts to **$11,439**.

Detailed Breakdown of Fees/Revenues

	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1	Street Millings (per ton)	1,765	$7,054.00	$46,333.00	15.2%	$4.00	$26.25	557%	$39,279.00
2	Drain Pipe Install: Small*	5	$1,125.00	$2,425.00	46.4%	materials only	$485.00	116%	$1,300.00
3	Drain Pipe Install: Medium*	7	$1,750.00	$3,941.00	44.4%	materials only	$563.00	125%	$2,191.00
4	Drain Pipe Install: Large*	4	$1,200.00	$2,703.00	44.4%	materials only	$675.75	125%	$1,503.00
5	Snow/Ice Control	2	$310.00	$550.00	56.4%	$155.00	$275.00	77%	$240.00
	Totals		**$11,439.00**	**$55,952.00**	**20.4%**			**389%**	**$44,513.00**

* Customer pays for only for raw materials, City provides labor for no charge.

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Service Descriptions

1. **Street Millings (per ton)** – Costs are based on 1763.61 tons of street millings. At $4/per ton, the City is only recovering 15% of the costs associated with this activity.

2. **Drain Pipe Install: Small** – Small drainage pipes (less than 40 feet) are installed under driveways by City staff. The cost of the pipe is paid for by the citizen, and City staff does the actual installation to ensure it is completed correctly. Currently, there is no fee to recover labor costs associated with these installations. Full cost is based on 5 occurrences.
3. **Drain Pipe Install: Medium** – Medium drainage pipes (40-60 feet) are installed under driveways by City staff. The cost of the pipe is paid for by the citizen, and City staff does the actual installation to ensure it is completed correctly. Currently, there is no fee to recover labor costs associated with these installations. Full cost is based on 7 occurrences.
4. **Drain Pipe Install: Large** – Large drainage pipes (more than 60 feet) are installed under driveways by City staff. The cost of the pipe is paid for by the citizen, and City staff does the actual installation to ensure it is completed correctly. Currently, there is no fee to recover labor costs associated with these installations. Full cost is based on 4 occurrences.
5. **Snow / Ice Control** - Currently there is contracted service to spread salt and grit on the Veteran's Hospital's paved areas. The current fee for this service is recovering 56% of the City's costs.

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POLICE DEPARTMENT

The table below presents a summary of the comparison of cost and revenue for the user fee services provided by the Police Department. As the table depicts, the identified full cost of providing user fee services totals **$98,019** and the revenue generated from these activities amounts to **$23,362**.

Detailed Breakdown of Fees/Revenues

	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1	Accident Reports	4,152	$20,760.00	$24,919.00	83.3%	$5.00	$6.00	20%	$4,159.00
2	Parking Lot Accident Reports	334	$668.00	$1,002.00	66.7%	$2.00	$3.00	50%	$334.00
3	Delayed Accident Reports	300	$600.00	$901.00	66.6%	$2.00	$3.00	50%	$301.00
4	Theft/Complaint Reports	150	$300.00	$450.00	66.7%	$2.00	$3.00	50%	$150.00
5	Other Reports (1st sheet)	20	$20.00	$36.00	55.6%	$1.00	$1.80	80%	$16.00
6	Other Reports (more pages)	20	$5.00	$6.00	83.3%	$0.25	$0.30	20%	$1.00
7	Additional Breath Test	40	$1,000.00	$720.00	138.9%	$25.00	$18.00	-28%	-$280.00
8	Taxi Driver Permit	2	$4.00	$17.00	23.5%	$2.00	$8.50	325%	$13.00
9	Criminal Records Check	1	$5.00	$12.00	41.7%	$5.00	$12.00	140%	$7.00

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	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
10	Abandoned Vehicle Response*	446	$0.00	$5,353.00	0.0%	$0.00	$12.00	100%	$5,353.00
11	Wrecker Company Inspection*	11	$0.00	$394.00	0.0%	$0.00	$35.82	100%	$394.00
12	Fingerprinting*	350	$0.00	$4,194.00	0.0%	$0.00	$11.98	100%	$4,194.00
13	Auto Unlocks*	5,000	$0.00	$60,015.00	0.0%	$0.00	$12.00	100%	$60,015.00
	Totals		**$23,362.00**	**$98,019.00**	**23.8%**			**320%**	**$74,657.00**

* Services currently provided for no charge.

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Service Descriptions

1. **Accident Reports** – A copy fee is charged for copies of accident reports. Costs are based on 4,152 occurrences.
2. **Parking Lot Accident Reports** – A copy fee is charged for copies of parking lot accident reports. Costs are based on 334 occurrences.
3. **Delayed Accident Reports** – A fee is charged for copies of delayed accident reports. Costs are based on 300 occurrences.
4. **Theft/Complaint Reports** – Copies of complaint or theft reports are made available to individuals, attorneys, and insurance companies upon request. Costs are based on 150 occurrences.
5. **Other Reports (1st Page)** – A fee is currently charged for the 1st page of all other types of reports. Costs are based on 20 occurrences.
6. **Other Reports (additional pages)** – A fee is currently charged for the additional pages of all other types of reports. Costs are based on 20 pages requested.

7. **Additional Breath Test** – After failing a breath test, a person may, upon request, be retested. The current fee for this service is $25.00. Costs are based on 40 occurrences.
8. **Taxi Driver Permit** – Taxi drivers are required to have a current Taxi Driver permit issued by the Police Department. Costs are based on 2 occurrences.
9. **Criminal Records Check** – The Police Department performs criminal records checks for other law enforcement agencies. Costs are based on a single occurrence, as no data was available on the number of times this activity was performed.
10. **Abandoned Vehicle Response** – There is currently no fee charged for responding to an abandoned vehicle. Full costs are based on 446 occurrences. (NO CURRENT FEE)
11. **Wrecker Company Inspection** – The Police Department does an inspection of all wrecking companies before they can be included in the towing 'rotation'. No fee is charged for this service. Full costs are based on 11 occurrences. (NO CURRENT FEE)
12. **Fingerprinting** – No fee is currently being charged for fingerprintings performed by the Police Department. Full costs are based on 350 occurrences. (NO CURRENT FEE)
13. **Auto Unlocks** – Officers will unlock citizens cars upon request. Currently, this service is being provided without a fee, as a courtesy to citizens, despite this service being offered by the private sector as well. Costs are based on 5,000 occurrences. (NO CURRENT FEE)

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ALCOHOLIC BEVERAGE & PRIVILEGE PERMITS

The table below presents a summary of the comparison of cost and revenue for the alcoholic beverage and privilege permits issued by the Accounting & Audit Department. As the table depicts, the identified full cost of issuing the alcoholic beverage and privilege permits totals **$3,565** and the revenue generated from these activities amounts to **$32,820**, leaving a current City 'profit' of $29,255. A revenue stream that exceeds cost in this fee area is typical as these permit fees are not true 'fee for service' areas. Rather, these permits are regulatory in nature, and the fees charged for each need not be limited by the cost of issuance.

Detailed Breakdown of Fees/Revenues

	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1	Alcohol - On Premises Consumption	51.00	$12,750.00	$878.00	1452.2%	$250.00	$17.22	-93%	-$11,872.00
2	Alcohol - Private Club	29.00	$7,250.00	$499.00	1452.9%	$250.00	$17.21	-93%	-$6,751.00
3	Alcohol - Retail Beer & Light Wine	73.00	$2,920.00	$1,256.00	232.5%	$40.00	$17.21	-57%	-$1,664.00
4	Alcohol - Retail Liquor	19.00	$4,750.00	$327.00	1452.6%	$250.00	$17.21	-93%	-$4,423.00
5	Alcohol - Retail Beer Off Premises	19.00	$0.00	$327.00	0.0%	$0.00	$17.21	100%	$327.00
6	Alcohol - Wholesale Beer	3.00	$375.00	$52.00	721.2%	$125.00	$17.33	-86%	-$323.00
7	Alcohol - Large Attendance Facility	1.00	$500.00	$18.00	2777.8%	$500.00	$18.00	-96%	-$482.00
8	Alcohol - Satellite Catering	1.00	$250.00	$18.00	1388.9%	$250.00	$18.00	-93%	-$232.00
9	Alcohol - Wholesale Liquor	1.00	$500.00	$18.00	2777.8%	$500.00	$18.00	-96%	-$482.00

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	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
10	Permit - Taxi Service	2.00	$100.00	$22.00	454.5%	$50.00	$11.00	-78%	-$78.00
11	Permit - Limo Service	1.00	$25.00	$12.00	208.3%	$25.00	$12.00	-52%	-$13.00
12	Permit - Rental Car Service	1.00	$200.00	$12.00	1666.7%	$200.00	$12.00	-94%	-$188.00
13	Permit - Non Motorized Transport	2.00	$500.00	$22.00	2272.7%	$250.00	$11.00	-96%	-$478.00
14	Permit - Pawn Broker	9.00	$2,700.00	$104.00	2596.2%	$300.00	$11.56	-96%	-$2,596.00
	Totals		**$32,820.00**	**$3,565.00**	**920.6%**			**-89%**	**-$29,255.00**

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Service Descriptions

1. **Alcohol – On Premises Consumption (< 100 capacity)** – Costs and revenues are based on an estimate of 51 occurrences per year.
2. **Alcohol – Private Club** – Costs and revenues are based on an estimate of 29 occurrences per year.
3. **Alcohol - Retail Beer & Light Wine** – Costs and revenues are based on an estimate of 73 occurrences per year.
4. **Alcohol – Retail Liquor** – Costs and revenues are based on an estimate of 19 occurrences per year.
5. **Alcohol – Retail Beer Off Premises –** Costs and revenues are based on an estimate of 19 occurrences per year.
6. **Alcohol – Wholesale Beer & Light Wine –** Costs and revenues are based on an estimate of 3 occurrences per year.
7. **Alcohol - Large Attendance Facility –** Costs and revenues are based on an estimate of 1 occurrence per year.
8. **Alcohol - Satellite Catering –** Costs and revenues are based on an estimate of 1 occurrence per year.
9. **Alcohol – Wholesale Liquor –** Costs and revenues are based on an estimate of 1 occurrence per year.

10. **Permit – Taxi Service –** An annual permit is required for Taxi Cab Service businesses. An additional fee of $5 is charged for each passenger vehicle used on City streets. Costs and revenue are based on an estimate of 2 occurrences each year.
11. **Permit – Limo Service –** An annual permit is required for Limousine Service businesses. An additional fee of $5 is charged for each passenger vehicle used on City streets. Costs and revenue are based on an estimate of 1 occurrence each year.
12. **Permit – Rental Car Service –** An annual permit is required for Rental Car Service businesses. Costs and revenue are based on an estimate of 1 occurrence each year.
13. **Permit – Non Motorized Passenger Transport Service** – An annual permit is required for Non Motorized Transport Service businesses. Costs and revenue are based on an estimate of 2 occurrences each year.
14. **Permit – Pawn Broker** – An annual permit is required for Non Motorized Transport Service businesses. Costs and revenue are based on an estimate of 9 occurrences each year.

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BUILDING SAFETY FEES

The table below presents a summary of the comparison of cost and revenue for the Building Safety related user fee services. As the table depicts, the identified full cost of providing user fee services totals **$751,974** and the revenue generated from these activities amounts to **$1,073,431**.

Cost Allocation & User Fee Study
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Detailed Breakdown of Fees/Revenues

	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1	Electric Permits	all	$63,186.00	$130,590.00	48.4%	VARIOUS	$130,590.00	107%	$67,404.00
2	Gas Permits	all	$18,204.00	$54,723.00	33.3%	VARIOUS	$54,723.00	201%	$36,519.00
3	Mechanical Permits	all	$36,684.00	$60,813.00	60.3%	VARIOUS	$60,813.00	66%	$24,129.00
4	Plumbing Permits	all	$73,456.00	$146,296.00	50.2%	VARIOUS	$146,296.00	99%	$72,840.00
5	Permit Box Fee	918.00	$6,720.00	$7,316.00	91.9%	$7.00	$7.97	9%	$596.00
6	Reinspection Fee	145.00	$4,860.00	$3,862.00	125.8%	$20.00	$26.63	-21%	-$998.00
7	Moving Fee	7.00	$700.00	$249.00	281.1%	$100.00	$35.57	-64%	-$451.00
8	Demolition Fee	19.00	$850.00	$664.00	128.0%	$50.00	$34.95	-22%	-$186.00
9	Plan Review Fee	295.00	$118,938.00	$114,307.00	104.1%	VARIOUS	$387.48	-4%	-$4,631.00
10	Building Permit Fees	all	$708,738.00	$172,970.00	409.8%	VARIOUS	$172,970.00	-76%	-$535,818.00
11	Driveway/Curb/Sidewalk	725.00	$18,505.00	$12,688.00	145.8%	VARIOUS	$17.50	-31%	-$5,817.00
12	Occupancy Cert	1,075.00	$20,140.00	$29,722.00	67.8%	$15.00	$27.65	48%	$9,582.00

	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Current Fee	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
13	Renewal Fee	7.00	$350.00	$50.00	700.0%	$50.00	$7.14	-86%	-$300.00
13	Footing/Foundation	1.00	$50.00	$55.00	90.9%	$50.00	$55.00	10%	$5.00
14	Design Build Fee	2.00	$2,000.00	$1,301.00	153.7%	VARIOUS	$650.50	-35%	-$699.00
15	Residential Plan Review *	914.00	$0.00	$16,368.00	0.0%	NONE	$17.91	100%	$16,368.00
	Totals		**$1,073,431.00**	**$751,974.00**	**142.7%**			**-30%**	**-$321,457.00**

* Service provided at no cost.

Cost Allocation & User Fee Study
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Service Descriptions

1. **Electrical Permits –** All revenue and costs associated with Electrical permits and inspections are shown here. Costs are based on 1,045 permits and 4,537 inspections.
2. **Gas Permits -** All revenue and costs associated with Gas permits and inspections are shown here. Costs are based on 436 permits and 2,963 inspections.
3. **Mechanical Permits -** All revenue and costs associated with Mechanical permits and inspections are shown here. Costs are based on 585 permits and 3,105 inspections.
4. **Plumbing Permits -** All revenue and costs associated with Plumbing permits and inspections are shown here. Costs are based on 885 permits and 5,005 inspections.
5. **Permit Box Fee -** All revenue and costs associated with a Permit Box are shown here. Costs are based on 918 occurrences.
6. **Reinspection Fee -** All revenue and costs associated with Reinspections are shown here. Costs are based on 145 occurrences.
7. **Moving Fee -** All revenue and costs associated with Moving fees are shown here. Costs are based on 7 occurrences.

8. **Demolition Fee -** All revenue and costs associated with Demolition fees are shown here. Costs are based on 19 occurrences.
9. **Plan Review Fee -** All revenue and costs associated with Plan Reviews are shown here. Costs are based on 295 occurrences.
10. **Building Permit Fees -** All revenue and costs associated with Building permits and inspections are shown here. Costs are based on 675 occurrences with 6,234 inspections.
11. **Driveway/Curb/Sidewalk –** All revenue associated with Driveway/Curb/Sidewalk services are shown here. Costs and revenue are based on 725 occurrences.
12. **Occupancy Certification -** Full cost and revenue are based on 1075 occurrences.
13. **Renewal Fee –** When a permit expires, a renewal fee is required to be paid. Costs and revenues are based on 7 occurrences.
14. **Footing/Foundation Fee –** Full cost and revenue are based on one occurrence.
15. **Design Build Fee –** Full cost and revenue are based on two occurrences.
16. **Residential Plan Review –** These plan reviews are currently done at no fee to the customer. Full cost is based on 914 occurrences. (NO CURRENT FEE)

Cost Allocation & User Fee Study
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PARKS & RECREATION FEES

The table below presents a summary of the comparison of cost and revenue for the Parks & Recreation related user fee services. As the table depicts, the identified full cost of providing user fee services totals **$1,062,133** and the revenue generated from these activities amounts to **$289,376**.

Detailed Breakdown of Fees/Revenues

	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
1	Boat Stall Rents	104.00	$14,102	$42,378	33.3%	$407.48	201%	$28,276
2	Fishing Permit	7,512.00	$23,251	$29,950	77.6%	$3.99	29%	$6,699
3	Boating Permit	2,194.00	$8,926	$32,447	27.5%	$14.79	264%	$23,521
4	Swimming Pool	21,195.00	$30,448	$219,943	13.8%	$10.38	622%	$189,495
5	Swimming Lessons	362.00	$9,050	$9,152	98.9%	$25.28	1%	$102
6	Softball Adult (teams)	193.00	$74,320	$291,001	25.5%	$1,507.78	292%	$216,681
7	Softball Youth Slow	353.00	$19,920	$68,595	29.0%	$194.32	244%	$48,675
8	Softball Youth Fast (teams)	22.00	$8,920	$38,068	23.4%	$1,730.36	327%	$29,148
9	Soccer Youth	2,785.00	$85,720	$273,268	31.4%	$98.12	219%	$187,548
10	Football Adult (teams)	8.00	$2,740	$11,210	24.4%	$1,401.25	309%	$8,470

Cost Allocation & User Fee Study
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	Service	# of Occurrences	Revenue	Cost	Current Recovery %	Fee @ Full Cost	Potential Fee Increase %	Potential Revenue Enhancement
11	Gary Hampton Facility Rental	8.00	$2,235	$7,385	30.3%	$923.13	230%	$5,150
12	Lake Fayetteville Facility Rental	3.00	$675	$2,233	30.2%	$744.33	231%	$1,558
13	White River Facility Rental	1.00	$150	$589	25.5%	$589.00	293%	$439
14	Asbell Lewis Facility Rental	3.00	$1,400	$4,400	31.8%	$1,466.67	214%	$3,000
16	Walker Facility Rental	1.00	$350	$1,119	31.3%	$1,119.00	220%	$769
17	Athletic Facility Rental	12.00	$600	$1,841	32.6%	$153.42	207%	$1,241
18	Play Fees - Per Player	1,314.00	$6,569	$28,554	23.0%	$21.73	335%	$21,985
	Totals		**$289,376**	**$1,062,133**	**27.2%**		**267%**	**$772,757**

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Service Descriptions

1. **Boat Stall Permits –** All revenue and costs associated with Boat Stall rental at the two lakes are shown here. Unit cost is based on 104 occurrences.
2. **Fishing Permits –** All revenue and costs associated with Fishing permits are shown here. Unit cost is based on 7512 permits issued.
3. **Boating Permits –** All costs and revenue associated with issuing and enforcing Boating Permits are shown here. The City is currently recovering approximately 28% of their costs associated with this activity.
4. **Swimming Pool Admittance –** The City is currently only recovering approximately 14% of the costs of operating the swimming pool.
5. **Swimming Lessons –** Costs of Swim lessons offered by City staff lifeguards have been based on 362 lessons provided.

6. **Softball Adult –** All revenue and costs associated with operating the City's Adult Softball leagues are shown here. The unit cost is based on 193 teams participating.
7. **Softball Youth Slow –** All revenue and costs associated with operating the City's Youth Softball (slow pitch) leagues are shown here. The unit cost is based on 353 participants.
8. **Softball Youth Fast –** All revenue and costs associated with operating the City's Youth Softball (fast pitch) leagues are shown here. The unit cost is based on 22 teams participating.
9. **Soccer Youth –** All revenue (including sponsorships) and costs associated with operating the City's Youth Soccer league are shown here. The unit cost is based on 2,785 participants.
10. **Flag Football Adult –** All revenue and costs associated with operating the City's Flag Football Adult league are included in this item. The unit cost is based on 8 teams participating.

11-17. **Facility Rentals –** All revenue and costs associated with facilities available for rental are included here. On the whole, the City is recovering approximately 30% of its costs.

18. **Player Fees** – A $5 per play fee is collected from sports leagues that utilize the City's facilities, but are not actually operated by the City in order to recover the maintenance costs of the facilities used. The unit cost is based on 1,314 participants.

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Planning
Engineering

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DEVELOPMENT SERVICES FEES

Description	Amount
Building Permits	
Original C of O—new building	$ 15.00
Certificate of Completion	$ 15.00
C of O—existing building and/or change of use	$ 25.00
Demolition permit	$ 50.00
Temporary C of O	$ 25.00
Footing/foundation only	$ 50.00
Appeal to CBAA	$ 50.00
Moving permit	$ 100.00
Administration/Maintenance Fee	$ 25.00
Permit extension	$ 50.00
Permit Processing Fee	$ 200.00
Design/Build Fee	½ permit fee / $1,000 max
Emergency/After Hours Inspection	$ 20.00
Outside City Limits	$ 20.00
Construction without Permit	Permit Fee x2
Re-inspection Fee	$25 1st Occurrence, then 2x ($200 max)
Temporary CO	$25 for Initial TCO, then 2x every 30 days ($200 max)
Electrical Permits	
First four (4) Meters	$ 20.00
Each Additional Meter	$ 5.00
Per Outlet/Opening	$ 0.25
Inspection in Concrete	$ 10.00
Neon tube lighting	$ 10.00
Minimum Permit Fee	$ 20.00
Apprentice registration	$ 10.00
Gas Permits	
First five (5) Fixtures	$20 / $2 each addtl fixture
Mechanical Permits	
Minimum Fee for 1st Unit	$ 20.00
Additional Units greater than 1/3 HP	$ 5.00
Fractional HP Mech. Exhaust	$ 2.00
Gas Vent per Unit	$ 5.00
Plumbing Permits	
1ST Five (5) Fixtures	$20 / $1.75 each addtl fixture
Inspection Under Slab	$ 10.00

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Building Permit Fee Schedule

FEE SCHEDULE

NOTICE: Fractions of $1,000 are considered to the next $1,000 in cost. Fees shall be based on material and labor, (including plumbing, electrical and heat/cooling cost).

Material & Labor:	Permit Cost:	Material & Labor:	Permit Cost:	Material & Labor:	Permit Cost:
$1 to 1,000	*No Fee	$18,000	$100	$35,000	$185
$2,000	$20	$19,000	$105	$36,000	$190
$3,000	$25	$20,000	$110	$37,000	$195
$4,000	$30	$21,000	$115	$38,000	$200
$5,000	$35	$22,000	$120	$39,000	$205
$6,000	$40	$23,000	$125	$40,000	$210
$7,000	$45	$24,000	$130	$41,000	$215
$8,000	$50	$25,000	$135	$42,000	$220
$9,000	$55	$26,000	$140	$43,000	$225
$10,000	$60	$27,000	$145	$44,000	$230
$11,000	$65	$28,000	$150	$45,000	$235
$12,000	$70	$29,000	$155	$46,000	$240
$13,000	$75	$30,000	$160	$47,000	$245
$14,000	$80	$31,000	$165	$48,000	$250
$15,000	$85	$32,000	$170	$49,000	$255
$16,000	$90	$33,000	$175	$50,000	$260
$17,000	$95	$34,000	$180		

** No Fee, unless inspection required, in which case a $20.00 fee for the first inspection will be charged.*

FEE SCHEDULE CONTINUED

$50,001 to $100,000: $260 for the first $50,000 plus $4 for each additional thousand or fraction thereof, to and including $100,000

$100,001 to $500,000: $460 for the first $100,000 plus $3 for each additional thousand or fraction thereof, to and including $500,000

$500,001 and up: $1,660 for the first $500,000 plus $2 for each additional thousand.

	Permit Fee	Total Fee
Project Valuation up to $100k	$4 = $460	$690
Project Valuation up to $500k	$3 = $1,660	$2,490
Project Valuation over $500k	$2 = $2,660	$3,990

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PLANNING FEES

Description	Amount
Signs	
Sign Permit	$ 25.00
Windblown Signs	$ 10.00
Sign Variance Filing Fee	$ 25.00
Development	
All Concept Plats	$ 50.00
Lot Splits	$ 200.00
Property Line Adjustments	$ 200.00
Resubmittal Fee for Tabled Items	$ 200.00
Plat Reviews (CCP, PPL, FPL)	
Nonresidential	$ 800.00
Residential (10 or less)	$ 200.00
Residential (25 or less)	$ 400.00
Residential (over 25)	$ 800.00
Other Plan Reviews (LSD, SIP, LSIP)	
Nonresidential (5000 sq ft or less)	$ 400.00
Nonresidential (over 5000 sq ft)	$ 800.00
Residential (10 units or less)	$ 200.00
Residential (25 units or less)	$ 400.00
Residential (26 units or more)	$ 800.00
Zoning	
Rezoning	$ 325.00
Zoning Verification Letter	$ 50.00
Planned Zoning District	
Nonresidential (5000 sq ft or less)	$ 800.00
Nonresidential (over 5000 sq ft)	$ 1,125.00
Residential (10 units/lots or less)	$ 525.00
Residential (25 units/lots or less)	$ 725.00
Residential (over 25 units/lots)	$ 1,125.00
Conditional Use Permit	$ 100.00
Variances	
Planning Commission Variance	$ 100.00
Board of Adjustment Variance	$ 100.00
After Violation has occurred	$ 200.00
Appeal of Zoning & Development Administrator Determination	$ 100.00

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PLANNING FEES

Description	Amount
Vacation (easement or ROW)	$ 200.00
Annexation	$ 325.00
Fireworks Vendor Permit	$ 500.00
Small Cell Facilities	
Co-located Facility	$ 100.00
New or Replacement Facility	$ 250.00
Annual Fee for Each	$ 30.00
Co-location of City-owned Pole	$ 240.00
Unauthorized Co-location	$ 480.00
Reinspection	$ 150.00
Other	
Outdoor Mobile Vendor Permit	$ 100.00
Parklet	$ 100.00
Sidewalk Vendor Permit (Jan-June)	$ 100.00
Sidewalk Vendor Permit (July-Dec)	$ 50.00
Tree Preservation Fee	$ 120.00
Public Notification Fee	$ 5.00
Manufactured Home	$ 25.00
Manufactured Home Renewal	$ 12.50
Home Occupation	$ 25.00
Home Occupation Renewal	$ 12.50
Tree Preservation	
Filing Fee	$ 120.00

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ENGINEERING FEES

Description	Amount
Streets and Sidewalks	
Driveway, curb cut, sidewalk, and all other excavation in public ROW	$ 25.00

Temporary Closure Permit	Application Fee	Per Day Fee
Sidewalks	$ 50.00	$ 25.00
Residential Streets	$ 50.00	$ 25.00
Neighborhood & Regional Links	$ 50.00	$25 - $150
Downtown/Urban Streets		
Closure Extension Permit	$ 25.00	same as above

	Grading Plan & Permit	Resubmittal Fee	Drainage Report Review (if required)
Grading Permit			
Less than 0.50 acre	$ 75.00	$ 75.00	$ 75.00
0.50 to 1.0 acre	$ 100.00	$ 100.00	$ 100.00
Over 1.0 acre	$ 200.00	$ 200.00	$ 200.00
Appeals	$ 100.00	N/A	N/A
Re-inspection Fee	$25 1st occurrence, then 2x ($200 max)		
Construction without Grading Permit	Grading Permit Fee x2		
Floodplain Determination			
Administrative Review (qa) (EC, Fence, Acc Structure, etc.)	$ 50.00	N/A	N/A
LOMA, LOMR-F	$ 75.00	$ 25.00	N/A
CLOMR/LOMR	$ 200.00	$ 100.00	N/A
Appeals	$ 100.00	N/A	N/A

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CITY OF FAYETTEVILLE ARKANSAS

RESIDENTS OF FAYETTEVILLE

CITY COUNCIL
Sonia Harvey
D'Andre Jones
Mark Kinion
Mike Wiederkehr
Sloan Scroggin
Sarah Bunch
Teresa Turk
Holly Hertzberg
Contact City Clerk's Office for details

CITY ATTORNEY
Kit Williams
Contact City Attorney for Organizational Information

- Assistant City Attorney — Blake Pennington
- City Prosecutor — Brian Thomas

CITY CLERK TREASURER
Kara Paxton
Contact City Clerk for Organizational Information

MAYOR
Lioneld Jordan
Detailed Organizational Information Below

- Mayor's Office Administration — Patti Mulford

DISTRICT COURT JUDGE
Casey Jones
Contact District Judge for Organizational Information

CHIEF OF POLICE
Mike Reynolds
Organizational Chart Available

CHIEF OF STAFF
Susan Norton

FIRE CHIEF
Brad Hardin
Organizational Chart Available

CHIEF FINANCIAL OFFICER
Paul Becker
Organizational Chart Available

- **Communications & Marketing** — Senior Director: Lisa Thurber
  - Media Services — Director: Doug Bankston
  - Comm Project Managers — Charlie Gocio; Vacant
- **Community Resources /Equity Officer** — Director: Yolanda Fields
  - Animal Services — Justine Lentz
  - Community Development — Kelly Colebar
- **Development Services** — Senior Director: Jonathan Curth
  - Building Safety & Permits — Director: Dennis Sanders
  - Code Compliance — Billy Bryant
  - Development Review — Jessica Masters
  - Urban Forestry — Melissa Evans
  - Long Range Planning / Special Projects — Britin Bostick
  - Operations & Customer Relations Mgr — Becca Bertram
- **Environmental** — Director: Peter Nierengarten
  - Recycling & Trash — Director: Jeff Coles
    - Trash/Recycling Collection — Jason Davis
    - Waste Reduction & Education — Brian Pugh
    - Commercial Programs — Andrew Cook
  - Sustainability — Leif Olson; Chris McNamara
- **Economic Vitality** — Director: Devin Howland
- **Parks, Natural Resources and Cultural Affairs** — Senior Director: Alison Jumper
  - City Recreational Programs — Lee Farmer
    - Recreational Programs — Tiffany Hoover
    - Yvonne Richardson Center — Joshua Lainfiesta
    - Lake Contractors — Lake Fayetteville; Lake Sequoyah
  - Cultural Arts — Vacant
  - Park Planning & Urban Forestry — Ted Jack
    - Urban Forestry — John Scott
    - Park Planning — Zach Foster
- **Human Resources** — Director: Missy Cole
- **Information Technology** — Director: Keith Macedo
  - Geographic Information Systems — Greg Resz
- **Public Works** — Senior Director: Chris Brown
  - *Engineering & Design* — *Asst Director Future*
    - Development & Construction Manager — Jonathan Ely
    - Engineering Design Manager — Matt Casey
    - Stormwater Engineer — Alan Pugh
    - Trail Coordination — Matt Mihalevich
  - Operations / Transportation — Asst Director: Terry Gulley
    - Transportation Services — Joey Smith; Keith Shreve
    - Airport Services — Summer Fallen
    - Fleet Operations — Vacant
  - Parking Management — Justin Clay
    - Park / Trail Maintenance — Byron Humphry
    - Facilities & Construction — Gary Sager
    - Parks Maintenance — Nathan Albertson; John Suchowski
    - Horticulture City Gardens — Tina Buxton; Jennifer Royer
    - Volunteer Coordinator — Kristina Jones
- **Internal Audit** — Steve Dotson
- **Utilities** — Senior Director: Tim Nyander
  - Utility Engineering — Corey Granderson
  - Project Management — Lynn Hyke
  - Water & Sewer Operations — Mark Rogers
    - Water & Sewer Operations — Aaron Watkins
    - Back Flow — Randy Bolinger
    - Meter Operations — Jayce Branson
    - Water & Sewer Construction — Robert Lancaster; Bob Blythe
    - Meter Maintenance — Harlan Henson
  - Waste Water Treatment — Jacobs Engineering
- **Accounting** — Director: Marsha Hertweck
  - Accounting/ Payroll — Kristin Cavette
  - Bond Projects & Facilities Title VI — Wade Abernathy
  - Building & Facilities Maintenance — Matthew Cabe
  - Budget & Information Mgmt — Director: Kevin Springer
  - Purchasing — Andrea Foren
  - Utility Financial Services — Cheryl Partain

Cost Allocation & User Fee Study
Appendix B
City's RFP Solicitation

Updated: April 5, 2022

RFP 22-06, Addendum 1

Date: Friday, August 5, 2022

To: All Prospective Vendors

From: Amanda Beilfuss – 479.575.8258 – abeilfuss@fayetteville-ar.gov

RE: RFP 22-06, Cost Allocation & User Fee Study

This addendum is hereby made a part of the contract documents to the same extent as though it were originally included therein. Interested parties should indicate their receipt of same in the appropriate blank of the RFP. ***PROPOSERS SHOULD ACKNOWLEDGE THIS ADDENDUM ON THE DESIGNATED LOCATION ON THE BID FORM.***

1. There will be a non-mandatory pre-proposal conference held on Wednesday, August 10th at 2:00 PM, local time, via zoom. Below is the zoom information:

   Topic: Pre-Proposal Conference: RFP 22-06, Cost Allocation & User Fees Study
   Time: Aug 10, 2022 02:00 PM Central Time (US and Canada)

   Join Zoom Meeting
   https://us06web.zoom.us/j/87988660387?pwd=bGRkNG9ncDlZUNCTFRqeUJjRU1aZz09

   Meeting ID: 879 8866 0387
   Passcode: 071084
   One tap mobile
   8884754499,,87988660387# US Toll-free
   8778535257,,87988660387# US Toll-free

   Dial by your location
   888 475 4499 US Toll-free
   877 853 5257 US Toll-free
   Meeting ID: 879 8866 0387
   Find your local number: https://us06web.zoom.us/u/kDizHFXfL

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RFP 22-06, Addendum 2

Date: Friday, August 12, 2022

To: All Prospective Vendors

From: Amanda Beilfuss – 479.575.8220 – abeilfuss@fayetteville-ar.gov

RE: RFP 22-06, Cost Allocation & User Fee Study

This addendum is hereby made a part of the contract documents to the same extent as though it were originally included therein. Interested parties should indicate their receipt of same in the appropriate blank of the RFP. ***PROPOSERS SHOULD ACKNOWLEDGE THIS ADDENDUM ON THE DESIGNATED LOCATION ON THE BID FORM.***

1. A non-mandatory pre-proposal conference was held on Wednesday, August 10th at 2:00 PM, local time, via zoom. The listing of attendees is also attached for disclosure to all interested parties.
    a. Attendees:
        i. City of Fayetteville:
            1. Amanda Beilfuss, Sr. Purchasing Agent
            2. Andrea Foren, Purchasing Manager
            3. Kevin Springer, Budget Director
            4. Holly Black, Senior Financial Analyst
            5. April Melton, Budget Analyst
            6. Jonathan Curth, Development Services Director
            7. Mike Wiederkehr, City Council Member
        ii. Vendors
            1. Matrix Consulting Group

2. The following questions have been addressed:

    a. Question: In the City's timeframe, the City states that a draft study must be completed within 90 days. However, based upon our experience, a study of this nature usually takes about minimum 4 months to get the draft phase. Is an alternative time frame acceptable?
    Answer: Yes, an alternative, appropriate time frame would be acceptable.

    b. Question: Is there a specific deadline for implementation of the study results?
    Answer: There is not a specific deadline, but in a timely manner

    c. When was the City's last cost allocation study conducted? And has the City updated it internally since then?
    Answer: 2004 was the period the last user fee study was completed. Although CPI updates have been made, a full cost allocation study has not been updated since then.

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d. When was the City's last user fee study conducted? And has the City updated it internally since then?

Answer: 2004 was the period the last user fee study was completed. It has not been updated since then.

e. What is the impetus behind the study?

Answer: There is a need to update current user fees to a more realistic amount. The City underwent organizational structure changes shortly after 2004; therefor, there is a need to complete the cost allocation study.

f. Does the City have a project budget for this engagement?

Answer: While we do have funds set aside for this, we feel it is not entirely accurate, as this study hasn't been performed since 2004.

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Meeting ID	87988660387
Topic	Pre-Proposal Conference: RFP 22-06, Cost Allocation & User Fee Study
Start Time	8/10/2022 1:56:39 PM
End Time	8/10/2022 2:13:39 PM
User Email	abeilfuss@fayetteville-ar.gov
Duration (Minutes)	18
Participants	9

Name (Original Name)	User Email	Total Duration (Minutes)	Guest
Amanda Beilfuss	abeilfuss@fayetteville-ar.gov	17	No
Andrea Foren	aforen@fayetteville-ar.gov	17	No
kspringer		17	Yes
Holly Black		18	Yes
Khushboo Ingle		16	Yes
amelton		11	Yes
Jonathan Curth	jcurth@fayetteville-ar.gov	11	No
Mike Wiederkehr		6	Yes

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RFP 22-06 Addendum 2
MGT of America Consulting, LLC
MGT of America, LLC
Supplier Response

Cost Allocation & User Fee Study
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Event Information

Number: RFP 22-06 Addendum 2
Title: Cost Allocation & User Fee Study
Type: Request for Proposal
Issue Date: 8/2/2022
Deadline: 8/23/2022 02:00 PM (CT)
Notes: The City of Fayetteville is seeking requests for proposal for a cost allocation & user fee study. Any questions concerning this solicitation process should be directed to Andrea Foren, City of Fayetteville Purchasing Manager, at aforen@fayetteville-ar.gov or by calling (479) 575-8256.

Contact Information

Contact: Amanda Beilfuss
Address: Purchasing
Room 306
City Hall
113 West Mountain Street - Room 306
Fayetteville, AR 72701
Email: abeilfuss@fayetteville-ar.gov

MGT of America Consulting, LLC Information

Contact: Malony Allen
Address: 4320 W. Kennedy Blvd, Suite 200
Tampa, FL 33609
Phone: (888) 302-0899
Email: rcvrfp@mgtconsulting.com
Web Address: mgtconsulting.com

By submitting your response, you certify that you are authorized to represent and bind your company.

Patrick J. Dyer
Signature

pdyer@mgtconsulting.com
Email

Submitted at 8/22/2022 03:59:40 PM (CT)

Requested Attachments

RFP 22-06, Cost Allocation & User Fee Study MGT Proposal City of Fayetteville CAP_UF.pdf

Please attach the signed and completed RFP forms, located in the "Attachments" tab along with any additional documents.

Response Attachments

MGT E-Sign.pdf

Supplier Information Form

Example Report 1.pdf

Example Report 1: User Fee Study-Building Plan Review and Inspections

Example Report 2.pdf

Example Report 2: Cost Allocation Plan and Indirect Cost Rates

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CITY OF FAYETTEVILLE ARKANSAS

RFP 22-06

Cost Allocation & User Fee Study

Issue Date: 8/2/2022
Questions Deadline: 8/23/2022 02:00 PM (CT)
Response Deadline: 8/23/2022 02:00 PM (CT)

Contact Information

Contact: Amanda Beilfuss
Address: Purchasing
Room 306
City Hall
113 West Mountain Street - Room 306
Fayetteville, AR 72701
Email: abeilfuss@fayetteville-ar.gov

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Event Information

Number:	RFP 22-06
Title:	Cost Allocation & User Fee Study
Type:	Request for Proposal
Issue Date:	8/2/2022
Question Deadline:	8/23/2022 02:00 PM (CT)
Response Deadline:	8/23/2022 02:00 PM (CT)
Notes:	The City of Fayetteville is seeking requests for proposal for a cost allocation & user fee study. Any questions concerning this solicitation process should be directed to Andrea Foren, City of Fayetteville Purchasing Manager, at aforen@fayetteville-ar.gov or by calling (479) 575-8256.

Bid Activities

Pre-Proposal Conference

8/2/2022 2:00:00 PM (CT)

Topic: Pre-Proposal Conference: RFP 22-06, Cost Allocation & User Fee Study

Time: Aug 2, 2022 02:00 PM Central Time (US and Canada)

Join Zoom Meeting

https://us06web.zoom.us/j/87238371865?pwd=cHEyb0dvOUF2MFRtZkF6VUlqMDlwZz09

Meeting ID: 872 3837 1865

Passcode: 436184

One tap mobile

8884754499,,87238371865# US Toll-free

8778535257,,87238371865# US Toll-free

Dial by your location

888 475 4499 US Toll-free

877 853 5257 US Toll-free

Meeting ID: 872 3837 1865

Find your local number: https://us06web.zoom.us/u/kJfVLV6VW

Bid Attachments

RFP 22-06, Cost Allocation & User Fee Study.pdf

View Online

RFP 22-06, Cost Allocation & User Fee Study

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Requested Attachments

RFP 22-06, Cost Allocation & User Fee Study

(Attachment required)

Please attach the signed and completed RFP forms, located in the "Attachments" tab along with any additional documents.

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Supplier Information

Company Name: MGT of America Consulting, LLC

Contact Name: Bruce Cowans_Director, Financial Solutions Group

Address: 4320 West Kennedy Boulevard, Ste 200

Tampa, Florida 33609

Phone: 888.302.0899

Fax: 850.385.4501

Email: Proposals@mgtconsulting.com

Supplier Notes

By submitting your response, you certify that you are authorized to represent and bind your company.

Patrick J. Dyer, Vice President
Print Name

Signature

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Cost Allocation & User Fee Study

CITY OF FAYETTEVILLE, ARKANSAS

Proposal

August 23, 2022

RFP # 22-06

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MGT CONSULTING

Submitted by:

BRUCE COWANS
VICE PRESIDENT, PERFORMANCE SOLUTIONS
790 Frontage Rd, Ste 110
Northfield, IL 60093
847.441.4175
bcowans@mgtconsulting.com

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EXECUTIVE SUMMARY

Many cities update a cost allocation plan annually and user fee studies every five years. Fayetteville's last study was in 2004 and the City has experienced a great deal of growth. Fairness to taxpayers means that fees reimburse City costs. Yet with fees this old, the only way to fix this situation is to perform new cost allocation and fee study projects. MGT has been in the business of serving local governments since 1974 and brings substantial national experience in cost allocation and in development service fees.

In this proposal, we explain how we would do the work, and our qualifications.

You will receive a professionally prepared cost allocation plan. We prepare our plans in custom-built software for that purpose because it is more robust than a spreadsheet. But we can export the findings to one of three Excel models. We will explain the options to you, but essentially, the more complex versions have more features. We would train you to use the version you choose.

You will also receive a development fee study. Our team does more of those than any other firm, and our team's experience in these studies includes cities large and small. Some of our team's notable larger clients for this work have included the cities of Chicago, Houston, Phoenix, Nashville, Atlanta, Tampa, St. Louis, Reno, Pittsburgh, Tucson, and Dallas. We are also actively engaged as advisors on how to provide development services, helping clients to define proper staff size, permitting systems, work rules, organization structure, and builder communications.

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COST ALLOCATION SERVICES

Cities prepare cost allocation plans because citywide administrative and support costs (accounting, payroll, HR, legal, city administration) should be fairly allocated to internal and external sources with the expectation that a reasonable share will return to the City's general fund. The most common areas that receive an allocation from a cost allocation plan include:

- Enterprise funds & Utilities
- User fee related services
- Federal and state related programs such as HUD, Housing Programs, CDBG, FEMA, FFA, etc.
- Departments providing services (and bill using full cost hourly rate staff billings) to non-city programs

There are two basic methods of preparing cost allocation plans. They are centered around the recovery of city costs supporting regular city operations verses city operations related to federal and state programs. To recover costs supporting all programs in a city, two different tracks of cost allocation cost recovery methods must be prepared. The federal/state documents are more restrictive in their recovery, while the full cost models include costs the federal/state documents disallow.

Typically, cities want to recovery general fund administrative costs from city operations like enterprise funds, user fee charges and ISF programs. Allocation methods are based on best practices and to a lesser extent, federal or state government guidelines. The documents that result from full cost allocation plans will meet what is generally referred to as the "best practices" followed by other cities in Florida.

To recover city costs that support and help operate state and federal programs, the City must develop cost recovery methodologies that meet requirements set forth in federal circular numbered 2 CFR Part 200, 225. This circular provides information needed to calculate cost of service models that recover only approved costs. These arcane guidelines are voluminous, and difficult to comply with without years of experience.

For the past 30+ years, MGT has prepared and submitted cost allocation plans for approval to state and federal review authorities. During the past three-year period alone, our staff has used federal cost allocation plan methodologies for hundreds of agencies across the country.

DEVELOPMENT SERVICE FEE STUDIES

Cost is a fact based on the resources used to deliver a service. Price is a policy choice. You can make better choices about how to price services when you know what a service costs.

For a development permit fee study, we design for the following four goals:

1. The study will show the cost of each service that we review so that you can make price choices.
2. The study process should respect the competing demands on your staff's time.
3. The results should be transparent to your applicants, and
4. The results should not be unduly difficult for you to code in your permitting system.

In terms of policy support, we are deeply experienced in this field and our proposed project manager is a former city council member. We know how to move from technical findings through stakeholder support, to a successful adoption of new prices.

Our proposal provides details of our project staff qualifications, our firm's relevant experience, and our approach and detailed work plan to not only meet, but to exceed the needs and expectations of the City. We look forward to working with the City of Fayetteville.

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MGT Description, History and Organization Structure, and Services

MGT of America Consulting, LLC (MGT) began operations in 1974. We are a national consulting firm specializing in ***assisting public sector clients to operate more efficiently and effectively***.

We have provided the services required for this project for more than 30 years.

Social Impact

You strive to make a difference in the world, and MGT Consulting shares that goal. Our work is designed to relieve pressure on taxpayers, to improve your financial stability so that you can magnify your impact, and to generate more efficient and effective ways of operating. You should be proud to make a difference in the lives of your citizens. We are proud to work with you toward this goal.

Our headquarters are in Tampa, with additional locations across the country. With virtual meetings now common, office location matters much less.

MGT CONSULTING FIRM PROFILE

Name: MGT of America Consulting, LLC (MGT)

Founded: 1974

Locations: Headquarters in Tampa Florida; offices nationwide

Staff: 420+ consultants

Structure: Privately held, employee-owned, Limited Liability Company. Key units are Performance Services (the group to provide services in this project, Technology Services, and Educational Services.

Lines of Business: Government Consulting, Education and Financial Solutions, Diversity and Inclusion, Human Capital, Cyber Security and Technology

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METHODOLOGY

COMPARISON OF COST ALLOCATION METHODOLOGIES			
PLAN TYPE	**OBJECTIVES**	**TYPICAL USES**	**CONSIDERATIONS**
FULL COST	▪ Identify the true costs of administering all city departments, divisions, and programs. ▪ Justification for charging the proportional cost for city administration and support to internal sources, or external sources in the case of billing rates and user fees. ▪ Typically result in 15% higher returns than 2 CFR Part 200 plans.	▪ Charging non-General Fund funds for administrative and support services. ▪ Recovering citywide administrative and support costs in hourly and billing rates. ▪ Recovering citywide administrative and support costs in use fees and rates. ▪ Budgeting and resource allocations.	▪ Administrative and support costs allowable under GAAP. Plan conforms to 2 CFR Part 200 principles but is not as restrictive. ▪ Is not submitted for review to a cognizant agency. ▪ Basis for transfer of dollars from non-GF to the General Fund.
2 CFR PART 200	▪ Identify administrative costs allowable under 2 CFR Part 200 and distributing those costs on an equitable basis. ▪ Charging admin and overhead costs to grants, claims and other uses that specifically require 2 CFR Part 200 use.	▪ Charging overhead costs to federal grants. ▪ Charging overhead costs to state grants and SB 90 claims. ▪ Provides a conservative view of citywide administrative and support costs.	▪ If this type of plan is used for grant or claim use, 2 CFR Part 200 requires that an annual plan be prepared. ▪ Maybe reviewed by a cognizant agency.

Exhibit 1. Comparison of Cost Allocation Methodologies

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MGTCAP Cost Allocation Software

We use proprietary cost allocation software, MGTCAP, to develop cost allocation plans. Most vendors use a purpose-built software for cost allocation as well because spreadsheets are simply not as robust. However, we can export these to Excel after the plan is developed. Software development entails a cost that vendors accept as a cost of doing business because it produces a better result.

The MGTCAP software uses a double iteration (step-down) methodology ensuring the full allocation of all costs and the recognition of the cross allocations among central service agencies Often a provider of

such support also receives support too and the cost of support it receives should not remain in an indirect cost department. The software also enables the allocation of an unlimited number of cost pools using multiple allocation bases. Report outputs include detailed schedules that reconcile all costs allocated in the CAP to the City's financial statements. It also provides summary and management reports which compare the current year's allocation results with prior years.

MGTCAP writes reports directly into Microsoft Excel, which provides us the ability to modify the presentation of the results in a nearly unlimited fashion. We offer three versions of an Excel download and can train you to run them. Not surprisingly, the version with the most features requires more training. MGT's final reports are packed into all-inclusive PDF files that include a plan cover, table of contents, introduction, certifications, detailed cost allocation results, and departmental narratives. Executive Summary information and year-to-year comparison worksheets can be incorporated into separate deliverables for City management and other users that are more interested in bottom line results and don't require all the detailed calculations. Our cost plans offer transparency to both reviewers and the public.

DEVELOPMENT SERVICE FEE STUDIES

Cost is a fact based on the resources used to deliver a service. Price is a policy choice. You can make better choices about how to price services when you know what a service costs.

For a development permit fee study, we design for the following four goals:

1. The study will show the cost of each service that we review so that you can make price choices.
2. The study process should respect the competing demands on your staff's time.
3. The results should be transparent to your applicants, and
4. The results should not be unduly difficult for you to code in your permitting system.

This work requires familiarity with industry practices for how you process permits as well as knowledge of cost accounting to enable us to turn interview notes into cost findings by fee type.

In keeping with the RFP's request for a page limit, we provide our workplan and schedule in table format. ***The hours and involvement of City staff are shown in the right-hand column by task.***

	Hours by Task	Deliverables	Proj Mgr	Sr Staff	Staff	Total	City Staff
A	**Project Management Tasks**						
1	Kickoff meeting to address scope, timing, deliverables, and identify people to interview	Project management plan with dates	0.50	0.50	0.50	1.50	2.00
2	Request data and populate cost models for interviews				6.00	6.00	1.00
3	Project financial management		2.00			2.00	
4	Team status calls every two weeks		2.00	2.00	2.00	6.00	6.00
B	**Phase I -Cost Allocation Plan**					-	

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	Hours by Task	Deliverables	Proj Mgr	Sr Staff	Staff	Total	City Staff
1	Conduct session with relevant City staff on current plan structure, uses, and desired changes			1.00	1.00	2.00	1.00
2	Collect basic financial and operational data				4.00	4.00	1.00
3	Interview providers of indirect support				8.00	8.00	8.00
4	Evaluate existing methods and options for changes			4.00	4.00	8.00	2.00
5	Propose and confirm design of new cost allocation plan			2.00	2.00	4.00	2.00
6	Distribute costs to functions				8.00	8.00	
7	Develop allocation bases by type of cost				8.00	8.00	4.00
8	Develop draft cost allocation plan	Draft cost allocation plan		2.00	8.00	10.00	
9	Internal QA of draft plan			1.00	1.00	2.00	
10	Present draft cost allocation plan			1.00	1.00	2.00	1.00
11	Edit cost allocation plan per City comments			2.00	4.00	6.00	
12	Explain 3 options for an Excel version of cost allocation plan and create the chosen option			2.00		2.00	2.00
13	Prepare final cost allocation plan	Final cost allocation plan		1.00	2.00	3.00	
14	Train City staff to update Excel version of cost allocation plan			4.00		4.00	
C	**Phase 2 - Fee Study**					-	
1	Review existing fee schedules and discuss potential new fees	Comprehensive inventory of current fees to review, City to approve	0.50		1.00	1.50	0.50
2	Discuss structure of fees and whether changes may be appropriate	Design memo, City to approve	1.00			1.00	1.00
3	Interview supervisors who can describe typical effort levels by fee types for fixed price fees		2.00		12.00	14.00	14.00
4	Interview supervisors in other departments with direct permit or application review effort about their support for fee services				8.00	8.00	14.00
5	Develop construction fee rates using City time by construction fee types	explanations of	0.50		6.00	6.50	
6	Develop first draft of cost findings, including non-labor additives and overhead	Draft report	4.00		28.00	32.00	2.00

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7	Survey 4-6 peer communities to establish relevant comparative pricing	Fee comparison to peers	0.50	16.00	16.50	4.00
8	Four rounds of drafts to obtain a final report. RFP calls for due date of 12/31/22, which is feasible if work starts by 8/15/22	Cost recovery model	4.00	24.00	28.00	12.00
9	Discuss technology special revenue fund or other method of obtaining big ticket items needed at irregular intervals		1.00		1.00	1.00
10	Train City staff to update fee models			4.00	4.00	4.00
D	**Report Findings**				-	
1	Draft and two rounds of edits of narrative project report	Report on all aspects of study	4.00	2.00	6.00	1.00
2	Review key talking points for presentation with City staff		0.50		0.50	0.50
3	Develop presentation materials	Slide deck(s)	1.00		1.00	0.50
4	Deliver presentation	Oral presentation	4.00		4.00	4.00
		Hours	27.50	22.50	160.50	210.50	88.50

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Experience working with other public entities

The tables below show where we have done this work for other public entities. The first shows our cost allocation plans performed in the last five years. The second lists the user fee studies we have done in the last 12 months.

MGT COST ALLOCATION PLAN CLIENTS IN THE LAST FIVE YEARS		
ALASKA		
Alaska Environmental Conservation		
ALABAMA		
Jefferson County Commission	Alabama DCNR	
ARIZONA		
City of Flagstaff	Coconino County	Arizona Attorney General
City of Mesa	Maricopa County Sheriff	Arizona Department of Forestry
City of Surprise		Arizona Forestry & Fire Mgmt
City of Yuma	Pinal County	Arizona Game & Fish
Cochise County	Yuma County	Arizona Office of the Governor
CALIFORNIA		
City of Alameda	City of Roseville	Lake County
City of Anaheim	City of Sacramento	Lassen County
City of Beaumont	City of San Jose	Los Angeles County
City of Chula Vista	City of San Marcos	Madera County
City of Clovis	City of Santa Ana	Marin County
City of Corona	City of Santa Clara	Modoc County
City of Daly City	City of Santa Monica	Mono County
City of Dublin	City of Santa Rosa	Napa County
City of Encinitas	City of Suisun	Orange County
City of Fremont	City of Turlock	Plumas County
City of Fresno	City of Vallejo	San Bernardino County
City of Healdsburg	City of West Covina Fire Dept	San Joaquin County
City of Industry	City of Yuba City	San Mateo County
City of La Mesa	Alpine County	San Mateo County Sheriff
City of Long Beach	Amador County	Santa Cruz County
City of Newport Beach	Butte County	Sonoma County Sheriff's Department
City of Oakland	Calaveras County	Stanislaus County
City of Pasadena	Del Norte County	Tuolumne County
City of Rancho Cucamonga	El Dorado County	Ventura County
City of Redlands	Humboldt County	Yolo County Community Services
City of Rohnert Park	Inyo County	Yuba County
City of Rohnert Park Public Safety	LA County Metro Transportation Authority	Golden Gate Bridge Highway & Transportation District
		Port of Oakland
COLORADO		

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MGT COST ALLOCATION PLAN CLIENTS IN THE LAST FIVE YEARS

City of Boulder	Eagle County	Park County
City of Brighton	Elbert County	Pitkin County
City of Carson	Fremont County	Rio Blanco County
City of Colorado Springs	Garfield County	Routt County
City of Loveland	Gilpin County	Summit County
City of Rifle	Grand County	Teller County
City of Westminster	Gunnison County	City and County of Denver Fire Rates
Town of Castle Rock	Jefferson County	City and County of Denver Special Districts
Adams County	LaPlata County	City and County of Broomfield
Arapahoe County	Mesa County	City and County of Denver
Archuleta County	Moffat County	City and County of Denver Public Works
Boulder County	Montrose County	Colorado Dept of Public Safety
Crowley County	Otero County	Denver Environmental Health
Delta County	Ouray County	Denver Human Services
Douglas County		
FLORIDA		
City of Margate	Collier County	Pinellas County
Broward County	Martin County	Southwest Florida Water Management District
City of Hollywood	City of Boca Raton	
GEORGIA		
City of Atlanta		
HAWAII		
Kauai County		
ILLINOIS		
Boone County	Cook County	Rock Island County
DuPage County	Kane County	
INDIANA		
Blackford County	Jay County	Vermillion County
DeKalb County	Lawrence County	Warrick County
Delaware County	Montgomery County	Wayne County
Fountain County	Porter County	Whitley County
Jackson County		
KANSAS		
City of St. Marys	Sedgwick County	Kansas Department of Wildlife Parks and Tourism
City of Topeka	Kansas Corporation Commission	Kansas Department of Commerce
City of Wichita	Kansas Department of Labor	Unified Government of Kansas
Johnson County	Kansas Department of Wildlife	Unified Government of WYCO/KCK
LOUISIANA		
City of Alexandria	State of Louisiana	Jefferson Parish

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MGT COST ALLOCATION PLAN CLIENTS IN THE LAST FIVE YEARS

City of Baton Rouge	State of Louisiana Division of Administration (OSRAP)	Lafayette Consolidated Government
City of Lake Charles	State of Louisiana HCM	Orleans Parish District Attorney
City of New Orleans	State of Louisiana Office of Technology Services	Rapides Parish
Louisiana Department of Transportation & Development	Baton Rouge Retirement System	Rapides Parish Police Jury
Louisiana Housing Corporation	East Baton Rouge Parish District Attorney	St. Charles Parish
Louisiana Office of Aircraft Services	Imperial Calcasieu Regional Planning & Development Commission (IMCAL)	St. Tammany Parish Government
MARYLAND		
Frederick County		
MICHIGAN		
City of Kalamazoo	Grand Traverse County FOC	Muskegon County
Alcona County	Grand Traverse County PA	Newaygo County
Alger County	Gratiot County	Oceana County
Alpena County	Hillsdale County	Ontonagon County
Arenac County	Houghton County	Osceola County
Baraga County	Huron County	Oscoda County
Barry County	Iosco County	Ottawa County
Bay County	Kalkaska County	Presque Isle County
Benzie County	Lapeer County	Roscommon County
Calhoun County	Leelanau County	Saginaw County
Cass County	Livingston County	Sanilac County
Cheboygan County	Luce County	Schoolcraft County
Clinton County	Manistee County	Shiawassee County
Crawford County	Marquette County	St. Clair County
Dickinson County	Mason County	St. Joseph County
Emmet County	Menominee County	Tuscola County
Gogebic County	Missaukee County	Van Buren County
Grand Traverse County	Montcalm County	Wexford County
	Montmorency County	American Public Power Association
MISSOURI		
Clay County		
NORTH CAROLINA		
City of Fayetteville	Davie County	Nash County
City of Greenville	Duplin County	Pitt County
City of Hickory	Forsyth County	Randolph County
City of Salisbury	Greene County	Richmond County
City of Winston-Salem	Guilford County	Robeson County
Town of Cary	Harnett County	Rockingham County
Alleghany County	Hertford County	Rowan County
Cabarrus County	Hoke County	Stokes County
Camden County	Iredell County	Warren County

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MGT COST ALLOCATION PLAN CLIENTS IN THE LAST FIVE YEARS

Catawba County	Lee County	Wilson County
Craven County	Lincoln County	North Carolina Dept of Environment & Natural Resources
Currituck County	McDowell County	North Carolina Housing Finance Agency
		State of North Carolina Department of Environmental Quality
NORTH DAKOTA		
State of North Dakota		
NEBRASKA		
Dawson County	Gosper County	City of Lincoln
NEW MEXICO		
City of Farmington	New Mexico Dept of Health	
Los Alamos County	State of New Mexico	
NEVADA		
Nevada Department of Corrections		
State of Nevada		
OHIO		
Northeast Ohio Regional Sewer District		
Ohio Division of Environmental Response and Revitalization		
Greater Cleveland Reg Transit		Adams County
OKLAHOMA		
City of Edmond	City of Tulsa	Oklahoma County
OREGON		
Pacific States Marine Fisheries Commission		
PENNSYLVANIA		
Beaver County	Luzerne County	
TENNESSEE		
Nashville and Davidson County - Metro Government		
TEXAS		
City of Abilene	City of Midland	Harris County
City of Arlington	City of Odessa	Harris County Health Department
City of Bryan	City of Plano	Kendall County
City of College Station	City of San Angelo	Tarrant County
City of Corpus Christi	City of San Antonio	Texas Comptroller of Public Accounts
City of Dallas	City of Waco	Texas Department of Agriculture
City of Fort Worth	Cameron County	Texas Office of the Attorney General
City of Garland	Collin County	Texas Office of the Governor
City of Houston	El Paso County	Texas Veterans Commission
City of Lewisville	Galveston County	Rio Grande Council of Government
City of Longview		
UTAH		
State of Utah		

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MGT COST ALLOCATION PLAN CLIENTS IN THE LAST FIVE YEARS		
U.S. VIRGIN ISLANDS		
U.S. Virgin Islands	Virgin Islands Econ Dev Authority	
VIRGINIA		
City of Newport	City of Roanoke	Loudoun County
City of Newport News	City of Suffolk	State of Virginia DMME
City of Portsmouth		
WASHINGTON		
City of Ocean Shores	City of Spokane	Sound Transit Authority
State of Washington Office of Financial Management		
WISCONSIN		
Walworth County		
TRIBAL GOVERNMENTS		
Moapa Band of Paiute Indians		
Navajo Nation		

MGT USER FEE CLIENTS IN THE LAST 12 MONTHS			
Alameda County, CA	Oakland, CA	Dallas, TX	Oklahoma City, OK
Aspen, CO	Riverside, CA	El Dorado County, CA	Orange County, CA
Augusta, GA	San Rafael, CA	Florida Department of Health	Palo Alto, CA
Beaumont, CA	Santa Rosa, CA	Haverhill, MA	Park County, CO
Bend, OR	Clinton County, MI	Inglewood, CA	Pasco County FL
CA Gambling Control Commission	Colorado Dept of Revenue	Kalamazoo County, MI	Pinal County, AZ
Cape Coral, FL	Corona, CA	LaSalle County IL	Plano, TX
Chaffee County, CO	County of Arlington, VA	Manatee County, FL	Redlands, CA
City and County of Denver, CO	County of Hillsborough, FL	Marco Island, FL	San Diego, CA
Detroit, MI	County of Monterey, CA	Nashville TN	Santa Barbara County, CA
El Segundo, CA	County of Winnebago, IL	North Texas Muni. Water District, TX	Vallejo, CA

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References

MGT has an outstanding record of past performance. Our teams are composed of proven professionals with the goal of providing the best quality of service while meeting project schedules and budgets. Many of our clients have contracted with MGT for multiple projects or updates. Repeat business is the greatest testament to our commitment to customer service and client satisfaction. We encourage you to contact any of our references to learn of our professionalism, ability to meet timelines, and the expertise of our staff.

FULTON COUNTY, GA COST ALLOCATION	*Contact:*	**Mr. Ray Turner, Deputy Director of Finance**
	Address:	141 Pryor Street S.W. Suite 7001 Atlanta, GA 30303
	Phone:	404-612-7737
	E-Mail:	Ray.turner@fultoncountyga.gov
	Work Performed:	MGT recently completed the first year of a three-year cost allocation plan engagement. Completed the FY 2017 2 CFR Part 200 and Full cost allocation plan. Both plans were reviewed and approved by the County.

LOUDOUN COUNTY, VA COST ALLOCATION	*Contact:*	**Ms. Bhavna Malik, Financial Analyst**
	Address:	1 Harrison Street, SE Leesburg, VA 20715
	Phone:	703.771.5369
	E-Mail:	Bhavna.malik@loudoun.gov
	Work Performed:	Prepared the County's annual 2 CFR Part 200 cost allocation plan for the past 7 years. The plans were filed and approved by the Virginia Department of Social Services.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT COST ALLOCATION	*Contact:*	**Ms. Melisa Lowe**
	Address:	2379 Broad Street Brooksville, FL 34604
	Phone:	352.796.7211
	E-Mail:	melisa.lowe@swfwmd.state.fl.us

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	Work Performed: Prepared the District's 2 CFR Part 200 and Full cost allocation plans for the past 10 years. The plans and associated indirect cost rates are filed and approved by the were filed and approved by the Florida Fish and Wildlife Conservation Commission.

HILLSBOROUGH COUNTY, FL **BUILDING PERMIT FEE STUDY**	*Contact:*	**Mr. Jose Fernandez, Business Manager**
	Address:	601 E. Kennedy Blvd, 19th Floor Tampa FL
	Phone:	813-307-3435
	E-Mail:	fernandezjr@hillsboroughcounty.org
	Work Performed:	Assist in streamlining the current method of charging for building and planning permits and determine the cost of each billed service. Present to builders and assist in implementation.

SAN LUIS OBISPO COUNTY, CA **PLANNING AND BUILDING FEES**	*Contact:*	**Mr. Wes Drysdale, Manager, Administrative Services**
	Address:	441 Market Street Suffolk, VA 23434
	Phone:	805.781.5205
	E-Mail:	wdrysdale@co.slo.ca.us apdiggs@suffolkva.us
	Work Performed: .	Streamlined the existing fee schedule from more than 800 separate fees to 200, developed cost findings by fee type, and assisted in policy review and implementation of a new fee ordinance.

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY TN **DEVELOPMENT FEE STUDIES** Development fee studies	*Contact:*	**Brady Rich, Deputy Director, Codes & Building Safety**
	Phone:	(615) 862-6151
	Address:	800 2nd Avenue South Nashville TN 37201
	E-Mail:	Brady.Rich@nashville.gov
	Work Performed:	As part of a larger study to rescale all development services to meet a much larger level of demand, we performed fee studies to assist in funding necessary improvements. These included fee studies of the departments of Codes & Building Safety, Planning, Fire Marshal, and Metro Water Services.

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EXPERIENCE

The MGT proposed project team includes:

- **Bruce Cowans**, Project Manager and Phase 2 User Fee Analysis Leader
- **Meredith Miller**, Phase 1 Cost Allocation Plan Leader
- **Brett Swendig**, Project Staff

Resumes are included on the following pages.

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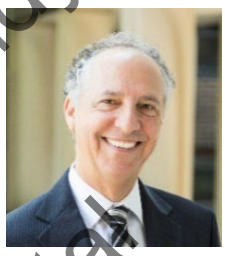
BRUCE COWANS

Vice President | Performance Solutions

Mr. Cowans has performed more than 1,000 fee studies, been an expert witness on the subject, and addressed the 2009 GFOA National Conference on the topic of "Effective User Fee Strategies." He advises development services departments on operations, staffing levels, processes, and systems and has done this work as well for public works, law enforcement, and administrative services.



Mr. Cowans has spent more than 30 years helping hundreds of public officials make decisions on how best to serve the public and how to properly fund those efforts. He has been a speaker, panelist, and contributor of articles for professional associations throughout his career. He spent 10 years as a city council member and chair of the Finance Committee.

His user fee and cost of service projects have served the cities of Chicago, Houston, Pittsburgh, Atlanta, Tampa, St. Louis, Tucson, Reno, Oakland, and Nashville, among others.

Areas of Expertise

- Process Reviews
- Productivity Standards
- Financial Management
- Staffing Reviews
- User Fee Studies
- Expert Witness

Education

Master of Arts, Public Policy, Duke University

Bachelor of Arts, Environmental Studies, Pitzer College (The Claremont Colleges)

Professional Experience

MGT of America Consulting, LLC, *Director, 2019-Present*

Fiscal Choice Consulting, *Partner (merged with MGT in 2019)*

Village of Glencoe, Illinois, *City Council Member and Finance Chair*

MAXIMUS (NYSE listed), *Senior Vice President*

JMB Institutional Realty Corp., *Portfolio Analyst*

US Treasury Department, Office of the Secretary, *Budget Analyst*

Price Waterhouse, Office of Government Services, *Senior Consultant*

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MEREDITH MILLER

Director | Performance Solutions

Ms. Miller is a Director with a focus on cost allocation development, cost of services and user fee rate development, and management auditing of government operations for city, county, state, and special district government agencies. She has worked extensively with all the major cities in Texas, cities and counties in California and Louisiana, and cities in Nevada, New Mexico, Colorado, Oklahoma, Minnesota, and Kansas. Over the past three years she has worked with state agencies in Alabama, Kansas, New Mexico, Oregon, Mississippi, and Arizona and negotiated indirect cost rates with their various cognizant agencies annually.

Prior to working with MGT, Ms. Miller served as a Senior Consultant with MAXIMUS, where she prepared cost allocation plans, indirect cost rate studies, user fee studies, and claims for various cities and counties in Texas, California, Colorado, Louisiana, and New Mexico. She also managed the program and staff for company's SB 90 practice, during her tenure there.

Recent cost allocation projects include City of Fullerton, CA, Merced County, CA, City of Fort Worth, TX, City of El Paso, TX, City of Las Cruces, NM, City of Madison, WI, City of Whittier, CA, City of Alexandria, LA, City of Las Vegas, NV, City of Reno, NV, and Lafayette Consolidated Government, LA. Recent user fee studies include the Oklahoma City, City of Dallas, City of Whittier, CA, City of Garland, TX and the City of Sugar Land, TX.

Areas of Expertise

- Government Cost Allocation Plans (2 CFR Part 200)
- Full Cost Allocation Plans (GAAP)
- User Fee Studies
- Jail Rate Studies
- Indirect Cost Rate Proposals
- Cost Analysis
- SB 90 claim preparation and reimbursement

Education

Bachelor of Business Administration, The University of Texas at Austin

Professional Experience

MGT of America Consulting, LLC, *Director, 2019 - present*

MAXIMUS Consulting Services, *Senior Consultant*

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BRETT SWENDIG

Senior Consultant | Performance Solutions

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Mr. Swendig's consulting experience has given him the knowledge and experience of governmental budgeting, finance, accounting, and operations. In addition to his user fee experience, Mr. Swendig has expertise in development of cost allocation plans (CAPs) in accordance with generally accepted accounting principles (GAAP); development of CAPs in accordance with federal principles; assisting agencies in maximizing general fund cost recoveries from federally funded programs, enterprise and special revenue funds, and other non-general fund sources; development of indirect cost rate proposals (ICRPs). He also assists MGT's Disparity practice in developing market availability databases, vendor research, and market area availavilbilty and utilization statistical analysis. He has participated in operations reviews of development service departments for several local governments.

Prior to working at MGT, he has experience working as a director of a nonprofit organization, managing a number of programs and over 30 employees within the organization.

Mr. Swendig also serves on the City of Wylie's (Texas) Parks and Recreation Board and is the Executive Director of the Wylie Parks & Recreation Foundation.

Education

Master of Public Service and Administration, Texas A&M University, 2010
Bachelor of Science, Kinesiology – Sports Management, Texas A&M University, 2005

Professional Experience

MGT of America Consulting, LLC, *Senior Consultant, 2014 - present*
Victory VBC, *Non-Profit Director*
Parish Episcopal School, *Head Coach*
Americorps VISTA, *Program Manager*

Relevant User Fee Project Experience

- City of Houston, TX - Building Fee Study
- City of Houston, TX – Multiple Department Fee Study
- City of Dallas, TX – Multiple Department Fee Study
- City of Cypress, CA – Parks & Recreation Fee Study
- City of Riverside, CA– Multiple Department Fee Study
- Polk County, FL – Multiple Department Fee Study
- City of Port St. Lucie, FL – Engineering Fee Study
- City of Fort Myers, FL – Community Development Fee Study and Comparative Survey
- City of Greensboro, NC – Multiple Department Fee Study and Comparative Survey
- City of Corpus Christi, TX –Multiple Department Fee Study
- City of Sugar Land, TX - Multiple Department Fee Study
- Lee County, FL – Building Fee Study
- Oklahoma City, OK – Multiple Department Fee Study
- City of Marco Island, FL – Building Fee Study
- City of Raleigh, NC – Building Fee Study and Comparative Survey
- City of San Marcos, TX – Multiple Department Fee Study
- City of Flagstaff, AZ – Fire Department Fee Study
- Hillsborough County FL – Building Fee Study

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SIMILAR WORK PRODUCT

Our client lists above address similar work product. Some cities procure only a cost allocation plan or only a fee study, but many include both. Our sample report included with this proposal is an example of a similar work product.

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EXAMPLE REPORT

There are two example reports located in the appendix of this proposal.

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Proposed Schedule

These tasks will lead to the completion of the cost allocation plan in 90 days, assuming key data is made available in a timely manner. This represents the estimated amount of time to provide the proposed services.

		Cost Allocation & User Fee Study Schedule by Month	Key Deliverables	1	2	3	
A		**Project Management Tasks**					
	1	Kickoff meeting to address scope, timing, deliverables, and identify people to interview	Project management plan with dates	X			
	2	Request data and populate cost models for interviews		X			
	3	Project financial management		X	X	X	
	4	Team status calls every two weeks		X	X	X	
B		**Cost Allocation Plan**					
	1	Conduct session with relevant City staff on current plan structure, uses, and desired changes		X			
	2	Collect basic financial and operational data		X			
	3	Interview providers of indirect support		X			
	4	Evaluate existing methods and options for changes		X			
	5	Propose and confirm design of new cost allocation plan		X			
	6	Distribute costs to functions		X			
	7	Develop allocation bases by type of cost		X	X		
	8	Develop draft cost allocation plan	Draft cost allocation plan		X		
	9	Internal QA of draft plan			X		
	10	Present draft cost allocation plan			X		
	11	Edit cost allocation plan per City comments			X	X	
	12	Explain 3 options for an Excel version of cost allocation plan and create the chosen option				X	
	13	Prepare final cost allocation plan	Final cost allocation plan			X	
	14	Train City staff to update Excel version of cost allocation plan				X	
C		**Fee Study**					
	1	Review existing fee schedules and discuss potential new fees	Comprehensive inventory of current fees to review, City to approve	X			

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	Cost Allocation & User Fee Study Schedule by Month	Key Deliverables	1	2	3	
2	Discuss structure of fees and whether changes may be appropriate	Design memo, City to approve				
3	Interview supervisors who can describe typical effort levels by fee types for fixed price fees		X			
4	Interview supervisors in other departments with direct permit or application review effort about their support for fee services					
5	Develop construction fee rates using City explanations of time by construction fee types					
6	Develop first draft of cost findings, including non-labor additives and overhead	Draft report	X	X		
7	Survey 4-6 peer communities to establish relevant comparative pricing	Fee comparison to peers	X	X		
8	Four rounds of drafts to obtain a final report. RFP calls for due date of 12/31/22, which is feasible if work starts by 8/15/22	Cost recovery model		X		
9	Discuss technology special revenue fund or other method of obtaining big ticket items needed at irregular intervals					
10	Train City staff to update fee models					
D	**Report Findings**					
1	Draft and two rounds of edits of narrative project report	Report on all aspects of study				X
2	Review key talking points for presentation with City staff					X
3	Develop presentation materials	Slide deck(s)				X
4	Deliver presentation	Oral presentation				X

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COST PROPOSAL

MGT proposes to perform the services included in this proposal for a fixed fee of **$48,312.50.** This budget will provide Fayetteville with **210.5** consulting hours, which will provide the City with ample time and resources to produce a cost allocation plan as described in the scope of services. Estimated expenses are shown for anticipated travel, copying, and other costs related to the scope of work. Only actual expenses will be charged.

Cost by Task	Proj Mgr	Sr Staff	Staff	Total
Project Management Tasks	$1,462.50	$712.50	$1,572.50	$3,747.50
Phase I -Cost Allocation Plan	-	$5,700.00	$9,435.00	$15,135.00
Phase 2 - Fee Study	$4,387.50	-	$18,315.00	$22,702.50
Report Findings	$3,087.50	-	$370.00	$3,457.50
Travel				$3,270
Total	$8,937.50	$6,412.50	$29,692.50	$48,312.50

Additional services requested that fall outside the scope of this project shall be provided based on a mutually agreed schedule and price.

Method of Payment

MGT will provide monthly invoices to the City based on tasks performed in the project workplan that we presented earlier.

Project Assumptions

Our work program and proposed fee for this project were developed with several key assumptions about the project. Changes to these assumptions may impact either or both our methodology and proposed fee. We welcome the opportunity to meet with the City Project Officer to review these assumptions, validate or adjust these assumptions based on more complete information, and adjust the work plan and/or budget accordingly. Below, we present our assumptions:

- The City will designate a City Project Officer for this project. This person will function as the primary point of contact for the project, and coordinate and facilitate the flow of information and communication between the county departments and MGT.
- The City Project Officer will ensure that comments on draft documents are consolidated into a single document and any conflicting comments are reconciled before delivering the comments to MGT.
- Two draft reports have been included in this proposal. Additional reports can be added for an additional fee.

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- MGT will have access to and cooperation and participation by staff and management. MGT expects to have reasonable, timely access to City personnel and data. If the City stops the project for any reason, MGT will be due all fees for services performed to date.
- Onsite meeting facilities will be arranged for and used at the expense of the City. The City will provide all requested documents at its own expense.
- All costs and other data provided by the City will be considered accurate and valid. MGT will not be responsible for the audit and/or verification of any cost or other data provided by the City.

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APPENDIX

Example Report 1: User Fee Study-Building Plan Review and Inspections

On the following pages are sample pages from example final reports that were produced by MGT. The full PDF versions of the reports have also been added in the City of Fayetteville's bidding platform, Ion Wave.

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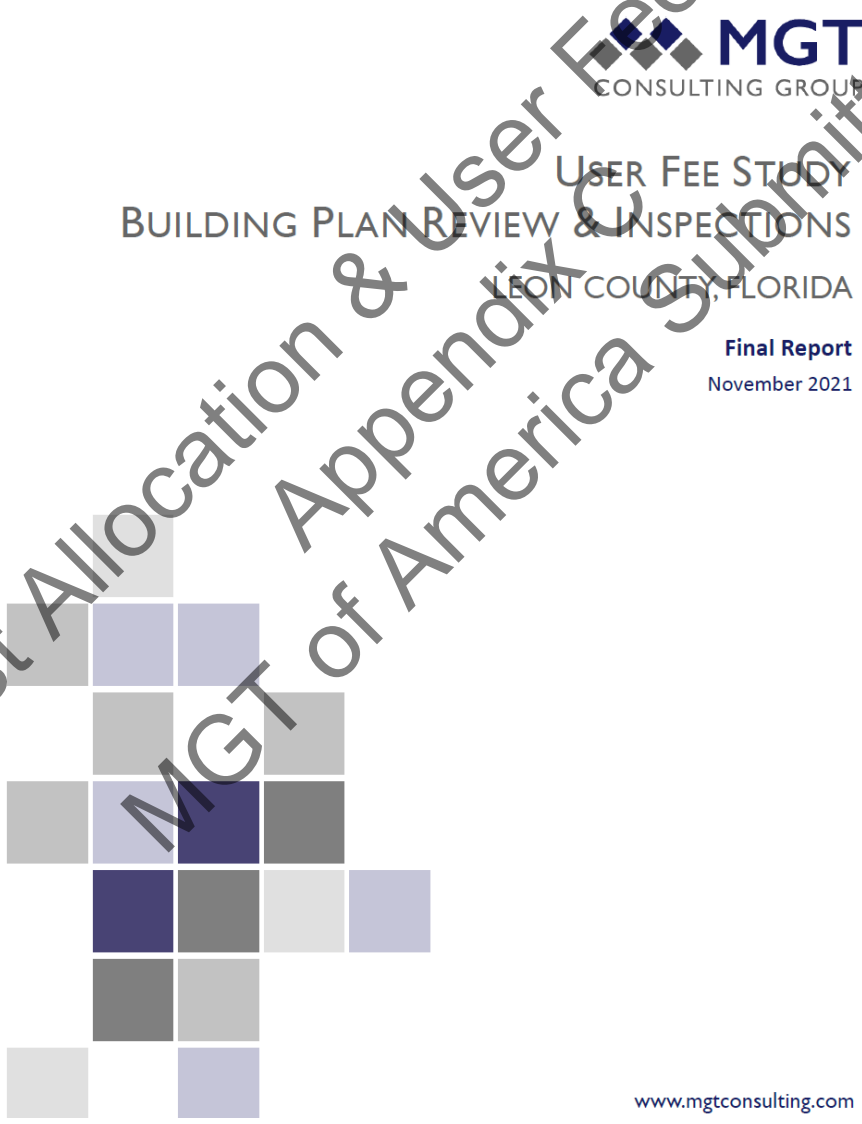

Leon County, Florida
User Fee Study – Building Plan Review & Inspections
November 2021

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I. BACKGROUND

The Florida Building Code (§ 553, Fla. Stat.) requires Leon County (herein referred to as the "County") to regulate building construction. § 553.80, Fla. Stat., states, "*. . . each local government and each legally constituted enforcement district with statutory authority shall regulate building construction, and where authorized in the state agency's enabling legislation, each state agency shall enforce the Florida Building Code required by this part on all public or private buildings, structures, and facilities. . .*"

In Leon County, the responsibility for this work is assigned principally to the Department of Development Support and Environmental Management's (DSEM) Building Plans Review and Inspection (BPRI) Division. The Division employs licensed Building Plan Reviewers, Building Inspectors and Permit Technicians. These professionals work in unison with other DSEM staff to process building plans, issue building permits, and inspect construction to ensure compliance with the Florida Building Code (FBC).

In November 2019, the Leon County Board of County Commissioners (herein referred to as the "Board") took a major step in simplifying the building permit fee calculation process by adopting a "flat fee" methodology based upon the square footage of a structure, which resulted in a fee of $0.80 per square foot for residential permits. The November 2019 adopted "flat fee" methodology has resulted in a significant time savings by reducing the number of calculations required to determine a building permit fee. In addition, the simplified process has provided greater certainty and transparency to contractors and homeowners by granting them the ability to calculate fees in advance of submitting a building permit application.

It is important to recognize that Leon County's last building permit fee schedule update occurred in 2004. The building permit fee calculation methodology utilized at that time was rather complex. It entailed assigning a unique fee to each aspect of construction (electrical, mechanical, plumbing, etc.). These individual sub-fees were then calculated by summing the number of unique elements associated with the respective work. For example, the fee for electrical work would be calculated by adding each individual outlet, switch, light fixture, fan, etc. The sum of this sub-fee would then be added to any other applicable sub-fees to determine the overall building permit fee.

At the time the Board adopted the flat fee methodology in November 2019, the Board also authorized staff to proceed with hiring a consultant to conduct a comprehensive building permit fee study. In December 2019, the County contracted with MGT Consulting Group to conduct this study. The methodology used to conduct this study, data, analysis, and recommended actions are provided in this report.

The initial flat fee methodology adopted in November 2019 greatly simplified the fee calculations. However, it did not itemize all three (3) aspects involved in the permitting process: intake, plan review and inspections. It was also found that there is no residential or commercial plan review fee for the mechanical, electrical, plumbing, and gas trades. This presents a significant problem which affects the following:

- Collecting the plan review fee at the time of permit application;
- The inability to calculate the required reduction for the private provider pursuant to FL. Stat. 553.791; and

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- Fees collected did not always recover the expenses of providing plan review services.

Pursuant to § 553.80, the County may collect fees to recover the costs associated with the regulation of building construction (e.g. administration, intake, plan review and inspections). § 553.80 stipulates what costs may be recovered for enforcing the FBC. These include direct costs and reasonable indirect costs associated with:

- Permit processing;
- Plan review of building plans;
- Inspections;
- Re-inspections;
- Building code enforcement;
- Other laws related to the design, construction, erection, alteration, modification, repair, or demolition of public or private buildings, structures, and facilities;
- Manufactured building site setup and utilities;
- Training;
- Enforcement action pertaining to unlicensed contractor activity;
- Implementation of policies, procedures, and practices which produce the most cost-effective property insurance ratings;
- Assessing fines;
- Searching of records, and;
- Managing the enforcement of the FBC.

Fees collected for these services are deposited into an enterprise fund that is used to support the functions of the BPRI Division. Building permit revenue that has been collected but not expended is known as a "fund balance." Per § 553.80, a fund balance may not exceed the average of the last four (4) years of "*operating budget*" costs for the BPRI Division. Appropriate fund maintenance will ensure the County's general fund is not impacted by the costs necessary to operate the BPRI Division.

II. ANALYSIS

A. STUDY SCOPE AND OBJECTIVES

The objectives of this building permit fee study are to:

- Develop a methodology that continues the transparent and streamlined approach for calculating all building permit fees as established by the Board's direction in November 2019.
- Evaluate adopted overall permit fees to determine their adequacy in addressing the costs associated with intake, plan review, inspections, and administration.
- Identify costs associated with enforcement, interpretation, and regulation of the FBC by Leon County.
- Provide recommendations on how to monitor and maintain appropriate building permit fees in perpetuity.
- Compare similar Florida jurisdictions to determine their practices for building permit fee methodology.

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B. KEY FINDINGS

- Issue: Each jurisdiction has adopted specific methodologies for calculating building permit fees. Many jurisdictions utilize base fees to capture the minimum costs associated with permitting. DSEM's current base fees vary greatly by project type and, in most instances, recover the costs for intake, administration, permitting, plans review, and inspection.
  - Approach: MGT reviewed the permitting process from intake to final inspection for all permit types.
  - Result: MGT found the current individual minimum fees for the five (5) trades should be eliminated. MGT discovered the individual minimum trade fees made the process complex and difficult to determine when and where they should be applied. MGT recommends using a single base fee to ensure costs are recovered thus simplifying the fee calculation process.

  Issue: § 553.80 authorizes a local government to set fee prices for building permits but stipulates the fees are to be used only for related responsibilities under the FBC. MGT conducted a fiscal analysis to determine if building permit fee changes are necessary to ensure cost recovery.
  - Approach: Following the conventions of cost accounting, and more specifically, 2 CFR Part 200 (the Uniform Administrative Requirements, Cost Principles, guide to cost principles), MGT reviewed the service delivery of different building permit types. The fee study was based on the review of the BPRI Division's work procedures regarding the processing of each phase of the building permit during intake, administration, plan review, and inspection. This assessment accounted for the work performed during each phase of the process including the submittal of the application, data entry, processing the construction plans, oversight of the process, payment, assigning the project in the permitting system, plan review processing, permit issuance, collecting final fees, issuance of the permit placard, providing inspections throughout the construction process, and issuing the Certificate of Occupancy or Completion.
  - Results: After analyzing the overall fee structure and the available fund balance, MGT determined that fees are established at an appropriate level to sustain operation of the BPRI Division without need for the General Fund to subsidize the enterprise system. To provide more accuracy in budget reporting by separating expenditures and revenues for plan review and inspections, it is recommended the County separate all building permit fees into a "plan review" and an "inspection fee".

    This recommended change would result in the following benefits:

    1. Allow DSEM to collect plan review fees at the time of application, which would ensure the cost of services are recovered in instances where applicants choose to withdraw their permit after plan review is completed.
    2. Provide more accuracy in budget reporting by separating expenditures and revenues for plan review and inspections.
    3. Allow for an accurate calculation of fee reductions when a private provider is used.
    4. Allow the mechanical, electrical, plumbing, and gas plan review costs to be easily determined for each trade.
    5. Provide greater transparency to the customer.

- Issue: DSEM's current method of combining multiple fees for each trade continues to involve multiple calculations to determine the total fee. This current methodology is cumbersome and

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lacks transparency.

- Approach: MGT suggests collapsing the different calculations into a single amount for efficiency. Further, the elimination of construction valuation and the implementation of square footage-based fees would provide greater transparency and streamline the process.
- Results: The conversion of the current methodology of adding multiple fees in conjunction with the trade base fee to a single minimum fee per trade will further simplify the permitting process.

❖ Issue: In November 2019, the Board approved the implementation of a flat fee methodology for permit fees. Many of the current building permit fees do not align with the Board's direction. This same methodology should be applied across all permit types and fees.

- Approach: MGT examined all occurrences of valuation-based fees and other miscellaneous fees which involve complex calculations. This study proposes fees that would conform to the approved methodology based on the Board's direction including the establishment of a 'tiered' flat fee system for commercial projects based on occupancy classification.
- Results: The methodology above was utilized to eliminate occurrences of valuation-based fees in favor of simplified flat rate fees for all permit types. In addition, the study recommends permit fees for commercial projects utilizing a tiered fee structure commensurate with the occupancy classification and that is indicative of the intensity of review.

Issue: Pursuant to § 553.791, applicants can use a third party, known as "*private provider*", to review plans and/or inspect the construction project for compliance with the FBC. However, if an applicant chooses to utilize the services of a private provider, DSEM still incurs costs for the required administrative services. A methodology for calculating a reduced permit fee when such services are utilized needs to be established but can only be done if the plan review and inspection fees are separated.

- Approach: MGT determined the required portion of work by BPRI Division staff when applicants use *private providers*. This was accomplished by evaluating the level of work DSEM provides on permits for intake, administration, plans review, and/or inspection portion associated with "*private provider*" permits. This analysis provided the required level of reduction in the plans review and/or inspection part of the permit.
- Results: Based on the level of work DSEM provides to process private provider permits, MGT recommends the rate be reduced to 40 percent of the plans review and/or inspection fee to recover the cost of services provided. Implementation will ensure compliance with private provider fee reductions required in § 553.791. The fee reduction is the amount of cost savings realized by the local enforcement agency for not having to perform such services.

❖ Issue: Efficiency in the building permitting process requires use of technology, including an electronic permitting system with the ability to store and easily access data. These assets are expensive and require periodic upgrades and replacement. Funding upgrades and replacement is a budget challenge. Several Florida jurisdictions include a technology fee with building permit fees to ensure that the building departments will be able to purchase the technology tools required without placing a burden on or seeking additional funding from the County General Revenue budget. Current Leon County building permit fees do not include a technology fee.

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- Approach: MGT evaluated and amortized the technology needs, the acquisition cost, and expected useful life of the applicable software. The review included the County's current permitting software, Accela; Interactive Voice Response System (IVRS) upgrade to allowing inspection requests by texting; the acquisition of 'DigEPlan' plan review software; and other related updates to improve the permitting process. MGT calculated the average annual expense of all required permitting software and divided this amount by the Division's budget to determine a technology fee percentage.

- Results: Based on the review of all required software and upgrades, MGT determined that a standard technology rate of 3 percent would be adequate to sustain the required technology maintenance and improvements.

❖ Issue: Most local governments update building permit fees infrequently. If the operating cost of a department grows while fees remain the same, there will be a growing gap between revenue and expense. Eventually, a new building permit fee study would be necessary to address the fees once again to determine and address the gap in the cost of the level of services provided.

- Approach: MGT evaluated a method to determine building permit fee costs based on inflation. MGT found many jurisdictions use their regional consumer price index (CPI) percentage to determine the percentage adjustment.

- Result: To help prevent the possibility of using the General Fund to subsidize the enterprise system, CPI can be used to periodically evaluate fees. MGT determined using the inflation rate based on the regional CPI would be an appropriate methodology to evaluate operating costs until such time another building permit fee study is performed. Periodic analysis of fees will ensure the enterprise fund continues to be self-supportive. MGT recommends the County conduct a fee study every five years, which is consistent with common practice in Florida, in conjunction with using the CPI inflation adjustment to continually monitor and ensure building permit fees continue to recover associated costs.

❖ Issue: In recent years, a surge of building activity has caused many local government building permit funds to grow to levels that exceed a likely need for "rainy day" funding which was one of the intents of establishing such funds. Builders sought legislative relief because they questioned why they should continue to pay traditional prices while local governments accumulated what appeared to be excessive fund balances. In response, the State enacted modifications to FL. Stat. 553.80(7) that limits fund balance to not be more than the average of the last four (4) years of the "*operating budget*".

- Approach: MGT reviewed the last four (4) years of the operating budget for BPRI Division and the current fund balance level.
- Result: The County is in compliance with § 553.80(7) with the current fund balance well below the allowable level by approximately 51 percent.

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III. RECOMMENDATIONS

A. A SIMPLE FEE STRUCTURE

The Board adopted a flat fee of $0.80 per square foot for one and two-family residential projects in November 2019. The Study verified staff took the correct approach in simplifying the fee structure. After analyzing the overall fee structure, it was determined that fees were established at an appropriate level to recover the cost of operation of the BPRI Division. The recommendation to continue recovering the cost of operation of the BPRI Division and continue the simplification of the fee structure for all permit types is reflected in the table below titled, "A New Tiered Fee System". Adopting the flat fee methodology for all permit types, the creation of a tiered fee structure based on occupancy classification and the establishment of minimum fees per trade will further simplify the permitting process consistent with Board direction.

A NEW TIERED FEE SYSTEM

RESIDENTIAL		COMMERCIAL							
One and Two-Family		Tier 1		Tier 2		Tier 3		Tier 4	
Single-Family, Townhouses, Duplexes		Factory, Storage, Utility		R1, R2 (Includes Multifamily), R4		Business; Mercantile		Assembly, Educational, High-Hazard, Institutional	
Plan Review	Inspection	Plan Review	Inspection	Plan Review	Inspection	Plan Review	Inspection	Plan Review	Inspection
$0.41	$0.38	$0.28	$0.40	$0.46	$0.40	$0.48	$0.44	$0.52	$0.46
Total	**$0.79**	**Total**	**$0.68**	**Total**	**$0.86**	**Total**	**$0.92**	**Total**	**$0.98**

The fee study recommends eliminating the stated construction valuation method and instead using a square footage method or flat fees for the inspection and plan review for residential, commercial/multi-family, and warehouse projects. Instead, the fee schedule for commercial permits will take into consideration the types or occupancy classifications of structures and the associated cost of services for plans review and inspection. Four commercial tiers will create distinct categories and fees unique to various occupancy classifications. For example, the "Tier 1" commercial category was created for "Factory, Storage and Utility" projects due to these types of structures requiring minimal plan review and inspections. This methodology will result in a decrease in permit fees for these types of structures.

A commercial tier unique to multifamily ("Tier 2") is needed due to the complexity and classification of these types of uses under the FBC. Pursuant to the FBC, multifamily construction is classified as commercial construction due to the enhanced safety requirements. Consequently, a commercial tier unique to multifamily was created with fees commensurate with the associated cost of services.

Based on the study's findings, the table below illustrates current and recommended fees for two types of typical projects: (1) single-family residential and (2) business/mercantile commercial. Plan review fees for single-family residential projects are not currently separated from inspection fees. Thus, MGT recommendations include a reduction to the inspection fees while adding a plan review fee. For commercial projects, plan review fees, which are calculated and based on the stated project valuation, would be replaced with a flat rate plan review fee that is based on square footage.

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CURRENT FEES vs RECOMMENDED FEES

		SINGLE-FAMILY RESIDENTIAL				BUSINESS & MERCANTILE COMMERCIAL			
		Current		Recommended		Current		Recommended[2]	
	Size	2,500 sq. ft.		2,500 sq. ft.		3,000 sq. ft.		3,000 sq. ft.	
INSPECTION FEES	Building	$0.46	$1,150.00	$0.15	$375.00	$0.51	$1,530.00	$0.15	$450.00
	Mechanical	$0.10	$250.00	$0.06	$150.00	$0.10	$300.00	$0.09	$270.00
	Electrical	$0.12	$300.00	$0.09	$225.00	$0.12	$360.00	$0.12	$360.00
	Plumbing	$0.07	$175.00	$0.04	$100.00	$0.07	$210.00	$0.06	$180.00
	Gas	$0.05	$125.00	$0.04	$100.00	$0.05	$150.00	$0.02	$60.00
	Plan Review[1]			$0.41	$1,025.00	Stated Valuation 3	$104.43	$0.48	$1,440.00
	Total	**$0.80**	**$2,000.00**	**$0.79**	**$1,975.00**	**$0.85**	**$2,654.43**	**$0.86**	**$2,760.00**

1: Currently, the residential plan review costs for service is included in the building inspection fee.
2: The commercial category was divided into four (4) Tiers to reflect the different levels of cost of services for plan review and inspections. Mercantile is categorized under Tier 3.
3: The stated valuation of $458,000 was calculated using ICC (International Code Council) Building Valuation Data(BVD).

The recommendation of separating the plan review and inspection costs for all permits into two (2) separate fees will further implement the Board's direction and the flat fee methodology using project square footage. Consequently, this would result in a separate plan review fee for each trade. Collecting plan review fees at the time of application will reduce the amount of uncollected fees due to permits not being picked up and will allow for a reduction in the plans review and/or inspection fees when private provider services are utilized in compliance with § 553.791.

B. COST RECOVERY

Current County permit fees recover 97 percent of the total cost of services which slightly varies by permit category. It is recommended the proposed fee schedule be adopted to continue capturing the cost recovery for services, which supports the Board's Strategic Initiative to "exercise responsible stewardship of County resources, sound financial management and ensure that the provision of services and community enhancements are done in a fair and equitable manner" (G5). The recommendations in the study and the proposed fee schedule allow for the enterprise fund to continue to fully support the operating budget of the BPRI Division without the need to seek General Revenue funding.

Summary of Current Cost Recovery by Permit Category

	Revenue	Cost	Revenue minus cost	Revenue / Cost
Total	$2,725,677	$2,808,435	**($82,758)**	97%
Construction Permits	$1,881,345	$1,917,627	**($36,281)**	98%
Stand-alone Trade Permits	$196,942	$206,466	**($9,524)**	95%
Other permits*	$647,390	$684,342	**($36,952)**	95%

** Includes decks, re-roofs, retaining walls, signs, generators, etc.*

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C. CONSOLIDATION OF PERMIT FEE TABLES AND CATEGORIES

For most projects, an increase in project size may result in a corresponding building permit fee increase due to the increase of square footage. Use of the flat fee square footage calculations for minor construction projects, however, will not recover the cost of services provided. For example, under the current fee schedule a small residential addition project with 100 square feet of area would result in a building permit fee of $80. This fee would not address the cost for intake of the permit, review of plans, inspections, and paperwork necessary to close the project. Therefore, in such instances, it is recommended that a minimum fee of $135.00 be utilized to ensure full recovery of all associated permitting costs. This fee is representative of the hourly rate ($90.00) multiplied by 1.5 hours. The table below provides the current minimum individual fee for each trade and the recommended simplified single minimum fee for any permit.

Trade	Current Minimum Fee	Recommended Minimum Fee*
Building	None	$135.00
Mechanical	$82.00	$135.00
Electrical	$79.63	$135.00
Plumbing	$91.38	$135.00
Gas	$73.10	$135.00

* The minimum fee is based on the hourly rate of $90.00 x 1.5 hours.

D. MULTIFAMILY CONSTRUCTION FEE CLASSIFICATION CHANGE

Pursuant to the FBC, multifamily construction is classified as commercial construction due to enhanced safety requirements. The plan review for a commercial building is complex and addresses a significant number of life, health and safety requirements including exiting, accessibility, type of construction, occupant loading, fire resistance ratings, sprinklers, fire alarms, exiting signage, fire separation, structural, energy and mechanical and electrical systems. While the current multifamily permit fees recover the costs involved with the plan review process, it is recommended that multifamily projects be specifically designated as a commercial fee calculation, which aligns with the FBC. MGT recommends the County include multifamily permit fees under the proposed commercial tier fee structure for this reason. It is also recommended that the 'valuation-based' method for determining multifamily plan review fees be converted to the 'flat fee' method as illustrated below.

Current and Recommended Fees for a $2,300,000[2] Multifamily 17,000 sq. ft. Structure

		Current Fee		Recommended Fee	
		Cost per sq. ft.	Fee	Cost per sq. ft.	Fee
	Plan review[1]	Stated Valuation	$281.97	$0.46	$7,820.00
Inspection Fees	Building	$0.51	$8,670.00	$0.15	$2,550.00
	Mechanical	$0.10	$1,700.00	$0.07	$1,190.00
	Electrical	$0.12	$2,040.00	$0.11	$1,870.00
	Plumbing	$0.07	$1,190.00	$0.05	$850.00
	Gas	$0.05	$850.00	$0.02	$340.00
	Total	**$0.85**	**$14,731.97**	**$0.86**	**$14,620.00**

[1] Plans review was a portion of the building inspection fee.

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[2] Stated valuation of $2,300,000 was calculated using ICC (International Code Council) Building Valuation Data (BVD).

E. THIRD PARTY "PRIVATE PROVIDER" REVIEW FEES

The current fee structure does not account for any reduction in plan review or inspections fees when a builder or owner decides to use a private provider. Leon County is required to calculate the applicant's cost savings based on the private provider's services, per § 553.791(2)(b). When a private provider is used, the County's cost for the level of services would be reduced since Leon County staff would not be performing all the required plan review and/or inspections typically associated with building construction. The State Statute still requires County involvement to process the permit, obtain required documentation, ensure the private provider has insurance for professional liability policy, perform inspections, enter the inspections into the permitting system, ensure the project is in compliance and that all required inspections have been completed and approved, and issue the Certificate of Occupancy or Completion. Therefore, it is recommended the private provider fee reduction be listed in the DSEM Building Permit Fee Schedule as 60 percent of the plans review and/or inspections permit fees, whichever is applicable. This would allow DSEM to recover 40 percent of the cost of services provided as mentioned. The reduction of 60 percent of the plans review and/or inspection fees is consistent with a reduction already included in §5-1.09 of Chapter 5 of the Leon County Code of Laws. Therefore, by accepting the recommendation, Leon County would be compliant with § 553.791(2)(b).

F. ESTABLISH A TECHNOLOGY FEE

The assessment of a technology fee in conjunction with a building permit fee is a common practice in Florida. As the building permit process has evolved from paper to digital, it has become necessary to maintain and upgrade software and technology on an ongoing basis. To assist with the financial aspect of these ongoing upgrades and maintenance, it is recommended that a technology fee be added into the building permit fee schedule. Typically, technology fees associated with building permits range from 2 to 4 percent. Based on technology fees established by MGT in other jurisdictions, it is recommended that Leon County establish a technology fee of 3 percent of the total building permit fee. Recent spending for significant technology upgrades was at 14 percent of the BPRI budget. As such, a technology fee of 3 percent of the BPRI budget is required to maintain the MIS support for minor improvements and future upgrades.

If the technology fee is deposited into its own fund, the funds would be exclusively dedicated for improving permitting technology. In addition, a technology fund would be a revolving fund, which would be difficult to tie to an average annual appropriation metric.

G. FEE MAINTENANCE

Building permit fees should be evaluated on an on-going basis to ensure the BPRI Division is recuperating the cost of services provided. Therefore, MGT recommends the County conduct a fee study every five years, which is common practice in Florida, in conjunction with using the CPI inflation adjustment to ensure building permit fees continue to recover associated costs.

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H. FUND BALANCE

During the last several years, a surge of building activity resulted in an increase of local government building funds, which caused developers to question the excessive fund balance. In 2018 the legislature adopted § 553.80 that defines the maximum level of fund balance as the average of the last four years of the local building department's operating budget. The County is also required to report the fund balance annually on the County's website pursuant to. § 553.89(7).

MGT reviewed Leon County's average operating budget for the last four years and found Leon County in compliance with § 553.80. The current balance is at 51 percent of the allowable fund balance limit. MGT recommends that the Leon County Office of Financial Stewardship continue to review, on a quarterly basis, the fund balance to ensure the fund remains within the allowable limits as established by statute.

IV. APPENDIX

A. Introduction

B. Peer Group Results and Comparisons

Schedule 1 addresses new construction permits. It illustrates costs per square foot for:

1. Single-Family Residential: Plan Review and Inspection
2. Multifamily: Plan Review and Inspection
3. Commercial: Plan Review and Inspection (average fee of three commercial Tiers listed below):
   - Tier 1 (Storage, Factory, Industrial, and Utility): Plan Review and Inspection
   - Tier 2 (Business and Mercantile): Plan Review and Inspection
   - Tier 3 (Assembly, Educational – Private, Institutional, and Hazardous): Plan Review and Inspection

Schedule 2 details minimum trade fees related to residential and commercial construction (e.g. mechanical, electrical, plumbing, or gas permits with no other associated construction, such as furnace change-outs in existing buildings.

4. Single-Family Residential: Plan Review and Inspection
5. Multifamily: Plan Review and Inspection

C. Fee Comparison Summary

Table 1-A: Permit Fee Comparison Summary – Leon County Current Fees Compared to Peer Average

Table I-B: Permit Fee Comparison Summary – Leon County Proposed Fees Compared to Peer Average

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A. INTRODUCTION

MGT determined a list of permits, sample projects, and peers for comparison. The comparison of the selected jurisdictions illustrates their fees, but does not factor the workload, or similar complexity as is found in Leon County. Jurisdictions used for comparison are as follows:

- **Alachua**
- **Bay**
- **Lake**
- **Manatee**
- **Osceola**
- **Sarasota**
- **St. Lucie**
- **City of Tallahassee**

Note that with these comparison of fees there are differences in funding, process, evaluation, and manpower that contribute to how each jurisdiction establishes their fee structure. Also, fees may not cover the same services. Some of the comparisons include whether the permit fee is calculated by construction valuation or square footage or counting different components. In addition, several jurisdictions receive supplemental funding through General Funds and are not entirely supported by an Enterprise Fund. Specifically, Alachua, Lake Manatee, Sarasota, and the City of Tallahassee are not self-supported through their local building permit funds. Leon County's building department, however, is self-supported through an enterprise fund which is an account backed entirely by fees collected for building permits, inspections, and related services.

B. PEER GROUP RESULTS & COMPARISON

SCHEDULE I – PERMIT TYPE RESULTS & COMPARISON

Shows the amount charged by other jurisdictions for each of the example fees – single-family, multi-family and commercial. Fee amounts are rounded to the nearest dollar.

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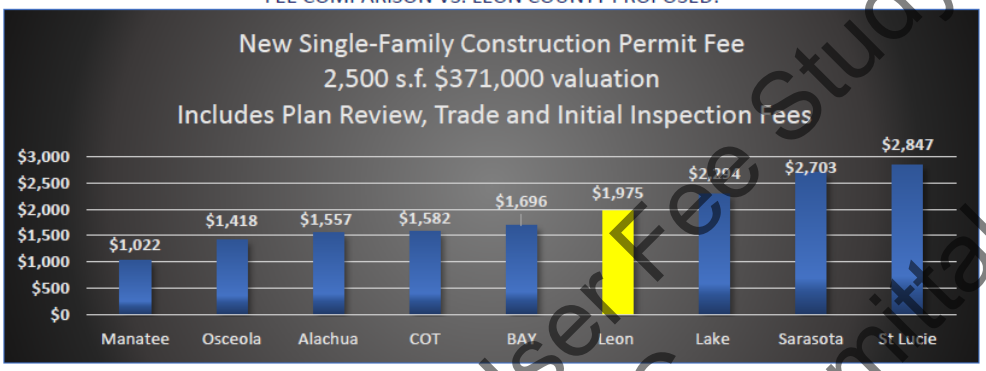
I. SINGLE-FAMILY CONSTRUCTION PROJECT

The graph below shows Leon County's proposed fees and fees charged by each jurisdiction for a new single-family building permit and associated inspections. The fee amounts were determined by the fee schedules, responses, and calculations used by each jurisdiction and project type.

FEE COMPARISON VS. LEON COUNTY PROPOSED:



*St. Lucie County, like Leon County, includes Certificate of Occupancy in their building permit fee.
**Leon County fee value is based on the flat fee approach adopted by the Board in November 2019. The valuation used in this graph is based on a 2,500 square foot home, which is the approximate average size home permitted in Leon County in 2021. The stated valuation of $370,825 was calculated using ICC (International Code Council) Building Valuation Data (BVD).
***All of the above jurisdictions, except Leon and COT, assess minimum impact fees that range from $2,800 - $24,517.

*AVERAGE FEE – **$1,899***

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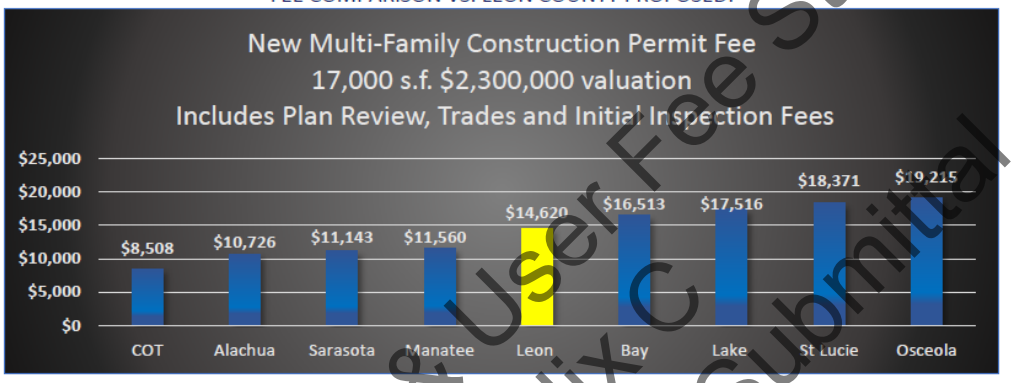
2. MULTI-FAMILY CONSTRUCTION PROJECT

The graph below shows Leon County's proposed fees and fees charged by each jurisdiction for a new multi-family building permit and associated inspections. The fee amounts were determined by the fee schedules, responses, and calculations used by each jurisdiction and project type.

FEE COMPARISON VS. LEON COUNTY PROPOSED:



*St. Lucie County, like Leon County, also includes Certificate of Occupancy in their building permit fee.
**Leon County fee value is based on the flat fee approach adopted by the Board in November 2019. The value used in this graph is based on a 17,000 square foot building. The stated valuation of $2,324,410 was calculated using ICC (International Code Council) Building Valuation Data (BVD).
***All of the above jurisdictions, except Leon and COT, assess minimum impact fees that range from $2,800 - $24,517.

*AVERAGE FEE – **$14,241***

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3. COMMERCIAL CONSTRUCTION PROJECT

The graph below shows Leon County's proposed fees and fees charged by each jurisdiction for a new commercial building permit and associated inspections. Leon County's fee amount represents an average of the three commercial tiers. The fee amounts were determined by the fee schedules, responses, and calculations used by each jurisdiction and project type.

FEE COMPARISON VS. LEON COUNTY PROPOSED*

*St. Lucie County, like Leon County, includes Certificate of Occupancy in their building permit fee.
**Leon County fee value is based on the flat fee approach and represents an average of Commercial Tiers 1, 3 & 4. The stated valuation of $1,830,000 was calculated using ICC (International Code Council) Building Valuation Data (BVD
***All of the above jurisdictions, except Leon and COT, assess minimum impact fees that range from $2,800 - $24,517.

*AVERAGE FEE – **$9,960***

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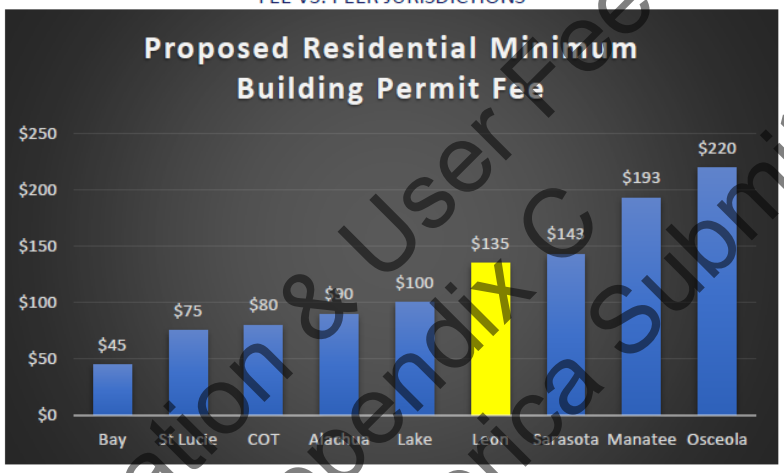
SCHEDULE 2 – MINIMUM PERMIT FEE COMPARISONS

Shows the amount charged by other jurisdictions for each of the example fees. Fee amounts are rounded to the nearest dollar.

1. MINIMUM PERMIT FEE COMPARISON - RESIDENTIAL

Leon County does not currently have a minimum fee for a residential building permit. The graph below illustrates minimum fee comparisons based on the proposed minimum residential fee of $135.

GRAPH 4: FEE COMPARISON: PROPOSED MINIMUM RESIDENTIAL FEE VS. PEER JURISDICTIONS



*Leon County currently has a minimum fee for each of the trades that are used for residential and commercial projects. However, there is no minimum fee for building. The recommendation is to create one minimum fee for all small projects and eliminate the five (5) trade permit minimum fees. This will simplify the permitting process by using one (1) fee instead of five (5). The recommended fee of $135 is the hourly rate ($90.00) x 1.5 hours.

*AVERAGE FEE – **$120***

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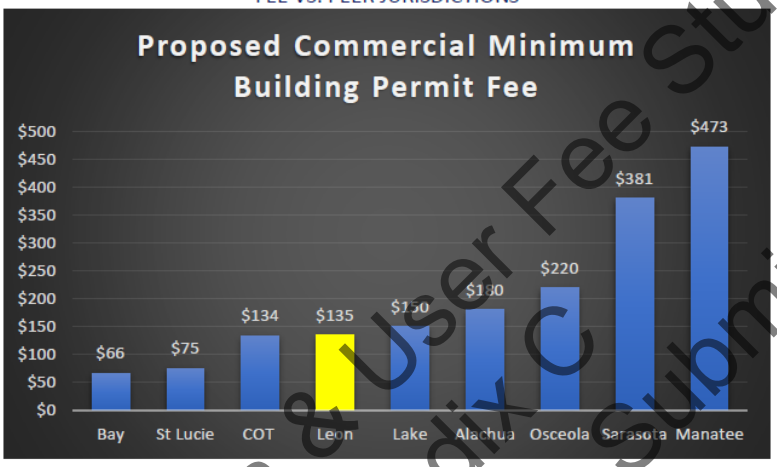
2. MINIMUM PERMIT FEE COMPARISON - COMMERCIAL

Leon County does not currently have a minimum fee for a commercial building permit. The graph below illustrates minimum fee comparisons based on the proposed minimum commercial fee of $135.

GRAPH 5: FEE COMPARISON: PROPOSED MINIMUM COMMERCIAL FEE VS. PEER JURISDICTIONS



*Leon County currently has a minimum fee for each of the trades that are used for residential and commercial projects. However, there is no minimum fee for building. The recommendation as stated is to create one minimum fee for all small projects and eliminate the five (5) trade permit minimum fees. This will simplify the permitting process by using one (1) fee instead of five (5). The recommended fee of $135 is the hourly rate ($90.00) x 1.5 hours.

*AVERAGE FEE – **$202***

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C. FEE COMPARISON SUMMARY

The tables below (I-A and I-B) list the current and proposed amounts charged by Leon County side-by-side with the average fee amount charged by the comparative jurisdictions. A column has also been added next to each average to highlight the percentage difference (% DIFF) between the amount charged by Leon County and the comparative counties. The fee for each project type by jurisdiction is detailed in the previous section (Section 2).

TABLE I-A: PERMIT FEE COMPARISON SUMMARY
LEON COUNTY CURRENT FEES COMPARED TO PEER AVERAGE

	LEON COUNTY CURRENT	COMPARATIVE AVERAGE	% DIFF
Single-Family Construction ex. $371,000 valuation; 2,500 sq. ft.	$ 1,980	$ 1,900	+4.2%
Multi-Family Construction ex. $2,300,000 valuation; 17,000 sq. ft.	$ 14,732	$ 14,254	+3.4%
Commercial Construction ex. $1,800,000 valuation; 12,000 sq. ft.	$ 10,411	$ 9,960	+4.5%
Minimum Residential Building Permit	$ 0	$ 105	--
Minimum Commercial Building Permit	$ 0	$ 187	--

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TABLE 1-B: PERMIT FEE COMPARISON SUMMARY
LEON COUNTY PROPOSED FEES COMPARED TO PEER AVERAGE

	LEON COUNTY PROPOSED	COMPARATIVE AVERAGE	% DIFF
Single-Family Construction	$ 1,975	$ 1,899	+3.8%
ex. $371,000 valuation; 2,500 sq. ft.			
Multi-Family Construction	$ 14,620	$ 14,241	+2.7%
ex. $2,300,000 valuation; 17,000 sq. ft.			
Commercial Construction	$ 10,320	$ 9,960	+3.6%
ex. $1,800,000 valuation; 12,000 sq. ft.			
Minimum Residential Building Permit	$ 135	$ 120	+12.5%
Minimum Commercial Building Permit	$ 135	$ 202	-33.2%

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Example Report 2: Cost Allocation Plan and Indirect Cost Rates

CITY OF WICHITA, KANSAS

FEDERAL 2 CFR PART 200 COST ALLOCATION PLAN AND INDIRECT COST RATES

For FY 2020 Based on FY 2018 Actual Expenditures

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Section 8 - Schedule of Expenditures of Federal Awards
Section 9 - Indirect Cost Rate Base Detail

Section 1
Introduction

Introduction

The enclosed Indirect Cost Allocation Plan identifies the costs of indirect services provided by central service departments of the City of Wichita, Kansas (the City) based on actual expenditures for fiscal year 2018. The MGT Consulting Group (MGT) prepared these documents at the request of the City.

The Cost Allocation Plan is used by the City to claim indirect costs as charges against awards (grants) and City funds. The list of federal/state grants and awards that are charged indirect costs based on the results of this plan are located in Section 6 – Departmental Indirect Cost Rates. The Cost Allocation Plan and indirect cost rates are filed with the US Department of Transportation, Federal Highway Administration each year, and an Indirect Cost Negotiation Agreement is reached that details the allowable indirect cost rates.

These documents are prepared in compliance with 2 CFR Part 200. City personnel provided the expenditure and allocation data to MGT consultants. MGT consultants then prepared the Cost Allocation Plan utilizing multiple allocation basis method with a double step-down calculation methodology.

Allocation Methodology Summary

The City of Wichita utilizes a multiple allocation method to distribute indirect costs to all City departments, funds, and operating units. This method calls for services to be grouped into cost pools, each of which is then allocated using a statistic that most closely correlates to the service provided and the relative benefits received by the departments, funds, and operating units of the City. Additionally, the City's cost allocation plan utilizes a double-step-down allocation methodology that fully recognizes the cross support that exists between central service departments (Human Resources supports Finance, and Finance supports Human Resources).

The following is a description of the central service departments, the cost pools they've been broken down into, and the allocation statistic utilized to distribute the costs from each pool to the benefitting department, funds and operating units.

Equipment Depreciation

Depreciation on equipment for the Central Service Pool. Costs are allocated based on actual depreciation amounts for allocated departments.

Building Depreciation

Pursuant to the 2 CFR Part 200, depreciation on buildings and improvements for City Hall are allowable. The cost of land has been excluded. The depreciation has been allocated as follows:

- City Hall - Allocated to central service departments based on usable square feet of space occupied per department and division.

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City Manager

The mission of the City Manager is to provide professional leadership and management for the City of Wichita. In this capacity, the office provides general guidance and management to City departments, executes City Council policies, facilitates the development of the mission statement and the City's long-range goals and objectives, and coordinates City efforts to accomplish cost savings and increased efficiencies. Allowable costs are allocated as follows:

- City Manager – Costs associated with the day-to-day operation of the City are allocated based upon the number of full-time equivalent positions administered by department and division.

Law Department

It is the mission of the Law Department to facilitate client success through the provision of high quality legal services and guidance to the City Council, City Manager, and the departments, boards, agencies, utilities and commission of the City. Civil legal staff members perform a variety of roles including providing legal advice, drafting and reviewing contracts, rendering legal opinions, and conducting litigation for the City. Allowable costs are allocated as follows:

- Advice & Opinions – Costs associated with providing advice and opinions have been allocated to all City departments based on the number of full time equivalent positions.
- Department Support – Costs associated with providing support directly to departments have been allocated based on the number of recorded hours of support.
- Other Law Services – Costs are not allocated.

Human Resources

The mission of Human Resources is to build a stimulating and diverse culture of inclusion that thrives on public service, high performance, and individual and organizational growth and development. Human Resources' core responsibilities are employee recruitment and selection; classification and compensation; employee relations; benefits development and administration; payroll; HR-related information systems; Equal Employment Opportunity and Affirmative Action programs; union negotiations and contract administration; managing Family and Medical Leave (FML); Unemployment Insurance (UI); drug testing; the Employee Assistance Program and fund; and employee learning and development. Allowable costs are allocated as described below:

- Human Resources – Costs are allocated based upon the number of full-time equivalent positions by department and division.

City Clerk

The City Clerk is responsible for acting as ex-officio Clerk of the City Council, the Board of Bids and Contracts, and Staff Screening and Selection Committee; and preparing minutes of all meetings and performing such other duties. Allowable costs are allocated as described below:

- Records – Costs are allocated based upon the number of full-time equivalent positions by department and division.

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Director of Finance

The mission of the Director of Finance is to maintain the fiscal integrity of the City organization through financial services, timely information and analysis, innovation, financial management and appropriate controls. The Director's Office is responsible for the overall management of the Finance Department. In addition, the Budget and Research Office prepares and administers the annual City budget and the 10-year Capital Improvement Program (CIP). The Director's Office staff members advise the City Manager regarding financial and management issues and assist department directors and their staff with research, analysis, and support regarding appropriate and necessary administrative and budget procedures. The Department of Finance exists to aid the entire organization in accomplishing its varied missions. Support involves helping other functions understand, plan, prioritize, control, report, satisfy requirements, and/or wisely use available resources. Costs are allocated as shown below for the following allowable functions:

- Director of Finance – Costs associated with the Director are allocated based upon the actual expenditures of all City departments.
- Budget – Costs related to the budget function are allocated based upon the number of full-time equivalent positions.
- TBID – Costs associated with the Tourism Business Improvement District have not been allocated.

Treasury

Treasury provides for the safe, efficient, and prudent handling of the City's cash assets through the establishment and monitoring of policies and procedures related to cash handling, investment of idle funds, and revenue collection activities. Treasury provides a variety of services for total City operation including, maintaining bank accounts, signing and disbursing checks, maintaining cash records, administering the accounts receivable program and performing other related duties. Costs are allocated as shown below for the following allowable functions:

- Cash Management – Costs associated with cash flow management are allocated based upon the number of revenue transactions by department or division.
- Express Office – Costs related to the Express Office are allocated based upon the number of Express Office transactions handled. Transactions related to the Water bill have been split between Water, Sewer and Stormwater based on the revenue handled for each segment of the utility operations.

General Accounting

It is the mission of General Accounting to ensure the integrity of the financial statements and accuracy of payments made to vendors, and assist in the financial management of the City. The office seeks to sustain the day-to-day accounting processes in conformity with the highest professional and regulatory standards while also pursuing efficiencies that will improve the overall financial management and financial status of the City. Service objectives include, minimizing the cost of financial transactions, producing the Comprehensive Annual Financial Report (CAFR) that is recognized as excellent by industry standards, and monitoring and auditing the vendor payment process for purchasing goods and services to assure accuracy and timeliness. Costs are allocated as shown below for the following allowable functions:

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- General Accounting – Costs are allocated based upon the number of accounting transactions (expense and revenue) processed for departments during the year.
- Grants Admin – Costs associated with the administration and reporting for federal grants programs have been allocated based on the federal expenditures as reported in the CAFR.
- Payroll – Costs associated with payroll activities have been allocated based on the number of FTEs.

Purchasing

The mission of Purchasing is to obtain the greatest value for each dollar spent by the City in the efficient and effective procurement of goods and services while also ensuring fairness and integrity in accordance with applicable laws and regulations. The office is responsible for overseeing the formal and informal bid process, negotiating blanket purchase orders, managing the overall procurement process, registering vendors, administering the Emerging and Disadvantaged Business Enterprise program (including staffing the Wichita Supplier Diversity Task Team), disposition of surplus vehicles/equipment, and providing an on-line purchasing system. Allowable costs have been allocated as follows:

- Purchasing – Costs for this function are allocated based upon the number of PO's, DP's and DV's (weighted) by department and division.

Administrative Services

The Administrative Services Division includes the Internal Audit activities. Costs are allocated as shown below for the following allowable functions:

- Internal Audit – Costs are allocated based upon the number of expense transactions processed for departments during the year. (No costs are allocated from this function in the 2012 plan.)
- City Manager Support – Costs associated with this function have been allocated based upon the number of full time equivalent positions.

Public Works Administration

The mission of Public Works Administration is to provide coordination, guidance and support services for the operating divisions of the department, including Building Services, Engineering, Fleet, and Maintenance, so that employees are freed to focus directly on serving the public. Support services include: records management, human resources coordination, policy development and financial management. Costs are allocated as shown below for the following allowable functions:

- Department Administration – Costs are allocated based upon the salaries of the Public Works divisions administered.

Public Works – Building Services

The mission of Public Works - Building Services is to maintain an efficient infrastructure of clean, attractive, and properly functioning City buildings, structures, and related facilities that best meet the needs of the public and of City employees providing service to the public. Costs are allocated as shown below for the following allowable functions:

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- General and Administration – Costs are allocated based upon the other functional salaries within the department.
- City Hall – Associated costs are allocated based upon occupant's square footage.
- Other Buildings – Costs associated with building services for other buildings are allocated based upon the direct Departmental expenditures.

Indirect Cost Rates

In Section 6 of this cost allocation plan, the City of Wichita is proposing indirect cost rates for a select group of its departments, funds, grants and/or operating units. Although the cost allocation plan identifies indirect costs to every operating unit of the City (See Section 7), indirect cost rates are only calculated for a subset of units where indirect cost recovery is available to the City. The indirect cost rates have been calculated using only central service indirect costs – no departmental administrative costs have been classified as indirect costs.

The rate base utilized for the indirect cost calculations is Total Modified Direct Costs. This rate base utilizes all expenditure object codes in the 1XXX, 2XXX, 3XXX and 5XXX ranges. These object code ranges include all Salaries, Benefits, Contractual Services, Supplies, and Other expenditures. The 4XXX range is excluded from the base because it consists of capital outlay expenditures. Details on the amount of rate base expenditures associated with each object code are located in Section 9.

The City is requesting the approval of the indirect cost rates in Section 6 as Fixed with Carry-Forward for use in Fiscal Year 2020. The rates have been calculated using the actual expenditures and indirect cost allocation results from Fiscal Year 2018 and include carry-forward calculations where appropriate.

Beginning in the FY 2018 CAP (based on FY 2016 Actual Costs), several previously individual indirect rates where there are infrequent or low levels of grant activity were consolidated into an 'All Other Grants' rate. The consolidated rates include: WSCCAP, Park Grants, City Manager Grants, Planning Grants, Finance Grants, Municipal Court Grants, Fire Grants, Library Grants, Law Grants, Public Works Grants, Federal State Grants. Consolidating these indirect rates eases the administrative burden on the City and will continue in FY 2020.

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Section 2
Certification of Cost Allocation Plan

Certificate of Cost Allocation Plan

This is to certify that I have reviewed the cost allocation plan submitted herewith and to the best of my knowledge and belief:

(1) All costs included in this proposal based upon Fiscal Year 2018 actual costs to establish cost allocations or billings for Fiscal Year 2019 are allowable in accordance with the requirements of 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" and the Federal award(s) to which they apply. Unallowable costs have been adjusted for in allocating costs as indicated in the cost allocation plan.

(2) All costs included in this proposal are properly allocable to Federal awards on the basis of a beneficial or causal relationship between the expenses incurred and the Federal awards to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently.

I declare that the foregoing is true and correct.

Government Unit: **City of Wichita, Kansas**

Signature: Shawn Henning

Name of Official: Shawn Henning

Title: Director of Finance

Date of Execution: 07/30/2019

Certificate of Indirect Costs

This is to certify that I have reviewed the indirect cost rate proposal submitted herewith and to the best of my knowledge and belief:

(1) All costs included in this proposal based upon Fiscal Year 2017 actual costs to establish billing or final indirect costs rates for Fiscal Year 2019 are allowable in accordance with the requirements of the Federal award(s) to which they apply and 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards". Unallowable costs have been adjusted for in allocating costs as indicated in the indirect cost proposal.

(2) All costs included in this proposal are properly allocable to Federal awards on the basis of a beneficial or causal relationship between the expenses incurred and the agreements to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently and the Federal government will be notified of any accounting changes that would affect the predetermined rate.

I declare that the foregoing is true and correct.

Government Unit: **City of Wichita, Kansas**

Signature: Shawn Henning

Name of Official: Shawn Henning

Title: Director of Finance

Date of Execution: 07/30/2019

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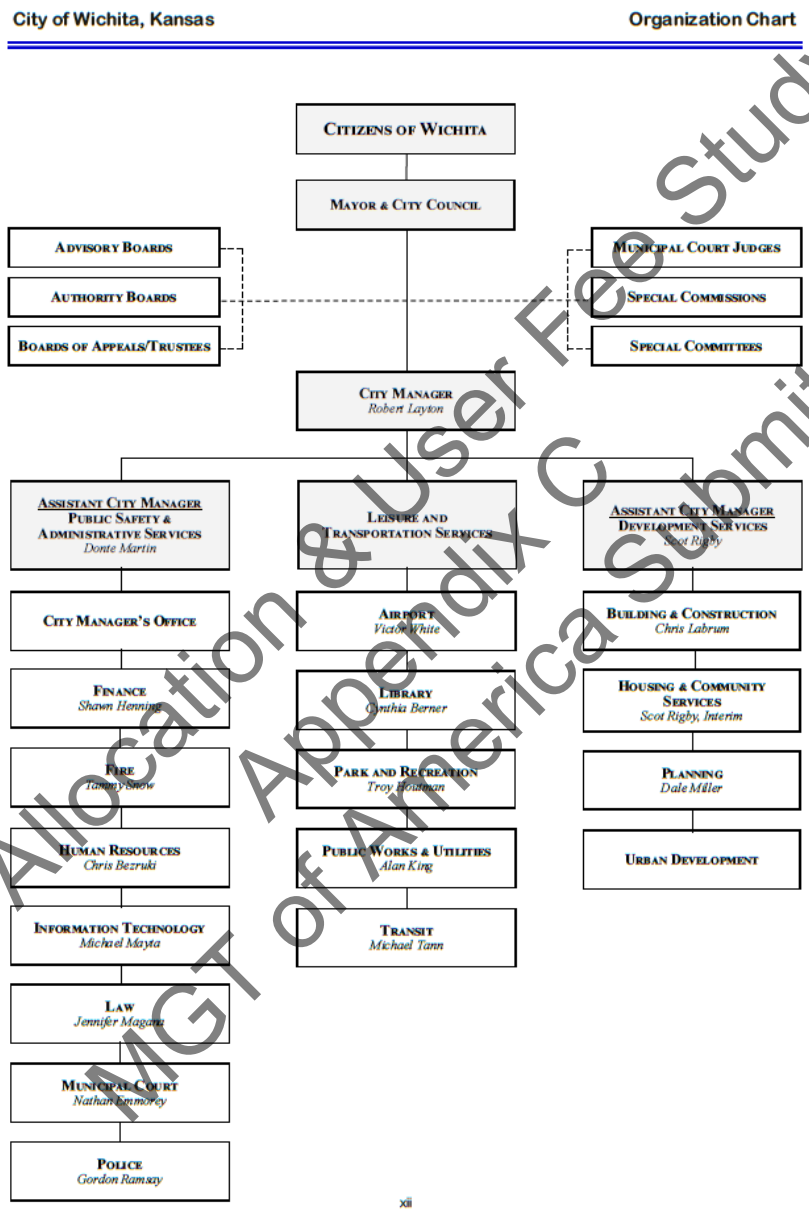
Section 3
Organization Chart



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Section 4
Engineering Burden Rate

Engineering Labor Burden Rate

The City of Wichita includes a burden rate charged on direct wages in its invoices to Kansas Department of Transportation (KDOT) for construction engineering on state or federally funded projects. Project costs eligible for reimbursement by KDOT include direct wages and direct benefits (plus the burden rate) and certain direct expenses, including vehicle rental. Benefits are not included in the burden rate because they are captured as direct expenses on the invoices the City submits to KDOT.

The burden rate is intended to cover non-productive payroll costs that are not allocated to projects directly in the City's payroll system and reports in order to account for the indirect benefit that accrues to projects as a result of the City retaining full-time employees to participate in project activities. In order to calculate a rate, we totaled direct wages, overtime wages, and non-productive pay for all employees engaged in KDOT project activities during the year. Non-productive pay includes holiday pay, vacation pay, sick leave, and other types of leave including emergency leave and bereavement. Based on 2018 operating data, the ratio of non-productive pay to total direct wages was 18%.

ENGINEERING LABOR BURDEN RATE CALCULATION

Calculated based on payroll data for the year ended December 31, 2018

Regular pay	$	$ 1,532,592.63
Overtime		117,723.25
	$	1,650,315.88
Non-productive pay	$	299,569.03
Burden rate for 2020 wages		18%

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Section 5
Reading a Cost Allocation Plan

Reading the Cost Allocation Plan

Overview

The Federal 2 CFR 200 Cost Allocation Plan is a document that distributes, or allocates, City indirect costs. Indirect costs are those costs incurred by City divisions and departments that benefit other City divisions and departments. Examples of City indirect costs are personnel, purchasing, human resources and the Finance Department.

The primary purpose for preparing the Cost Allocation Plan is to (1) identify the appropriate division and department indirect costs and (2) calculate corresponding indirect cost rates if needed.

The significant steps involved in preparing the Cost Allocation Plan include the following:

- Identify the City divisions and departments that provide support to other City divisions and departments. These divisions and departments are referred to as central service or allocating departments.
- Identify the City divisions and departments that receive support from other City divisions and departments. These departments are referred to as grantee or receiving departments.
- Accumulate the allowable actual expenditures of the City divisions and departments that provide support to other City divisions and departments.
- Distribute, or allocate, the allowable expenditures of the City divisions and departments that provide support to other City divisions and departments based on available, meaningful, measurable and auditable allocation statistics that match the service provided to the service received.

Process

A double-step down allocation methodology is used to allocate the allowable costs of the central service divisions and departments. This methodology recognizes the cross support provided between central service divisions and departments. For example, accounting supports the information systems department by providing payroll, paying vouchers and preparing a budget. However, the information systems department also supports accounting, by providing software and hardware support and by maintaining and administering various applications and systems.

The double-step down methodology requires an initial sequencing of allocating divisions and departments. In the first step of the double-step methodology, allowable costs from central service divisions and departments are allocated in the sequence selected to all City divisions, departments and funds; including to other central service divisions and departments. The second step in the double-step down methodology is made to fully account for the cross

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support provided between central service divisions and departments. Central service divisions and departments are closed after the second step in the double-step down allocation methodology.

Sections

Table of Contents

The first few pages of the Cost Allocation Plan are the Table of Contents. The column on the left side of the pages lists the central service, or allocating, divisions and departments. Each central service division and department is broken down into functions. Functions are the specific services provided by a particular division and department. The middle column lists the allocation base for each corresponding function. The column on the right side of the pages is the applicable page number.

Summary Schedule

The next few pages of the Cost Allocation Plan are the Summary Schedule. The Summary Schedule identifies the total dollar amount allocated from every City allocating division and department to every City receiving division and department. Allocating divisions and departments are listed down the left column and receiving divisions, departments and funds are listed across the top of each page.

Detail Schedules

The remaining pages of the Cost Allocation Plan are the detail schedules for every central service division and department. The detail schedules for each central service division and department are structured in the following format:

Narrative - Lists the division and department name, provides a brief description of the activities performed, along with identifying the functions and the corresponding allocation base.

Departmental Costs (A) – Lists the actual expenditures for that division and department.

Incoming Costs (B) – Represents the support costs coming into the division and department from other allocating divisions and departments.

Total Allocated (C) - The total amount allocated for that division and department. This amount is found at the end of the Incoming Costs schedule.

Function Allocations - The distribution, or allocation, of the Total Allocated costs by function.

Allocation Summary – Shows the summary of allocated costs by function.

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Section 6
Departmental Indirect Cost Rates

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City of Wichita, KS
FY 2018 2 CFR 200 Cost Allocation Plan
FY 2020 Indirect Cost Rates
Total Modified Direct Costs Rate Base*

	2018	CDBG	CSBG	Emerg Shelter HUD	Env. Health Grants	Police Grants	HOME Program	Wichita Housing Auth	Trans-Grants
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	0	0	0	0	0	0	0
3	City Manager	23,061	3,049	0	1,524	5,376	508	17,872	56,904
4	Law Department	1,635	216	0	108	381	36	1,267	4,035
5	Human Resources	21,636	2,861	0	1,430	5,044	477	16,768	53,390
6	City Clerk	4,127	546	0	273	962	91	3,199	10,184
7	Director of Finance	14,944	2,118	161	1,122	3,788	697	16,939	37,532
8	Treasury	1,658	260	307	196	1,457	715	10,331	2,723
9	General Accounting	26,669	2,187	3,330	3,245	11,134	5,746	143,829	52,236
10	Purchasing	35,402	1,049	0	437	6,381	175	37,500	50,089
11	Admin Services	2,701	357	0	179	630	60	2,094	6,666
12	Public Works-Admin	0	0	0	0	0	0	0	0
13	Public Works-Bldg Svcs	0	0	0	0	0	0	0	0
CENTRAL SERVICE ALLOCATIONS		**131,834**	**12,642**	**3,798**	**8,514**	**35,154**	**8,505**	**249,799**	**274,401**
2018 Total Modified Direct Costs Rate Base *		3,265,313	938,222	571,362	691,383	1,643,982	1,381,942	21,600,139	9,518,327
FY 2018 Fixed Indirect Cost Rate		3.26%	3.08%	0.97%	2.68%	0.42%	0.41%	1.29%	2.72%
FY 2018 Indirect Recoveries		106,586	28,940	5,528	18,546	6,950	5,624	279,624	259,064
Carry Forward Amount in Fixed Indirect Cost Rate		(19,039)	5,909	-	2,508	(7,927)	(3,136)	(5,148)	31,546
FY 2018 Allowed Recoveries (2018 Allocations +/- Carry Forward amount in FY 18 Rate)		112,795	18,551	3,798	11,023	20,221	5,368	244,651	305,947
Carry Forward for FY 2020 Rate Calculation		6,210	(10,390)	-	(7,524)	20,277	(255)	(34,972)	46,883
FY 2020 Indirect Costs Including Carry Forward		138,044	2,252	3,798	3,990	55,431	8,250	214,826	320,234
FY 2020 Indirect Cost Rate		**4.23%**	**0.24%**	**0.66%**	**0.14%**	**3.37%**	**0.60%**	**0.99%**	**3.38%**
FY 2020 Negotiated Rate (used in place of rate above)				Rate was negotiated for 2018, thus no carry-forward is allowed. Calculated rate for FY 2020.					

* Rate base includes object codes 1XXX thru 3XXX, and 5XXX. These object codes encompass Salaries, Benefits, Contracts, Supplies, and Other expenditures. Capital Outlay (4XXX) has been excluded. Details on the rate base expenditures can be found in Section 9 - Indirect Cost Rate Base Details.

City of Wichita, KS
FY 2018 2 CFR 200 Cost Allocation Plan
FY 2020 Indirect Cost Rates
Total Modified Direct Costs Rate Base*

	2018	All Other Grants (Consolidated)	WSCCAP	City Manager Grants	Planning Grants	Park Grants	Finance Grants	Municipal Court Grants	Fire Grants	Library Grants	Law Grants
		All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants
1	Equipment Depreciation	$0	0	0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	0	0	0	0	0	0	0	0	0
3	City Manager	3,049	0	0	0	0	0	0	3,049	0	0
4	Law Department	216	0	0	0	0	0	0	216	0	0
5	Human Resources	2,861	0	0	0	0	0	0	2,861	0	0
6	City Clerk	546	0	0	0	0	0	0	546	0	0
7	Director of Finance	2,203	2	33	7	8	1	3	2,013	101	33
8	Treasury	464	327	32	16	117	5	0	53	16	90
9	General Accounting	5,418	191	111	78	59	47	7	3,764	238	890
10	Purchasing	8,217	0	1,311	612	524	0	0	0	5,769	0
11	Admin Services	357	0	0	0	0	0	0	357	0	0
12	Public Works-Admin	0	0	0	0	0	0	0	0	0	0
13	Public Works-Bldg Svcs	0	0	0	0	0	0	0	0	0	0
CENTRAL SERVICE ALLOCATIONS		**23,328**	**320**	**1,487**	**713**	**707**	**53**	**10**	**12,859**	**6,123**	**1,013**
2018 Total Modified Direct Costs Rate Base *		1,112,646	24,476	141,569	25,079	3,909	2,206	-	427,123	357,845	117,106
FY 2018 Fixed Indirect Cost Rate		1.04%									
FY 2018 Indirect Recoveries		-	-	-	-	-	-	-	-	-	-
Carry Forward Amount in Fixed Indirect Cost Rate		(2,331)	-	-	-	1,363	-	-	-	(4,862)	-
FY 2018 Allowed Recoveries (2018 Allocations +/- Carry Forward amount in FY 18 Rate)		20,997	320	1,487	713	2,071	53	10	12,859	1,262	1,013
Carry Forward for FY 2020 Rate Calculation		20,997				all future carry-forwards are done at the consolidated level					
FY 2020 Indirect Costs Including Carry Forward		44,325									
FY 2020 Indirect Cost Rate		**3.98%**									
FY 2020 Negotiated Rate (used in place of rate above)		New as of FY 2018. Consolidating all department rates that have low or irregular grant activity for ease of administration.	Rate now part of consolidated All Other Grants.	No previous rate, no carry-forward. Rate now part of consolidated All Other Grants.	No previous rate, no carry-forward. Rate now part of consolidated All Other Grants.	Rate now part of consolidated All Other Grants.	No previous rate, no carry-forward. Rate now part of consolidated All Other Grants.	No indirects, no rate base, no rate calculated. Rate now part of consolidated All Other Grants.	Rate was negotiated for 2017, thus no carry-forward is allowed. Rate now part of consolidated All Other Grants.	Rate now part of consolidated All Other Grants.	Rate now part of consolidated All Other Grants.

* Rate base includes object codes 1XXX thru 3XXX, and 5XXX. These object codes encompass Salaries, Benefits, Contracts, Supplies, and Other expenditures. Capital Outlay (4XXX) has been excluded. Details on the rate base expenditures can be found in Section 9 - Indirect Cost Rate Base Details.

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City of Wichita, KS
FY 2018 2 CFR 200 Cost Allocation Plan
FY 2020 Indirect Cost Rates
Total Modified Direct Costs Rate Base*

2018		All Other Grants Public Works Grants	All Other Grants Federal State Grants
1	Equipment Depreciation	$0	$0
2	Building Depreciation	0	0
3	City Manager	0	0
4	Law Department	0	0
5	Human Resources	0	0
6	City Clerk	0	0
7	Director of Finance	4	0
8	Treasury	5	0
9	General Accounting	33	0
10	Purchasing	0	0
11	Admin Services	0	0
12	Public Works-Admin	0	0
13	Public Works-Bldg Svcs	0	0
CENTRAL SERVICE ALLOCATIONS		**42**	**-**
2018 Total Modified Direct Costs Rate Base *		13,333	-
FY 2018 Fixed Indirect Cost Rate			
FY 2018 Indirect Recoveries		-	-
Carry Forward Amount in Fixed Indirect Cost Rate		-	1,168
FY 2018 Allowed Recoveries (2018 Allocations +/- Carry Forward amount in FY 18 Rate)		42	1,168
Carry Forward for FY 2020 Rate Calculation			
FY 2020 Indirect Costs Including Carry Forward			
FY 2020 Indirect Cost Rate			
FY 2020 Negotiated Rate (used in place of rate above)			

* Rate base includes object codes 1XXX thru 3XXX, and 5XXX. These object codes encompass Salaries, Benefits, Contracts, Supplies, and Other expenditures. Capital Outlay (4XXX) has been excluded. Details on the rate base expenditures can be found in Section 9 - Indirect Cost Rate Base Details.

Rate now part of consolidated All Other Grants

No rate base. Rate now part of consolidated All Other Grants.

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Proposal Certification

The undersigned hereby offers to furnish & deliver the articles or services as specified, at the prices & terms stated herein, and in strict accordance with the specifications and general conditions of submitting, all of which are made a part of this offer. This offer is not subject to withdrawal unless upon mutual written agreement by the Proposer/Bidder and City Purchasing Official.

Name of Firm: MGT of America Consulting, LLC

Contact Person: Bruce Cowans Title: Director, Financial Solutions Group

E-Mail: Proposals@mgtconsulting.com Phone: 888.302.0899

Business Address: 4320 West Kennedy Boulevard, Ste 200

City: Tampa State: Florida Zip: 33609

Signature: Date: 08/19/2022

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City of Fayetteville
RFP 22-06, Cost Allocation & User Fee Study
SECTION C: Signature Submittal

1. DISCLOSURE INFORMATION

Proposer shall disclose any possible conflict of interest with the City of Fayetteville, including, but not limited to, any relationship with any City of Fayetteville employee. Proposer response shall disclose if a known relationship exists between any principal or employee of your firm and any City of Fayetteville employee or elected City of Fayetteville official.

If, to your knowledge, no relationship exists, this shall also be stated in your response. Failure to disclose such a relationship may result in cancellation of a purchase and/or contract as a result of your response. This form shall be completed and returned in order for your bid/proposal to be eligible for consideration.

PLEASE CHECK ONE OF THE FOLLOWING TWO OPTIONS, AS IT APPROPRIATELY APPLIES TO YOUR FIRM:

__X__ 1) NO KNOWN RELATIONSHIP EXISTS

_____ 2) RELATIONSHIP EXISTS (Please explain): _____

_____

I certify that; as an officer of this organization, or per the attached letter of authorization, am duly authorized to certify the information provided herein are accurate and true, and my organization shall comply with all State and Federal Equal Opportunity and Non-Discrimination requirements and conditions of employment.

Pursuant Arkansas Code Annotated §25-1-503, the Proposer agrees and certifies that they do not currently boycott Israel and will not boycott Israel during any time in which they are entering into, or while in contract, with any public entity as defined in §25-1-503. If at any time during contract the contractor decides to boycott Israel, the contractor must notify the contracted public entity in writing.

2. PRIMARY CONTACT INFORMATION

At the discretion of the City, one or more Proposer may be asked for more detailed information before final ranking of the firms, which may also include oral interviews. **NOTE: Each Proposer shall submit to the City a primary contact name, e-mail address, and phone number (preferably a cell phone number) where the City's Selection Committee can call for clarification or interview via telephone.**

Corporate Name of Firm: MGT of America Consulting, LLC

Primary Contact: Bruce Cowans Title of Primary Contact: Director, Financial Solutions Group

Phone#1 (cell preferred): 847-302-2006 Phone#2: _____

E-Mail Address: bcowans@mgtconsulting.com

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3. ACKNOWLEDGEMENT OF ADDENDA

Acknowledge receipt of addenda for this invitation to bid, request for proposal, or request for qualification by signing and dating below. All addendums are hereby made a part of the bid or RFP documents to the same extent as though it were originally included therein. Proposers/Bidders should indicate their receipt of same in the appropriate blank listed herein. Failure to do so may subject Contractor to disqualification.

ADDENDUM NO.	SIGNATURE AND PRINTED NAME	DATE ACKNOWLEDGED
1	Patrick J. Dyer	08/19/2022
2	Patrick J. Dyer	08/19/2022

4. PRICING:

All fees or charges shall be provided within the RFP response, be fully itemized, and inclusive of any charges or fees the City could be charged, as identified in the scope of work.

5. DEBARMENT CERTIFICATION:

As an interested party on this project, you are required to provide debarment/suspension certification indicating in compliance with the below Federal Executive Order. Certification can be done by completing and signing this form.

Federal Executive Order (E.O.) 12549 "Debarment and Suspension" requires that all contractors receiving individual awards, using federal funds, and all sub-recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government.

Signature certifies that neither you nor your principal is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

Questions regarding this form should be directed to the City of Fayetteville Purchasing Division.

NAME OF COMPANY: MGT of America Consulting, LLC

PHYSICAL ADDRESS: 4320 West Kennedy Boulevard, Ste 200, Tampa, Florida 33609

MAILING ADDRESS: Same as above

PRINTED NAME: Patrick J. Dyer

PHONE: 888.302.0899 FAX: 850.385.4501

City of Fayetteville, AR
RFP 22-06, Cost Allocation & User Fee Study
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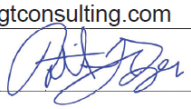
E-MAIL: Proposals@mgtconsulting.com

SIGNATURE: 

TITLE: Vice President DATE: 08/19/2022

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End of Form

Sample Insurance Certificate

Below is a copy of MGT's Certificate of Liability Insurance. Upon award of the contract, MGT will add the City of Fayetteville as an additional insured.

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 5/17/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Crystal IBC, LLC 32 Old Slip 29th Fl New York NY 10005 License#: BR-1359321	CONTACT NAME: Meagan Rago PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: Meagan.Rago@alliant.com
INSURED MGT of America, LLC and all of its subsidiaries 4320 West Kennedy Blvd Tampa , FL 33609 MGTCONS-01	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A : Hartford Fire Insurance Compan — 19682 INSURER B : Trumbull Insurance Company — 27120 INSURER C : Hartford Casualty Insurance Co — 29424 INSURER D : Hartford Insurance Group — 914 INSURER E : Constitutional Casualty Compan — 11568 INSURER F :

COVERAGES — CERTIFICATE NUMBER: 982845886 — REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY			10 UUN CG6832	3/31/2022	3/31/2023	EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
							MED EXP (Any one person)	$ 10,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY	$ 1,000,000
	X POLICY PRO-JECT LOC						GENERAL AGGREGATE	$ 2,000,000
	OTHER:						PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
B	AUTOMOBILE LIABILITY			10 UEN CG6748	3/31/2022	3/31/2023	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
C	X UMBRELLA LIAB X OCCUR			10 XHU DL6029	3/31/2022	3/31/2023	EACH OCCURRENCE	$ 10,000,000
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$ 10,000,000
	DED X RETENTION $ 10,000							$
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N			10 WB AR7J14	3/31/2022	3/31/2023	X PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N / A (Mandatory in NH)						E.L. EACH ACCIDENT	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000
E	Professional Liability			652348448	7/1/2021	7/1/2022	Limit of Liability	$6,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Additional Named Insureds: MGT of America, LLC; MGT Intermediate, LLC; MGT EH&A Investor, LLC; MGT of America Consulting, LLC; Layer 3 MGT, LLC; Davis Demographics MGT, LLC; Kitamba MGT, LLC; MGT Cira Investor, LLC; Hillsborough County Schools Succeed, LLC; Adams 14 Schools Succeed, LLC; Aurora Colorado Schools Succeed, LLC; Gary Schools Recovery, LLC; Davis Demographics & Planning, Inc.; Cira Infotech, Inc.; MGT Cira InfoTech; Layer 3 Communications, LLC; Layer 3 Communications (Texas), LLC; Layer 3 Communications (Georgia), LLC

CERTIFICATE HOLDER

Evidence of Insurance

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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NATIONAL FIRM **LOCAL FOCUS**

ALABAMA
Montgomery

CALIFORNIA
Sacramento | Pasadena | Carlsbad

COLORADO
Denver

FLORIDA
Tallahassee | Tampa

GEORGIA
Atlanta

KANSAS
Wichita

ILLINOIS
Chicago

MASSACHUSETTS
Boston

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Manhattan

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Raleigh

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Dallas

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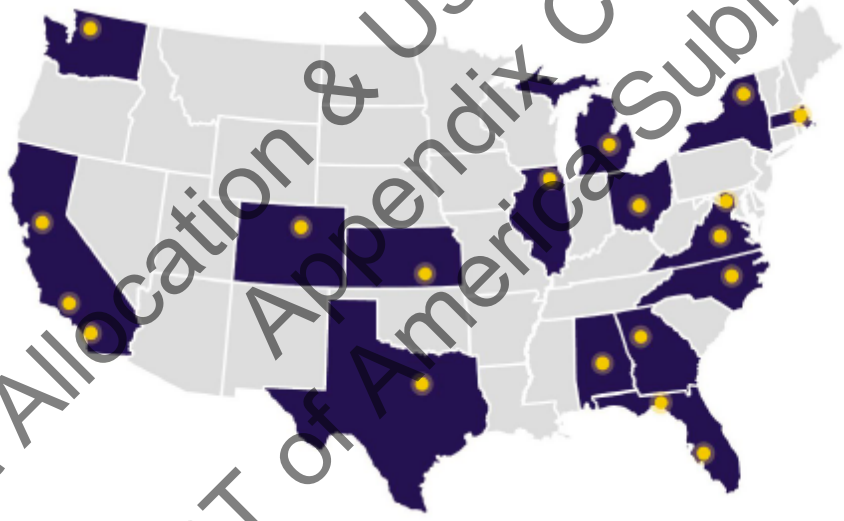

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MGT | 4320 West Kennedy Boulevard, Tampa, Florida 33609
888.302.0899 | www.mgtconsulting.com

MGT CONSULTING GROUP

USER FEE STUDY
BUILDING PLAN REVIEW & INSPECTIONS
LEON COUNTY, FLORIDA

Final Report

November 2021

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Leon County, Florida
User Fee Study – Building Plan Review & Inspections
November 2021

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I. BACKGROUND

The Florida Building Code (§ 553, Fla. Stat.) requires Leon County (herein referred to as the "County") to regulate building construction. § 553.80, Fla. Stat., states, ". . . *each local government and each legally constituted enforcement district with statutory authority shall regulate building construction, and where authorized in the state agency's enabling legislation, each state agency shall enforce the Florida Building Code required by this part on all public or private buildings, structures, and facilities. . .*"

In Leon County, the responsibility for this work is assigned principally to the Department of Development Support and Environmental Management's (DSEM) Building Plans Review and Inspection (BPRI) Division. The Division employs licensed Building Plan Reviewers, Building Inspectors and Permit Technicians. These professionals work in unison with other DSEM staff to process building plans, issue building permits, and inspect construction to ensure compliance with the Florida Building Code (FBC).

In November 2019, the Leon County Board of County Commissioners (herein referred to as the "Board") took a major step in simplifying the building permit fee calculation process by adopting a "flat fee" methodology based upon the square footage of a structure, which resulted in a fee of $0.80 per square foot for residential permits. The November 2019 adopted "flat fee" methodology has resulted in a significant time savings by reducing the number of calculations required to determine a building permit fee. In addition, the simplified process has provided greater certainty and transparency to contractors and homeowners by granting them the ability to calculate fees in advance of submitting a building permit application.

It is important to recognize that Leon County's last building permit fee schedule update occurred in 2004. The building permit fee calculation methodology utilized at that time was rather complex. It entailed assigning a unique fee to each aspect of construction (electrical, mechanical, plumbing, etc.). These individual sub-fees were then calculated by summing the number of unique elements associated with the respective work. For example, the fee for electrical work would be calculated by adding each individual outlet, switch, light fixture, fan, etc. The sum of this sub-fee would then be added to any other applicable sub-fees to determine the overall building permit fee.

At the time the Board adopted the flat fee methodology in November 2019, the Board also authorized staff to proceed with hiring a consultant to conduct a comprehensive building permit fee study. In December 2019, the County contracted with MGT Consulting Group to conduct this study. The methodology used to conduct this study, data, analysis, and recommended actions are provided in this report.

The initial flat fee methodology adopted in November 2019 greatly simplified the fee calculations. However, it did not itemize all three (3) aspects involved in the permitting process: intake, plan review and inspections. It was also found that there is no residential or commercial plan review fee for the mechanical, electrical, plumbing, and gas trades. This presents a significant problem which affects the following:

- Collecting the plan review fee at the time of permit application;
- The inability to calculate the required reduction for the private provider pursuant to FL. Stat. 553.791; and

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- Fees collected did not always recover the expenses of providing plan review services.

Pursuant to § 553.80, the County may collect fees to recover the costs associated with the regulation of building construction (e.g. administration, intake, plan review and inspections). § 553.80 stipulates what costs may be recovered for enforcing the FBC. These include direct costs and reasonable indirect costs associated with:

- Permit processing;
- Plan review of building plans;
- Inspections;
- Re-inspections;
- Building code enforcement;
- Other laws related to the design, construction, erection, alteration, modification, repair, or demolition of public or private buildings, structures, and facilities;
- Manufactured building site setup and utilities;
- Training;
- Enforcement action pertaining to unlicensed contractor activity;
- Implementation of policies, procedures, and practices which produce the most cost-effective property insurance ratings;
- Assessing fines;
- Searching of records, and;
- Managing the enforcement of the FBC.

Fees collected for these services are deposited into an enterprise fund that is used to support the functions of the BPRI Division. Building permit revenue that has been collected but not expended is known as a "fund balance." Per § 553.80, a fund balance may not exceed the average of the last four (4) years of "*operating budget*" costs for the BPRI Division. Appropriate fund maintenance will ensure the County's general fund is not impacted by the costs necessary to operate the BPRI Division.

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II. ANALYSIS

A. STUDY SCOPE AND OBJECTIVES

The objectives of this building permit fee study are to:

- Develop a methodology that continues the transparent and streamlined approach for calculating all building permit fees as established by the Board's direction in November 2019.
- Evaluate adopted overall permit fees to determine their adequacy in addressing the costs associated with intake, plan review, inspections, and administration.
- Identify costs associated with enforcement, interpretation, and regulation of the FBC by Leon County.
- Provide recommendations on how to monitor and maintain appropriate building permit fees in perpetuity.
- Compare similar Florida jurisdictions to determine their practices for building permit fee methodology.

B. KEY FINDINGS

- Issue: Each jurisdiction has adopted specific methodologies for calculating building permit fees. Many jurisdictions utilize base fees to capture the minimum costs associated with permitting. DSEM's current base fees vary greatly by project type and, in most instances, recover the costs for intake, administration, permitting, plans review, and inspection.
  - Approach: MGT reviewed the permitting process from intake to final inspection for all permit types.
  - Result: MGT found the current individual minimum fees for the five (5) trades should be eliminated. MGT discovered the individual minimum trade fees made the process complex and difficult to determine when and where they should be applied. MGT recommends using a single base fee to ensure costs are recovered thus simplifying the fee calculation process.

  Issue: § 553.80 authorizes a local government to set fee prices for building permits but stipulates the fees are to be used only for related responsibilities under the FBC. MGT conducted a fiscal analysis to determine if building permit fee changes are necessary to ensure cost recovery.
  - Approach: Following the conventions of cost accounting, and more specifically, 2 CFR Part 200 (the Uniform Administrative Requirements, Cost Principles, guide to cost principles), MGT reviewed the service delivery of different building permit types. The fee study was based on the review of the BPRI Division's work procedures regarding the processing of each phase of the building permit during intake, administration, plan review, and inspection. This assessment accounted for the work performed during each phase of the process including the submittal of the application, data entry, processing the construction plans, oversight of the process, payment, assigning the project in the permitting system, plan review processing, permit issuance, collecting final fees, issuance of the permit placard, providing inspections throughout the construction process, and issuing the Certificate of Occupancy or Completion.
  - Results: After analyzing the overall fee structure and the available fund balance, MGT determined that fees are established at an appropriate level to sustain operation of the BPRI Division without need for the General Fund to subsidize the enterprise system. To provide more accuracy in budget reporting by separating expenditures and revenues for plan review and inspections, it is recommended the County separate all building permit fees into a "plan review" and an "inspection fee".

    This recommended change would result in the following benefits:

    1. Allow DSEM to collect plan review fees at the time of application, which would ensure the cost of services are recovered in instances where applicants choose to withdraw their permit after plan review is completed.
    2. Provide more accuracy in budget reporting by separating expenditures and revenues for plan review and inspections.
    3. Allow for an accurate calculation of fee reductions when a private provider is used.
    4. Allow the mechanical, electrical, plumbing, and gas plan review costs to be easily determined for each trade.
    5. Provide greater transparency to the customer.

- Issue: DSEM's current method of combining multiple fees for each trade continues to involve multiple calculations to determine the total fee. This current methodology is cumbersome and

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lacks transparency.

- Approach: MGT suggests collapsing the different calculations into a single amount for efficiency. Further, the elimination of construction valuation and the implementation of square footage-based fees would provide greater transparency and streamline the process.
- Results: The conversion of the current methodology of adding multiple fees in conjunction with the trade base fee to a single minimum fee per trade will further simplify the permitting process.

❖ Issue: In November 2019, the Board approved the implementation of a flat fee methodology for permit fees. Many of the current building permit fees do not align with the Board's direction. This same methodology should be applied across all permit types and fees.

- Approach: MGT examined all occurrences of valuation-based fees and other miscellaneous fees which involve complex calculations. This study proposes fees that would conform to the approved methodology based on the Board's direction including the establishment of a 'tiered' flat fee system for commercial projects based on occupancy classification.
- Results: The methodology above was utilized to eliminate occurrences of valuation-based fees in favor of simplified flat rate fees for all permit types. In addition, the study recommends permit fees for commercial projects utilizing a tiered fee structure commensurate with the occupancy classification and that is indicative of the intensity of review.

Issue: Pursuant to § 553.791, applicants can use a third party, known as "*private provider*", to review plans and/or inspect the construction project for compliance with the FBC. However, if an applicant chooses to utilize the services of a private provider, DSEM still incurs costs for the required administrative services. A methodology for calculating a reduced permit fee when such services are utilized needs to be established but can only be done if the plan review and inspection fees are separated.

- Approach: MGT determined the required portion of work by BPRI Division staff when applicants use *private providers*. This was accomplished by evaluating the level of work DSEM provides on permits for intake, administration, plans review, and/or inspection portion associated with "*private provider*" permits. This analysis provided the required level of reduction in the plans review and/or inspection part of the permit.
- Results: Based on the level of work DSEM provides to process private provider permits, MGT recommends the rate be reduced to 40 percent of the plans review and/or inspection fee to recover the cost of services provided. Implementation will ensure compliance with private provider fee reductions required in § 553.791. The fee reduction is the amount of cost savings realized by the local enforcement agency for not having to perform such services.

❖ Issue: Efficiency in the building permitting process requires use of technology, including an electronic permitting system with the ability to store and easily access data. These assets are expensive and require periodic upgrades and replacement. Funding upgrades and replacement is a budget challenge. Several Florida jurisdictions include a technology fee with building permit fees to ensure that the building departments will be able to purchase the technology tools required without placing a burden on or seeking additional funding from the County General Revenue budget. Current Leon County building permit fees do not include a technology fee.

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- Approach: MGT evaluated and amortized the technology needs, the acquisition cost, and expected useful life of the applicable software. The review included the County's current permitting software, Accela; Interactive Voice Response System (IVRS) upgrade to allowing inspection requests by texting; the acquisition of 'DigEPlan' plan review software; and other related updates to improve the permitting process. MGT calculated the average annual expense of all required permitting software and divided this amount by the Division's budget to determine a technology fee percentage.

- Results: Based on the review of all required software and upgrades, MGT determined that a standard technology rate of 3 percent would be adequate to sustain the required technology maintenance and improvements.

❖ Issue: Most local governments update building permit fees infrequently. If the operating cost of a department grows while fees remain the same, there will be a growing gap between revenue and expense. Eventually, a new building permit fee study would be necessary to address the fees once again to determine and address the gap in the cost of the level of services provided.

- Approach: MGT evaluated a method to determine building permit fee costs based on inflation. MGT found many jurisdictions use their regional consumer price index (CPI) percentage to determine the percentage adjustment.

- Result: To help prevent the possibility of using the General Fund to subsidize the enterprise system, CPI can be used to periodically evaluate fees. MGT determined using the inflation rate based on the regional CPI would be an appropriate methodology to evaluate operating costs until such time another building permit fee study is performed. Periodic analysis of fees will ensure the enterprise fund continues to be self-supportive. MGT recommends the County conduct a fee study every five years, which is consistent with common practice in Florida, in conjunction with using the CPI inflation adjustment to continually monitor and ensure building permit fees continue to recover associated costs.

❖ Issue: In recent years, a surge of building activity has caused many local government building permit funds to grow to levels that exceed a likely need for "rainy day" funding which was one of the intents of establishing such funds. Builders sought legislative relief because they questioned why they should continue to pay traditional prices while local governments accumulated what appeared to be excessive fund balances. In response, the State enacted modifications to FL Stat. 553.80(7) that limits fund balance to not be more than the average of the last four (4) years of the "*operating budget*".

- Approach: MGT reviewed the last four (4) years of the operating budget for BPRI Division and the current fund balance level.
- Result: The County is in compliance with § 553.80(7) with the current fund balance well below the allowable level by approximately 51 percent.

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III. RECOMMENDATIONS

A. A SIMPLE FEE STRUCTURE

The Board adopted a flat fee of $0.80 per square foot for one and two-family residential projects in November 2019. The Study verified staff took the correct approach in simplifying the fee structure. After analyzing the overall fee structure, it was determined that fees were established at an appropriate level to recover the cost of operation of the BPRI Division. The recommendation to continue recovering the cost of operation of the BPRI Division and continue the simplification of the fee structure for all permit types is reflected in the table below titled, "A New Tiered Fee System". Adopting the flat fee methodology for all permit types, the creation of a tiered fee structure based on occupancy classification and the establishment of minimum fees per trade will further simplify the permitting process consistent with Board direction.

A NEW TIERED FEE SYSTEM

RESIDENTIAL		COMMERCIAL							
One and Two-Family		Tier 1		Tier 2		Tier 3		Tier 4	
Single-Family, Townhouses, Duplexes		Factory, Storage, Utility		R1, R2 (Includes Multifamily), R4		Business; Mercantile		Assembly, Educational, High-Hazard, Institutional	
Plan Review	Inspection	Plan Review	Inspection	Plan Review	Inspection	Plan Review	Inspection	Plan Review	Inspection
$0.41	$0.38	$0.28	$0.40	$0.46	$0.40	$0.48	$0.44	$0.52	$0.46
Total	**$0.79**	**Total**	**$ 0.68**	**Total**	**$0.86**	**Total**	**$0.92**	**Total**	**$0.98**

The fee study recommends eliminating the stated construction valuation method and instead using a square footage method or flat fees for the inspection and plan review for residential, commercial/multi-family, and warehouse projects. Instead, the fee schedule for commercial permits will take into consideration the types or occupancy classifications of structures and the associated cost of services for plans review and inspection. Four commercial tiers will create distinct categories and fees unique to various occupancy classifications. For example, the "Tier 1" commercial category was created for "Factory, Storage and Utility" projects due to these types of structures requiring minimal plan review and inspections. This methodology will result in a decrease in permit fees for these types of structures.

A commercial tier unique to multifamily ("Tier 2") is needed due to the complexity and classification of these types of uses under the FBC. Pursuant to the FBC, multifamily construction is classified as commercial construction due to the enhanced safety requirements. Consequently, a commercial tier unique to multifamily was created with fees commensurate with the associated cost of services.

Based on the study's findings, the table below illustrates current and recommended fees for two types of typical projects: (1) single-family residential and (2) business/mercantile commercial. Plan review fees for single-family residential projects are not currently separated from inspection fees. Thus, MGT recommendations include a reduction to the inspection fees while adding a plan review fee. For commercial projects, plan review fees, which are calculated and based on the stated project valuation, would be replaced with a flat rate plan review fee that is based on square footage.

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CURRENT FEES vs RECOMMENDED FEES

		SINGLE-FAMILY RESIDENTIAL				BUSINESS & MERCANTILE COMMERCIAL			
		Current		Recommended		Current		Recommended[2]	
	Size	2,500 sq. ft.		2,500 sq. ft.		3,000 sq. ft.		3,000 sq. ft.	
INSPECTION FEES	Building	$0.46	$1,150.00	$0.15	$375.00	$0.51	$1,530.00	$0.15	$450.00
	Mechanical	$0.10	$250.00	$0.06	$150.00	$0.10	$300.00	$0.09	$270.00
	Electrical	$0.12	$300.00	$0.09	$225.00	$0.12	$360.00	$0.12	$360.00
	Plumbing	$0.07	$175.00	$0.04	$100.00	$0.07	$210.00	$0.06	$180.00
	Gas	$0.05	$125.00	$0.04	$100.00	$0.05	$150.00	$0.02	$60.00
	Plan Review[1]			$0.41	$1,025.00	Stated Valuation 3	$104.43	$0.48	$1,440.00
	Total	**$0.80**	**$2,000.00**	**$0.79**	**$1,975.00**	**$0.85**	**$2,654.43**	**$0.86**	**$2,760.00**

1: Currently, the residential plan review costs for service is included in the building inspection fee.
2: The commercial category was divided into four (4) Tiers to reflect the different levels of cost of services for plan review and inspections. Mercantile is categorized under Tier 3.
3: The stated valuation of $458,000 was calculated using ICC (International Code Council) Building Valuation Data (BVD).

The recommendation of separating the plan review and inspection costs for all permits into two (2) separate fees will further implement the Board's direction and the flat fee methodology using project square footage. Consequently, this would result in a separate plan review fee for each trade. Collecting plan review fees at the time of application will reduce the amount of uncollected fees due to permits not being picked up and will allow for a reduction in the plans review and/or inspection fees when private provider services are utilized in compliance with § 553.791.

B. COST RECOVERY

Current County permit fees recover 97 percent of the total cost of services which slightly varies by permit category. It is recommended the proposed fee schedule be adopted to continue capturing the cost recovery for services, which supports the Board's Strategic Initiative to "exercise responsible stewardship of County resources, sound financial management and ensure that the provision of services and community enhancements are done in a fair and equitable manner" (G5). The recommendations in the study and the proposed fee schedule allow for the enterprise fund to continue to fully support the operating budget of the BPRI Division without the need to seek General Revenue funding.

Summary of Current Cost Recovery by Permit Category

	Revenue	Cost	Revenue minus cost	Revenue / Cost
Total	$2,725,677	$2,808,435	**($82,758)**	97%
Construction Permits	$1,881,345	$1,917,627	**($36,281)**	98%
Stand-alone Trade Permits	$196,942	$206,466	**($9,524)**	95%
Other permits*	$647,390	$684,342	**($36,952)**	95%

** Includes decks, re-roofs, retaining walls, signs, generators, etc.*

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C. CONSOLIDATION OF PERMIT FEE TABLES AND CATEGORIES

For most projects, an increase in project size may result in a corresponding building permit fee increase due to the increase of square footage. Use of the flat fee square footage calculations for minor construction projects, however, will not recover the cost of services provided. For example, under the current fee schedule a small residential addition project with 100 square feet of area would result in a building permit fee of $80. This fee would not address the cost for intake of the permit, review of plans, inspections, and paperwork necessary to close the project. Therefore, in such instances, it is recommended that a minimum fee of $135.00 be utilized to ensure full recovery of all associated permitting costs. This fee is representative of the hourly rate ($90.00) multiplied by 1.5 hours. The table below provides the current minimum individual fee for each trade and the recommended simplified single minimum fee for any permit.

Trade	Current Minimum Fee	Recommended Minimum Fee*
Building	None	$135.00
Mechanical	$82.00	$135.00
Electrical	$79.63	$135.00
Plumbing	$91.38	$135.00
Gas	$73.10	$135.00

* The minimum fee is based on the hourly rate of $90.00 x 1.5 hours.

D. MULTIFAMILY CONSTRUCTION FEE CLASSIFICATION CHANGE

Pursuant to the FBC, multifamily construction is classified as commercial construction due to enhanced safety requirements. The plan review for a commercial building is complex and addresses a significant number of life, health and safety requirements including exiting, accessibility, type of construction, occupant loading, fire resistance ratings, sprinklers, fire alarms, exiting signage, fire separation, structural, energy and mechanical and electrical systems. While the current multifamily permit fees recover the costs involved with the plan review process, it is recommended that multifamily projects be specifically designated as a commercial fee calculation, which aligns with the FBC. MGT recommends the County include multifamily permit fees under the proposed commercial tier fee structure for this reason. It is also recommended that the 'valuation-based' method for determining multifamily plan review fees be converted to the 'flat fee' method as illustrated below.

Current and Recommended Fees for a $2,300,000[2] Multifamily 17,000 sq. ft. Structure

		Current Fee		Recommended Fee	
		Cost per sq. ft.	Fee	Cost per sq. ft.	Fee
	Plan review[1]	Stated Valuation	$281.97	$0.46	$7,820.00
Inspection Fees	Building	$0.51	$8,670.00	$0.15	$2,550.00
	Mechanical	$0.10	$1,700.00	$0.07	$1,190.00
	Electrical	$0.12	$2,040.00	$0.11	$1,870.00
	Plumbing	$0.07	$1,190.00	$0.05	$850.00
	Gas	$0.05	$850.00	$0.02	$340.00
	Total	**$0.85**	**$14,731.97**	**$0.86**	**$14,620.00**

[1] Plans review was a portion of the building inspection fee.

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[2] Stated valuation of $2,300,000 was calculated using ICC (International Code Council) Building Valuation Data (BVD).

E. THIRD PARTY "PRIVATE PROVIDER" REVIEW FEES

The current fee structure does not account for any reduction in plan review or inspections fees when a builder or owner decides to use a private provider. Leon County is required to calculate the applicant's cost savings based on the private provider's services, per § 553.791(2)(b). When a private provider is used, the County's cost for the level of services would be reduced since Leon County staff would not be performing all the required plan review and/or inspections typically associated with building construction. The State Statute still requires County involvement to process the permit, obtain required documentation, ensure the private provider has insurance for professional liability policy, perform inspections, enter the inspections into the permitting system, ensure the project is in compliance and that all required inspections have been completed and approved, and issue the Certificate of Occupancy or Completion. Therefore, it is recommended the private provider fee reduction be listed in the DSEM Building Permit Fee Schedule as 60 percent of the plans review and/or inspections permit fees, whichever is applicable. This would allow DSEM to recover 40 percent of the cost of services provided as mentioned. The reduction of 60 percent of the plans review and/or inspection fees is consistent with a reduction already included in §5-1.09 of Chapter 5 of the Leon County Code of Laws. Therefore, by accepting the recommendation, Leon County would be compliant with § 553.791(2)(b).

F. ESTABLISH A TECHNOLOGY FEE

The assessment of a technology fee in conjunction with a building permit fee is a common practice in Florida. As the building permit process has evolved from paper to digital, it has become necessary to maintain and upgrade software and technology on an ongoing basis. To assist with the financial aspect of these ongoing upgrades and maintenance, it is recommended that a technology fee be added into the building permit fee schedule. Typically, technology fees associated with building permits range from 2 to 4 percent. Based on technology fees established by MGT in other jurisdictions, it is recommended that Leon County establish a technology fee of 3 percent of the total building permit fee. Recent spending for significant technology upgrades was at 14 percent of the BPRI budget. As such, a technology fee of 3 percent of the BPRI budget is required to maintain the MIS support for minor improvements and future upgrades.

If the technology fee is deposited into its own fund, the funds would be exclusively dedicated for improving permitting technology. In addition, a technology fund would be a revolving fund, which would be difficult to tie to an average annual appropriation metric.

G. FEE MAINTENANCE

Building permit fees should be evaluated on an on-going basis to ensure the BPRI Division is recuperating the cost of services provided. Therefore, MGT recommends the County conduct a fee study every five years, which is common practice in Florida, in conjunction with using the CPI inflation adjustment to ensure building permit fees continue to recover associated costs.

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H. FUND BALANCE

During the last several years, a surge of building activity resulted in an increase of local government building funds, which caused developers to question the excessive fund balance. In 2018 the legislature adopted § 553.80 that defines the maximum level of fund balance as the average of the last four years of the local building department's operating budget. The County is also required to report the fund balance annually on the County's website pursuant to. § 553.89(7).

MGT reviewed Leon County's average operating budget for the last four years and found Leon County in compliance with § 553.80. The current balance is at 51 percent of the allowable fund balance limit. MGT recommends that the Leon County Office of Financial Stewardship continue to review, on a quarterly basis, the fund balance to ensure the fund remains within the allowable limits as established by statute.

IV. APPENDIX

A. Introduction

B. Peer Group Results and Comparisons

Schedule 1 addresses new construction permits. It illustrates costs per square foot for:

1. Single-Family Residential: Plan Review and Inspection
2. Multifamily: Plan Review and Inspection
3. Commercial: Plan Review and Inspection (average fee of three commercial Tiers listed below):
   - Tier 1 (Storage, Factory, Industrial, and Utility): Plan Review and Inspection
   - Tier 2 (Business and Mercantile): Plan Review and Inspection
   - Tier 3 (Assembly, Educational – Private, Institutional, and Hazardous): Plan Review and Inspection

Schedule 2 details minimum trade fees related to residential and commercial construction (e.g. mechanical, electrical, plumbing, or gas permits with no other associated construction, such as furnace change-outs in existing buildings.

4. Single-Family Residential: Plan Review and Inspection
5. Multifamily: Plan Review and Inspection

C. Fee Comparison Summary

Table 1-A: Permit Fee Comparison Summary – Leon County Current Fees Compared to Peer Average

Table I-B: Permit Fee Comparison Summary – Leon County Proposed Fees Compared to Peer Average

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A. INTRODUCTION

MGT determined a list of permits, sample projects, and peers for comparison. The comparison of the selected jurisdictions illustrates their fees, but does not factor the workload, or similar complexity as is found in Leon County. Jurisdictions used for comparison are as follows:

- **Alachua**
- **Bay**
- **Lake**
- **Manatee**
- **Osceola**
- **Sarasota**
- **St. Lucie**
- **City of Tallahassee**

Note that with these comparison of fees there are differences in funding, process, evaluation, and manpower that contribute to how each jurisdiction establishes their fee structure. Also, fees may not cover the same services. Some of the comparisons include whether the permit fee is calculated by construction valuation or square footage or counting different components. In addition, several jurisdictions receive supplemental funding through General Funds and are not entirely supported by an Enterprise Fund. Specifically, Alachua, Lake Manatee, Sarasota, and the City of Tallahassee are not self-supported through their local building permit funds. Leon County's building department, however, is self-supported through an enterprise fund which is an account backed entirely by fees collected for building permits, inspections, and related services.

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B. PEER GROUP RESULTS & COMPARISON

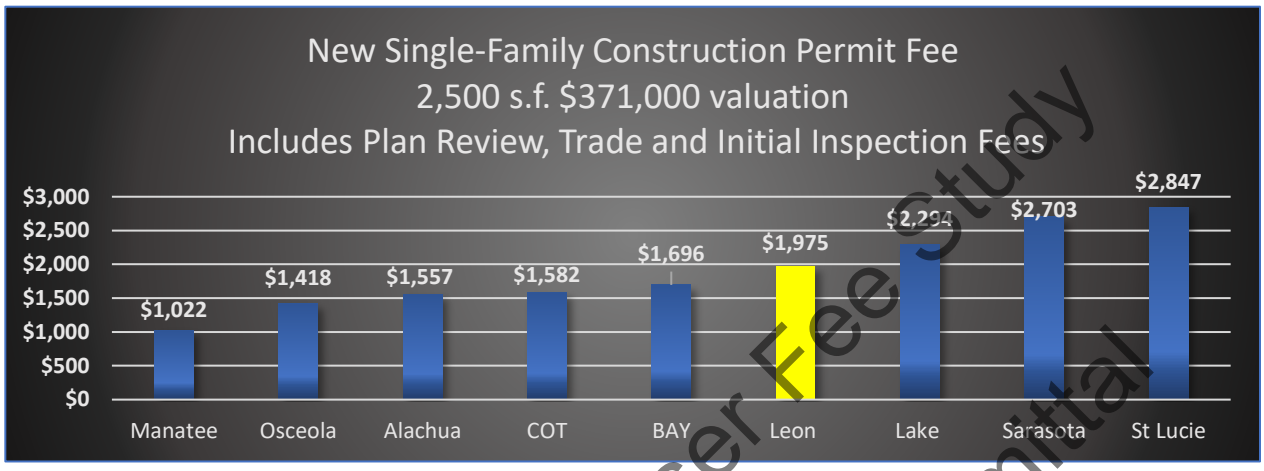
SCHEDULE 1 – PERMIT TYPE RESULTS & COMPARISON

Shows the amount charged by other jurisdictions for each of the example fees – single-family, multi-family and commercial. Fee amounts are rounded to the nearest dollar.

1. SINGLE-FAMILY CONSTRUCTION PROJECT

The graph below shows Leon County's proposed fees and fees charged by each jurisdiction for a new single-family building permit and associated inspections. The fee amounts were determined by the fee schedules, responses, and calculations used by each jurisdiction and project type.

FEE COMPARISON VS. LEON COUNTY PROPOSED:



*St. Lucie County, like Leon County, includes Certificate of Occupancy in their building permit fee.
**Leon County fee value is based on the flat fee approach adopted by the Board in November 2019. The valuation used in this graph is based on a 2,500 square foot home, which is the approximate average size home permitted in Leon County in 2021. The stated valuation of $370,825 was calculated using ICC (International Code Council) Building Valuation Data (BVD).
***All of the above jurisdictions, except Leon and COT, assess minimum impact fees that range from $2,800 - $24,517.

*AVERAGE FEE – **$1,899***

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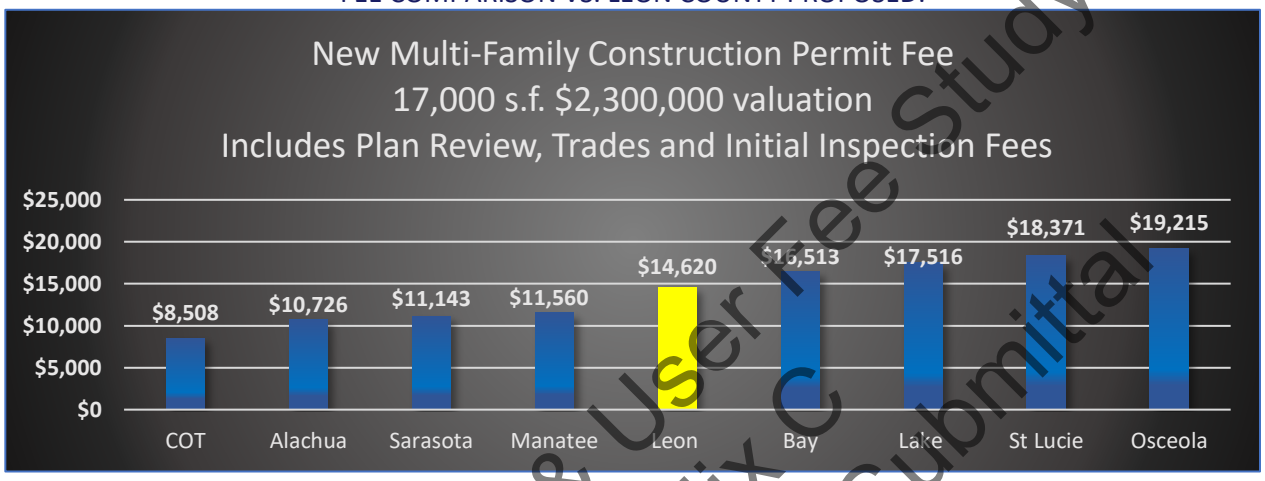
2. MULTI-FAMILY CONSTRUCTION PROJECT

The graph below shows Leon County's proposed fees and fees charged by each jurisdiction for a new multi-family building permit and associated inspections. The fee amounts were determined by the fee schedules, responses, and calculations used by each jurisdiction and project type.

FEE COMPARISON VS. LEON COUNTY PROPOSED:



*St. Lucie County, like Leon County, also includes Certificate of Occupancy in their building permit fee.
**Leon County fee value is based on the flat fee approach adopted by the Board in November 2019. The value used in this graph is based on a 17,000 square foot building. The stated valuation of $2,324,410 was calculated using ICC (International Code Council) Building Valuation Data (BVD).
***All of the above jurisdictions, except Leon and COT, assess minimum impact fees that range from $2,800 - $24,517.

*AVERAGE FEE – **$14,241***

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3. COMMERCIAL CONSTRUCTION PROJECT

The graph below shows Leon County's proposed fees and fees charged by each jurisdiction for a new commercial building permit and associated inspections. Leon County's fee amount represents an average of the three commercial tiers. The fee amounts were determined by the fee schedules, responses, and calculations used by each jurisdiction and project type.

FEE COMPARISON VS. LEON COUNTY PROPOSED:

*St. Lucie County, like Leon County, includes Certificate of Occupancy in their building permit fee.
**Leon County fee value is based on the flat fee approach and represents an average of Commercial Tiers 1, 3 & 4. The stated valuation of $1,830,000 was calculated using ICC (International Code Council) Building Valuation Data (BVD
***All of the above jurisdictions, except Leon and COT, assess minimum impact fees that range from $2,800 - $24,517.

*AVERAGE FEE – **$9,960***

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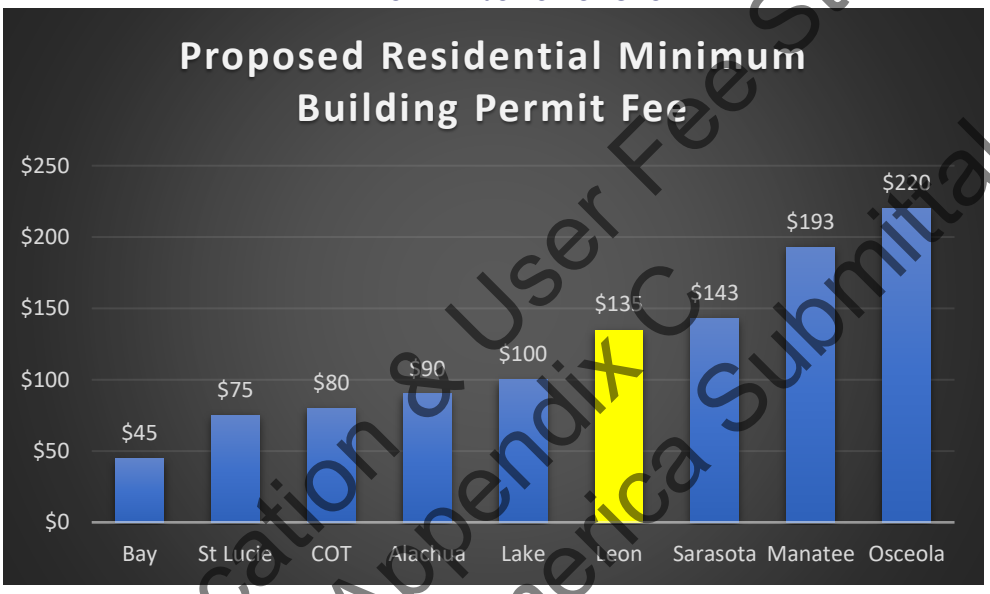
SCHEDULE 2 – MINIMUM PERMIT FEE COMPARISONS

Shows the amount charged by other jurisdictions for each of the example fees. Fee amounts are rounded to the nearest dollar.

1. MINIMUM PERMIT FEE COMPARISON - RESIDENTIAL

Leon County does not currently have a minimum fee for a residential building permit. The graph below illustrates minimum fee comparisons based on the proposed minimum residential fee of $135.

GRAPH 4: FEE COMPARISON: PROPOSED MINIMUM RESIDENTIAL FEE VS. PEER JURISDICTIONS



*Leon County currently has a minimum fee for each of the trades that are used for residential and commercial projects. However, there is no minimum fee for building. The recommendation is to create one minimum fee for all small projects and eliminate the five (5) trade permit minimum fees. This will simplify the permitting process by using one (1) fee instead of five (5). The recommended fee of $135 is the hourly rate ($90.00) x 1.5 hours.

*AVERAGE FEE – **$120***

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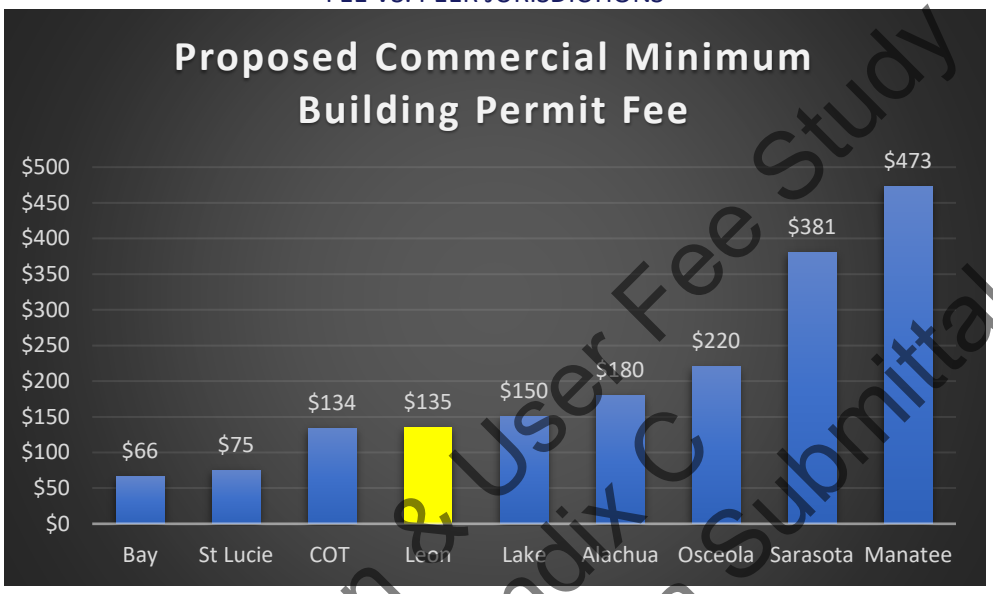
2. MINIMUM PERMIT FEE COMPARISON - COMMERCIAL

Leon County does not currently have a minimum fee for a commercial building permit. The graph below illustrates minimum fee comparisons based on the proposed minimum commercial fee of $135.

GRAPH 5: FEE COMPARISON: PROPOSED MINIMUM COMMERCIAL FEE VS. PEER JURISDICTIONS



*Leon County currently has a minimum fee for each of the trades that are used for residential and commercial projects. However, there is no minimum fee for building. The recommendation as stated is to create one minimum fee for all small projects and eliminate the five (5) trade permit minimum fees. This will simplify the permitting process by using one (1) fee instead of five (5). The recommended fee of $135 is the hourly rate ($90.00) x 1.5 hours.

*AVERAGE FEE – **$202***

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C. FEE COMPARISON SUMMARY

The tables below (I-A and I-B) list the current and proposed amounts charged by Leon County side-by-side with the average fee amount charged by the comparative jurisdictions. A column has also been added next to each average to highlight the percentage difference (% DIFF) between the amount charged by Leon County and the comparative counties. The fee for each project type by jurisdiction is detailed in the previous section (Section 2).

TABLE 1-A: PERMIT FEE COMPARISON SUMMARY
LEON COUNTY CURRENT FEES COMPARED TO PEER AVERAGE

	LEON COUNTY CURRENT	COMPARATIVE AVERAGE	% DIFF
Single-Family Construction	$ 1,980	$ 1,900	+4.2%
ex. $371,000 valuation; 2,500 sq. ft.			
Multi-Family Construction	$ 14,732	$ 14,254	+3.4%
ex. $2,300,000 valuation; 17,000 sq. ft.			
Commercial Construction	$ 10,411	$ 9,960	+4.5%
ex. $1,800,000 valuation; 12,000 sq. ft.			
Minimum Residential Building Permit	$ 0	$ 105	--
Minimum Commercial Building Permit	$ 0	$ 187	--

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TABLE 1-B: PERMIT FEE COMPARISON SUMMARY
LEON COUNTY PROPOSED FEES COMPARED TO PEER AVERAGE

	LEON COUNTY PROPOSED	COMPARATIVE AVERAGE	% DIFF
Single-Family Construction	$ 1,975	$ 1,899	+3.8%
ex. $371,000 valuation; 2,500 sq. ft.			
Multi-Family Construction	$ 14,620	$ 14,241	+2.7%
ex. $2,300,000 valuation; 17,000 sq. ft.			
Commercial Construction	$ 10,320	$ 9,960	+3.6%
ex. $1,800,000 valuation; 12,000 sq. ft.			
Minimum Residential Building Permit	$ 135	$ 120	+12.5%
Minimum Commercial Building Permit	$ 135	$ 202	-33.2%

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CITY OF WICHITA, KANSAS

FEDERAL 2 CFR PART 200 COST ALLOCATION PLAN AND INDIRECT COST RATES

For FY 2020 Based on FY 2018 Actual Expenditures

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MGT CONSULTING GROUP

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Section 1
Introduction

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Introduction

The enclosed Indirect Cost Allocation Plan identifies the costs of indirect services provided by central service departments of the City of Wichita, Kansas (the City) based on actual expenditures for fiscal year 2018. The MGT Consulting Group (MGT) prepared these documents at the request of the City.

The Cost Allocation Plan is used by the City to claim indirect costs as charges against awards (grants) and City funds. The list of federal/state grants and awards that are charged indirect costs based on the results of this plan are located in Section 6 – Departmental Indirect Cost Rates. The Cost Allocation Plan and indirect cost rates are filed with the US Department of Transportation, Federal Highway Administration each year, and an Indirect Cost Negotiation Agreement is reached that details the allowable indirect cost rates.

These documents are prepared in compliance with 2 CFR Part 200. City personnel provided the expenditure and allocation data to MGT consultants. MGT consultants then prepared the Cost Allocation Plan utilizing multiple allocation basis method with a double step-down calculation methodology.

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Allocation Methodology Summary

The City of Wichita utilizes a multiple allocation method to distribute indirect costs to all City departments, funds, and operating units. This method calls for services to be grouped into cost pools, each of which is then allocated using a statistic that most closely correlates to the service provided and the relative benefits received by the departments, funds, and operating units of the City. Additionally, the City's cost allocation plan utilizes a double-step-down allocation methodology that fully recognizes the cross support that exists between central service departments (Human Resources supports Finance, and Finance supports Human Resources).

The following is a description of the central service departments, the cost pools they've been broken down into, and the allocation statistic utilized to distribute the costs from each pool to the benefitting department, funds and operating units.

Equipment Depreciation

Depreciation on equipment for the Central Service Pool. Costs are allocated based on actual depreciation amounts for allocated departments.

Building Depreciation

Pursuant to the 2 CFR Part 200, depreciation on buildings and improvements for City Hall are allowable. The cost of land has been excluded. The depreciation has been allocated as follows:

- City Hall - Allocated to central service departments based on usable square feet of space occupied per department and division.

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City Manager

The mission of the City Manager is to provide professional leadership and management for the City of Wichita. In this capacity, the office provides general guidance and management to City departments, executes City Council policies, facilitates the development of the mission statement and the City's long-range goals and objectives, and coordinates City efforts to accomplish cost savings and increased efficiencies. Allowable costs are allocated as follows:

- City Manager – Costs associated with the day-to-day operation of the City are allocated based upon the number of full-time equivalent positions administered by department and division.

Law Department

It is the mission of the Law Department to facilitate client success through the provision of high quality legal services and guidance to the City Council, City Manager, and the departments, boards, agencies, utilities and commission of the City. Civil legal staff members perform a variety of roles including providing legal advice, drafting and reviewing contracts, rendering legal opinions, and conducting litigation for the City. Allowable costs are allocated as follows:

- Advice & Opinions – Costs associated with providing advice and opinions have been allocated to all City departments based on the number of full time equivalent positions.
- Department Support – Costs associated with providing support directly to departments have been allocated based on the number of recorded hours of support.
- Other Law Services – Costs are not allocated.

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Human Resources

The mission of Human Resources is to build a stimulating and diverse culture of inclusion that thrives on public service, high performance, and individual and organizational growth and development. Human Resources' core responsibilities are employee recruitment and selection; classification and compensation; employee relations; benefits development and administration; payroll; HR-related information systems; Equal Employment Opportunity and Affirmative Action programs; union negotiations and contract administration; managing Family and Medical Leave (FML); Unemployment Insurance (UI); drug testing; the Employee Assistance Program and fund; and employee learning and development. Allowable costs are allocated as described below:

- Human Resources – Costs are allocated based upon the number of full-time equivalent positions by department and division.

City Clerk

The City Clerk is responsible for acting as ex-officio Clerk of the City Council, the Board of Bids and Contracts, and Staff Screening and Selection Committee; and preparing minutes of all meetings and performing such other duties. Allowable costs are allocated as described below:

- Records – Costs are allocated based upon the number of full-time equivalent positions by department and division.

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Director of Finance

The mission of the Director of Finance is to maintain the fiscal integrity of the City organization through financial services, timely information and analysis, innovation, financial management and appropriate controls. The Director's Office is responsible for the overall management of the Finance Department. In addition, the Budget and Research Office prepares and administers the annual City budget and the 10-year Capital Improvement Program (CIP). The Director's Office staff members advise the City Manager regarding financial and management issues and assist department directors and their staff with research, analysis, and support regarding appropriate and necessary administrative and budget procedures. The Department of Finance exists to aid the entire organization in accomplishing its varied missions. Support involves helping other functions understand, plan, prioritize, control, report, satisfy requirements, and/or wisely use available resources. Costs are allocated as shown below for the following allowable functions:

- Director of Finance – Costs associated with the Director are allocated based upon the actual expenditures of all City departments.
- Budget – Costs related to the budget function are allocated based upon the number of full-time equivalent positions.
- TBID – Costs associated with the Tourism Business Improvement District have not been allocated.

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Treasury

Treasury provides for the safe, efficient, and prudent handling of the City's cash assets through the establishment and monitoring of policies and procedures related to cash handling, investment of

idle funds, and revenue collection activities. Treasury provides a variety of services for total City operation including, maintaining bank accounts, signing and disbursing checks, maintaining cash records, administering the accounts receivable program and performing other related duties. Costs are allocated as shown below for the following allowable functions:

- Cash Management – Costs associated with cash flow management are allocated based upon the number of revenue transactions by department or division.
- Express Office – Costs related to the Express Office are allocated based upon the number of Express Office transactions handled. Transactions related to the Water bill have been split between Water, Sewer and Stormwater based on the revenue handled for each segment of the utility operations.

General Accounting

It is the mission of General Accounting to ensure the integrity of the financial statements and accuracy of payments made to vendors, and assist in the financial management of the City. The office seeks to sustain the day-to-day accounting processes in conformity with the highest professional and regulatory standards while also pursuing efficiencies that will improve the overall financial management and financial status of the City. Service objectives include, minimizing the cost of financial transactions, producing the Comprehensive Annual Financial Report (CAFR) that is recognized as excellent by industry standards, and monitoring and auditing the vendor payment process for purchasing goods and services to assure accuracy and timeliness. Costs are allocated as shown below for the following allowable functions:

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- General Accounting – Costs are allocated based upon the number of accounting transactions (expense and revenue) processed for departments during the year.
- Grants Admin – Costs associated with the administration and reporting for federal grants programs have been allocated based on the federal expenditures as reported in the CAFR.
- Payroll – Costs associated with payroll activities have been allocated based on the number of FTEs.

Purchasing

The mission of Purchasing is to obtain the greatest value for each dollar spent by the City in the efficient and effective procurement of goods and services while also ensuring fairness and integrity in accordance with applicable laws and regulations. The office is responsible for overseeing the formal and informal bid process, negotiating blanket purchase orders, managing the overall procurement process, registering vendors, administering the Emerging and Disadvantaged Business Enterprise program (including staffing the Wichita Supplier Diversity Task Team), disposition of surplus vehicles/equipment, and providing an on-line purchasing system. Allowable costs have been allocated as follows:

- Purchasing – Costs for this function are allocated based upon the number of PO's, DP's and DV's (weighted) by department and division.

Administrative Services

The Administrative Services Division includes the Internal Audit activities. Costs are allocated as shown below for the following allowable functions:

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- Internal Audit – Costs are allocated based upon the number of expense transactions processed for departments during the year. (No costs are allocated from this function in the 2012 plan.)
- City Manager Support – Costs associated with this function have been allocated based upon the number of full time equivalent positions.

Public Works Administration

The mission of Public Works Administration is to provide coordination, guidance and support services for the operating divisions of the department, including Building Services, Engineering, Fleet, and Maintenance, so that employees are freed to focus directly on serving the public. Support services include: records management, human resources coordination, policy development and financial management. Costs are allocated as shown below for the following allowable functions:

- Department Administration – Costs are allocated based upon the salaries of the Public Works divisions administered.

Public Works – Building Services

The mission of Public Works - Building Services is to maintain an efficient infrastructure of clean, attractive, and properly functioning City buildings, structures, and related facilities that best meet the needs of the public and of City employees providing service to the public. Costs are allocated as shown below for the following allowable functions:

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- General and Administration – Costs are allocated based upon the other functional salaries within the department.
- City Hall – Associated costs are allocated based upon occupant's square footage.
- Other Buildings – Costs associated with building services for other buildings are allocated based upon the direct Departmental expenditures.

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Indirect Cost Rates

In Section 6 of this cost allocation plan, the City of Wichita is proposing indirect cost rates for a select group of its departments, funds, grants and/or operating units. Although the cost allocation plan identifies indirect costs to every operating unit of the City (See Section 7), indirect cost rates are only calculated for a subset of units where indirect cost recovery is available to the City. The indirect cost rates have been calculated using only central service indirect costs – no departmental administrative costs have been classified as indirect costs.

The rate base utilized for the indirect cost calculations is Total Modified Direct Costs. This rate base utilizes all expenditure object codes in the 1XXX, 2XXX, 3XXX and 5XXX ranges. These object code ranges include all Salaries, Benefits, Contractual Services, Supplies, and Other expenditures. The 4XXX range is excluded from the base because it consists of capital outlay expenditures. Details on the amount of rate base expenditures associated with each object code are located in Section 9.

The City is requesting the approval of the indirect cost rates in Section 6 as Fixed with Carry-Forward for use in Fiscal Year 2020. The rates have been calculated using the actual expenditures and indirect cost allocation results from Fiscal Year 2018 and include carry-forward calculations where appropriate.

Beginning in the FY 2018 CAP (based on FY 2016 Actual Costs), several previously individual indirect rates where there are infrequent or low levels of grant activity were consolidated into an 'All Other Grants' rate. The consolidated rates include: WSCCAP, Park Grants, City Manager Grants, Planning Grants, Finance Grants, Municipal Court Grants, Fire Grants, Library Grants, Law Grants, Public Works Grants, Federal State Grants. Consolidating these indirect rates eases the administrative burden on the City and will continue in FY 2020.

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Section 2
Certification of Cost Allocation Plan

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Certificate of Cost Allocation Plan

This is to certify that I have reviewed the cost allocation plan submitted herewith and to the best of my knowledge and belief:

(1) All costs included in this proposal based upon Fiscal Year 2018 actual costs to establish cost allocations or billings for Fiscal Year 2019 are allowable in accordance with the requirements of 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" and the Federal award(s) to which they apply. Unallowable costs have been adjusted for in allocating costs as indicated in the cost allocation plan.

(2) All costs included in this proposal are properly allocable to Federal awards on the basis of a beneficial or causal relationship between the expenses incurred and the Federal awards to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently.

I declare that the foregoing is true and correct.

Government Unit: **City of Wichita, Kansas**

Signature:

Name of Official: Shawn Henning

Title: Director of Finance

Date of Execution: 07/30/2019

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Certificate of Indirect Costs

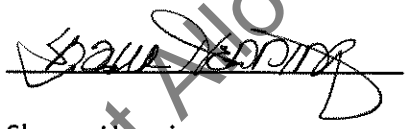
This is to certify that I have reviewed the indirect cost rate proposal submitted herewith and to the best of my knowledge and belief:

(1) All costs included in this proposal based upon Fiscal Year 2017 actual costs to establish billing or final indirect costs rates for Fiscal Year 2019 are allowable in accordance with the requirements of the Federal award(s) to which they apply and 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards". Unallowable costs have been adjusted for in allocating costs as indicated in the indirect cost proposal.

(2) All costs included in this proposal are properly allocable to Federal awards on the basis of a beneficial or causal relationship between the expenses incurred and the agreements to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently and the Federal government will be notified of any accounting changes that would affect the predetermined rate.

I declare that the foregoing is true and correct.

Government Unit: **City of Wichita, Kansas**

Signature: 

Name of Official: Shawn Henning

Title: Director of Finance

Date of Execution: 07/30/2019

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Section 3
Organization Chart

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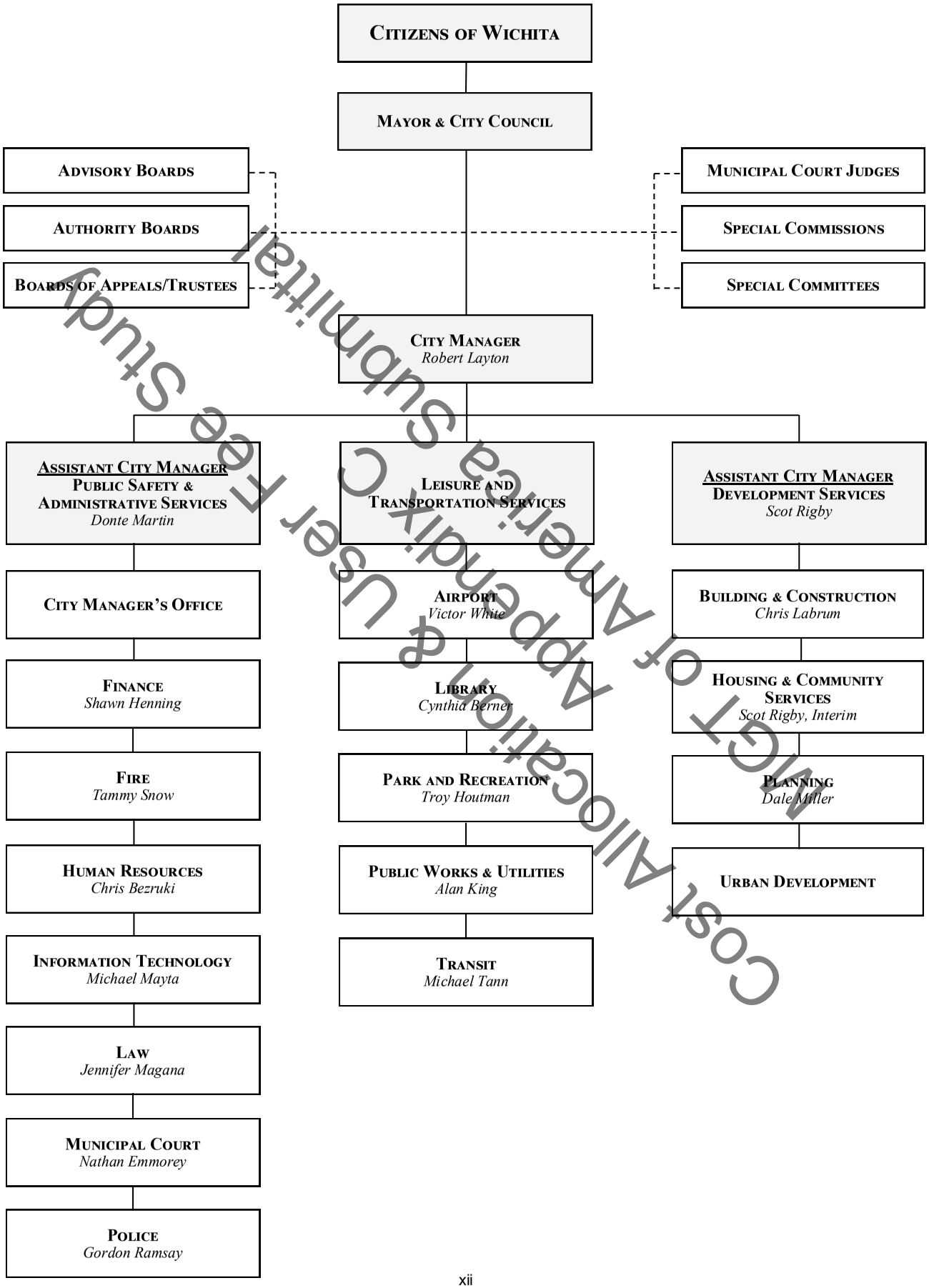

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Section 4
Engineering Burden Rate

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Engineering Labor Burden Rate

The City of Wichita includes a burden rate charged on direct wages in its invoices to Kansas Department of Transportation (KDOT) for construction engineering on state or federally funded projects. Project costs eligible for reimbursement by KDOT include direct wages and direct benefits (plus the burden rate) and certain direct expenses, including vehicle rental. Benefits are not included in the burden rate because they are captured as direct expenses on the invoices the City submits to KDOT.

The burden rate is intended to cover non-productive payroll costs that are not allocated to projects directly in the City's payroll system and reports in order to account for the indirect benefit that accrues to projects as a result of the City retaining full-time employees to participate in project activities. In order to calculate a rate, we totaled direct wages, overtime wages, and non-productive pay for all employees engaged in KDOT project activities during the year. Non-productive pay includes holiday pay, vacation pay, sick leave, and other types of leave including emergency leave and bereavement. Based on 2018 operating data, the ratio of non-productive pay to total direct wages was 18%.

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ENGINEERING LABOR BURDEN RATE CALCULATION

Calculated based on payroll data for the year ended December 31, 2018

Regular pay	$	$ 1,532,592.63
Overtime		117,723.25
	$	1,650,315.88
Non-productive pay	$	299,569.03
Burden rate for 2020 wages		**18%**

Section 5
Reading a Cost Allocation Plan

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Reading the Cost Allocation Plan

Overview

The Federal 2 CFR 200 Cost Allocation Plan is a document that distributes, or allocates, City indirect costs. Indirect costs are those costs incurred by City divisions and departments that benefit other City divisions and departments. Examples of City indirect costs are personnel, purchasing, human resources and the Finance Department.

The primary purpose for preparing the Cost Allocation Plan is to (1) identify the appropriate division and department indirect costs and (2) calculate corresponding indirect cost rates if needed.

The significant steps involved in preparing the Cost Allocation Plan include the following:

- Identify the City divisions and departments that provide support to other City divisions and departments. These divisions and departments are referred to as central service or allocating departments.
- Identify the City divisions and departments that receive support from other City divisions and departments. These departments are referred to as grantee or receiving departments.

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- Accumulate the allowable actual expenditures of the City divisions and departments that provide support to other City divisions and departments.

- Distribute, or allocate, the allowable expenditures of the City divisions and departments that provide support to other City divisions and departments based on available, meaningful, measurable and auditable allocation statistics that match the service provided to the service received.

Process

A double-step down allocation methodology is used to allocate the allowable costs of the central service divisions and departments. This methodology recognizes the cross support provided between central service divisions and departments. For example, accounting supports the information systems department by providing payroll, paying vouchers and preparing a budget. However, the information systems department also supports accounting, by providing software and hardware support and by maintaining and administering various applications and systems.

The double-step down methodology requires an initial sequencing of allocating divisions and departments. In the first step of the double-step methodology, allowable costs from central service divisions and departments are allocated in the sequence selected to all City divisions, departments and funds; including to other central service divisions and departments. The second step in the double-step down methodology is made to fully account for the cross

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support provided between central service divisions and departments. Central service divisions and departments are closed after the second step in the double-step down allocation methodology.

Sections

Table of Contents

The first few pages of the Cost Allocation Plan are the Table of Contents. The column on the left side of the pages lists the central service, or allocating, divisions and departments. Each central service division and department is broken down into functions. Functions are the specific services provided by a particular division and department. The middle column lists the allocation base for each corresponding function. The column on the right side of the pages is the applicable page number.

Summary Schedule

The next few pages of the Cost Allocation Plan are the Summary Schedule. The Summary Schedule identifies the total dollar amount allocated from every City allocating division and department to every City receiving division and department. Allocating divisions and departments are listed down the left column and receiving divisions, departments and funds are listed across the top of each page.

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Detail Schedules

The remaining pages of the Cost Allocation Plan are the detail schedules for every central service division and department. The detail schedules for each central service division and department are structured in the following format.

Narrative - Lists the division and department name, provides a brief description of the activities performed, along with identifying the functions and the corresponding allocation base.

Departmental Costs (A) – Lists the actual expenditures for that division and department.

Incoming Costs (B) – Represents the support costs coming into the division and department from other allocating divisions and departments.

Total Allocated (C) - The total amount allocated for that division and department. This amount is found at the end of the Incoming Costs schedule.

Function Allocations - The distribution, or allocation, of the Total Allocated costs by function.

Allocation Summary – Shows the summary of allocated costs by function.

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Section 6
Departmental Indirect Cost Rates

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City of Wichita, KS
FY 2018 2 CFR 200 Cost Allocation Plan
FY 2020 Indirect Cost Rates
Total Modified Direct Costs Rate Base*

	2018	CDBG	CSBG	Emerg Shelter HUD	Env. Health Grants	Police Grants	HOME Program	Wichita Housing Auth	Trans-Grants
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	0	0	0	0	0	0	0
3	City Manager	23,061	3,049	0	1,524	5,376	508	17,872	56,904
4	Law Department	1,635	216	0	108	381	36	1,267	4,035
5	Human Resources	21,636	2,861	0	1,430	5,044	477	16,768	53,390
6	City Clerk	4,127	546	0	273	962	91	3,199	10,184
7	Director of Finance	14,944	2,118	161	1,122	3,788	697	16,939	37,532
8	Treasury	1,658	260	307	196	1,457	715	10,331	2,723
9	General Accounting	26,669	2,187	3,330	3,245	11,134	5,746	143,829	52,267
10	Purchasing	35,402	1,049	0	437	6,381	175	37,500	50,699
11	Admin Services	2,701	357	0	179	630	60	2,094	6,666
12	Public Works-Admin	0	0	0	0	0	0	0	0
13	Public Works-Bldg Svcs	0	0	0	0	0	0	0	0
CENTRAL SERVICE ALLOCATIONS		**131,834**	**12,642**	**3,798**	**8,514**	**35,154**	**8,505**	**249,799**	**274,401**
2018 Total Modified Direct Costs Rate Base *		3,265,313	938,222	571,362	691,383	1,643,982	1,381,942	21,600,139	9,518,327
FY 2018 Fixed Indirect Cost Rate		3.26%	3.08%	0.97%	2.68%	0.42%	0.41%	1.29%	2.72%
FY 2018 Indirect Recoveries		106,586	28,940	5,528	18,546	6,950	5,624	279,624	259,064
Carry Forward Amount in Fixed Indirect Cost Rate		(19,039)	5,909	-	2,508	(7,927)	(3,136)	(5,148)	31,546
FY 2018 Allowed Recoveries (2018 Allocations +/- Carry Forward amount in FY 18 Rate)		112,795	18,551	3,798	11,023	27,227	5,368	244,651	305,947
Carry Forward for FY 2020 Rate Calculation		6,210	(10,390)	-	(7,524)	20,277	(255)	(34,972)	46,883
FY 2020 Indirect Costs Including Carry Forward		138,044	2,252	3,798	990	55,431	8,250	214,826	321,284
FY 2020 Indirect Cost Rate		**4.23%**	**0.24%**	**0.66%**	**0.14%**	**3.37%**	**0.60%**	**0.99%**	**3.38%**
FY 2020 Negotiated Rate (used in place of rate above)									

* Rate base includes object codes 1XXX thru 3XXX, and 5XXX. These object codes encompass Salaries, Benefits, Contracts, Supplies, and Other expenditures. Capital Outlay (4XXX) has been excluded. Details on the rate base expenditures can be found in Section 9 - Indirect Cost Rate Base Details.

Rate was negotiated for 2018, thus no carry-forward is allowed. Calculated rate for FY 2020.

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City of Wichita, KS
FY 2018 2 CFR 200 Cost Allocation Plan
FY 2020 Indirect Cost Rates
Total Modified Direct Costs Rate Base*

	2018	All Other Grants (Consolidated)	WSCCAP	City Manager Grants	Planning Grants	Park Grants	Finance Grants	Municipal Court Grants	Fire Grants	Library Grants	Law Grants
		All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants	All Other Grants
1	Equipment Depreciation	$0	0	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	0	0	0	0	0	0	0	0	0
3	City Manager	3,049	0	0	0	0	0	0	3,049	0	0
4	Law Department	216	0	0	0	0	0	0	216	0	0
5	Human Resources	2,861	0	0	0	0	0	0	2,861	0	0
6	City Clerk	546	0	0	0	0	0	0	546	0	0
7	Director of Finance	2,203	2	33	7	8	1	3	2,013	101	33
8	Treasury	461	127	32	16	117	5	0	53	16	90
9	General Accounting	5,418	191	111	78	59	47	7	3,764	238	890
10	Purchasing	8,217	0	1,311	612	524	0	0	0	5,769	0
11	Admin Services	357	0	0	0	0	0	0	357	0	0
12	Public Works-Admin	0	0	0	0	0	0	0	0	0	0
13	Public Works-Bldg Svcs	0	0	0	0	0	0	0	0	0	0
CENTRAL SERVICE ALLOCATIONS		**23,328**	**320**	**1,487**	**713**	**707**	**53**	**10**	**12,859**	**6,123**	**1,013**
2018 Total Modified Direct Costs Rate Base *		1,112,646	24,476	141,569	25,079	3,909	2,206	-	427,123	357,845	117,106
FY 2018 Fixed Indirect Cost Rate		**1.04%**									
FY 2018 Indirect Recoveries		-			-	-	-	-	-	-	-
Carry Forward Amount in Fixed Indirect Cost Rate		(2,331)	-	-	-	1,363	-	-	-	(4,862)	-
FY 2018 Allowed Recoveries (2018 Allocations +/- Carry Forward amount in FY 18 Rate)		20,997	320	1,487	713	2,071	53	10	12,859	1,262	1,013
Carry Forward for FY 2020 Rate Calculation		20,997	all future carry-forwards are done at the consolidated level								
FY 2020 Indirect Costs Including Carry Forward		44,325									
FY 2020 Indirect Cost Rate		**3.98%**									
FY 2020 Negotiated Rate (used in place of rate above)											
* Rate base includes object codes 1XXX thru 3XXX, and 5XXX. These object codes encompass Salaries, Benefits, Contracts, Supplies, and Other expenditures. Capital Outlay (4XXX) has been excluded. Details on the rate base expenditures can be found in Section 9 - Indirect Cost Rate Base Details.		New as of FY 2018. Consolidating all department rates that have low or irregular grant activity for ease of administration.	Rate now part of consolidated All Other Grants.	No previous rate, no carry-forward. Rate now part of consolidated All Other Grants.	No previous rate, no carry-forward. Rate now part of consolidated All Other Grants.	Rate now part of consolidated All Other Grants.	No previous rate, no carry-forward. Rate now part of consolidated All Other Grants.	No indirects, no rate base, no rate calculated. Rate now part of consolidated All Other Grants.	Rate was negotiated for 2017, thus no carry-forward is allowed. Rate now part of consolidated All Other Grants.	Rate now part of consolidated All Other Grants.	Rate now part of consolidated All Other Grants.

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City of Wichita, KS
FY 2018 2 CFR 200 Cost Allocation Plan
FY 2020 Indirect Cost Rates
Total Modified Direct Costs Rate Base*

	2018	All Other Grants **Public Works Grants**	All Other Grants **Federal State Grants**
1	Equipment Depreciation	$0	$0
2	Building Depreciation	0	0
3	City Manager	0	0
4	Law Department	0	0
5	Human Resources	0	0
6	City Clerk	0	0
7	Director of Finance	4	0
8	Treasury	5	0
9	General Accounting	33	0
10	Purchasing	0	0
11	Admin Services	0	0
12	Public Works-Admin	0	0
13	Public Works-Bldg Svcs	0	0
CENTRAL SERVICE ALLOCATIONS		**42**	-
2018 Total Modified Direct Costs Rate Base *		13,333	-
FY 2018 Fixed Indirect Cost Rate			
FY 2018 Indirect Recoveries			-
Carry Forward Amount in Fixed Indirect Cost Rate		-	1,168
FY 2018 Allowed Recoveries (2018 Allocations +/- Carry Forward amount in FY 18 Rate)		42	1,168
Carry Forward for FY 2020 Rate Calculation			
FY 2020 Indirect Costs Including Carry Forward			
FY 2020 Indirect Cost Rate			
FY 2020 Negotiated Rate (used in place of rate above)			
* Rate base includes object codes 1XXX thru 3XXX, and 5XXX. These object codes encompass Salaries, Benefits, Contracts, Supplies, and Other expenditures. Capital Outlay (4XXX) has been excluded. Details on the rate base expenditures can be found in Section 9 - Indirect Cost Rate Base Details.		Rate now part of consolidated All Other Grants.	No rate base. Rate now part of consolidated All Other Grants.

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Section 7
Central Services Cost Allocation Plan

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Summary Schedule

	Department	PW-Street Maint.	Housing Admin	Homelessnes s Assistance	Public Information	Intgovt Affairs	Legislative Svcs	N'hood Initiative/Cent ers	City Council	Sp Assessments	Court
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	17,778	0	187	374	0	0	5,614	468	40,151
3	City Manager	51,030	1,016	0	1,397	0	0	1,484	6,266	2,541	41,629
4	Law Department	3,619	63,141	0	13,640	0	25,740	105	54,730	180	30,644
5	Human Resources	47,878	954	0	1,311	0	0	1,392	5,879	2,384	39,058
6	City Clerk	9,133	182	0	250	0	0	266	1,121	455	7,451
7	Director of Finance	34,252	684	100	962	38	0	994	4,146	1,658	27,189
8	Treasury	408	0	127	0	0	0	0	21	16	170,528
9	Gen Acctng	33,824	1,208	1,641	1,061	127	0	1,194	4,322	1,436	62,681
10	Purchasing	25,175	0	0	0	524	0	175	2,273	0	10,752
11	Admin Svcs	5,978	119	0	164	0	0	174	734	298	4,876
12	PW Admin	441,760	0	0	0	0	0	0	0	0	0
13	PW Bldg Svcs	0	194,695	0	2,049	4,099	0	0	61,482	5,124	439,702
Total Current Allocations		$653,057	$279,776	$1,868	$21,022	$5,163	$25,740	$5,784	$146,587	$14,558	$874,661

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Summary Schedule

	Department	Com Fac-Century2	Expo Hall	Boathouse	Ice Rink	Fire Department	Police-Field	Police-Support	Police-Investigations	Library Operations	Wichita Arts Council
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	0	0	0	12,093	24,188	24,188	22,316	0	0
3	City Manager	20,205	549	0	0	231,638	265,918	73,725	91,638	58,144	0
4	Law Department	19,853	39	0	0	41,922	18,857	289,342	6,498	19,250	0
5	Human Resources	18,957	515	0	0	217,330	249,494	69,171	85,978	54,553	0
6	City Clerk	3,616	98	0	0	41,457	47,593	13,195	16,401	10,406	0
7	Director of Finance	13,400	380	0	8	154,363	176,802	48,469	61,652	37,950	2
8	Treasury	22,621	58	0	53	5,796	169,516	34,160	42	8,079	0
9	Gen Acctng	16,092	717	0	20	95,600	153,630	44,641	41,090	26,206	5
10	Purchasing	9,091	1,049	0	0	11,014	8,042	16,084	1,049	9,615	175
11	Admin Svcs	2,367	64	0	0	27,134	31,150	8,636	10,734	6,811	0
12	PW Admin	0	0	0	0	0	0	0	0	0	0
13	PW Bldg Svcs	0	0	0	0	132,433	264,887	264,887	244,393	0	0
Total Current Allocations		$126,202	$3,469	$0	$82	$970,780	$1,410,077	$886,497	$581,791	$231,015	$182

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FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Summary Schedule

	Department	Art Museum	Historical Museum	Cowtown Operations	Farm - Art Mkt / Plaza	MAAIC	African-Am Museum	Aviation Museum	City Arts & Culture	Park-Forestry Landscape	PW-Natural Resources
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	0	0	0	0	0	0	0	0	0
3	City Manager	5,793	0	5,493	0	2,160	0	0	9,503	47,493	0
4	Law Department	411	0	390	0	153	0	0	12,629	3,368	0
5	Human Resources	5,435	0	5,154	0	2,026	0	0	8,916	44,560	0
6	City Clerk	1,037	0	983	0	387	0	0	1,701	8,500	0
7	Director of Finance	4,056	47	3,611	0	1,395	6	10	6,269	31,921	0
8	Treasury	5	0	10,256	69	0	0	0	6,532	74	0
9	Gen Acctng	2,827	12	6,825	34	1,764	5	7	7,008	36,276	0
10	Purchasing	2,273	175	5,070	0	1,399	175	175	7,343	10,839	0
11	Admin Svcs	679	0	643	0	253	0	0	1,113	5,563	0
12	PW Admin	0	0	0	0	0	0	0	0	0	0
13	PW Bldg Svcs	0	0	0	0	0	0	0	0	0	0
Total Current Allocations		$22,516	$234	$38,426	$104	$9,536	$187	$191	$61,013	$188,595	$0

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Summary Schedule

	Department	Public Works-Engineer	Pub Wks-Maint	Park Department-Admin	Botanica	Park Department-Recreation	Central Insp	Tourism Convention	Special Alcohol Drug	Landfill	Landfill Postclosure
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	12,095	0	12,093	0	0	0	0	0	0	0
3	City Manager	33,666	0	3,898	2,033	57,875	17,318	0	0	4,523	0
4	Law Department	2,387	0	276	144	59,121	134,197	0	0	321	0
5	Human Resources	31,587	0	3,657	1,907	54,300	16,249	0	0	4,243	0
6	City Clerk	6,025	0	698	364	10,358	3,100	0	0	809	0
7	Director of Finance	23,328	0	2,559	1,359	36,934	11,549	2,102	504	3,564	0
8	Treasury	16,290	0	646	0	60,039	5,070	21	21	4,667	0
9	Gen Acctng	20,604	0	2,391	1,128	51,253	9,400	79	359	4,496	0
10	Purchasing	11,713	0	87	0	21,766	962	1,923	6,294	17,570	0
11	Admin Svcs	3,944	0	457	238	6,779	2,029	0	0	530	0
12	PW Admin	162,979	0	0	0	0	0	0	0	0	0
13	PW Bldg Svcs	132,454	0	132,433	0	0	0	0	0	0	0
Total Current Allocations		$457,073	$0	$159,195	$7,173	$358,426	$199,872	$4,126	$7,178	$40,724	$0

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Summary Schedule

	Department	Property Management Operations	St Office Bldg	Airport	Golf Course Ops	Transit Ops	Gilbert/Mosley TIF	Economic Develop	North Industrial Corridor TIF	Sewer	Water-Operations
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	0	0	0	0	0	6,325	0	0	16,478
3	City Manager	1,016	0	71,738	47,290	12,069	0	1,016	0	72,373	9,000
4	Law Department	72	0	72,547	3,353	76,245	0	72	0	5,132	638
5	Human Resources	954	0	67,307	44,369	11,323	0	954	0	67,903	8,444
6	City Clerk	182	0	12,839	8,464	2,160	0	182	0	12,953	1,611
7	Director of Finance	787	145	51,386	30,001	9,080	301	1,157	104	55,961	13,364
8	Treasury	1,383	11	9,536	42,308	30,132	233	1,192	101	3,295	(48,044)
9	Gen Acctng	1,844	4	46,063	37,261	17,254	1,117	1,530	297	41,785	6,931
10	Purchasing	1,049	0	42,133	16,259	7,605	7,430	962	787	88,025	29,458
11	Admin Svcs	119	0	8,403	5,540	1,414	0	119	0	8,478	1,054
12	PW Admin	0	0	0	0	0	0	0	0	0	0
13	PW Bldg Svcs	0	0	0	0	0	0	69,270	0	0	180,451
Total Current Allocations		$7,406	$160	$381,953	$234,844	$167,282	$9,081	$82,779	$1,287	$355,905	$219,385

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Summary Schedule

	Department	Water Sys Plan/Dev	WS-Water Cust Acct	WS-Prod / Pumping	WS-Trmnt/Distrib	Storm Water Ops	Water Projects	Stormwater Projects	Sewer Projects	IT/IS	Print Shop
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	0	0	0	0	0	0	0	28,024	0
3	City Manager	8,893	0	37,670	39,805	19,016	0	0	0	27,736	0
4	Law Department	631	0	2,671	2,823	1,348	0	0	0	64,060	0
5	Human Resources	8,344	0	35,344	37,346	17,841	0	0	0	26,023	0
6	City Clerk	1,592	0	6,742	7,124	3,403	0	0	0	4,964	0
7	Director of Finance	5,498	0	26,751	27,930	13,557	5,546	3,301	9,306	19,877	145
8	Treasury	0	11	58	477	726	2,601	228	1,828	1,256	366
9	Gen Acctng	4,764	40	23,827	24,212	10,122	7,572	5,104	4,828	14,566	336
10	Purchasing	3,322	0	44,493	77,535	20,892	13,287	18,881	13,287	26,661	1,049
11	Admin Svcs	1,042	0	4,413	4,663	2,227	0	0	0	3,249	0
12	PW Admin	0	0	0	0	180,108	0	0	0	0	0
13	PW Bldg Svcs	0	0	0	0	0	0	0	0	306,900	0
Total Current Allocations		$34,084	$50	$181,969	$221,914	$269,240	$29,006	$27,514	$29,248	$523,314	$1,896

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Summary Schedule

	Department	PW-Fleet Fund	Self Ins - Group Health	Risk-Work Comp	Self Ins - Group Life	Risk-Gen Liability	PW-Flood Control	MAPD Planning	Env Hlth Svcs	Pension-WER	Pension Management
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	187	1,310	0	0	0	0	0	561	0
3	City Manager	23,503	0	1,016	0	1,016	12,155	6,479	13,644	0	3,049
4	Law Department	1,667	0	72	0	20,566	862	4,119	968	0	216
5	Human Resources	22,051	0	954	0	954	11,405	6,079	12,802	0	2,861
6	City Clerk	4,206	0	182	0	182	2,175	1,160	2,442	0	546
7	Director of Finance	18,098	14,188	1,997	247	2,081	8,065	4,350	9,098	12,520	1,925
8	Treasury	1,515	1,409	159	254	313	164	2,140	30,833	980	0
9	Gen Acctng	14,075	1,809	5,976	137	1,989	5,850	3,818	18,365	604	1,742
10	Purchasing	75,088	699	2,535	0	9,528	5,332	262	8,217	175	0
11	Admin Svcs	2,753	0	119	0	119	1,424	759	1,598	0	357
12	PW Admin	259,406	0	0	0	0	111,639	0	0	0	0
13	PW Bldg Svcs	0	2,049	14,346	0	0	0	0	0	6,148	0
Total Current Allocations		$422,362	$20,343	$28,665	$638	$36,748	$159,072	$29,167	$97,966	$20,989	$10,696

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Summary Schedule

	Department	Pension Plan 3B	Pension-P&F	Airport Projects	CDBG	CSBG	WAMPO-UWP	WSCCAP	City Manager Grants	Park Grants	Finance Grants
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	561	0	0	0	0	0	0	0	0
3	City Manager	0	0	0	23,061	3,049	0	0	0	0	0
4	Law Department	0	0	0	1,635	216	0	0	0	0	0
5	Human Resources	0	0	0	21,636	2,861	0	0	0	0	0
6	City Clerk	0	0	0	4,127	546	0	0	0	0	0
7	Director of Finance	605	12,261	1,787	14,944	2,118	451	2	33	8	1
8	Treasury	1,632	789	1,425	1,658	260	2,575	127	32	117	5
9	Gen Acctng	1,117	571	748	26,669	2,187	4,750	191	111	59	47
10	Purchasing	0	175	10,140	35,402	1,049	5,857	0	1,311	524	0
11	Admin Svcs	0	0	0	2,701	357	0	0	0	0	0
12	PW Admin	0	0	0	0	0	0	0	0	0	0
13	PW Bldg Svcs	0	6,148	0	0	0	0	0	0	0	0
Total Current Allocations		$3,353	$20,506	$14,099	$131,834	$12,642	$13,633	$320	$1,487	$707	$53

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Summary Schedule

	Department	Law Grants	Municipal Court Grants	Emergency Shelter HUD	Fire Grants	Environmental Health Grants	Library Grants	Planning Grants	Public Works Grants	Police Grants	Public Improvements
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	0	0	0	0	0	0	0	0	0
3	City Manager	0	0	0	3,049	1,524	0	0	0	5,376	1,362
4	Law Department	0	0	0	216	108	0	0	0	381	97
5	Human Resources	0	0	0	2,861	1,430	0	0	0	5,044	1,278
6	City Clerk	0	0	0	546	273	0	0	0	962	244
7	Director of Finance	33	3	161	2,013	1,122	101	7	4	3,788	46,540
8	Treasury	90	0	307	53	196	16	16	5	1,457	4,344
9	Gen Acctng	890	7	3,330	3,764	3,245	238	78	33	11,134	113,051
10	Purchasing	0	0	0	0	437	5,769	612	0	6,381	125,612
11	Admin Svcs	0	0	0	357	179	0	0	0	630	160
12	PW Admin	0	0	0	0	0	0	0	0	0	0
13	PW Bldg Svcs	0	0	0	0	0	0	0	0	0	0
Total Current Allocations		$1,013	$10	$3,798	$12,859	$8,514	$6,123	$713	$42	$35,154	$292,687

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Summary Schedule

	Department	Downtown Parking Fund	HOME Program	Wichita Housing Authority	Transit Grants	Other	2nd Allocation Orphans	Total
1	Equipment Depreciation	$0	$0	$0	$0	$0	$0	$0
2	Building Depreciation	0	0	0	0	71,031	0	296,024
3	City Manager	1,016	508	17,872	56,904	1,524	0	1,560,666
4	Law Department	72	36	1,267	4,035	108	0	1,067,191
5	Human Resources	954	477	16,768	53,390	1,430	0	1,464,269
6	City Clerk	182	91	3,199	10,184	273	0	279,320
7	Director of Finance	1,010	697	16,939	37,532	(273,949)	0	907,240
8	Treasury	7,962	715	10,331	2,723	86,739	0	724,154
9	Gen Acctng	4,859	5,746	143,829	52,267	15,943	0	1,328,651
10	Purchasing	16,871	175	37,500	50,699	6,381	0	1,002,624
11	Admin Svcs	119	60	2,094	6,666	179	0	182,816
12	PW Admin	0	0	0	0	0	0	1,155,893
13	PW Bldg Svcs	0	0	0	0	2,127,887	0	4,591,839
Total Current Allocations		$33,045	$8,505	$249,799	$274,401	$2,037,545	$0	$14,560,685

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Equipment Depreciation
Nature and Extent of Services

This cost center includes depreciation on usable equipment for the Central Service Pool. Costs are allocated based on actual depreciation amounts for allocated departments.

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A. Department Costs

Dept:1 Equipment Depreciation

Description		Amount	General Admin	Equipment Depreciation
Personnel Costs				
Salaries	S	0	0	0
Salary % Split			*.00%*	*.00%*
Benefits	S	0	0	0
Subtotal - Personnel Costs		0	0	0
Services & Supplies Cost				
Equip Depreciation	P	229,069	0	229,069
Subtotal - Services & Supplies		229,069	0	229,069
Department Cost Total		229,069	0	229,069
Adjustments to Cost				
Subtotal - Adjustments		0	0	0
Total Costs After Adjustments		229,069	0	229,069
General Admin Distribution			0	0
Grand Total		$229,069		$229,069

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B. Incoming Costs - (Default Spread Expense%)

Dept:1 Equipment Depreciation

No Indirect Costs

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Equipment Depreciation Allocations

Dept:1 Equipment Depreciation

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	3,979	1.74%	$3,979	$0	$3,979	$0	$3,979
7	Director of Finance	4,060	1.77%	4,060	0	4,060	0	4,060
12	PW Admin	4,980	2.17%	4,980	0	4,980	0	4,980
13	PW Bldg Svcs	216,050	94.32%	216,050	0	216,050	0	216,050
Subtotal		229,069	100.00%	229,069	0	229,069	0	229,069
Direct Bills						0		0
Total						$229,069		$229,069

Basis Units: Equipment Depreciation for Allocated Depts

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Allocation Summary **Dept:1 Equipment Depreciation**

	Department	Equipment Depreciation	Total
3	City Manager	$3,979	$3,979
7	Director of Finance	4,060	4,060
12	PW Admin	4,980	4,980
13	PW Bldg Svcs	216,050	216,050
Total		$229,069	$229,069

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Building Depreciation
Nature and Extent of Services

Depreciation for buildings and improvements for City Hall is included in this cost pool. The cost of land has been excluded. The depreciation has been allocated as follows:

- **City Hall** - Allocated to central service departments based on usable square feet of space occupied per department and division.

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A. Department Costs

Dept:2 Building Depreciation

Description		Amount	General Admin	City Hall
Personnel Costs				
Salaries	S	0	0	0
Salary % Split			*.00%*	*.00%*
Benefits	S	0	0	0
Subtotal - Personnel Costs		0	0	0
Services & Supplies Cost				
Bldg Depreciation	P	370,421	0	370,421
Subtotal - Services & Supplies		370,421	0	370,421
Department Cost Total		370,421	0	370,421
Adjustments to Cost				
Subtotal - Adjustments		0	0	0
Total Costs After Adjustments		370,421	0	370,421
General Admin Distribution			0	0
Grand Total		$370,421		$370,421

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B. Incoming Costs - (Default Spread Expense%)

Dept:2 Building Depreciation

No Indirect Costs

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City Hall Allocations

Dept:2 Building Depreciation

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	10,100	5.10%	$18,901	$0	$18,901	$0	$18,901
4	Law Department	3,230	1.63%	6,045	0	6,045	0	6,045
5	Human Resources	3,000	1.52%	5,614	0	5,614	0	5,614
6	City Clerk	2,825	1.43%	5,287	0	5,287	0	5,287
7	Director of Finance	2,630	1.33%	4,922	0	4,922	0	4,922
8	Treasury	3,035	1.53%	5,680	0	5,680	0	5,680
9	Gen Acctng	3,230	1.63%	6,045	0	6,045	0	6,045
10	Purchasing	2,780	1.40%	5,202	0	5,202	0	5,202
11	Admin Svcs	300	0.15%	561	0	561	0	561
12	PW Admin	8,125	4.10%	15,205	0	15,205	0	15,205
13	PW Bldg Svcs	500	0.25%	936	0	936	0	936
15	Housing Admin	9,500	4.80%	17,778	0	17,778	0	17,778
17	Public Information	100	0.05%	187	0	187	0	187
18	Intgovt Affairs	200	0.10%	374	0	374	0	374
21	City Council	3,000	1.52%	5,614	0	5,614	0	5,614
22	Sp Assessments	250	0.13%	468	0	468	0	468
23	Court	21,455	10.84%	40,151	0	40,151	0	40,151
28	Fire Department	6,462	3.26%	12,093	0	12,093	0	12,093
29	Police-Field	12,925	6.53%	24,188	0	24,188	0	24,188
30	Police-Support	12,925	6.53%	24,188	0	24,188	0	24,188
31	Police-Investigations	11,925	6.02%	22,316	0	22,316	0	22,316
44	Public Works-Engineer	6,463	3.27%	12,095	0	12,095	0	12,095
46	Park Department-Admin	6,462	3.26%	12,093	0	12,093	0	12,093
60	Economic Develop	3,380	1.71%	6,325	0	6,325	0	6,325
63	Water-Operations	8,805	4.45%	16,478	0	16,478	0	16,478
72	IT/IS	14,975	7.57%	28,024	0	28,024	0	28,024
75	Self Ins - Group Health	100	0.05%	187	0	187	0	187
76	Risk-Work Comp	700	0.35%	1,310	0	1,310	0	1,310
82	Pension-WER	300	0.15%	561	0	561	0	561
85	Pension-P&F	300	0.15%	561	0	561	0	561
108	Other	37,956	19.18%	71,031	0	71,031	0	71,031
Subtotal		197,938	100.00%	370,421	0	370,421	0	370,421
Direct Bills						0		0
Total						$370,421		$370,421

Basis Units: Square Footage Occupied

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Allocation Summary

Dept:2 Building Depreciation

	Department	City Hall	Total
3	City Manager	$18,901	$18,901
4	Law Department	6,045	6,045
5	Human Resources	5,614	5,614
6	City Clerk	5,287	5,287
7	Director of Finance	4,922	4,922
8	Treasury	5,680	5,680
9	Gen Acctng	6,045	6,045
10	Purchasing	5,202	5,202
11	Admin Svcs	561	561
12	PW Admin	15,205	15,205
13	PW Bldg Svcs	936	936
15	Housing Admin	17,778	17,778
17	Public Information	187	187
18	Intgovt Affairs	374	374
21	City Council	5,614	5,614
22	Sp Assessments	468	468
23	Court	40,151	40,151
28	Fire Department	12,093	12,093
29	Police-Field	24,188	24,188
30	Police-Support	24,188	24,188
31	Police-Investigations	22,316	22,316
44	Public Works-Engineer	12,095	12,095
46	Park Department-Admin	12,093	12,093
60	Economic Develop	6,325	6,325
63	Water-Operations	16,478	16,478
72	IT/IS	28,024	28,024
75	Self Ins - Group Health	187	187
76	Risk-Work Comp	1,310	1,310
82	Pension-WER	561	561
85	Pension-P&F	561	561
108	Other	71,031	71,031
Total		$370,421	$370,421

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City Manager
Nature and Extent of Services

The mission of the City Manager is to provide professional leadership and management for the City of Wichita. In this capacity, the office provides general guidance and management to City departments, executes City Council policies, facilitates the development of the mission statement and the City's long range goals and objectives, and coordinates City efforts to accomplish cost savings and increased efficiencies. Allowable costs are allocated as follows:

- **City Manager** – Costs associated with the day-to-day operation of the City are allocated based upon the number of full-time equivalent positions administered by department and division.

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

A. Department Costs

Dept:3 City Manager

Description		Amount	General Admin	Manager
Personnel Costs				
Salaries	S1	1,736,199	0	1,736,199
Salary % Split			*.00%*	*100.00%*
Benefits	S	642,505	0	642,505
Subtotal - Personnel Costs		2,378,704	0	2,378,704
Services & Supplies Cost				
Contract Svcs	S	277,736	0	277,736
Mat & Supp	S	30,932	0	30,932
Misc. & Sundry	S	0	0	0
Rev & Reimb	S	(1,523,447)	0	(1,523,447)
Subtotal - Services & Supplies		(1,214,780)	0	(1,214,780)
Department Cost Total		1,163,924	0	1,163,924
Adjustments to Cost				
Subtotal - Adjustments		0	0	0
Total Costs After Adjustments		1,163,924	0	1,163,924
General Admin Distribution			0	0
Grand Total		$1,163,924		$1,163,924

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B. Incoming Costs - (Default Spread Expense%)

Dept:3 City Manager

	Department	First Incoming	Second Incoming	Manager
1	Equipment Depreciation	$3,979	$0	$3,979
	Subtotal - Equipment Depreciation	3,979	0	3,979
2	City Hall	18,901	0	18,901
	Subtotal - Building Depreciation	18,901	0	18,901
3	Manager	0	10,683	10,683
	Subtotal - City Manager	0	10,683	10,683
4	Advice & Opinions	0	1,012	1,012
4	Dept Support	0	207,041	207,041
	Subtotal - Law Department	0	208,053	208,053
5	Personnel	0	13,168	13,168
	Subtotal - Human Resources	0	13,168	13,168
6	Records	0	2,108	2,108
	Subtotal - City Clerk	0	2,108	2,108
7	Finance Dir	0	712	712
7	Budget	0	8,513	8,513
	Subtotal - Director of Finance	0	9,225	9,225
8	Cash Mgmt	0	82	82
	Subtotal - Treasury	0	82	82
9	Genl Accounting	0	2,109	2,109
9	Payroll	0	5,171	5,171
	Subtotal - Gen Acctng	0	7,281	7,281
10	Purchasing	0	1,233	1,233
	Subtotal - Purchasing	0	1,233	1,233
11	Internal Audit	0	0	0
11	City Mgr Support	0	1,673	1,673

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B. Incoming Costs - (Default Spread Expense%)

Dept:3 City Manager

Department	First Incoming	Second Incoming	Manager
Subtotal - Admin Svcs	$0	$1,673	$1,673
13 City Hall	0	204,617	204,617
Subtotal - PW Bldg Svcs	0	204,617	204,617
Total Incoming	22,880	458,121	481,002
C. Total Allocated		$1,644,926	$1,644,926
			100.00%

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Manager Allocations

Dept:3 City Manager

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	29.21	0.90%	$10,683	$0	$10,683	$0	$10,683
4	Law Department	24.96	0.77%	9,128	0	9,128	3,556	12,684
5	Human Resources	15.17	0.47%	5,548	0	5,548	2,161	7,709
6	City Clerk	2.00	0.06%	731	0	731	285	1,016
7	Director of Finance	8.08	0.25%	2,955	0	2,955	1,151	4,106
8	Treasury	14.33	0.44%	5,241	0	5,241	2,041	7,282
9	Gen Acctng	14.00	0.43%	5,120	0	5,120	1,994	7,114
10	Purchasing	10.25	0.32%	3,749	0	3,749	1,460	5,209
11	Admin Svcs	3.50	0.11%	1,280	0	1,280	499	1,779
12	PW Admin	8.25	0.25%	3,017	0	3,017	1,175	4,192
13	PW Bldg Svcs	44.25	1.36%	16,183	0	16,183	6,304	22,486
14	PW-Street Maint.	100.42	3.09%	36,725	0	36,725	14,305	51,030
15	Housing Admin	2.00	0.06%	731	0	731	285	1,016
17	Public Information	2.75	0.08%	1,006	0	1,006	392	1,397
20	N'hood Initiative/Centers	2.92	0.09%	1,068	0	1,068	416	1,484
21	City Council	12.33	0.38%	4,509	0	4,509	1,756	6,266
22	Sp Assessments	5.00	0.15%	1,829	0	1,829	712	2,541
23	Court	81.92	2.52%	29,959	0	29,959	11,670	41,629
24	Com Fac-Century2	39.76	1.23%	14,541	0	14,541	5,664	20,205
25	Expo Hall	1.08	0.03%	395	0	395	154	549
28	Fire Department	455.83	14.05%	166,703	0	166,703	64,934	231,638
29	Police-Field	523.29	16.13%	191,375	0	191,375	74,544	265,918
30	Police-Support	145.08	4.47%	53,058	0	53,058	20,667	73,725
31	Police-Investigations	180.33	5.56%	65,949	0	65,949	25,688	91,638
32	Library Operations	114.42	3.53%	41,845	0	41,845	16,299	58,144
34	Art Museum	11.40	0.35%	4,169	0	4,169	1,624	5,793
36	Cowtown Operations	10.81	0.33%	3,953	0	3,953	1,540	5,493
38	MAAIC	4.25	0.13%	1,554	0	1,554	605	2,160
41	City Arts & Culture	18.70	0.58%	6,839	0	6,839	2,664	9,503
42	Park-Forestry-Landscape	93.46	2.88%	34,180	0	34,180	13,314	47,493
44	Public Works-Engineer	66.25	2.04%	24,229	0	24,229	9,437	33,666
46	Park Department-Admin	7.67	0.24%	2,805	0	2,805	1,093	3,898
47	Botanica	4.00	0.12%	1,463	0	1,463	570	2,033
48	Park Department-Recreation	113.89	3.51%	41,651	0	41,651	16,224	57,875
49	Central Insp	34.08	1.05%	12,464	0	12,464	4,855	17,318
52	Landfill	8.90	0.27%	3,255	0	3,255	1,268	4,523
54	Property Management Operations	2.00	0.06%	731	0	731	285	1,016
56	Airport	141.17	4.35%	51,628	0	51,628	20,110	71,738
57	Golf Course Ops	93.06	2.87%	34,033	0	34,033	13,257	47,290
58	Transit Ops	23.75	0.73%	8,686	0	8,686	3,383	12,069
60	Economic Develop	2.00	0.06%	731	0	731	285	1,016
62	Sewer	142.42	4.39%	52,085	0	52,085	20,288	72,373

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Manager Allocations

Dept:3 City Manager

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
63	Water-Operations	17.71	0.55%	$6,477	$0	$6,477	$2,523	$9,000
64	Water Sys Plan/Dev	17.50	0.54%	6,400	0	6,400	2,493	8,893
66	WS-Prod / Pumping	74.13	2.28%	27,110	0	27,110	10,560	37,670
67	WS-Trmnt/Distrib	78.33	2.41%	28,646	0	28,646	11,158	39,805
68	Storm Water Ops	37.42	1.15%	13,685	0	13,685	5,331	19,016
72	IT/IS	54.58	1.68%	19,961	0	19,961	7,775	27,736
74	PW-Fleet Fund	46.25	1.43%	16,914	0	16,914	6,588	23,503
76	Risk-Work Comp	2.00	0.06%	731	0	731	285	1,016
78	Risk-Gen Liability	2.00	0.06%	731	0	731	285	1,016
79	PW-Flood Control	23.92	0.74%	8,748	0	8,748	3,407	12,155
80	MAPD Planning	12.75	0.39%	4,663	0	4,663	1,816	6,479
81	Env Hlth Svcs	26.85	0.83%	9,819	0	9,819	3,825	13,644
83	Pension Management	6.00	0.18%	2,194	0	2,194	855	3,049
87	CDBG	45.38	1.40%	16,596	0	16,596	6,464	23,061
88	CSBG	6.00	0.18%	2,194	0	2,194	855	3,049
97	Fire Grants	6.00	0.18%	2,194	0	2,194	855	3,049
98	Environmental Health Grants	3.00	0.09%	1,097	0	1,097	427	1,524
102	Police Grants	10.58	0.33%	3,869	0	3,869	1,507	5,376
103	Public Improvements	2.68	0.08%	980	0	980	382	1,362
104	Downtown Parking Fund	2.00	0.06%	731	0	731	285	1,016
105	HOME Program	1.00	0.03%	366	0	366	142	508
106	Wichita Housing Authority	35.17	1.08%	12,862	0	12,862	5,010	17,872
107	Transit Grants	111.98	3.45%	40,953	0	40,953	15,952	56,904
108	Other	3.00	0.09%	1,097	0	1,097	427	1,524
Subtotal		3,245.17	100.00%	1,186,804	0	1,186,804	458,121	1,644,926
Direct Bills						0		0
Total						$1,186,804		$1,644,926

Basis Units: # of Full Time Equivalent Positions

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Allocation Summary

Dept:3 City Manager

	Department	Manager	Total
3	City Manager	$10,683	$10,683
4	Law Department	12,684	12,684
5	Human Resources	7,709	7,709
6	City Clerk	1,016	1,016
7	Director of Finance	4,106	4,106
8	Treasury	7,282	7,282
9	Gen Acctng	7,114	7,114
10	Purchasing	5,209	5,209
11	Admin Svcs	1,779	1,779
12	PW Admin	4,192	4,192
13	PW Bldg Svcs	22,486	22,486
14	PW-Street Maint.	51,030	51,030
15	Housing Admin	1,016	1,016
17	Public Information	1,397	1,397
20	N'hood Initiative/Centers	1,484	1,484
21	City Council	6,266	6,266
22	Sp Assessments	2,541	2,541
23	Court	41,629	41,629
24	Com Fac-Century2	20,205	20,205
25	Expo Hall	549	549
28	Fire Department	231,638	231,638
29	Police-Field	265,918	265,918
30	Police-Support	73,725	73,725
31	Police-Investigations	91,638	91,638
32	Library Operations	58,144	58,144
34	Art Museum	5,793	5,793
36	Cowtown Operations	5,493	5,493
38	MAAIC	2,160	2,160
41	City Arts & Culture	9,503	9,503
42	Park-Forestry-Landscape	47,493	47,493
44	Public Works-Engineer	33,666	33,666
46	Park Department-Admin	3,898	3,898
47	Botanica	2,033	2,033
48	Park Department-Recreation	57,875	57,875
49	Central Insp	17,318	17,318
52	Landfill	4,523	4,523
54	Property Management Operations	1,016	1,016
56	Airport	71,738	71,738
57	Golf Course Ops	47,290	47,290
58	Transit Ops	12,069	12,069
60	Economic Develop	1,016	1,016

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Allocation Summary

Dept:3 City Manager

	Department	Manager	Total
62	Sewer	$72,373	$72,373
63	Water-Operations	9,000	9,000
64	Water Sys Plan/Dev	8,893	8,893
66	WS-Prod / Pumping	37,670	37,670
67	WS-Trmnt/Distrib	39,805	39,805
68	Storm Water Ops	19,016	19,016
72	IT/IS	27,736	27,736
74	PW-Fleet Fund	23,503	23,503
76	Risk-Work Comp	1,016	1,016
78	Risk-Gen Liability	1,016	1,016
79	PW-Flood Control	12,155	12,155
80	MAPD Planning	6,479	6,479
81	Env Hlth Svcs	13,644	13,644
83	Pension Management	3,049	3,049
87	CDBG	23,061	23,061
88	CSBG	3,049	3,049
97	Fire Grants	3,049	3,049
98	Environmental Health Grants	1,524	1,524
102	Police Grants	5,376	5,376
103	Public Improvements	1,362	1,362
104	Downtown Parking Fund	1,016	1,016
105	HOME Program	508	508
106	Wichita Housing Authority	17,872	17,872
107	Transit Grants	56,904	56,904
108	Other	1,524	1,524
Total		$1,644,926	$1,644,926

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Law Department
Nature and Extent of Services

It is the mission of the Law Department to facilitate client success through the provision of high quality legal services and guidance to the City Council, City Manager, and the departments, boards, agencies, utilities and commission of the City. Civil legal staff members perform a variety of roles including providing legal advice, drafting and reviewing contracts, rendering legal opinions, and conducting litigation for the City. Allowable costs are allocated as follows:

- **Advice & Opinions** – Costs associated with providing advice and opinions have been allocated to all City departments based on the number of full time equivalent positions.
- **Department Support** – Costs associated with providing support directly to departments have been allocated based on the number of recorded hours of support.
- **Other Law Services** – Costs are not allocated.

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

A. Department Costs

Dept:4 Law Department

Description		Amount	General Admin	Advice & Opinions	Dept Support	Other Law Activities
Personnel Costs						
Salaries	S1	1,862,171	82,392	80,758	1,136,712	562,309
Salary % Split			*4.42%*	*4.34%*	*61.04%*	*30.20%*
Benefits	P	658,449	26,034	25,517	359,165	247,733
Subtotal - Personnel Costs		2,520,620	108,426	106,275	1,495,877	810,042
Services & Supplies Cost						
Contract Svcs	P	189,117	8,231	8,066	113,538	59,282
Mat & Supp	P	10,242	359	352	4,959	4,572
Contr to Other Funds	P	23,296	0	0	0	23,296
DUI Diversion Reimb	P	(50,000)	0	0	0	(50,000)
Misc Revenues	P	0	0	0	0	0
Reimbursements	P	(183,017)	(183,017)	0	0	0
Subtotal - Services & Supplies		(10,362)	(174,427)	8,418	118,497	37,150
Department Cost Total		2,510,258	(66,001)	114,693	1,614,374	847,192
Adjustments to Cost						
Subtotal - Adjustments		0	0	0	0	0
Total Costs After Adjustments		2,510,258	(66,001)	114,693	1,614,374	847,192
General Admin Distribution			66,001	(2,995)	(42,154)	(20,853)
Grand Total		$2,510,258		$111,698	$1,572,220	$826,339
						not allocated

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B. Incoming Costs - (Default Spread Salary%)

Dept:4 Law Department

	Department	First Incoming	Second Incoming	Advice & Opinions	Dept Support	Other Law Activities
2	City Hall	$6,045	$0	$274	$3,861	$1,910
	Subtotal - Building Depreciation	6,045	0	274	3,861	1,910
3	Manager	9,128	3,556	576	8,101	4,007
	Subtotal - City Manager	9,128	3,556	576	8,101	4,007
4	Advice & Opinions	0	864	39	552	273
	Subtotal - Law Department	0	864	39	552	273
5	Personnel	0	11,252	511	7,186	3,555
	Subtotal - Human Resources	0	11,252	511	7,186	3,555
6	Records	0	1,801	82	1,150	569
	Subtotal - City Clerk	0	1,801	82	1,150	569
7	Finance Dir	0	727	33	464	230
7	Budget	0	7,274	330	4,646	2,298
	Subtotal - Director of Finance	0	8,001	363	5,110	2,528
8	Cash Mgmt	0	72	3	46	23
	Subtotal - Treasury	0	72	3	46	23
9	Genl Accounting	0	1,515	69	967	479
9	Payroll	0	4,419	201	2,822	1,396
	Subtotal - Gen Acctng	0	5,934	269	3,790	1,875
10	Purchasing	0	329	15	210	104
	Subtotal - Purchasing	0	329	15	210	104
11	Internal Audit	0	0	0	0	0
11	City Mgr Support	0	1,429	65	913	452
	Subtotal - Admin Svcs	0	1,429	65	913	452
13	City Hall	0	65,437	2,969	41,793	20,674
	Subtotal - PW Bldg Svcs	0	65,437	2,969	41,793	20,674
Total Incoming		15,173	98,675	5,166	72,713	35,970
C. Total Allocated			$2,624,106	$116,864	$1,644,933	$862,309
				4.45%	62.69%	32.86%

Cost Allocation & User Fee Study
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Advice & Opinions Allocations

Dept:4 Law Department

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	29.21	0.90%	$1,012	$0	$1,012	$0	$1,012
4	Law Department	24.96	0.77%	864	0	864	0	864
5	Human Resources	15.17	0.47%	525	0	525	21	547
6	City Clerk	2.00	0.06%	69	0	69	3	72
7	Director of Finance	8.08	0.25%	280	0	280	11	291
8	Treasury	14.33	0.44%	496	0	496	20	516
9	Gen Acctng	14.00	0.43%	485	0	485	20	504
10	Purchasing	10.25	0.32%	355	0	355	14	369
11	Admin Svcs	3.50	0.11%	121	0	121	5	126
12	PW Admin	8.25	0.25%	286	0	286	12	297
13	PW Bldg Svcs	44.25	1.36%	1,532	0	1,532	62	1,595
14	PW-Street Maint.	100.42	3.09%	3,478	0	3,478	141	3,619
15	Housing Admin	2.00	0.06%	69	0	69	3	72
17	Public Information	2.75	0.08%	95	0	95	4	99
20	N'hood Initiative/Centers	2.92	0.09%	101	0	101	4	105
21	City Council	12.33	0.38%	427	0	427	17	444
22	Sp Assessments	5.00	0.15%	173	0	173	7	180
23	Court	81.92	2.52%	2,837	0	2,837	115	2,952
24	Com Fac-Century2	39.76	1.23%	1,377	0	1,377	56	1,433
25	Expo Hall	1.08	0.03%	37	0	37	2	39
28	Fire Department	455.83	14.05%	15,786	0	15,786	640	16,426
29	Police-Field	523.29	16.13%	18,123	0	18,123	734	18,857
30	Police-Support	145.08	4.47%	5,024	0	5,024	204	5,228
31	Police-Investigations	180.33	5.56%	6,245	0	6,245	253	6,498
32	Library Operations	114.42	3.53%	3,963	0	3,963	161	4,123
34	Art Museum	11.40	0.35%	395	0	395	16	411
36	Cowtown Operations	10.81	0.33%	374	0	374	15	390
38	MAAIC	4.25	0.13%	147	0	147	6	153
41	City Arts & Culture	18.70	0.58%	648	0	648	26	674
42	Park-Forestry-Landscape	93.46	2.88%	3,237	0	3,237	131	3,368
44	Public Works-Engineer	66.25	2.04%	2,294	0	2,294	93	2,387
46	Park Department-Admin	7.67	0.24%	266	0	266	11	276
47	Botanica	4.00	0.12%	139	0	139	6	144
48	Park Department-Recreation	113.89	3.51%	3,944	0	3,944	160	4,104
49	Central Insp	34.08	1.05%	1,180	0	1,180	48	1,228
52	Landfill	8.90	0.27%	308	0	308	12	321
54	Property Management Operations	2.00	0.06%	69	0	69	3	72
56	Airport	141.17	4.35%	4,889	0	4,889	198	5,087
57	Golf Course Ops	93.06	2.87%	3,223	0	3,223	131	3,353
58	Transit Ops	23.75	0.73%	823	0	823	33	856
60	Economic Develop	2.00	0.06%	69	0	69	3	72
62	Sewer	142.42	4.39%	4,932	0	4,932	200	5,132

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Advice & Opinions Allocations

Dept:4 Law Department

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
63	Water-Operations	17.71	0.55%	$613	$0	$613	$25	$638
64	Water Sys Plan/Dev	17.50	0.54%	606	0	606	25	631
66	WS-Prod / Pumping	74.13	2.28%	2,567	0	2,567	104	2,671
67	WS-Trmnt/Distrib	78.33	2.41%	2,713	0	2,713	110	2,823
68	Storm Water Ops	37.42	1.15%	1,296	0	1,296	53	1,348
72	IT/IS	54.58	1.68%	1,890	0	1,890	77	1,967
74	PW-Fleet Fund	46.25	1.43%	1,602	0	1,602	65	1,667
76	Risk-Work Comp	2.00	0.06%	69	0	69	3	72
78	Risk-Gen Liability	2.00	0.06%	69	0	69	3	72
79	PW-Flood Control	23.92	0.74%	828	0	828	34	862
80	MAPD Planning	12.75	0.39%	442	0	442	18	459
81	Env Hlth Svcs	26.85	0.83%	930	0	930	38	968
83	Pension Management	6.00	0.18%	208	0	208	8	216
87	CDBG	45.38	1.40%	1,572	0	1,572	64	1,635
88	CSBG	6.00	0.18%	208	0	208	8	216
97	Fire Grants	6.00	0.18%	208	0	208	8	216
98	Environmental Health Grants	3.00	0.09%	104	0	104	4	108
102	Police Grants	10.58	0.33%	366	0	366	15	381
103	Public Improvements	2.68	0.08%	93	0	93	4	97
104	Downtown Parking Fund	2.00	0.06%	69	0	69	3	72
105	HOME Program	1.00	0.03%	35	0	35	1	36
106	Wichita Housing Authority	35.17	1.08%	1,218	0	1,218	49	1,267
107	Transit Grants	111.98	3.45%	3,878	0	3,878	157	4,035
108	Other	3.00	0.09%	104	0	104	4	108
Subtotal		3,245.17	100.00%	112,387	0	112,387	4,477	116,864
Direct Bills						0		0
Total						$112,387		$116,864

Basis Units: # of Full Time Equivalent Positions

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Dept Support Allocations

Dept:4 Law Department

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	1,775	13.09%	$207,041	$0	$207,041	$0	$207,041
5	Human Resources	68	0.50%	7,932	0	7,932	364	8,295
6	City Clerk	45	0.33%	5,249	0	5,249	241	5,490
7	Director of Finance	1,641	12.10%	191,411	0	191,411	8,774	200,185
12	PW Admin	2,192	16.16%	255,681	0	255,681	11,720	267,401
15	Housing Admin	517	3.81%	60,304	0	60,304	2,764	63,069
17	Public Information	111	0.82%	12,947	0	12,947	593	13,541
19	Legislative Svcs	211	1.56%	24,612	0	24,612	1,128	25,740
21	City Council	445	3.28%	51,906	0	51,906	2,379	54,285
23	Court	227	1.67%	26,478	0	26,478	1,214	27,692
24	Com Fac-Century2	151	1.11%	17,613	0	17,613	807	18,420
28	Fire Department	209	1.54%	24,378	0	24,378	1,117	25,496
30	Police-Support	2,329	17.17%	271,661	0	271,661	12,453	284,114
32	Library Operations	124	0.91%	14,464	0	14,464	663	15,127
41	City Arts & Culture	98	0.72%	11,431	0	11,431	524	11,955
48	Park Department-Recreation	451	3.33%	52,606	0	52,606	2,411	55,017
49	Central Insp	1,090	8.04%	127,141	0	127,141	5,828	132,969
56	Airport	553	4.08%	64,504	0	64,504	2,957	67,460
58	Transit Ops	618	4.56%	72,085	0	72,085	3,304	75,390
72	IT/IS	509	3.75%	59,371	0	59,371	2,721	62,093
78	Risk-Gen Liability	168	1.24%	19,596	0	19,596	898	20,494
80	MAPD Planning	30	0.22%	3,499	0	3,499	160	3,660
Subtotal		13,562	100.00%	1,581,911	0	1,581,911	63,022	1,644,933
Direct Bills						0		0
Total						$1,581,911		$1,644,933

Basis Units: Hours of Support By Department

Cost Allocation & User Fee Study
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Allocation Summary

Dept:4 Law Department

	Department	Advice & Opinions	Dept Support	Other Law Activities	Total
3	City Manager	$1,012	$207,041	$0	$208,053
4	Law Department	864	0	0	864
5	Human Resources	547	8,295	0	8,842
6	City Clerk	72	5,490	0	5,562
7	Director of Finance	291	200,185	0	200,476
8	Treasury	516	0	0	516
9	Gen Acctng	504	0	0	504
10	Purchasing	369	0	0	369
11	Admin Svcs	126	0	0	126
12	PW Admin	297	267,401	0	267,699
13	PW Bldg Svcs	1,595	0	0	1,595
14	PW-Street Maint.	3,619	0	0	3,619
15	Housing Admin	72	63,069	0	63,141
17	Public Information	99	13,541	0	13,640
19	Legislative Svcs	0	25,740	0	25,740
20	N'hood Initiative/Centers	105	0	0	105
21	City Council	444	54,285	0	54,730
22	Sp Assessments	180	0	0	180
23	Court	2,952	27,692	0	30,644
24	Com Fac-Century2	1,433	18,420	0	19,853
25	Expo Hall	39	0	0	39
28	Fire Department	16,426	25,496	0	41,922
29	Police-Field	18,857	0	0	18,857
30	Police-Support	5,228	284,114	0	289,342
31	Police-Investigations	6,498	0	0	6,498
32	Library Operations	4,123	15,127	0	19,250
34	Art Museum	411	0	0	411
36	Cowtown Operations	390	0	0	390
38	MAAIC	153	0	0	153
41	City Arts & Culture	674	11,955	0	12,629
42	Park-Forestry-Landscape	3,368	0	0	3,368
44	Public Works-Engineer	2,387	0	0	2,387
46	Park Department-Admin	276	0	0	276
47	Botanica	144	0	0	144
48	Park Department-Recreation	4,104	55,017	0	59,121
49	Central Insp	1,228	132,969	0	134,197
52	Landfill	321	0	0	321
54	Property Management Operations	72	0	0	72
56	Airport	5,087	67,460	0	72,547
57	Golf Course Ops	3,353	0	0	3,353
58	Transit Ops	856	75,390	0	76,245

Cost Allocation & User Fee Study
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Allocation Summary

Dept:4 Law Department

	Department	Advice & Opinions	Dept Support	Other Law Activities	Total
60	Economic Develop	$72	$0	$0	$72
62	Sewer	5,132	0	0	5,132
63	Water-Operations	638	0	0	638
64	Water Sys Plan/Dev	631	0	0	631
66	WS-Prod / Pumping	2,671	0	0	2,671
67	WS-Trmnt/Distrib	2,823	0	0	2,823
68	Storm Water Ops	1,348	0	0	1,348
72	IT/IS	1,967	62,093	0	64,060
74	PW-Fleet Fund	1,667	0	0	1,667
76	Risk-Work Comp	72	0	0	72
78	Risk-Gen Liability	72	20,494	0	20,566
79	PW-Flood Control	862	0	0	862
80	MAPD Planning	459	3,660	0	4,119
81	Env Hlth Svcs	968	0	0	968
83	Pension Management	216	0	0	216
87	CDBG	1,635	0	0	1,635
88	CSBG	216	0	0	216
97	Fire Grants	216	0	0	216
98	Environmental Health Grants	108	0	0	108
102	Police Grants	381	0	0	381
103	Public Improvements	97	0	0	97
104	Downtown Parking Fund	72	0	0	72
105	HOME Program	36	0	0	36
106	Wichita Housing Authority	1,267	0	0	1,267
107	Transit Grants	4,035	0	0	4,035
108	Other	108	0	0	108
Total		$116,864	$1,644,933	$0	$1,761,797

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Human Resources
Nature and Extent of Services

The mission of Human Resources is to build a stimulating and diverse culture of inclusion that thrives on public service, high performance, and individual and organizational growth and development. Human Resources' core responsibilities are employee recruitment and selection; classification and compensation; employee relations; benefits development and administration; payroll; HR-related information systems; Equal Employment Opportunity and Affirmative Action programs; union negotiations and contract administration; managing Family and Medical Leave (FML); Unemployment Insurance (UI); drug testing; the Employee Assistance Program and fund; and employee learning and development. Allowable costs are allocated as described below:

- **Human Resources** – Costs are allocated based upon the number of full-time equivalent positions by department and division.

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

A. Department Costs

Dept:5 Human Resources

Description		Amount	General Admin	Personnel
Personnel Costs				
Salaries	S1	1,059,512	0	1,059,512
Salary % Split			*.00%*	*100.00%*
Benefits	S	367,247	0	367,247
Subtotal - Personnel Costs		1,426,759	0	1,426,759
Services & Supplies Cost				
Contract Svcs	S	190,678	0	190,678
Mat & Supp	S	49,543	0	49,543
Revenue - Admin Fees	S	0	0	0
Reimbursements	S	(223,702)	0	(223,702)
Subtotal - Services & Supplies		16,519	0	16,519
Department Cost Total		1,443,278	0	1,443,278
Adjustments to Cost				
Subtotal - Adjustments		0	0	0
Total Costs After Adjustments		1,443,278	0	1,443,278
General Admin Distribution			0	0
Grand Total		$1,443,278		$1,443,278

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B. Incoming Costs - (Default Spread Salary%)

Dept:5 Human Resources

	Department	First Incoming	Second Incoming	Personnel
2	City Hall	$5,614	$0	$5,614
	Subtotal - Building Depreciation	5,614	0	5,614
3	Manager	5,548	2,161	7,709
	Subtotal - City Manager	5,548	2,161	7,709
4	Advice & Opinions	525	21	547
4	Dept Support	7,932	364	8,295
	Subtotal - Law Department	8,457	385	8,842
5	Personnel	0	6,839	6,839
	Subtotal - Human Resources	0	6,839	6,839
6	Records	0	1,095	1,095
	Subtotal - City Clerk	0	1,095	1,095
7	Finance Dir	0	442	442
7	Budget	0	4,421	4,421
	Subtotal - Director of Finance	0	4,863	4,863
8	Cash Mgmt	0	38	38
	Subtotal - Treasury	0	38	38
9	Genl Accounting	0	926	926
9	Payroll	0	2,686	2,686
	Subtotal - Gen Acctng	0	3,612	3,612
10	Purchasing	0	1,891	1,891
	Subtotal - Purchasing	0	1,891	1,891
11	Internal Audit	0	0	0
11	City Mgr Support	0	869	869
	Subtotal - Admin Svcs	0	869	869
13	City Hall	0	60,777	60,777
	Subtotal - PW Bldg Svcs	0	60,777	60,777
Total Incoming		19,619	82,529	102,149
C. Total Allocated			$1,545,427	$1,545,427
				100.00%

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Personnel Allocations

Dept:5 Human Resources

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	29.21	0.90%	$13,168	$0	$13,168	$0	$13,168
4	Law Department	24.96	0.77%	11,252	0	11,252	0	11,252
5	Human Resources	15.17	0.47%	6,839	0	6,839	0	6,839
6	City Clerk	2.00	0.06%	902	0	902	52	954
7	Director of Finance	8.08	0.25%	3,642	0	3,642	210	3,852
8	Treasury	14.33	0.44%	6,460	0	6,460	372	6,832
9	Gen Acctng	14.00	0.43%	6,311	0	6,311	364	6,675
10	Purchasing	10.25	0.32%	4,621	0	4,621	266	4,887
11	Admin Svcs	3.50	0.11%	1,578	0	1,578	91	1,669
12	PW Admin	8.25	0.25%	3,719	0	3,719	214	3,933
13	PW Bldg Svcs	44.25	1.36%	19,948	0	19,948	1,150	21,097
14	PW-Street Maint.	100.42	3.09%	45,269	0	45,269	2,610	47,878
15	Housing Admin	2.00	0.06%	902	0	902	52	954
17	Public Information	2.75	0.08%	1,240	0	1,240	71	1,311
20	N'hood Initiative/Centers	2.92	0.09%	1,316	0	1,316	76	1,392
21	City Council	12.33	0.38%	5,558	0	5,558	320	5,879
22	Sp Assessments	5.00	0.15%	2,254	0	2,254	130	2,384
23	Court	81.92	2.52%	36,929	0	36,929	2,129	39,058
24	Com Fac-Century2	39.76	1.23%	17,923	0	17,923	1,033	18,957
25	Expo Hall	1.08	0.03%	487	0	487	28	515
28	Fire Department	455.83	14.05%	205,485	0	205,485	11,846	217,330
29	Police-Field	523.29	16.13%	235,895	0	235,895	13,599	249,494
30	Police-Support	145.08	4.47%	65,401	0	65,401	3,770	69,171
31	Police-Investigations	180.33	5.56%	81,291	0	81,291	4,686	85,978
32	Library Operations	114.42	3.53%	51,580	0	51,580	2,973	54,553
34	Art Museum	11.40	0.35%	5,139	0	5,139	296	5,435
36	Cowtown Operations	10.81	0.33%	4,873	0	4,873	281	5,154
38	MAAIC	4.25	0.13%	1,916	0	1,916	110	2,026
41	City Arts & Culture	18.70	0.58%	8,430	0	8,430	486	8,916
42	Park-Forestry-Landscape	93.46	2.88%	42,131	0	42,131	2,429	44,560
44	Public Works-Engineer	66.25	2.04%	29,865	0	29,865	1,722	31,587
46	Park Department-Admin	7.67	0.24%	3,458	0	3,458	199	3,657
47	Botanica	4.00	0.12%	1,803	0	1,803	104	1,907
48	Park Department-Recreation	113.89	3.51%	51,341	0	51,341	2,960	54,300
49	Central Insp	34.08	1.05%	15,363	0	15,363	886	16,249
52	Landfill	8.90	0.27%	4,012	0	4,012	231	4,243
54	Property Management Operations	2.00	0.06%	902	0	902	52	954
56	Airport	141.17	4.35%	63,638	0	63,638	3,669	67,307
57	Golf Course Ops	93.06	2.87%	41,951	0	41,951	2,418	44,369
58	Transit Ops	23.75	0.73%	10,706	0	10,706	617	11,323
60	Economic Develop	2.00	0.06%	902	0	902	52	954
62	Sewer	142.42	4.39%	64,202	0	64,202	3,701	67,903

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Personnel Allocations

Dept:5 Human Resources

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
63	Water-Operations	17.71	0.55%	$7,984	$0	$7,984	$460	$8,444
64	Water Sys Plan/Dev	17.50	0.54%	7,889	0	7,889	455	8,344
66	WS-Prod / Pumping	74.13	2.28%	33,417	0	33,417	1,926	35,344
67	WS-Trmnt/Distrib	78.33	2.41%	35,311	0	35,311	2,036	37,346
68	Storm Water Ops	37.42	1.15%	16,869	0	16,869	972	17,841
72	IT/IS	54.58	1.68%	24,604	0	24,604	1,418	26,023
74	PW-Fleet Fund	46.25	1.43%	20,849	0	20,849	1,202	22,051
76	Risk-Work Comp	2.00	0.06%	902	0	902	52	954
78	Risk-Gen Liability	2.00	0.06%	902	0	902	52	954
79	PW-Flood Control	23.92	0.74%	10,783	0	10,783	622	11,405
80	MAPD Planning	12.75	0.39%	5,748	0	5,748	331	6,079
81	Env Hlth Svcs	26.85	0.83%	12,104	0	12,104	698	12,802
83	Pension Management	6.00	0.18%	2,705	0	2,705	156	2,861
87	CDBG	45.38	1.40%	20,457	0	20,457	1,179	21,636
88	CSBG	6.00	0.18%	2,705	0	2,705	156	2,861
97	Fire Grants	6.00	0.18%	2,705	0	2,705	156	2,861
98	Environmental Health Grants	3.00	0.09%	1,352	0	1,352	78	1,430
102	Police Grants	10.58	0.33%	4,769	0	4,769	275	5,044
103	Public Improvements	2.68	0.08%	1,208	0	1,208	70	1,278
104	Downtown Parking Fund	2.00	0.06%	902	0	902	52	954
105	HOME Program	1.00	0.03%	451	0	451	26	477
106	Wichita Housing Authority	35.17	1.08%	15,854	0	15,854	914	16,768
107	Transit Grants	111.98	3.45%	50,480	0	50,480	2,910	53,390
108	Other	3.00	0.09%	1,352	0	1,352	78	1,430
Subtotal		3,245.17	100.00%	1,462,897	0	1,462,897	82,529	1,545,427
Direct Bills						0		0
Total						$1,462,897		$1,545,427

Basis Units: # of Full Time Equivalent Positions

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Allocation Summary

Dept:5 Human Resources

	Department	Personnel	Total
3	City Manager	$13,168	$13,168
4	Law Department	11,252	11,252
5	Human Resources	6,839	6,839
6	City Clerk	954	954
7	Director of Finance	3,852	3,852
8	Treasury	6,832	6,832
9	Gen Acctng	6,675	6,675
10	Purchasing	4,887	4,887
11	Admin Svcs	1,669	1,669
12	PW Admin	3,933	3,933
13	PW Bldg Svcs	21,097	21,097
14	PW-Street Maint.	47,878	47,878
15	Housing Admin	954	954
17	Public Information	1,311	1,311
20	N'hood Initiative/Centers	1,392	1,392
21	City Council	5,879	5,879
22	Sp Assessments	2,384	2,384
23	Court	39,058	39,058
24	Com Fac-Century2	18,957	18,957
25	Expo Hall	515	515
28	Fire Department	217,330	217,330
29	Police-Field	249,494	249,494
30	Police-Support	69,171	69,171
31	Police-Investigations	85,978	85,978
32	Library Operations	54,553	54,553
34	Art Museum	5,435	5,435
36	Cowtown Operations	5,154	5,154
38	MAAIC	2,026	2,026
41	City Arts & Culture	8,916	8,916
42	Park-Forestry-Landscape	44,560	44,560
44	Public Works-Engineer	31,587	31,587
46	Park Department-Admin	3,657	3,657
47	Botanica	1,907	1,907
48	Park Department-Recreation	54,300	54,300
49	Central Insp	16,249	16,249
52	Landfill	4,243	4,243
54	Property Management Operations	954	954
56	Airport	67,307	67,307
57	Golf Course Ops	44,369	44,369
58	Transit Ops	11,323	11,323
60	Economic Develop	954	954

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Allocation Summary

Dept:5 Human Resources

	Department	Personnel	Total
62	Sewer	$67,903	$67,903
63	Water-Operations	8,444	8,444
64	Water Sys Plan/Dev	8,344	8,344
66	WS-Prod / Pumping	35,344	35,344
67	WS-Trmnt/Distrib	37,346	37,346
68	Storm Water Ops	17,841	17,841
72	IT/IS	26,023	26,023
74	PW-Fleet Fund	22,051	22,051
76	Risk-Work Comp	954	954
78	Risk-Gen Liability	954	954
79	PW-Flood Control	11,405	11,405
80	MAPD Planning	6,079	6,079
81	Env Hlth Svcs	12,802	12,802
83	Pension Management	2,861	2,861
87	CDBG	21,636	21,636
88	CSBG	2,861	2,861
97	Fire Grants	2,861	2,861
98	Environmental Health Grants	1,430	1,430
102	Police Grants	5,044	5,044
103	Public Improvements	1,278	1,278
104	Downtown Parking Fund	954	954
105	HOME Program	477	477
106	Wichita Housing Authority	16,768	16,768
107	Transit Grants	53,390	53,390
108	Other	1,430	1,430
Total		$1,545,427	$1,545,427

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City Clerk
Nature and Extent of Services

The City Clerk is responsible for acting as ex-officio Clerk of the City Council, the Board of Bids and Contracts, and Staff Screening and Selection Committee; and preparing minutes of all meetings and performing such other duties. Allowable costs are allocated as described below:

- **Records** – Costs are allocated based upon the number of full-time equivalent positions by department and division.

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

A. Department Costs

Dept:6 City Clerk

Description		Amount	General Admin	Records
Personnel Costs				
Salaries	S1	132,870	0	132,870
Salary % Split			*.00%*	*100.00%*
Benefits	S	60,491	0	60,491
Subtotal - Personnel Costs		193,361	0	193,361
Services & Supplies Cost				
Contract Svcs	S	27,737	0	27,737
Mat & Supp	S	850	0	850
Capital	D	0	0	0
Revenue	S	0	0	0
Subtotal - Services & Supplies		28,587	0	28,587
Department Cost Total		221,948	0	221,948
Adjustments to Cost				
Capital	D	0	0	0
Subtotal - Adjustments		0	0	0
Total Costs After Adjustments		221,948	0	221,948
General Admin Distribution			0	0
Grand Total		$221,948		$221,948

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B. Incoming Costs - (Default Spread Salary%)

Dept:6 City Clerk

	Department	First Incoming	Second Incoming	Records
2	City Hall	$5,287	$0	$5,287
	Subtotal - Building Depreciation	5,287	0	5,287
3	Manager	731	285	1,016
	Subtotal - City Manager	731	285	1,016
4	Advice & Opinions	69	3	72
4	Dept Support	5,249	241	5,490
	Subtotal - Law Department	5,318	243	5,562
5	Personnel	902	52	954
	Subtotal - Human Resources	902	52	954
6	Records	0	144	144
	Subtotal - City Clerk	0	144	144
7	Finance Dir	0	59	59
7	Budget	0	583	583
	Subtotal - Director of Finance	0	642	642
9	Genl Accounting	0	470	470
9	Payroll	0	354	354
	Subtotal - Gen Acctng	0	824	824
10	Purchasing	0	82	82
	Subtotal - Purchasing	0	82	82
11	Internal Audit	0	0	0
11	City Mgr Support	0	115	115
	Subtotal - Admin Svcs	0	115	115
13	City Hall	0	57,232	57,232
	Subtotal - PW Bldg Svcs	0	57,232	57,232
Total Incoming		12,238	59,619	71,857
C. Total Allocated			$293,805	$293,805
				100.00%

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Records Allocations

Dept:6 City Clerk

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	29.21	0.90%	$2,108	$0	$2,108	$0	$2,108
4	Law Department	24.96	0.77%	1,801	0	1,801	0	1,801
5	Human Resources	15.17	0.47%	1,095	0	1,095	0	1,095
6	City Clerk	2.00	0.06%	144	0	144	0	144
7	Director of Finance	8.08	0.25%	583	0	583	152	735
8	Treasury	14.33	0.44%	1,034	0	1,034	269	1,303
9	Gen Acctng	14.00	0.43%	1,010	0	1,010	263	1,273
10	Purchasing	10.25	0.32%	740	0	740	193	932
11	Admin Svcs	3.50	0.11%	253	0	253	66	318
12	PW Admin	8.25	0.25%	595	0	595	155	750
13	PW Bldg Svcs	44.25	1.36%	3,193	0	3,193	831	4,024
14	PW-Street Maint.	100.42	3.09%	7,247	0	7,247	1,886	9,133
15	Housing Admin	2.00	0.06%	144	0	144	38	182
17	Public Information	2.75	0.08%	198	0	198	52	250
20	N'hood Initiative/Centers	2.92	0.09%	211	0	211	55	266
21	City Council	12.33	0.38%	890	0	890	232	1,121
22	Sp Assessments	5.00	0.15%	361	0	361	94	455
23	Court	81.92	2.52%	5,912	0	5,912	1,539	7,451
24	Com Fac-Century2	39.76	1.23%	2,869	0	2,869	747	3,616
25	Expo Hall	1.08	0.03%	78	0	78	20	98
28	Fire Department	455.83	14.05%	32,895	0	32,895	8,563	41,457
29	Police-Field	523.29	16.13%	37,763	0	37,763	9,830	47,593
30	Police-Support	145.08	4.47%	10,470	0	10,470	2,725	13,195
31	Police-Investigations	180.33	5.56%	13,013	0	13,013	3,387	16,401
32	Library Operations	114.42	3.53%	8,257	0	8,257	2,149	10,406
34	Art Museum	11.40	0.35%	823	0	823	214	1,037
36	Cowtown Operations	10.81	0.33%	780	0	780	203	983
38	MAAIC	4.25	0.13%	307	0	307	80	387
41	City Arts & Culture	18.70	0.58%	1,349	0	1,349	351	1,701
42	Park-Forestry-Landscape	93.46	2.88%	6,744	0	6,744	1,756	8,500
44	Public Works-Engineer	66.25	2.04%	4,781	0	4,781	1,244	6,025
46	Park Department-Admin	7.67	0.24%	554	0	554	144	698
47	Botanica	4.00	0.12%	289	0	289	75	364
48	Park Department-Recreation	113.89	3.51%	8,219	0	8,219	2,139	10,358
49	Central Insp	34.08	1.05%	2,459	0	2,459	640	3,100
52	Landfill	8.90	0.27%	642	0	642	167	809
54	Property Management Operations	2.00	0.06%	144	0	144	38	182
56	Airport	141.17	4.35%	10,187	0	10,187	2,652	12,839
57	Golf Course Ops	93.06	2.87%	6,716	0	6,716	1,748	8,464
58	Transit Ops	23.75	0.73%	1,714	0	1,714	446	2,160
60	Economic Develop	2.00	0.06%	144	0	144	38	182
62	Sewer	142.42	4.39%	10,278	0	10,278	2,675	12,953

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Records Allocations

Dept:6 City Clerk

Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
63 Water-Operations	17.71	0.55%	$1,278	$0	$1,278	$333	$1,611
64 Water Sys Plan/Dev	17.50	0.54%	1,263	0	1,263	329	1,592
66 WS-Prod / Pumping	74.13	2.28%	5,350	0	5,350	1,392	6,742
67 WS-Trmnt/Distrib	78.33	2.41%	5,653	0	5,653	1,471	7,124
68 Storm Water Ops	37.42	1.15%	2,700	0	2,700	703	3,403
72 IT/IS	54.58	1.68%	3,939	0	3,939	1,025	4,964
74 PW-Fleet Fund	46.25	1.43%	3,338	0	3,338	869	4,206
76 Risk-Work Comp	2.00	0.06%	144	0	144	38	182
78 Risk-Gen Liability	2.00	0.06%	144	0	144	38	182
79 PW-Flood Control	23.92	0.74%	1,726	0	1,726	449	2,175
80 MAPD Planning	12.75	0.39%	920	0	920	240	1,160
81 Env Hlth Svcs	26.85	0.83%	1,938	0	1,938	504	2,442
83 Pension Management	6.00	0.18%	433	0	433	113	546
87 CDBG	45.38	1.40%	3,275	0	3,275	852	4,127
88 CSBG	6.00	0.18%	433	0	433	113	546
97 Fire Grants	6.00	0.18%	433	0	433	113	546
98 Environmental Health Grants	3.00	0.09%	216	0	216	56	273
102 Police Grants	10.58	0.33%	763	0	763	199	962
103 Public Improvements	2.68	0.08%	193	0	193	50	244
104 Downtown Parking Fund	2.00	0.06%	144	0	144	38	182
105 HOME Program	1.00	0.03%	72	0	72	19	91
106 Wichita Housing Authority	35.17	1.08%	2,538	0	2,538	661	3,199
107 Transit Grants	111.98	3.45%	8,081	0	8,081	2,103	10,184
108 Other	3.00	0.09%	216	0	216	56	273
Subtotal	3,245.17	100.00%	234,186	0	234,186	59,619	293,805
Direct Bills					0		0
Total					$234,186		$293,805

Basis Units: # of Full Time Equivalent Positions

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Allocation Summary

Dept:6 City Clerk

	Department	Records	Total
3	City Manager	$2,108	$2,108
4	Law Department	1,801	1,801
5	Human Resources	1,095	1,095
6	City Clerk	144	144
7	Director of Finance	735	735
8	Treasury	1,303	1,303
9	Gen Acctng	1,273	1,273
10	Purchasing	932	932
11	Admin Svcs	318	318
12	PW Admin	750	750
13	PW Bldg Svcs	4,024	4,024
14	PW-Street Maint.	9,133	9,133
15	Housing Admin	182	182
17	Public Information	250	250
20	N'hood Initiative/Centers	266	266
21	City Council	1,121	1,121
22	Sp Assessments	455	455
23	Court	7,451	7,451
24	Com Fac-Century2	3,616	3,616
25	Expo Hall	98	98
28	Fire Department	41,457	41,457
29	Police-Field	47,593	47,593
30	Police-Support	13,195	13,195
31	Police-Investigations	16,401	16,401
32	Library Operations	10,406	10,406
34	Art Museum	1,037	1,037
36	Cowtown Operations	983	983
38	MAAIC	387	387
41	City Arts & Culture	1,701	1,701
42	Park-Forestry-Landscape	8,500	8,500
44	Public Works-Engineer	6,025	6,025
46	Park Department-Admin	698	698
47	Botanica	364	364
48	Park Department-Recreation	10,358	10,358
49	Central Insp	3,100	3,100
52	Landfill	809	809
54	Property Management Operations	182	182
56	Airport	12,839	12,839
57	Golf Course Ops	8,464	8,464
58	Transit Ops	2,160	2,160
60	Economic Develop	182	182

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Allocation Summary

Dept:6 City Clerk

	Department	Records	Total
62	Sewer	$12,953	$12,953
63	Water-Operations	1,611	1,611
64	Water Sys Plan/Dev	1,592	1,592
66	WS-Prod / Pumping	6,742	6,742
67	WS-Trmnt/Distrib	7,124	7,124
68	Storm Water Ops	3,403	3,403
72	IT/IS	4,964	4,964
74	PW-Fleet Fund	4,206	4,206
76	Risk-Work Comp	182	182
78	Risk-Gen Liability	182	182
79	PW-Flood Control	2,175	2,175
80	MAPD Planning	1,160	1,160
81	Env Hlth Svcs	2,442	2,442
83	Pension Management	546	546
87	CDBG	4,127	4,127
88	CSBG	546	546
97	Fire Grants	546	546
98	Environmental Health Grants	273	273
102	Police Grants	962	962
103	Public Improvements	244	244
104	Downtown Parking Fund	182	182
105	HOME Program	91	91
106	Wichita Housing Authority	3,199	3,199
107	Transit Grants	10,184	10,184
108	Other	273	273
Total		$293,805	$293,805

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Director of Finance
Nature and Extent of Services

The mission of the Director of Finance is to maintain the fiscal integrity of the City organization through financial services, timely information and analysis, innovation, financial management and appropriate controls. The Director's Office is responsible for the overall management of the Finance Department. In addition, the Budget and Research Office prepares and administers the annual City budget and the 10-year Capital Improvement Program (CIP). The Director's Office staff members advise the City Manager regarding financial and management issues and assist department directors and their staff with research, analysis, and support regarding appropriate and necessary administrative and budget procedures. The Department of Finance exists to aid the entire organization in accomplishing its varied missions. Support involves helping other functions understand, plan, prioritize, control, report, satisfy requirements, and/or wisely use available resources. Costs are allocated as shown below for the following allowable functions:

- **Director of Finance** – Costs associated with the Director are allocated based upon the actual expenditures of all City departments.
- **Budget** – Costs related to the budget function are allocated based upon the number of full-time equivalent positions.
- **Tourism Business Improvement DIstrict (TBID)** – Costs related to TBID are not allocated.

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

A. Department Costs

Dept:7 Director of Finance

Description		Amount	General Admin	Finance Dir	Budget	TBID
Personnel Costs						
Salaries	S1	730,345	0	156,548	573,797	0
Salary % Split			*.00%*	*21.43%*	*78.57%*	*.00%*
Benefits	S	251,171	0	53,838	197,333	0
Subtotal - Personnel Costs		981,516	0	210,386	771,130	0
Services & Supplies Cost						
Contract Svcs	S	169,065	0	36,239	132,826	0
Other Prof Svcs	P	83,212	0	0	0	83,212
Mat & Supp	S	1,331	0	285	1,046	0
Misc & Sundry	P	3,018,868	0	0	0	3,018,868
Transient Guest Tax	P	(3,328,489)	0	0	0	(3,328,489)
Admin Fees	P	(83,213)	0	0	0	(83,213)
Reimbursements	S	(155,961)	0	(33,430)	(122,531)	0
Capital	D	5,450	0	0	0	0
Subtotal - Services & Supplies		(289,737)	0	3,094	11,341	(309,622)
Department Cost Total		691,779	0	213,480	782,471	(309,622)
Adjustments to Cost						
Capital	D	(5,450)	0	0	0	0
Subtotal - Adjustments		(5,450)	0	0	0	0
Total Costs After Adjustments		686,329	0	213,480	782,471	(309,622)
General Admin Distribution			0	0	0	0
Grand Total		$686,329		$213,480	$782,471	$(309,622)

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B. Incoming Costs - (Default Spread Salary%)

Dept:7 Director of Finance

	Department	First Incoming	Second Incoming	Finance Dir	Budget	TBID
1	Equipment Depreciation	$4,060	$0	$870	$3,190	$0
	Subtotal - Equipment Depreciation	4,060	0	870	3,190	0
2	City Hall	4,922	0	1,055	3,867	0
	Subtotal - Building Depreciation	4,922	0	1,055	3,867	0
3	Manager	2,955	1,151	880	3,226	0
	Subtotal - City Manager	2,955	1,151	880	3,226	0
4	Advice & Opinions	280	11	62	229	0
4	Dept Support	191,411	8,774	42,909	157,276	0
	Subtotal - Law Department	191,691	8,785	42,972	157,504	0
5	Personnel	3,642	210	826	3,027	0
	Subtotal - Human Resources	3,642	210	826	3,027	0
6	Records	583	152	158	577	0
	Subtotal - City Clerk	583	152	158	577	0
7	Finance Dir	0	1,129	242	887	0
7	Budget	0	2,355	505	1,850	0
	Subtotal - Director of Finance	0	3,484	747	2,737	0
8	Cash Mgmt	0	947	203	744	0
	Subtotal - Treasury	0	947	203	744	0
9	Genl Accounting	0	950	204	746	0
9	Payroll	0	1,430	307	1,124	0
	Subtotal - Gen Acctng	0	2,380	510	1,870	0
10	Purchasing	0	329	70	258	0
	Subtotal - Purchasing	0	329	70	258	0
11	Internal Audit	0	0	0	0	0
11	City Mgr Support	0	463	99	364	0

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B. Incoming Costs - (Default Spread Salary%)

Dept:7 Director of Finance

	Department	First Incoming	Second Incoming	Finance Dir	Budget	TBID
	Subtotal - Admin Svcs	$0	$463	$99	$364	$0
13	City Hall	0	53,281	11,421	41,861	0
	Subtotal - PW Bldg Svcs	0	53,281	11,421	41,861	0
Total Incoming		207,853	71,182	59,811	219,225	0
C. Total Allocated			$965,364	$273,291	$1,001,696	$(309,622)
				28.31%	103.76%	(32.07)%

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Finance Dir Allocations

Dept:7 Director of Finance

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	2,687,371	0.28%	$712	$0	$712	$0	$712
4	Law Department	2,743,275	0.28%	727	0	727	0	727
5	Human Resources	1,666,979	0.17%	442	0	442	0	442
6	City Clerk	221,949	0.02%	59	0	59	0	59
7	Director of Finance	4,259,443	0.44%	1,129	0	1,129	0	1,129
8	Treasury	1,145,068	0.12%	304	0	304	18	322
9	Gen Acctng	1,393,675	0.14%	369	0	369	22	392
10	Purchasing	961,778	0.10%	255	0	255	15	270
11	Admin Svcs	247,783	0.03%	66	0	66	4	70
12	PW Admin	898,559	0.09%	238	0	238	14	252
13	PW Bldg Svcs	4,872,562	0.50%	1,291	0	1,291	77	1,369
14	PW-Street Maint.	11,434,382	1.17%	3,031	0	3,031	181	3,212
15	Housing Admin	233,697	0.02%	62	0	62	4	66
16	Homelessness Assistance	355,942	0.04%	94	0	94	6	100
17	Public Information	397,610	0.04%	105	0	105	6	112
18	Intgovt Affairs	136,587	0.01%	36	0	36	2	38
20	N'hood Initiative/Centers	325,655	0.03%	86	0	86	5	91
21	City Council	1,190,857	0.12%	316	0	316	19	335
22	Sp Assessments	400,537	0.04%	106	0	106	6	113
23	Court	6,647,118	0.68%	1,762	0	1,762	105	1,867
24	Com Fac-Century2	3,951,973	0.41%	1,047	0	1,047	63	1,110
25	Expo Hall	163,746	0.02%	43	0	43	3	46
27	Ice Rink	28,617	0.00%	8	0	8	0	8
28	Fire Department	47,926,046	4.92%	12,703	0	12,703	760	13,463
29	Police-Field	53,577,880	5.50%	14,201	0	14,201	850	15,051
30	Police-Support	12,901,720	1.33%	3,420	0	3,420	205	3,624
31	Police-Investigations	21,042,424	2.16%	5,577	0	5,577	334	5,911
32	Library Operations	9,192,453	0.94%	2,436	0	2,436	146	2,582
33	Wichita Arts Council	6,779	0.00%	2	0	2	0	2
34	Art Museum	1,895,244	0.19%	502	0	502	30	532
35	Historical Museum	167,229	0.02%	44	0	44	3	47
36	Cowtown Operations	959,166	0.10%	254	0	254	15	269
37	Farm - Art Mkt / Plaza	1,656	0.00%	0	0	0	0	0
38	MAAIC	290,267	0.03%	77	0	77	5	82
39	African-Am Museum	22,386	0.00%	6	0	6	0	6
40	Aviation Museum	34,245	0.00%	9	0	9	1	10
41	City Arts & Culture	1,738,362	0.18%	461	0	461	28	488
42	Park-Forestry-Landscape	10,794,212	1.11%	2,861	0	2,861	171	3,032
44	Public Works-Engineer	10,144,888	1.04%	2,689	0	2,689	161	2,850
46	Park Department-Admin	670,767	0.07%	178	0	178	11	188
47	Botanica	437,379	0.04%	116	0	116	7	123
48	Park Department-Recreation	6,158,768	0.63%	1,632	0	1,632	98	1,730

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Finance Dir Allocations **Dept:7 Director of Finance**

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
49	Central Insp	3,612,796	0.37%	$958	$0	$958	$57	$1,015
50	Tourism Convention	7,483,014	0.77%	1,983	0	1,983	119	2,102
51	Special Alcohol Drug	1,792,793	0.18%	475	0	475	28	504
52	Landfill	2,894,848	0.30%	767	0	767	46	813
54	Property Management Operations	602,476	0.06%	160	0	160	10	169
55	St Office Bldg	517,167	0.05%	137	0	137	8	145
56	Airport	27,586,199	2.83%	7,312	0	7,312	438	7,749
57	Golf Course Ops	4,399,528	0.45%	1,166	0	1,166	70	1,236
58	Transit Ops	6,188,509	0.64%	1,640	0	1,640	98	1,738
59	Gilbert/Mosley TIF	1,071,367	0.11%	284	0	284	17	301
60	Economic Develop	1,917,173	0.20%	508	0	508	30	539
61	North Industrial Corridor TIF	368,586	0.04%	98	0	98	6	104
62	Sewer	42,497,153	4.37%	11,264	0	11,264	674	11,938
63	Water-Operations	28,085,802	2.88%	7,444	0	7,444	445	7,890
64	Water Sys Plan/Dev	315,316	0.03%	84	0	84	5	89
66	WS-Prod / Pumping	13,658,453	1.40%	3,620	0	3,620	217	3,837
67	WS-Trmnt/Distrib	13,236,329	1.36%	3,508	0	3,508	210	3,718
68	Storm Water Ops	7,084,340	0.73%	1,878	0	1,878	112	1,990
69	Water Projects	19,741,181	2.03%	5,232	0	5,232	313	5,546
70	Stormwater Projects	11,751,100	1.21%	3,115	0	3,115	186	3,301
71	Sewer Projects	33,126,968	3.40%	8,780	0	8,780	525	9,306
72	IT/IS	10,701,769	1.10%	2,837	0	2,837	170	3,006
73	Print Shop	515,631	0.05%	137	0	137	8	145
74	PW-Fleet Fund	13,534,851	1.39%	3,587	0	3,587	215	3,802
75	Self Ins - Group Health	50,507,109	5.19%	13,387	0	13,387	801	14,188
76	Risk-Work Comp	4,908,178	0.50%	1,301	0	1,301	78	1,379
77	Self Ins - Group Life	879,866	0.09%	233	0	233	14	247
78	Risk-Gen Liability	5,207,293	0.53%	1,380	0	1,380	83	1,463
79	PW-Flood Control	2,388,528	0.25%	633	0	633	38	671
80	MAPD Planning	1,457,142	0.15%	386	0	386	23	409
81	Env Hlth Svcs	2,842,521	0.29%	753	0	753	45	799
82	Pension-WER	44,569,841	4.58%	11,813	0	11,813	707	12,520
83	Pension Management	249,191	0.03%	66	0	66	4	70
84	Pension Plan 3B	2,154,321	0.22%	571	0	571	34	605
85	Pension-P&F	43,645,147	4.48%	11,568	0	11,568	692	12,261
86	Airport Projects	6,360,146	0.65%	1,686	0	1,686	101	1,787
87	CDBG	3,265,313	0.34%	865	0	865	52	917
88	CSBG	938,304	0.10%	249	0	249	15	264
89	WAMPO-UWP	1,605,098	0.16%	425	0	425	25	451
90	WSCCAP	5,893	0.00%	2	0	2	0	2
91	City Manager Grants	118,285	0.01%	31	0	31	2	33
92	Park Grants	27,193	0.00%	7	0	7	0	8

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Finance Dir Allocations

Dept:7 Director of Finance

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
93	Finance Grants	2,206	0.00%	$1	$0	$1	$0	$1
94	Law Grants	117,106	0.01%	31	0	31	2	33
95	Municipal Court Grants	11,041	0.00%	3	0	3	0	3
96	Emergency Shelter HUD	571,362	0.06%	151	0	151	9	161
97	Fire Grants	563,777	0.06%	149	0	149	9	158
98	Environmental Health Grants	691,383	0.07%	183	0	183	11	194
99	Library Grants	357,845	0.04%	95	0	95	6	101
100	Planning Grants	25,079	0.00%	7	0	7	0	7
101	Public Works Grants	13,333	0.00%	4	0	4	0	4
102	Police Grants	1,843,821	0.19%	489	0	489	29	518
103	Public Improvements	162,722,998	16.72%	43,130	0	43,130	2,581	45,711
104	Downtown Parking Fund	1,395,136	0.14%	370	0	370	22	392
105	HOME Program	1,381,942	0.14%	366	0	366	22	388
106	Wichita Housing Authority	21,600,139	2.22%	5,725	0	5,725	343	6,068
107	Transit Grants	10,388,640	1.07%	2,754	0	2,754	165	2,918
108	Other	123,688,535	12.71%	32,784	0	32,784	1,962	34,746
Subtotal		973,514,095	100.00%	258,033	0	258,033	15,258	273,291
Direct Bills						0		0
Total						$258,033		$273,291

Basis Units: Actual Expenditures

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Budget Allocations

Dept:7 Director of Finance

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	29.21	0.90%	$8,513	$0	$8,513	$0	$8,513
4	Law Department	24.96	0.77%	7,274	0	7,274	0	7,274
5	Human Resources	15.17	0.47%	4,421	0	4,421	0	4,421
6	City Clerk	2.00	0.06%	583	0	583	0	583
7	Director of Finance	8.08	0.25%	2,355	0	2,355	0	2,355
8	Treasury	14.33	0.44%	4,176	0	4,176	253	4,429
9	Gen Acctng	14.00	0.43%	4,080	0	4,080	247	4,327
10	Purchasing	10.25	0.32%	2,987	0	2,987	181	3,168
11	Admin Svcs	3.50	0.11%	1,020	0	1,020	62	1,082
12	PW Admin	8.25	0.25%	2,404	0	2,404	146	2,550
13	PW Bldg Svcs	44.25	1.36%	12,896	0	12,896	782	13,678
14	PW-Street Maint.	100.42	3.09%	29,266	0	29,266	1,774	31,040
15	Housing Admin	2.00	0.06%	583	0	583	35	618
17	Public Information	2.75	0.08%	801	0	801	49	850
20	N'hood Initiative/Centers	2.92	0.09%	851	0	851	52	903
21	City Council	12.33	0.38%	3,593	0	3,593	218	3,811
22	Sp Assessments	5.00	0.15%	1,457	0	1,457	88	1,546
23	Court	81.92	2.52%	23,875	0	23,875	1,447	25,322
24	Com Fac-Century2	39.76	1.23%	11,588	0	11,588	702	12,290
25	Expo Hall	1.08	0.03%	315	0	315	19	334
28	Fire Department	455.83	14.05%	132,847	0	132,847	8,052	140,899
29	Police-Field	523.29	16.13%	152,507	0	152,507	9,244	161,752
30	Police-Support	145.08	4.47%	42,282	0	42,282	2,563	44,845
31	Police-Investigations	180.33	5.56%	52,555	0	52,555	3,186	55,741
32	Library Operations	114.42	3.53%	33,347	0	33,347	2,021	35,368
34	Art Museum	11.40	0.35%	3,322	0	3,322	201	3,524
36	Cowtown Operations	10.81	0.33%	3,150	0	3,150	191	3,341
38	MAAIC	4.25	0.13%	1,239	0	1,239	75	1,314
41	City Arts & Culture	18.70	0.58%	5,450	0	5,450	330	5,780
42	Park-Forestry-Landscape	93.46	2.88%	27,238	0	27,238	1,651	28,889
44	Public Works-Engineer	66.25	2.04%	19,308	0	19,308	1,170	20,478
46	Park Department-Admin	7.67	0.24%	2,235	0	2,235	135	2,371
47	Botanica	4.00	0.12%	1,166	0	1,166	71	1,236
48	Park Department-Recreation	113.89	3.51%	33,192	0	33,192	2,012	35,204
49	Central Insp	34.08	1.05%	9,932	0	9,932	602	10,534
52	Landfill	8.90	0.27%	2,594	0	2,594	157	2,751
54	Property Management Operations	2.00	0.06%	583	0	583	35	618
56	Airport	141.17	4.35%	41,143	0	41,143	2,494	43,636
57	Golf Course Ops	93.06	2.87%	27,121	0	27,121	1,644	28,765
58	Transit Ops	23.75	0.73%	6,922	0	6,922	420	7,341
60	Economic Develop	2.00	0.06%	583	0	583	35	618
62	Sewer	142.42	4.39%	41,507	0	41,507	2,516	44,023

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Budget Allocations

Dept:7 Director of Finance

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
63	Water-Operations	17.71	0.55%	$5,161	$0	$5,161	$313	$5,474
64	Water Sys Plan/Dev	17.50	0.54%	5,100	0	5,100	309	5,409
66	WS-Prod / Pumping	74.13	2.28%	21,604	0	21,604	1,310	22,914
67	WS-Trmnt/Distrib	78.33	2.41%	22,828	0	22,828	1,384	24,212
68	Storm Water Ops	37.42	1.15%	10,906	0	10,906	661	11,567
72	IT/IS	54.58	1.68%	15,907	0	15,907	964	16,871
74	PW-Fleet Fund	46.25	1.43%	13,479	0	13,479	817	14,296
76	Risk-Work Comp	2.00	0.06%	583	0	583	35	618
78	Risk-Gen Liability	2.00	0.06%	583	0	583	35	618
79	PW-Flood Control	23.92	0.74%	6,971	0	6,971	423	7,394
80	MAPD Planning	12.75	0.39%	3,716	0	3,716	225	3,941
81	Env Hlth Svcs	26.85	0.83%	7,825	0	7,825	474	8,299
83	Pension Management	6.00	0.18%	1,749	0	1,749	106	1,855
87	CDBG	45.38	1.40%	13,226	0	13,226	802	14,027
88	CSBG	6.00	0.18%	1,749	0	1,749	106	1,855
97	Fire Grants	6.00	0.18%	1,749	0	1,749	106	1,855
98	Environmental Health Grants	3.00	0.09%	874	0	874	53	927
102	Police Grants	10.58	0.33%	3,083	0	3,083	187	3,270
103	Public Improvements	2.68	0.08%	781	0	781	47	828
104	Downtown Parking Fund	2.00	0.06%	583	0	583	35	618
105	HOME Program	1.00	0.03%	291	0	291	18	309
106	Wichita Housing Authority	35.17	1.08%	10,250	0	10,250	621	10,871
107	Transit Grants	111.98	3.45%	32,635	0	32,635	1,978	34,614
108	Other	3.00	0.09%	874	0	874	53	927
Subtotal		3,245.17	100.00%	945,771	0	945,771	55,925	1,001,696
Direct Bills						0		0
Total						$945,771		$1,001,696

Basis Units: # of Full Time Equivalent Positions

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

TBID Allocations **Dept:7 Director of Finance**

Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
108 Other	100	100.00%	$(309,622)	$0	$(309,622)	$0	$(309,622)
Subtotal	100	100.00%	(309,622)	0	(309,622)	0	(309,622)
Direct Bills					0		0
Total					$(309,622)		$(309,622)

Basis Units: Direct 100% to Other

Cost Allocation & User Fee Study
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Allocation Summary

Dept:7 Director of Finance

	Department	Finance Dir	Budget	TBID	Total
3	City Manager	$712	$8,513	$0	$9,225
4	Law Department	727	7,274	0	8,001
5	Human Resources	442	4,421	0	4,863
6	City Clerk	59	583	0	642
7	Director of Finance	1,129	2,355	0	3,484
8	Treasury	322	4,429	0	4,751
9	Gen Acctng	392	4,327	0	4,719
10	Purchasing	270	3,168	0	3,439
11	Admin Svcs	70	1,082	0	1,151
12	PW Admin	252	2,550	0	2,803
13	PW Bldg Svcs	1,369	13,678	0	15,047
14	PW-Street Maint.	3,212	31,040	0	34,252
15	Housing Admin	66	618	0	684
16	Homelessness Assistance	100	0	0	100
17	Public Information	112	850	0	962
18	Intgovt Affairs	38	0	0	38
20	N'hood Initiative/Centers	91	903	0	994
21	City Council	335	3,811	0	4,146
22	Sp Assessments	113	1,546	0	1,658
23	Court	1,867	25,322	0	27,189
24	Com Fac-Century2	1,110	12,290	0	13,400
25	Expo Hall	46	334	0	380
27	Ice Rink	8	0	0	8
28	Fire Department	13,463	140,899	0	154,363
29	Police-Field	15,051	161,752	0	176,802
30	Police-Support	3,624	44,845	0	48,469
31	Police-Investigations	5,911	55,741	0	61,652
32	Library Operations	2,582	35,368	0	37,950
33	Wichita Arts Council	2	0	0	2
34	Art Museum	532	3,524	0	4,056
35	Historical Museum	47	0	0	47
36	Cowtown Operations	269	3,341	0	3,611
37	Farm - Art Mkt / Plaza	0	0	0	0
38	MAAIC	82	1,314	0	1,395
39	African-Am Museum	6	0	0	6
40	Aviation Museum	10	0	0	10
41	City Arts & Culture	488	5,780	0	6,269
42	Park-Forestry-Landscape	3,032	28,889	0	31,921
44	Public Works-Engineer	2,850	20,478	0	23,328
46	Park Department-Admin	188	2,371	0	2,559
47	Botanica	123	1,236	0	1,359

Cost Allocation & User Fee Study
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Allocation Summary

Dept:7 Director of Finance

	Department	Finance Dir	Budget	TBID	Total
48	Park Department-Recreation	$1,730	$35,204	$0	$36,934
49	Central Insp	1,015	10,534	0	11,549
50	Tourism Convention	2,102	0	0	2,102
51	Special Alcohol Drug	504	0	0	504
52	Landfill	813	2,751	0	3,564
54	Property Management Operations	169	618	0	787
55	St Office Bldg	145	0	0	145
56	Airport	7,749	43,636	0	51,386
57	Golf Course Ops	1,236	28,765	0	30,001
58	Transit Ops	1,738	7,341	0	9,080
59	Gilbert/Mosley TIF	301	0	0	301
60	Economic Develop	539	618	0	1,157
61	North Industrial Corridor TIF	104	0	0	104
62	Sewer	11,938	44,023	0	55,961
63	Water-Operations	7,890	5,474	0	13,364
64	Water Sys Plan/Dev	89	5,409	0	5,498
66	WS-Prod / Pumping	3,837	22,914	0	26,751
67	WS-Trmnt/Distrib	3,718	24,212	0	27,930
68	Storm Water Ops	1,990	11,567	0	13,557
69	Water Projects	5,546	0	0	5,546
70	Stormwater Projects	3,301	0	0	3,301
71	Sewer Projects	9,306	0	0	9,306
72	IT/IS	3,006	16,871	0	19,877
73	Print Shop	145	0	0	145
74	PW-Fleet Fund	3,802	14,296	0	18,098
75	Self Ins - Group Health	14,188	0	0	14,188
76	Risk-Work Comp	1,379	618	0	1,997
77	Self Ins - Group Life	247	0	0	247
78	Risk-Gen Liability	1,463	618	0	2,081
79	PW-Flood Control	671	7,394	0	8,065
80	MAPD Planning	409	3,941	0	4,350
81	Env Hlth Svcs	799	8,299	0	9,098
82	Pension-WER	12,520	0	0	12,520
83	Pension Management	70	1,855	0	1,925
84	Pension Plan 3B	605	0	0	605
85	Pension-P&F	12,261	0	0	12,261
86	Airport Projects	1,787	0	0	1,787
87	CDBG	917	14,027	0	14,944
88	CSBG	264	1,855	0	2,118
89	WAMPO-UWP	451	0	0	451
90	WSCCAP	2	0	0	2

Cost Allocation & User Fee Study
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Allocation Summary

Dept:7 Director of Finance

	Department	Finance Dir	Budget	TBID	Total
91	City Manager Grants	$33	$0	$0	$33
92	Park Grants	8	0	0	8
93	Finance Grants	1	0	0	1
94	Law Grants	33	0	0	33
95	Municipal Court Grants	3	0	0	3
96	Emergency Shelter HUD	161	0	0	161
97	Fire Grants	158	1,855	0	2,013
98	Environmental Health Grants	194	927	0	1,122
99	Library Grants	101	0	0	101
100	Planning Grants	7	0	0	7
101	Public Works Grants	4	0	0	4
102	Police Grants	518	3,270	0	3,788
103	Public Improvements	45,711	828	0	46,540
104	Downtown Parking Fund	392	618	0	1,010
105	HOME Program	388	309	0	697
106	Wichita Housing Authority	6,068	10,871	0	16,939
107	Transit Grants	2,918	34,614	0	37,532
108	Other	34,746	927	(309,622)	(273,949)
Total		$273,291	$1,001,696	$(309,622)	$965,364

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Treasury
Nature and Extent of Services

Treasury provides for the safe, efficient, and prudent handling of the City's cash assets through the establishment and monitoring of policies and procedures related to cash handling, investment of idle funds, and revenue collection activities. Treasury provides a variety of services for total City operation including, maintaining bank accounts, signing and disbursing checks, maintaining cash records, administering the accounts receivable program and performing other related duties. Costs are allocated as shown below for the following allowable functions:

- **Cash Management** – Costs associated with cash flow management are allocated based upon the number of revenue transactions by department or division.

- **Express Office** – Costs related to the Express Office are allocated based upon the number of Express Office transactions handled. Transactions related to the Water bill have been split between Water, Sewer and Stormwater based on the revenue handled for each segment of the utility operations. The direct billed credit included here is for the Water department's funding of the Express Office positions, and is derived from OCA 300004, Object Code 9944.

Cost Allocation & User Fee Study
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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

A. Department Costs

Dept:8 Treasury

Description		Amount	General Admin	Cash Mgmt	Express Office
Personnel Costs					
Salaries	S1	597,927	0	379,650	218,277
Salary % Split			*.00%*	*63.49%*	*36.51%*
Benefits	S	235,280	0	149,390	85,890
Subtotal - Personnel Costs		833,207	0	529,040	304,167
Services & Supplies Cost					
Postage	P	28,253	0	28,253	0
Printing & Copying	P	39,204	0	39,204	0
Contract Svcs	S	239,657	0	152,169	87,488
Materials & Supplies	S	4,747	0	3,014	1,733
Reimbursements/Revenue	P	(61,387)	0	(61,387)	0
Convenience Fees	P	(6,083)	0	0	(6,083)
Subtotal - Services & Supplies		244,391	0	161,253	83,138
Department Cost Total		1,077,598	0	690,292	387,306
Adjustments to Cost					
Subtotal - Adjustments		0	0	0	0
Total Costs After Adjustments		1,077,598	0	690,292	387,306
General Admin Distribution			0	0	0
Grand Total		$1,077,598		$690,292	$387,306

Cost Allocation & User Fee Study
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B. Incoming Costs - (Default Spread Salary%)

Dept:8 Treasury

	Department	First Incoming	Second Incoming	Cash Mgmt	Express Office
2	City Hall	$5,680	$0	$3,606	$2,073
	Subtotal - Building Depreciation	5,680	0	3,606	2,073
3	Manager	5,241	2,041	4,624	2,658
	Subtotal - City Manager	5,241	2,041	4,624	2,658
4	Advice & Opinions	496	20	328	189
	Subtotal - Law Department	496	20	328	189
5	Personnel	6,460	372	4,338	2,494
	Subtotal - Human Resources	6,460	372	4,338	2,494
6	Records	1,034	269	828	476
	Subtotal - City Clerk	1,034	269	828	476
7	Finance Dir	304	18	204	117
7	Budget	4,176	253	2,812	1,617
	Subtotal - Director of Finance	4,480	271	3,017	1,734
8	Cash Mgmt	0	29,696	18,855	10,841
	Subtotal - Treasury	0	29,696	18,855	10,841
9	Genl Accounting	0	8,676	5,509	3,167
9	Payroll	0	2,537	1,611	926
	Subtotal - Gen Acctng	0	11,213	7,120	4,093
10	Purchasing	0	1,726	1,096	630
	Subtotal - Purchasing	0	1,726	1,096	630
11	Internal Audit	0	0	0	0
11	City Mgr Support	0	821	521	300
	Subtotal - Admin Svcs	0	821	521	300
13	City Hall	0	61,486	39,040	22,446
	Subtotal - PW Bldg Svcs	0	61,486	39,040	22,446
Total Incoming		23,390	107,917	83,373	47,934
C. Total Allocated			$1,208,905	$773,665	$435,240
				64.00%	36.00%

Cost Allocation & User Fee Study
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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Cash Mgmt Allocations **Dept:8 Treasury**

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	17	0.01%	$82	$0	$82	$0	$82
4	Law Department	15	0.01%	72	0	72	0	72
5	Human Resources	8	0.01%	38	0	38	0	38
7	Director of Finance	197	0.13%	947	0	947	0	947
8	Treasury	6,175	4.21%	29,696	0	29,696	0	29,696
9	Gen Acctng	15	0.01%	72	0	72	7	79
10	Purchasing	64	0.04%	308	0	308	31	339
11	Admin Svcs	1	0.00%	5	0	5	0	5
12	PW Admin	1	0.00%	5	0	5	0	5
13	PW Bldg Svcs	3	0.00%	14	0	14	1	16
14	PW-Street Maint.	77	0.05%	370	0	370	38	408
16	Homelessness Assistance	24	0.02%	115	0	115	12	127
21	City Council	4	0.00%	19	0	19	2	21
22	Sp Assessments	3	0.00%	14	0	14	1	16
23	Court	32,189	21.95%	154,798	0	154,798	15,730	170,528
24	Com Fac-Century2	4,270	2.91%	20,535	0	20,535	2,087	22,621
25	Expo Hall	11	0.01%	53	0	53	5	58
27	Ice Rink	10	0.01%	48	0	48	5	53
28	Fire Department	1,094	0.75%	5,261	0	5,261	535	5,796
29	Police-Field	31,998	21.82%	153,879	0	153,879	15,637	169,516
30	Police-Support	6,448	4.40%	31,009	0	31,009	3,151	34,160
31	Police-Investigations	8	0.01%	38	0	38	4	42
32	Library Operations	1,525	1.04%	7,334	0	7,334	745	8,079
34	Art Museum	1	0.00%	5	0	5	0	5
36	Cowtown Operations	1,936	1.32%	9,310	0	9,310	946	10,256
37	Farm - Art Mkt / Plaza	13	0.01%	63	0	63	6	69
41	City Arts & Culture	1,233	0.84%	5,930	0	5,930	603	6,532
42	Park-Forestry-Landscape	14	0.01%	67	0	67	7	74
44	Public Works-Engineer	3,075	2.10%	14,788	0	14,788	1,503	16,290
46	Park Department-Admin	122	0.08%	587	0	587	60	646
48	Park Department-Recreation	11,333	7.73%	54,501	0	54,501	5,538	60,039
49	Central Insp	957	0.65%	4,602	0	4,602	468	5,070
50	Tourism Convention	4	0.00%	19	0	19	2	21
51	Special Alcohol Drug	4	0.00%	19	0	19	2	21
52	Landfill	881	0.60%	4,237	0	4,237	431	4,667
54	Property Management Operations	261	0.18%	1,255	0	1,255	128	1,383
55	St Office Bldg	2	0.00%	10	0	10	1	11
56	Airport	1,800	1.23%	8,656	0	8,656	880	9,536
57	Golf Course Ops	7,986	5.45%	38,405	0	38,405	3,903	42,308
58	Transit Ops	5,683	3.88%	27,330	0	27,330	2,777	30,107
59	Gilbert/Mosley TIF	44	0.03%	212	0	212	22	233
60	Economic Develop	225	0.15%	1,082	0	1,082	110	1,192

Cost Allocation & User Fee Study
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Cash Mgmt Allocations

Dept:8 Treasury

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
61	North Industrial Corridor TIF	19	0.01%	$91	$0	$91	$9	$101
62	Sewer	622	0.42%	2,991	0	2,991	304	3,295
63	Water-Operations	892	0.61%	4,290	0	4,290	436	4,726
65	WS-Water Cust Acct	2	0.00%	10	0	10	1	11
66	WS-Prod / Pumping	11	0.01%	53	0	53	5	58
67	WS-Trmnt/Distrib	90	0.06%	433	0	433	44	477
68	Storm Water Ops	137	0.09%	659	0	659	67	726
69	Water Projects	491	0.33%	2,361	0	2,361	240	2,601
70	Stormwater Projects	43	0.03%	207	0	207	21	228
71	Sewer Projects	345	0.24%	1,659	0	1,659	169	1,828
72	IT/IS	237	0.16%	1,140	0	1,140	116	1,256
73	Print Shop	69	0.05%	332	0	332	34	366
74	PW-Fleet Fund	286	0.20%	1,375	0	1,375	140	1,515
75	Self Ins - Group Health	266	0.18%	1,279	0	1,279	130	1,409
76	Risk-Work Comp	30	0.02%	144	0	144	15	159
77	Self Ins - Group Life	48	0.03%	231	0	231	23	254
78	Risk-Gen Liability	59	0.04%	284	0	284	29	313
79	PW-Flood Control	31	0.02%	149	0	149	15	164
80	MAPD Planning	404	0.28%	1,943	0	1,943	197	2,140
81	Env Hlth Svcs	5,820	3.97%	27,989	0	27,989	2,844	30,833
82	Pension-WER	185	0.13%	890	0	890	90	980
84	Pension Plan 3B	308	0.21%	1,481	0	1,481	151	1,632
85	Pension-P&F	149	0.10%	717	0	717	73	789
86	Airport Projects	269	0.18%	1,294	0	1,294	131	1,425
87	CDBG	313	0.21%	1,505	0	1,505	153	1,658
88	CSBG	49	0.03%	236	0	236	24	260
89	WAMPO-UWP	486	0.33%	2,337	0	2,337	237	2,575
90	WSCCAP	24	0.02%	115	0	115	12	127
91	City Manager Grants	6	0.00%	29	0	29	3	32
92	Park Grants	22	0.02%	106	0	106	11	117
93	Finance Grants	1	0.00%	5	0	5	0	5
94	Law Grants	17	0.01%	82	0	82	8	90
96	Emergency Shelter HUD	58	0.04%	279	0	279	28	307
97	Fire Grants	10	0.01%	48	0	48	5	53
98	Environmental Health Grants	37	0.03%	178	0	178	18	196
99	Library Grants	3	0.00%	14	0	14	1	16
100	Planning Grants	3	0.00%	14	0	14	1	16
101	Public Works Grants	1	0.00%	5	0	5	0	5
102	Police Grants	275	0.19%	1,322	0	1,322	134	1,457
103	Public Improvements	820	0.56%	3,943	0	3,943	401	4,344
104	Downtown Parking Fund	1,503	1.03%	7,228	0	7,228	734	7,962
105	HOME Program	135	0.09%	649	0	649	66	715

Cost Allocation & User Fee Study
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Cash Mgmt Allocations

Dept:8 Treasury

Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
106 Wichita Housing Authority	1,950	1.33%	$9,378	$0	$9,378	$953	$10,331
107 Transit Grants	514	0.35%	2,472	0	2,472	251	2,723
108 Other	9,858	6.72%	47,407	0	47,407	4,817	52,225
Subtotal	146,629	100.00%	705,144	0	705,144	68,521	773,665
Direct Bills					0		0
Total					$705,144		$773,665

Basis Units: # of Revenue Transactions

Cost Allocation & User Fee Study
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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Express Office Allocations **Dept:8 Treasury**

Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
58 Transit Ops	35	0.01%	$22	$0	$22	$2	$25
63 Water-Operations	567,875	92.06%	364,432	(453,471)	(89,039)	36,269	(52,769)
108 Other	48,913	7.93%	31,390	0	31,390	3,124	34,514
Subtotal	616,823	100.00%	395,844	(453,471)	(57,627)	39,396	(18,231)
Direct Bills					453,471		453,471
Total					$395,844		$435,240

Basis Units: # of Express Office Transactions

Cost Allocation & User Fee Study
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Allocation Summary

Dept:8 Treasury

	Department	Cash Mgmt	Express Office	Total
0	Direct Billed	$0	$453,471	$453,471
3	City Manager	82	0	82
4	Law Department	72	0	72
5	Human Resources	38	0	38
7	Director of Finance	947	0	947
8	Treasury	29,696	0	29,696
9	Gen Acctng	79	0	79
10	Purchasing	339	0	339
11	Admin Svcs	5	0	5
12	PW Admin	5	0	5
13	PW Bldg Svcs	16	0	16
14	PW-Street Maint.	408	0	408
16	Homelessness Assistance	127	0	127
21	City Council	21	0	21
22	Sp Assessments	16	0	16
23	Court	170,528	0	170,528
24	Com Fac-Century2	22,621	0	22,621
25	Expo Hall	58	0	58
27	Ice Rink	53	0	53
28	Fire Department	5,796	0	5,796
29	Police-Field	169,516	0	169,516
30	Police-Support	34,160	0	34,160
31	Police-Investigations	42	0	42
32	Library Operations	8,079	0	8,079
34	Art Museum	5	0	5
36	Cowtown Operations	10,256	0	10,256
37	Farm - Art Mkt / Plaza	69	0	69
41	City Arts & Culture	6,532	0	6,532
42	Park-Forestry-Landscape	74	0	74
44	Public Works-Engineer	16,290	0	16,290
46	Park Department-Admin	646	0	646
48	Park Department-Recreation	60,039	0	60,039
49	Central Insp	5,070	0	5,070
50	Tourism Convention	21	0	21
51	Special Alcohol Drug	21	0	21
52	Landfill	4,667	0	4,667
54	Property Management Operations	1,383	0	1,383
55	St Office Bldg	11	0	11
56	Airport	9,536	0	9,536
57	Golf Course Ops	42,308	0	42,308
58	Transit Ops	30,107	25	30,132

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Allocation Summary

Dept:8 Treasury

	Department	Cash Mgmt	Express Office	Total
59	Gilbert/Mosley TIF	$233	$0	$233
60	Economic Develop	1,192	0	1,192
61	North Industrial Corridor TIF	101	0	101
62	Sewer	3,295	0	3,295
63	Water-Operations	4,726	(52,769)	(48,044)
65	WS-Water Cust Acct	11	0	11
66	WS-Prod / Pumping	58	0	58
67	WS-Trmnt/Distrib	477	0	477
68	Storm Water Ops	726	0	726
69	Water Projects	2,601	0	2,601
70	Stormwater Projects	228	0	228
71	Sewer Projects	1,828	0	1,828
72	IT/IS	1,256	0	1,256
73	Print Shop	366	0	366
74	PW-Fleet Fund	1,515	0	1,515
75	Self Ins - Group Health	1,409	0	1,409
76	Risk-Work Comp	159	0	159
77	Self Ins - Group Life	254	0	254
78	Risk-Gen Liability	313	0	313
79	PW-Flood Control	164	0	164
80	MAPD Planning	2,140	0	2,140
81	Env Hlth Svcs	30,833	0	30,833
82	Pension-WER	980	0	980
84	Pension Plan 3B	1,632	0	1,632
85	Pension-P&F	789	0	789
86	Airport Projects	1,425	0	1,425
87	CDBG	1,658	0	1,658
88	CSBG	260	0	260
89	WAMPO-UWP	2,575	0	2,575
90	WSCCAP	127	0	127
91	City Manager Grants	32	0	32
92	Park Grants	117	0	117
93	Finance Grants	5	0	5
94	Law Grants	90	0	90
96	Emergency Shelter HUD	307	0	307
97	Fire Grants	53	0	53
98	Environmental Health Grants	196	0	196
99	Library Grants	16	0	16
100	Planning Grants	16	0	16
101	Public Works Grants	5	0	5
102	Police Grants	1,457	0	1,457

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Allocation Summary

Dept:8 Treasury

	Department	Cash Mgmt	Express Office	Total
103	Public Improvements	$4,344	$0	$4,344
104	Downtown Parking Fund	7,962	0	7,962
105	HOME Program	715	0	715
106	Wichita Housing Authority	10,331	0	10,331
107	Transit Grants	2,723	0	2,723
108	Other	52,225	34,514	86,739
Total		$773,665	$435,240	$1,208,905

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General Accounting
Nature and Extent of Services

It is the mission of General Accounting to ensure the integrity of the financial statements and accuracy of payments made to vendors, and assist in the financial management of the City. The office seeks to sustain the day-to-day accounting processes in conformity with the highest professional and regulatory standards while also pursuing efficiencies that will improve the overall financial management and financial status of the City. Service objectives include, minimizing the cost of financial transactions, producing the Comprehensive Annual Financial Report (CAFR) that is recognized as excellent by industry standards, and monitoring and auditing the vendor payment process for purchasing goods and services to assure accuracy and timeliness. Costs are allocated as shown below for the following allowable functions:

- **General Accounting** – Costs are allocated based upon the number of accounting transactions (expense and revenue) processed for departments during the year.
- **Grants Admin** – Costs associated with the administration and reporting for federal grants programs have been allocated based on the federal expenditures as reported in the CAFR.
- **Payroll** – Costs associated payroll activities have been allocated based on the number of FTEs.

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

A. Department Costs

Dept:9 Gen Acctng

Description		Amount	General Admin	Genl Accounting	Grants Admin	Payroll
Personnel Costs						
Salaries	S1	860,228	168,497	291,781	88,617	311,333
Salary % Split			*19.59%*	*33.92%*	*10.30%*	*36.19%*
Benefits	S	352,934	69,131	119,712	36,358	127,734
Subtotal - Personnel Costs		1,213,162	237,628	411,493	124,975	439,067
Services & Supplies Cost						
Contract Svcs	P	176,305	48,814	84,530	25,673	17,289
Mat & Supp	S	4,207	824	1,427	433	1,523
Witholding Admin Fees	P	(23,216)	0	0	0	(23,216)
Reimbursements	P	(85,090)	0	(85,090)	0	0
Subtotal - Services & Supplies		72,206	49,638	866	26,106	(4,405)
Department Cost Total		1,285,368	287,266	412,359	151,081	434,662
Adjustments to Cost						
Subtotal - Adjustments		0	0	0	0	0
Total Costs After Adjustments		1,285,368	287,266	412,359	151,081	434,662
General Admin Distribution			(287,266)	121,172	36,801	129,292
Grand Total		$1,285,368		$533,532	$187,882	$563,954

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B. Incoming Costs - (Default Spread Salary%)

Dept:9 Gen Acctng

	Department	First Incoming	Second Incoming	Genl Accounting	Grants Admin	Payroll
2	City Hall	$6,045	$0	$2,550	$774	$2,721
	Subtotal - Building Depreciation	6,045	0	2,550	774	2,721
3	Manager	5,120	1,994	3,001	911	3,202
	Subtotal - City Manager	5,120	1,994	3,001	911	3,202
4	Advice & Opinions	485	20	213	65	227
	Subtotal - Law Department	485	20	213	65	227
5	Personnel	6,311	364	2,816	855	3,004
	Subtotal - Human Resources	6,311	364	2,816	855	3,004
6	Records	1,010	263	537	163	573
	Subtotal - City Clerk	1,010	263	537	163	573
7	Finance Dir	369	22	165	50	176
7	Budget	4,080	247	1,825	554	1,948
	Subtotal - Director of Finance	4,450	269	1,991	605	2,124
8	Cash Mgmt	72	7	34	10	36
	Subtotal - Treasury	72	7	34	10	36
9	Genl Accounting	0	1,239	522	159	557
9	Payroll	0	2,479	1,045	318	1,116
	Subtotal - Gen Acctng	0	3,717	1,568	476	1,673
10	Purchasing	0	1,233	520	158	555
	Subtotal - Purchasing	0	1,233	520	158	555
11	Internal Audit	0	0	0	0	0
11	City Mgr Support	0	802	338	103	361
	Subtotal - Admin Svcs	0	802	338	103	361
13	City Hall	0	65,437	27,602	8,383	29,452
	Subtotal - PW Bldg Svcs	0	65,437	27,602	8,383	29,452
Total Incoming		23,493	74,106	41,168	12,503	43,927
C. Total Allocated			$1,382,967	$574,700	$200,386	$607,881
				41.56%	14.49%	43.95%

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Genl Accounting Allocations

Dept:9 Gen Acctng

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	1,635	0.39%	$2,109	$0	$2,109	$0	$2,109
4	Law Department	1,174	0.28%	1,515	0	1,515	0	1,515
5	Human Resources	718	0.17%	926	0	926	0	926
6	City Clerk	364	0.09%	470	0	470	0	470
7	Director of Finance	736	0.17%	950	0	950	0	950
8	Treasury	6,725	1.60%	8,676	0	8,676	0	8,676
9	Gen Acctng	960	0.23%	1,239	0	1,239	0	1,239
10	Purchasing	695	0.16%	897	0	897	53	950
11	Admin Svcs	417	0.10%	538	0	538	32	570
12	PW Admin	510	0.12%	658	0	658	39	697
13	PW Bldg Svcs	3,443	0.82%	4,442	0	4,442	263	4,705
14	PW-Street Maint.	10,960	2.60%	14,140	0	14,140	838	14,978
15	Housing Admin	609	0.14%	786	0	786	47	832
16	Homelessness Assistance	1,201	0.29%	1,549	0	1,549	92	1,641
17	Public Information	399	0.09%	515	0	515	31	545
18	Intgovt Affairs	93	0.02%	120	0	120	7	127
20	N'hood Initiative/Centers	473	0.11%	610	0	610	36	646
21	City Council	1,469	0.35%	1,895	0	1,895	112	2,008
22	Sp Assessments	364	0.09%	470	0	470	28	497
23	Court	34,617	8.22%	44,661	0	44,661	2,646	47,307
24	Com Fac-Century2	6,315	1.50%	8,147	0	8,147	483	8,630
25	Expo Hall	376	0.09%	485	0	485	29	514
27	Ice Rink	15	0.00%	19	0	19	1	20
28	Fire Department	7,357	1.75%	9,492	0	9,492	562	10,054
29	Police-Field	40,556	9.63%	52,323	0	52,323	3,100	55,424
30	Police-Support	12,742	3.03%	16,439	0	16,439	974	17,413
31	Police-Investigations	5,303	1.26%	6,842	0	6,842	405	7,247
32	Library Operations	3,463	0.82%	4,468	0	4,468	265	4,733
33	Wichita Arts Council	4	0.00%	5	0	5	0	5
34	Art Museum	503	0.12%	649	0	649	38	687
35	Historical Museum	9	0.00%	12	0	12	1	12
36	Cowtown Operations	3,510	0.83%	4,528	0	4,528	268	4,797
37	Farm - Art Mkt / Plaza	25	0.01%	32	0	32	2	34
38	MAAIC	707	0.17%	912	0	912	54	966
39	African-Am Museum	4	0.00%	5	0	5	0	5
40	Aviation Museum	5	0.00%	6	0	6	0	7
41	City Arts & Culture	2,560	0.61%	3,303	0	3,303	196	3,498
42	Park-Forestry-Landscape	13,710	3.25%	17,688	0	17,688	1,048	18,736
44	Public Works-Engineer	5,979	1.42%	7,714	0	7,714	457	8,171
46	Park Department-Admin	696	0.17%	898	0	898	53	951
47	Botanica	276	0.07%	356	0	356	21	377
48	Park Department-Recreation	21,864	5.19%	28,208	0	28,208	1,671	29,879

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Genl Accounting Allocations

Dept:9 Gen Acctng

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
49	Central Insp	2,198	0.52%	$2,836	$0	$2,836	$168	$3,004
50	Tourism Convention	58	0.01%	75	0	75	4	79
51	Special Alcohol Drug	263	0.06%	339	0	339	20	359
52	Landfill	2,068	0.49%	2,668	0	2,668	158	2,826
54	Property Management Operations	1,075	0.26%	1,387	0	1,387	82	1,469
55	St Office Bldg	3	0.00%	4	0	4	0	4
56	Airport	14,320	3.40%	18,475	0	18,475	1,095	19,570
57	Golf Course Ops	14,486	3.44%	18,689	0	18,689	1,107	19,796
58	Transit Ops	9,364	2.22%	12,081	0	12,081	716	12,797
59	Gilbert/Mosley TIF	817	0.19%	1,054	0	1,054	62	1,117
60	Economic Develop	845	0.20%	1,090	0	1,090	65	1,155
61	North Industrial Corridor TIF	217	0.05%	280	0	280	17	297
62	Sewer	11,018	2.62%	14,215	0	14,215	842	15,057
63	Water-Operations	2,640	0.63%	3,406	0	3,406	202	3,608
64	Water Sys Plan/Dev	1,083	0.26%	1,397	0	1,397	83	1,480
65	WS-Water Cust Acct	29	0.01%	37	0	37	2	40
66	WS-Prod / Pumping	7,255	1.72%	9,360	0	9,360	555	9,915
67	WS-Trmnt/Distrib	6,960	1.65%	8,979	0	8,979	532	9,512
68	Storm Water Ops	2,268	0.54%	2,926	0	2,926	173	3,099
69	Water Projects	5,541	1.32%	7,149	0	7,149	424	7,572
70	Stormwater Projects	3,735	0.89%	4,819	0	4,819	286	5,104
71	Sewer Projects	3,533	0.84%	4,558	0	4,558	270	4,828
72	IT/IS	3,163	0.75%	4,081	0	4,081	242	4,323
73	Print Shop	246	0.06%	317	0	317	19	336
74	PW-Fleet Fund	3,948	0.94%	5,094	0	5,094	302	5,395
75	Self Ins - Group Health	1,324	0.31%	1,708	0	1,708	101	1,809
76	Risk-Work Comp	4,098	0.97%	5,287	0	5,287	313	5,600
77	Self Ins - Group Life	100	0.02%	129	0	129	8	137
78	Risk-Gen Liability	1,181	0.28%	1,524	0	1,524	90	1,614
79	PW-Flood Control	996	0.24%	1,285	0	1,285	76	1,361
80	MAPD Planning	1,043	0.25%	1,346	0	1,346	80	1,425
81	Env Hlth Svcs	9,751	2.31%	12,580	0	12,580	745	13,326
82	Pension-WER	442	0.10%	570	0	570	34	604
83	Pension Management	451	0.11%	582	0	582	34	616
84	Pension Plan 3B	817	0.19%	1,054	0	1,054	62	1,117
85	Pension-P&F	418	0.10%	539	0	539	32	571
86	Airport Projects	547	0.13%	706	0	706	42	748
87	CDBG	3,681	0.87%	4,749	0	4,749	281	5,030
88	CSBG	776	0.18%	1,001	0	1,001	59	1,060
89	WAMPO-UWP	3,476	0.83%	4,485	0	4,485	266	4,750
90	WSCCAP	140	0.03%	181	0	181	11	191
91	City Manager Grants	81	0.02%	105	0	105	6	111

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Genl Accounting Allocations **Dept:9 Gen Acctng**

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
92	Park Grants	43	0.01%	$55	$0	$55	$3	$59
93	Finance Grants	33	0.01%	43	0	43	3	45
94	Law Grants	458	0.11%	591	0	591	35	626
95	Municipal Court Grants	5	0.00%	6	0	6	0	7
96	Emergency Shelter HUD	861	0.20%	1,111	0	1,111	66	1,177
97	Fire Grants	418	0.10%	539	0	539	32	571
98	Environmental Health Grants	1,114	0.26%	1,437	0	1,437	85	1,522
99	Library Grants	174	0.04%	224	0	224	13	238
100	Planning Grants	57	0.01%	74	0	74	4	78
101	Public Works Grants	2	0.00%	3	0	3	0	3
102	Police Grants	3,396	0.81%	4,381	0	4,381	260	4,641
103	Public Improvements	25,489	6.05%	32,885	0	32,885	1,948	34,833
104	Downtown Parking Fund	3,281	0.78%	4,233	0	4,233	251	4,484
105	HOME Program	674	0.16%	870	0	870	52	921
106	Wichita Housing Authority	47,949	11.38%	61,861	0	61,861	3,665	65,527
107	Transit Grants	6,019	1.43%	7,765	0	7,765	460	8,226
108	Other	11,254	2.67%	14,519	0	14,519	860	15,380
Subtotal		421,223	100.00%	543,441	0	543,441	31,259	574,700
Direct Bills						0		0
Total						$543,441		$574,700

Basis Units: # of Accounting Transactions (Exp + Rev)

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Grants Admin Allocations **Dept:9 Gen Acctng**

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
87	CDBG	3,481,815	6.55%	$12,500	$0	$12,500	$622	$13,122
93	Finance Grants	518	0.00%	2	0	2	0	2
94	Law Grants	70,175	0.13%	252	0	252	13	264
96	Emergency Shelter HUD	571,362	1.07%	2,051	0	2,051	102	2,153
97	Fire Grants	548,459	1.03%	1,969	0	1,969	98	2,067
98	Environmental Health Grants	307,743	0.58%	1,105	0	1,105	55	1,160
101	Public Works Grants	8,000	0.02%	29	0	29	1	30
102	Police Grants	1,195,992	2.25%	4,294	0	4,294	214	4,507
103	Public Improvements	20,621,763	38.78%	74,033	0	74,033	3,682	77,715
105	HOME Program	1,230,463	2.31%	4,417	0	4,417	220	4,637
106	Wichita Housing Authority	19,026,093	35.78%	68,305	0	68,305	3,397	71,702
107	Transit Grants	6,109,924	11.49%	21,935	0	21,935	1,091	23,026
Subtotal		53,172,307	100.00%	190,892	0	190,892	9,494	200,386
Direct Bills								0
Total						$190,892		$200,386

Basis Units: Federal Expenditures Per CAFR

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Payroll Allocations

Dept:9 Gen Acctng

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	29.21	0.90%	$5,171	$0	$5,171	$0	$5,171
4	Law Department	24.96	0.77%	4,419	0	4,419	0	4,419
5	Human Resources	15.17	0.47%	2,686	0	2,686	0	2,686
6	City Clerk	2.00	0.06%	354	0	354	0	354
7	Director of Finance	8.08	0.25%	1,430	0	1,430	0	1,430
8	Treasury	14.33	0.44%	2,537	0	2,537	0	2,537
9	Gen Acctng	14.00	0.43%	2,479	0	2,479	0	2,479
10	Purchasing	10.25	0.32%	1,815	0	1,815	109	1,924
11	Admin Svcs	3.50	0.11%	620	0	620	37	657
12	PW Admin	8.25	0.25%	1,461	0	1,461	88	1,548
13	PW Bldg Svcs	44.25	1.36%	7,834	0	7,834	470	8,304
14	PW-Street Maint.	100.42	3.09%	17,778	0	17,778	1,068	18,846
15	Housing Admin	2.00	0.06%	354	0	354	21	375
17	Public Information	2.75	0.08%	487	0	487	29	516
20	N'hood Initiative/Centers	2.92	0.09%	517	0	517	31	548
21	City Council	12.33	0.38%	2,183	0	2,183	131	2,314
22	Sp Assessments	5.00	0.15%	885	0	885	53	938
23	Court	81.92	2.52%	14,503	0	14,503	871	15,374
24	Com Fac-Century2	39.76	1.23%	7,039	0	7,039	423	7,462
25	Expo Hall	1.08	0.03%	191	0	191	11	203
28	Fire Department	455.83	14.05%	80,701	0	80,701	4,846	85,546
29	Police-Field	523.29	16.13%	92,644	0	92,644	5,563	98,207
30	Police-Support	145.08	4.47%	25,685	0	25,685	1,542	27,227
31	Police-Investigations	180.33	5.56%	31,926	0	31,926	1,917	33,843
32	Library Operations	114.42	3.53%	20,257	0	20,257	1,216	21,473
34	Art Museum	11.40	0.35%	2,018	0	2,018	121	2,139
36	Cowtown Operations	10.81	0.33%	1,914	0	1,914	115	2,029
38	MAAIC	4.25	0.13%	752	0	752	45	798
41	City Arts & Culture	18.70	0.58%	3,311	0	3,311	199	3,509
42	Park-Forestry-Landscape	93.46	2.88%	16,546	0	16,546	994	17,540
44	Public Works-Engineer	66.25	2.04%	11,729	0	11,729	704	12,433
46	Park Department-Admin	7.67	0.24%	1,358	0	1,358	82	1,439
47	Botanica	4.00	0.12%	708	0	708	43	751
48	Park Department-Recreation	113.89	3.51%	20,163	0	20,163	1,211	21,374
49	Central Insp	34.08	1.05%	6,034	0	6,034	362	6,396
52	Landfill	8.90	0.27%	1,576	0	1,576	95	1,670
54	Property Management Operations	2.00	0.06%	354	0	354	21	375
56	Airport	141.17	4.35%	24,993	0	24,993	1,501	26,494
57	Golf Course Ops	93.06	2.87%	16,475	0	16,475	989	17,465
58	Transit Ops	23.75	0.73%	4,205	0	4,205	252	4,457
60	Economic Develop	2.00	0.06%	354	0	354	21	375
62	Sewer	142.42	4.39%	25,214	0	25,214	1,514	26,728

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CITY OF WICHITA, KANSAS
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Payroll Allocations **Dept:9 Gen Acctng**

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
63	Water-Operations	17.71	0.55%	$3,135	$0	$3,135	$188	$3,324
64	Water Sys Plan/Dev	17.50	0.54%	3,098	0	3,098	186	3,284
66	WS-Prod / Pumping	74.13	2.28%	13,124	0	13,124	788	13,912
67	WS-Trmnt/Distrib	78.33	2.41%	13,868	0	13,868	833	14,700
68	Storm Water Ops	37.42	1.15%	6,625	0	6,625	398	7,023
72	IT/IS	54.58	1.68%	9,663	0	9,663	580	10,243
74	PW-Fleet Fund	46.25	1.43%	8,188	0	8,188	492	8,680
76	Risk-Work Comp	2.00	0.06%	354	0	354	21	375
78	Risk-Gen Liability	2.00	0.06%	354	0	354	21	375
79	PW-Flood Control	23.92	0.74%	4,235	0	4,235	254	4,489
80	MAPD Planning	12.75	0.39%	2,257	0	2,257	136	2,393
81	Env Hlth Svcs	26.85	0.83%	4,754	0	4,754	285	5,039
83	Pension Management	6.00	0.18%	1,062	0	1,062	64	1,126
87	CDBG	45.38	1.40%	8,034	0	8,034	482	8,517
88	CSBG	6.00	0.18%	1,062	0	1,062	64	1,126
97	Fire Grants	6.00	0.18%	1,062	0	1,062	64	1,126
98	Environmental Health Grants	3.00	0.09%	531	0	531	32	563
102	Police Grants	10.58	0.33%	1,873	0	1,873	112	1,986
103	Public Improvements	2.68	0.08%	474	0	474	28	503
104	Downtown Parking Fund	2.00	0.06%	354	0	354	21	375
105	HOME Program	1.00	0.03%	177	0	177	11	188
106	Wichita Housing Authority	35.17	1.08%	6,227	0	6,227	374	6,600
107	Transit Grants	111.98	3.45%	19,825	0	19,825	1,190	21,015
108	Other	3.00	0.09%	531	0	531	32	563
Subtotal		3,245.17	100.00%	574,528	0	574,528	33,354	607,881
Direct Bills						0		0
Total						$574,528		$607,881

Basis Units: # of Full Time Equivalent Positions

Cost Allocation & User Fee Study
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Allocation Summary

Dept:9 Gen Acctng

	Department	Genl Accounting	Grants Admin	Payroll	Total
3	City Manager	$2,109	$0	$5,171	$7,281
4	Law Department	1,515	0	4,419	5,934
5	Human Resources	926	0	2,686	3,612
6	City Clerk	470	0	354	824
7	Director of Finance	950	0	1,430	2,380
8	Treasury	8,676	0	2,537	11,213
9	Gen Acctng	1,239	0	2,479	3,717
10	Purchasing	950	0	1,924	2,873
11	Admin Svcs	570	0	657	1,227
12	PW Admin	697	0	1,548	2,245
13	PW Bldg Svcs	4,705	0	8,304	13,010
14	PW-Street Maint.	14,978	0	18,846	33,824
15	Housing Admin	832	0	375	1,208
16	Homelessness Assistance	1,641	0	0	1,641
17	Public Information	545	0	516	1,061
18	Intgovt Affairs	127	0	0	127
20	N'hood Initiative/Centers	646	0	548	1,194
21	City Council	2,008	0	2,314	4,322
22	Sp Assessments	497	0	938	1,436
23	Court	47,307	0	15,374	62,681
24	Com Fac-Century2	8,630	0	7,462	16,092
25	Expo Hall	514	0	203	717
27	Ice Rink	20	0	0	20
28	Fire Department	10,054	0	85,546	95,600
29	Police-Field	55,424	0	98,207	153,630
30	Police-Support	17,413	0	27,227	44,641
31	Police-Investigations	7,247	0	33,843	41,090
32	Library Operations	4,733	0	21,473	26,206
33	Wichita Arts Council	5	0	0	5
34	Art Museum	687	0	2,139	2,827
35	Historical Museum	12	0	0	12
36	Cowtown Operations	4,797	0	2,029	6,825
37	Farm - Art Mkt / Plaza	34	0	0	34
38	MAAIC	966	0	798	1,764
39	African-Am Museum	5	0	0	5
40	Aviation Museum	7	0	0	7
41	City Arts & Culture	3,498	0	3,509	7,008
42	Park-Forestry-Landscape	18,736	0	17,540	36,276
44	Public Works-Engineer	8,171	0	12,433	20,604
46	Park Department-Admin	951	0	1,439	2,391
47	Botanica	377	0	751	1,128

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Allocation Summary

Dept:9 Gen Acctng

	Department	Genl Accounting	Grants Admin	Payroll	Total
48	Park Department-Recreation	$29,879	$0	$21,374	$51,253
49	Central Insp	3,004	0	6,396	9,400
50	Tourism Convention	79	0	0	79
51	Special Alcohol Drug	359	0	0	359
52	Landfill	2,826	0	1,670	4,496
54	Property Management Operations	1,469	0	375	1,844
55	St Office Bldg	4	0	0	4
56	Airport	19,570	0	26,494	46,063
57	Golf Course Ops	19,796	0	17,465	37,261
58	Transit Ops	12,797	0	4,457	17,254
59	Gilbert/Mosley TIF	1,117	0	0	1,117
60	Economic Develop	1,155	0	375	1,530
61	North Industrial Corridor TIF	297	0	0	297
62	Sewer	15,057	0	26,728	41,785
63	Water-Operations	3,608	0	3,324	6,931
64	Water Sys Plan/Dev	1,480	0	3,284	4,764
65	WS-Water Cust Acct	40	0	0	40
66	WS-Prod / Pumping	9,915	0	13,912	23,827
67	WS-Trmnt/Distrib	9,512	0	14,700	24,212
68	Storm Water Ops	3,099	0	7,023	10,122
69	Water Projects	7,572	0	0	7,572
70	Stormwater Projects	5,104	0	0	5,104
71	Sewer Projects	4,828	0	0	4,828
72	IT/IS	4,323	0	10,243	14,566
73	Print Shop	336	0	0	336
74	PW-Fleet Fund	5,395	0	8,680	14,075
75	Self Ins - Group Health	1,809	0	0	1,809
76	Risk-Work Comp	5,600	0	375	5,976
77	Self Ins - Group Life	137	0	0	137
78	Risk-Gen Liability	1,614	0	375	1,989
79	PW-Flood Control	1,361	0	4,489	5,850
80	MAPD Planning	1,425	0	2,393	3,818
81	Env Hlth Svcs	13,326	0	5,039	18,365
82	Pension-WER	604	0	0	604
83	Pension Management	616	0	1,126	1,742
84	Pension Plan 3B	1,117	0	0	1,117
85	Pension-P&F	571	0	0	571
86	Airport Projects	748	0	0	748
87	CDBG	5,030	13,122	8,517	26,669
88	CSBG	1,060	0	1,126	2,187
89	WAMPO-UWP	4,750	0	0	4,750

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Allocation Summary

Dept:9 Gen Acctng

	Department	Genl Accounting	Grants Admin	Payroll	Total
90	WSCCAP	$191	$0	$0	$191
91	City Manager Grants	111	0	0	111
92	Park Grants	59	0	0	59
93	Finance Grants	45	2	0	47
94	Law Grants	626	264	0	890
95	Municipal Court Grants	7	0	0	7
96	Emergency Shelter HUD	1,177	2,153	0	3,330
97	Fire Grants	571	2,067	1,126	3,764
98	Environmental Health Grants	1,522	1,160	563	3,245
99	Library Grants	238	0	0	238
100	Planning Grants	78	0	0	78
101	Public Works Grants	3	30	0	33
102	Police Grants	4,641	4,507	1,986	11,134
103	Public Improvements	34,833	77,715	503	113,051
104	Downtown Parking Fund	4,484	0	375	4,859
105	HOME Program	921	4,637	188	5,746
106	Wichita Housing Authority	65,527	71,702	6,600	143,829
107	Transit Grants	8,226	23,026	21,015	52,267
108	Other	15,380	0	563	15,943
Total		$574,700	$200,386	$607,881	$1,382,967

Cost Allocation & User Fee Study
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Purchasing
Nature and Extent of Services

The mission of Purchasing is to obtain the greatest value for each dollar spent by the City in the efficient and effective procurement of goods and services while also ensuring fairness and integrity in accordance with applicable laws and regulations. The office is responsible for overseeing the formal and informal bid process, negotiating blanket purchase orders, managing the overall procurement process, registering vendors, administering the Emerging and Disadvantaged Business Enterprise program (including staffing the Wichita Supplier Diversity Task Team), disposition of surplus vehicles/equipment, and providing an on-line purchasing system. Allowable costs have been allocated as follows:

- **Purchasing** – Costs for this function are allocated based upon the number of PO's, DP's and DV's (weighted) by department and division.

Cost Allocation & User Fee Study
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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

A. Department Costs

Dept:10 Purchasing

Description		Amount	General Admin	Purchasing
Personnel Costs				
Salaries	S1	596,915	0	596,915
Salary % Split			*.00%*	*100.00%*
Benefits	S	232,945	0	232,945
Subtotal - Personnel Costs		829,860	0	829,860
Services & Supplies Cost				
Contract Svcs	S	139,721	0	139,721
Mat & Supp	S	5,882	0	5,882
Misc and Sundry	S	(13,683)	0	(13,683)
Contr to Other Funds	D	0	0	0
Revenue	S	(20,253)	0	(20,253)
Subtotal - Services & Supplies		111,667	0	111,667
Department Cost Total		941,527	0	941,527
Adjustments to Cost				
Contr to Other Funds	D	0	0	0
Subtotal - Adjustments		0	0	0
Total Costs After Adjustments		941,527	0	941,527
General Admin Distribution			0	0
Grand Total		$941,527		$941,527

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B. Incoming Costs - (Default Spread Salary%)

Dept:10 Purchasing

	Department	First Incoming	Second Incoming	Purchasing
2	City Hall	$5,202	$0	$5,202
	Subtotal - Building Depreciation	5,202	0	5,202
3	Manager	3,749	1,460	5,209
	Subtotal - City Manager	3,749	1,460	5,209
4	Advice & Opinions	355	14	369
	Subtotal - Law Department	355	14	369
5	Personnel	4,621	266	4,887
	Subtotal - Human Resources	4,621	266	4,887
6	Records	740	193	932
	Subtotal - City Clerk	740	193	932
7	Finance Dir	255	15	270
7	Budget	2,987	181	3,168
	Subtotal - Director of Finance	3,242	196	3,439
8	Cash Mgmt	308	31	339
	Subtotal - Treasury	308	31	339
9	Genl Accounting	897	53	950
9	Payroll	1,815	109	1,924
	Subtotal - Gen Acctng	2,711	162	2,873
10	Purchasing	0	1,233	1,233
	Subtotal - Purchasing	0	1,233	1,233
11	Internal Audit	0	0	0
11	City Mgr Support	0	587	587
	Subtotal - Admin Svcs	0	587	587
13	City Hall	0	56,320	56,320
	Subtotal - PW Bldg Svcs	0	56,320	56,320
Total Incoming		20,928	60,463	81,391
C. Total Allocated			$1,022,918	$1,022,918
				100.00%

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Purchasing Allocations

Dept:10 Purchasing

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	7.50	0.13%	$1,233	$0	$1,233	$0	$1,233
4	Law Department	2.00	0.03%	329	0	329	0	329
5	Human Resources	11.50	0.20%	1,891	0	1,891	0	1,891
6	City Clerk	0.50	0.01%	82	0	82	0	82
7	Director of Finance	2.00	0.03%	329	0	329	0	329
8	Treasury	10.50	0.18%	1,726	0	1,726	0	1,726
9	Gen Acctng	7.50	0.13%	1,233	0	1,233	0	1,233
10	Purchasing	7.50	0.13%	1,233	0	1,233	0	1,233
12	PW Admin	3.50	0.06%	575	0	575	36	612
13	PW Bldg Svcs	66.50	1.14%	10,933	0	10,933	693	11,626
14	PW-Street Maint.	144.00	2.46%	23,675	0	23,675	1,500	25,175
18	Intgovt Affairs	3.00	0.05%	493	0	493	31	524
20	N'hood Initiative/Centers	1.00	0.02%	164	0	164	10	175
21	City Council	13.00	0.22%	2,137	0	2,137	135	2,273
23	Court	61.50	1.05%	10,111	0	10,111	641	10,752
24	Com Fac-Century2	52.00	0.89%	8,549	0	8,549	542	9,091
25	Expo Hall	6.00	0.10%	986	0	986	62	1,049
28	Fire Department	63.00	1.08%	10,358	0	10,358	656	11,014
29	Police-Field	46.00	0.79%	7,563	0	7,563	479	8,042
30	Police-Support	92.00	1.57%	15,126	0	15,126	958	16,084
31	Police-Investigations	6.00	0.10%	986	0	986	62	1,049
32	Library Operations	55.00	0.94%	9,043	0	9,043	573	9,615
33	Wichita Arts Council	1.00	0.02%	164	0	164	10	175
34	Art Museum	13.00	0.22%	2,137	0	2,137	135	2,273
35	Historical Museum	1.00	0.02%	164	0	164	10	175
36	Cowtown Operations	29.00	0.50%	4,768	0	4,768	302	5,070
38	MAAIC	8.00	0.14%	1,315	0	1,315	83	1,399
39	African-Am Museum	1.00	0.02%	164	0	164	10	175
40	Aviation Museum	1.00	0.02%	164	0	164	10	175
41	City Arts & Culture	42.00	0.72%	6,905	0	6,905	437	7,343
42	Park-Forestry-Landscape	62.00	1.06%	10,193	0	10,193	646	10,839
44	Public Works-Engineer	67.00	1.14%	11,015	0	11,015	698	11,713
46	Park Department-Admin	0.50	0.01%	82	0	82	5	87
48	Park Department-Recreation	124.50	2.13%	20,469	0	20,469	1,297	21,766
49	Central Insp	5.50	0.09%	904	0	904	57	962
50	Tourism Convention	11.00	0.19%	1,809	0	1,809	115	1,923
51	Special Alcohol Drug	36.00	0.61%	5,919	0	5,919	375	6,294
52	Landfill	100.50	1.72%	16,523	0	16,523	1,047	17,570
54	Property Management Operations	6.00	0.10%	986	0	986	62	1,049
56	Airport	241.00	4.12%	39,623	0	39,623	2,510	42,133
57	Golf Course Ops	93.00	1.59%	15,290	0	15,290	969	16,259
58	Transit Ops	43.50	0.74%	7,152	0	7,152	453	7,605

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Purchasing Allocations

Dept:10 Purchasing

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
59	Gilbert/Mosley TIF	42.50	0.73%	$6,987	$0	$6,987	$443	$7,430
60	Economic Develop	5.50	0.09%	904	0	904	57	962
61	North Industrial Corridor TIF	4.50	0.08%	740	0	740	47	787
62	Sewer	503.50	8.60%	82,780	0	82,780	5,244	88,025
63	Water-Operations	168.50	2.88%	27,703	0	27,703	1,755	29,458
64	Water Sys Plan/Dev	19.00	0.32%	3,124	0	3,124	198	3,322
66	WS-Prod / Pumping	254.50	4.35%	41,842	0	41,842	2,651	44,493
67	WS-Trmnt/Distrib	443.50	7.58%	72,916	0	72,916	4,619	77,535
68	Storm Water Ops	119.50	2.04%	19,647	0	19,647	1,245	20,892
69	Water Projects	76.00	1.30%	12,495	0	12,495	792	13,287
70	Stormwater Projects	108.00	1.84%	17,756	0	17,756	1,125	18,881
71	Sewer Projects	76.00	1.30%	12,495	0	12,495	792	13,287
72	IT/IS	152.50	2.61%	25,072	0	25,072	1,588	26,661
73	Print Shop	6.00	0.10%	986	0	986	62	1,049
74	PW-Fleet Fund	429.50	7.34%	70,614	0	70,614	4,474	75,088
75	Self Ins - Group Health	4.00	0.07%	658	0	658	42	699
76	Risk-Work Comp	14.50	0.25%	2,384	0	2,384	151	2,535
78	Risk-Gen Liability	54.50	0.93%	8,960	0	8,960	568	9,528
79	PW-Flood Control	30.50	0.52%	5,014	0	5,014	318	5,332
80	MAPD Planning	1.50	0.03%	247	0	247	16	262
81	Env Hlth Svcs	47.00	0.80%	7,727	0	7,727	490	8,217
82	Pension-WER	1.00	0.02%	164	0	164	10	175
85	Pension-P&F	1.00	0.02%	164	0	164	10	175
86	Airport Projects	58.00	0.99%	9,536	0	9,536	604	10,140
87	CDBG	202.50	3.46%	33,293	0	33,293	2,109	35,402
88	CSBG	6.00	0.10%	986	0	986	62	1,049
89	WAMPO-UWP	33.50	0.57%	5,508	0	5,508	349	5,857
91	City Manager Grants	7.50	0.13%	1,233	0	1,233	78	1,311
92	Park Grants	3.00	0.05%	493	0	493	31	524
98	Environmental Health Grants	2.50	0.04%	411	0	411	26	437
99	Library Grants	33.00	0.56%	5,426	0	5,426	344	5,769
100	Planning Grants	3.50	0.06%	575	0	575	36	612
102	Police Grants	36.50	0.62%	6,001	0	6,001	380	6,381
103	Public Improvements	718.50	12.27%	118,128	0	118,128	7,484	125,612
104	Downtown Parking Fund	96.50	1.65%	15,866	0	15,866	1,005	16,871
105	HOME Program	1.00	0.02%	164	0	164	10	175
106	Wichita Housing Authority	214.50	3.66%	35,266	0	35,266	2,234	37,500
107	Transit Grants	290.00	4.95%	47,679	0	47,679	3,021	50,699
108	Other	36.50	0.62%	6,001	0	6,001	380	6,381

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Purchasing Allocations **Dept:10 Purchasing**

Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
Subtotal	5,854.00	100.00%	962,455	0	962,455	60,463	1,022,918
Direct Bills					0		0
Total					$962,455		$1,022,918

Basis Units: # of PO's and DP's

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Allocation Summary

Dept:10 Purchasing

	Department	Purchasing	Total
3	City Manager	$1,233	$1,233
4	Law Department	329	329
5	Human Resources	1,891	1,891
6	City Clerk	82	82
7	Director of Finance	329	329
8	Treasury	1,726	1,726
9	Gen Acctng	1,233	1,233
10	Purchasing	1,233	1,233
12	PW Admin	612	612
13	PW Bldg Svcs	11,626	11,626
14	PW-Street Maint.	25,175	25,175
18	Intgovt Affairs	524	524
20	N'hood Initiative/Centers	175	175
21	City Council	2,273	2,273
23	Court	10,752	10,752
24	Com Fac-Century2	9,091	9,091
25	Expo Hall	1,049	1,049
28	Fire Department	11,014	11,014
29	Police-Field	8,042	8,042
30	Police-Support	16,084	16,084
31	Police-Investigations	1,049	1,049
32	Library Operations	9,615	9,615
33	Wichita Arts Council	175	175
34	Art Museum	2,273	2,273
35	Historical Museum	175	175
36	Cowtown Operations	5,070	5,070
38	MAAIC	1,399	1,399
39	African-Am Museum	175	175
40	Aviation Museum	175	175
41	City Arts & Culture	7,343	7,343
42	Park-Forestry-Landscape	10,839	10,839
44	Public Works-Engineer	11,713	11,713
46	Park Department-Admin	87	87
48	Park Department-Recreation	21,766	21,766
49	Central Insp	962	962
50	Tourism Convention	1,923	1,923
51	Special Alcohol Drug	6,294	6,294
52	Landfill	17,570	17,570
54	Property Management Operations	1,049	1,049
56	Airport	42,133	42,133
57	Golf Course Ops	16,259	16,259

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Allocation Summary

Dept:10 Purchasing

	Department	Purchasing	Total
58	Transit Ops	$7,605	$7,605
59	Gilbert/Mosley TIF	7,430	7,430
60	Economic Develop	962	962
61	North Industrial Corridor TIF	787	787
62	Sewer	88,025	88,025
63	Water-Operations	29,458	29,458
64	Water Sys Plan/Dev	3,322	3,322
66	WS-Prod / Pumping	44,493	44,493
67	WS-Trmnt/Distrib	77,535	77,535
68	Storm Water Ops	20,892	20,892
69	Water Projects	13,287	13,287
70	Stormwater Projects	18,881	18,881
71	Sewer Projects	13,287	13,287
72	IT/IS	26,661	26,661
73	Print Shop	1,049	1,049
74	PW-Fleet Fund	75,088	75,088
75	Self Ins - Group Health	699	699
76	Risk-Work Comp	2,535	2,535
78	Risk-Gen Liability	9,528	9,528
79	PW-Flood Control	5,332	5,332
80	MAPD Planning	262	262
81	Env Hlth Svcs	8,217	8,217
82	Pension-WER	175	175
85	Pension-P&F	175	175
86	Airport Projects	10,140	10,140
87	CDBG	35,402	35,402
88	CSBG	1,049	1,049
89	WAMPO-UWP	5,857	5,857
91	City Manager Grants	1,311	1,311
92	Park Grants	524	524
98	Environmental Health Grants	437	437
99	Library Grants	5,769	5,769
100	Planning Grants	612	612
102	Police Grants	6,381	6,381
103	Public Improvements	125,612	125,612
104	Downtown Parking Fund	16,871	16,871
105	HOME Program	175	175
106	Wichita Housing Authority	37,500	37,500
107	Transit Grants	50,699	50,699
108	Other	6,381	6,381

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Allocation Summary

Dept:10 Purchasing

Department	Purchasing	Total
Total	$1,022,918	$1,022,918

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Administrative Services
Nature and Extent of Services

The Administrative Services Division includes the Internal Audit activities. Costs are allocated as shown below for the following allowable functions:

- **Internal Audit** – Costs are allocated based upon the number of expense transactions processed for departments during the year.
- **City Manager Support** – Costs associated with this function been allocated based upon the number of full time equivalent positions.

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

A. Department Costs

Dept:11 Admin Svcs

Description		Amount	General Admin	Internal Audit	City Mgr Support
Personnel Costs					
Salaries	S1	170,400	0	0	170,400
Salary % Split			*.00%*	*.00%*	*100.00%*
Benefits	S	48,678	0	0	48,678
Subtotal - Personnel Costs		219,078	0	0	219,078
Services & Supplies Cost					
Contract Svcs	S	28,510	0	0	28,510
Mat & Supp	S	196	0	0	196
Reimbursements	S	(68,000)	0	0	(68,000)
Subtotal - Services & Supplies		(39,294)	0	0	(39,294)
Department Cost Total		179,784	0	0	179,784
Adjustments to Cost					
Subtotal - Adjustments		0	0	0	0
Total Costs After Adjustments		179,784	0	0	179,784
General Admin Distribution			0	0	0
Grand Total		$179,784		$0	$179,784

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B. Incoming Costs - (Default Spread Salary%)

Dept:11 Admin Svcs

	Department	First Incoming	Second Incoming	Internal Audit	City Mgr Support
2	City Hall	$561	$0	$0	$561
	Subtotal - Building Depreciation	561	0	0	561
3	Manager	1,280	499	0	1,779
	Subtotal - City Manager	1,280	499	0	1,779
4	Advice & Opinions	121	5	0	126
	Subtotal - Law Department	121	5	0	126
5	Personnel	1,578	91	0	1,669
	Subtotal - Human Resources	1,578	91	0	1,669
6	Records	253	66	0	318
	Subtotal - City Clerk	253	66	0	318
7	Finance Dir	66	4	0	70
7	Budget	1,020	62	0	1,082
	Subtotal - Director of Finance	1,086	66	0	1,151
8	Cash Mgmt	5	0	0	5
	Subtotal - Treasury	5	0	0	5
9	Genl Accounting	538	32	0	570
9	Payroll	620	37	0	657
	Subtotal - Gen Acctng	1,158	69	0	1,227
11	Internal Audit	0	0	0	0
11	City Mgr Support	0	200	0	200
	Subtotal - Admin Svcs	0	200	0	200
13	City Hall	0	6,078	0	6,078
	Subtotal - PW Bldg Svcs	0	6,078	0	6,078
Total Incoming		6,041	7,074	0	13,115
C. Total Allocated			$192,899	$0	$192,899
					100.00%

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Internal Audit Allocations

Dept:11 Admin Svcs

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	1,635	0.39%	$0	$0	$0	$0	$0
4	Law Department	1,174	0.28%	0	0	0	0	0
5	Human Resources	718	0.17%	0	0	0	0	0
6	City Clerk	364	0.09%	0	0	0	0	0
7	Director of Finance	736	0.17%	0	0	0	0	0
8	Treasury	6,725	1.60%	0	0	0	0	0
9	Gen Acctng	960	0.23%	0	0	0	0	0
10	Purchasing	695	0.16%	0	0	0	0	0
11	Admin Svcs	417	0.10%	0	0	0	0	0
12	PW Admin	510	0.12%	0	0	0	0	0
13	PW Bldg Svcs	3,443	0.82%	0	0	0	0	0
14	PW-Street Maint.	10,960	2.60%	0	0	0	0	0
15	Housing Admin	609	0.14%	0	0	0	0	0
16	Homelessness Assistance	1,201	0.29%	0	0	0	0	0
17	Public Information	399	0.09%	0	0	0	0	0
18	Intgovt Affairs	93	0.02%	0	0	0	0	0
20	N'hood Initiative/Centers	473	0.11%	0	0	0	0	0
21	City Council	1,469	0.35%	0	0	0	0	0
22	Sp Assessments	364	0.09%	0	0	0	0	0
23	Court	34,617	8.22%	0	0	0	0	0
24	Com Fac-Century2	6,315	1.50%	0	0	0	0	0
25	Expo Hall	376	0.09%	0	0	0	0	0
27	Ice Rink	15	0.00%	0	0	0	0	0
28	Fire Department	7,357	1.75%	0	0	0	0	0
29	Police-Field	40,556	9.63%	0	0	0	0	0
30	Police-Support	12,742	3.03%	0	0	0	0	0
31	Police-Investigations	5,303	1.26%	0	0	0	0	0
32	Library Operations	3,463	0.82%	0	0	0	0	0
33	Wichita Arts Council	4	0.00%	0	0	0	0	0
34	Art Museum	503	0.12%	0	0	0	0	0
35	Historical Museum	9	0.00%	0	0	0	0	0
36	Cowtown Operations	3,510	0.83%	0	0	0	0	0
37	Farm - Art Mkt / Plaza	25	0.01%	0	0	0	0	0
38	MAAIC	707	0.17%	0	0	0	0	0
39	African-Am Museum	4	0.00%	0	0	0	0	0
40	Aviation Museum	5	0.00%	0	0	0	0	0
41	City Arts & Culture	2,560	0.61%	0	0	0	0	0
42	Park-Forestry-Landscape	13,710	3.25%	0	0	0	0	0
44	Public Works-Engineer	5,979	1.42%	0	0	0	0	0
46	Park Department-Admin	696	0.17%	0	0	0	0	0
47	Botanica	276	0.07%	0	0	0	0	0
48	Park Department-Recreation	21,864	5.19%	0	0	0	0	0

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Internal Audit Allocations **Dept:11 Admin Svcs**

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
49	Central Insp	2,198	0.52%	$0	$0	$0	$0	$0
50	Tourism Convention	58	0.01%	0	0	0	0	0
51	Special Alcohol Drug	263	0.06%	0	0	0	0	0
52	Landfill	2,068	0.49%	0	0	0	0	0
54	Property Management Operations	1,075	0.26%	0	0	0	0	0
55	St Office Bldg	3	0.00%	0	0	0	0	0
56	Airport	14,320	3.40%	0	0	0	0	0
57	Golf Course Ops	14,486	3.44%	0	0	0	0	0
58	Transit Ops	9,364	2.22%	0	0	0	0	0
59	Gilbert/Mosley TIF	817	0.19%	0	0	0	0	0
60	Economic Develop	845	0.20%	0	0	0	0	0
61	North Industrial Corridor TIF	217	0.05%	0	0	0	0	0
62	Sewer	11,018	2.62%	0	0	0	0	0
63	Water-Operations	2,640	0.63%	0	0	0	0	0
64	Water Sys Plan/Dev	1,083	0.26%	0	0	0	0	0
65	WS-Water Cust Acct	29	0.01%	0	0	0	0	0
66	WS-Prod / Pumping	7,255	1.72%	0	0	0	0	0
67	WS-Trmnt/Distrib	6,960	1.65%	0	0	0	0	0
68	Storm Water Ops	2,268	0.54%	0	0	0	0	0
69	Water Projects	5,541	1.32%	0	0	0	0	0
70	Stormwater Projects	3,735	0.89%	0	0	0	0	0
71	Sewer Projects	3,533	0.84%	0	0	0	0	0
72	IT/IS	3,163	0.75%	0	0	0	0	0
73	Print Shop	246	0.06%	0	0	0	0	0
74	PW-Fleet Fund	3,948	0.94%	0	0	0	0	0
75	Self Ins - Group Health	1,324	0.31%	0	0	0	0	0
76	Risk-Work Comp	4,098	0.97%	0	0	0	0	0
77	Self Ins - Group Life	100	0.02%	0	0	0	0	0
78	Risk-Gen Liability	1,181	0.28%	0	0	0	0	0
79	PW-Flood Control	996	0.24%	0	0	0	0	0
80	MAPD Planning	1,043	0.25%	0	0	0	0	0
81	Env Hlth Svcs	9,751	2.31%	0	0	0	0	0
82	Pension-WER	442	0.10%	0	0	0	0	0
83	Pension Management	451	0.11%	0	0	0	0	0
84	Pension Plan 3B	817	0.19%	0	0	0	0	0
85	Pension-P&F	418	0.10%	0	0	0	0	0
86	Airport Projects	547	0.13%	0	0	0	0	0
87	CDBG	3,681	0.87%	0	0	0	0	0
88	CSBG	776	0.18%	0	0	0	0	0
89	WAMPO-UWP	3,476	0.83%	0	0	0	0	0
90	WSCCAP	140	0.03%	0	0	0	0	0
91	City Manager Grants	81	0.02%	0	0	0	0	0

Cost Allocation & User Fee Study
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Internal Audit Allocations

Dept:11 Admin Svcs

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
92	Park Grants	43	0.01%	$0	$0	$0	$0	$0
93	Finance Grants	33	0.01%	0	0	0	0	0
94	Law Grants	458	0.11%	0	0	0	0	0
95	Municipal Court Grants	5	0.00%	0	0	0	0	0
96	Emergency Shelter HUD	861	0.20%	0	0	0	0	0
97	Fire Grants	418	0.10%	0	0	0	0	0
98	Environmental Health Grants	1,114	0.26%	0	0	0	0	0
99	Library Grants	174	0.04%	0	0	0	0	0
100	Planning Grants	57	0.01%	0	0	0	0	0
101	Public Works Grants	2	0.00%	0	0	0	0	0
102	Police Grants	3,396	0.81%	0	0	0	0	0
103	Public Improvements	25,489	6.05%	0	0	0	0	0
104	Downtown Parking Fund	3,281	0.78%	0	0	0	0	0
105	HOME Program	674	0.16%	0	0	0	0	0
106	Wichita Housing Authority	47,949	11.38%	0	0	0	0	0
107	Transit Grants	6,019	1.43%	0	0	0	0	0
108	Other	11,254	2.67%	0	0	0	0	0
Subtotal		421,223	100.00%	0	0	0	0	0
Direct Bills						0		0
Total						$0		$0

Basis Units: # of Accounting Transactions (Exp + Rev)

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City Mgr Support Allocations

Dept:11 Admin Svcs

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	29.21	0.90%	$1,673	$0	$1,673	$0	$1,673
4	Law Department	24.96	0.77%	1,429	0	1,429	0	1,429
5	Human Resources	15.17	0.47%	869	0	869	0	869
6	City Clerk	2.00	0.06%	115	0	115	0	115
7	Director of Finance	8.08	0.25%	463	0	463	0	463
8	Treasury	14.33	0.44%	821	0	821	0	821
9	Gen Acctng	14.00	0.43%	802	0	802	0	802
10	Purchasing	10.25	0.32%	587	0	587	0	587
11	Admin Svcs	3.50	0.11%	200	0	200	0	200
12	PW Admin	8.25	0.25%	472	0	472	19	491
13	PW Bldg Svcs	44.25	1.36%	2,534	0	2,534	100	2,634
14	PW-Street Maint.	100.42	3.09%	5,750	0	5,750	227	5,978
15	Housing Admin	2.00	0.06%	115	0	115	5	119
17	Public Information	2.75	0.08%	157	0	157	6	164
20	N'hood Initiative/Centers	2.92	0.09%	167	0	167	7	174
21	City Council	12.33	0.38%	706	0	706	28	734
22	Sp Assessments	5.00	0.15%	286	0	286	11	298
23	Court	81.92	2.52%	4,691	0	4,691	186	4,876
24	Com Fac-Century2	39.76	1.23%	2,277	0	2,277	90	2,367
25	Expo Hall	1.08	0.03%	62	0	62	2	64
28	Fire Department	455.83	14.05%	26,102	0	26,102	1,032	27,134
29	Police-Field	523.29	16.13%	29,965	0	29,965	1,185	31,150
30	Police-Support	145.08	4.47%	8,308	0	8,308	329	8,636
31	Police-Investigations	180.33	5.56%	10,326	0	10,326	408	10,734
32	Library Operations	114.42	3.53%	6,552	0	6,552	259	6,811
34	Art Museum	11.40	0.35%	653	0	653	26	679
36	Cowtown Operations	10.81	0.33%	619	0	619	24	643
38	MAAIC	4.25	0.13%	243	0	243	10	253
41	City Arts & Culture	18.70	0.58%	1,071	0	1,071	42	1,113
42	Park-Forestry-Landscape	93.46	2.88%	5,352	0	5,352	212	5,563
44	Public Works-Engineer	66.25	2.04%	3,794	0	3,794	150	3,944
46	Park Department-Admin	7.67	0.24%	439	0	439	17	457
47	Botanica	4.00	0.12%	229	0	229	9	238
48	Park Department-Recreation	113.89	3.51%	6,522	0	6,522	258	6,779
49	Central Insp	34.08	1.05%	1,951	0	1,951	77	2,029
52	Landfill	8.90	0.27%	510	0	510	20	530
54	Property Management Operations	2.00	0.06%	115	0	115	5	119
56	Airport	141.17	4.35%	8,084	0	8,084	320	8,403
57	Golf Course Ops	93.06	2.87%	5,329	0	5,329	211	5,540
58	Transit Ops	23.75	0.73%	1,360	0	1,360	54	1,414
60	Economic Develop	2.00	0.06%	115	0	115	5	119
62	Sewer	142.42	4.39%	8,155	0	8,155	323	8,478

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City Mgr Support Allocations

Dept:11 Admin Svcs

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
63	Water-Operations	17.71	0.55%	$1,014	$0	$1,014	$40	$1,054
64	Water Sys Plan/Dev	17.50	0.54%	1,002	0	1,002	40	1,042
66	WS-Prod / Pumping	74.13	2.28%	4,245	0	4,245	168	4,413
67	WS-Trmnt/Distrib	78.33	2.41%	4,485	0	4,485	177	4,663
68	Storm Water Ops	37.42	1.15%	2,143	0	2,143	85	2,227
72	IT/IS	54.58	1.68%	3,125	0	3,125	124	3,249
74	PW-Fleet Fund	46.25	1.43%	2,648	0	2,648	105	2,753
76	Risk-Work Comp	2.00	0.06%	115	0	115	5	119
78	Risk-Gen Liability	2.00	0.06%	115	0	115	5	119
79	PW-Flood Control	23.92	0.74%	1,370	0	1,370	54	1,424
80	MAPD Planning	12.75	0.39%	730	0	730	29	759
81	Env Hlth Svcs	26.85	0.83%	1,537	0	1,537	61	1,598
83	Pension Management	6.00	0.18%	344	0	344	14	357
87	CDBG	45.38	1.40%	2,599	0	2,599	103	2,701
88	CSBG	6.00	0.18%	344	0	344	14	357
97	Fire Grants	6.00	0.18%	344	0	344	14	357
98	Environmental Health Grants	3.00	0.09%	172	0	172	7	179
102	Police Grants	10.58	0.33%	606	0	606	24	630
103	Public Improvements	2.68	0.08%	153	0	153	6	160
104	Downtown Parking Fund	2.00	0.06%	115	0	115	5	119
105	HOME Program	1.00	0.03%	57	0	57	2	60
106	Wichita Housing Authority	35.17	1.08%	2,014	0	2,014	80	2,094
107	Transit Grants	111.98	3.45%	6,412	0	6,412	254	6,666
108	Other	3.00	0.09%	172	0	172	7	179
Subtotal		3,245.17	100.00%	185,825	0	185,825	7,074	192,899
Direct Bills						0		0
Total						$185,825		$192,899

Basis Units: # of Full Time Equivalent Positions

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Allocation Summary

Dept:11 Admin Svcs

	Department	Internal Audit	City Mgr Support	Total
3	City Manager	$0	$1,673	$1,673
4	Law Department	0	1,429	1,429
5	Human Resources	0	869	869
6	City Clerk	0	115	115
7	Director of Finance	0	463	463
8	Treasury	0	821	821
9	Gen Acctng	0	802	802
10	Purchasing	0	587	587
11	Admin Svcs	0	200	200
12	PW Admin	0	491	491
13	PW Bldg Svcs	0	2,634	2,634
14	PW-Street Maint.	0	5,978	5,978
15	Housing Admin	0	119	119
17	Public Information	0	164	164
20	N'hood Initiative/Centers	0	174	174
21	City Council	0	734	734
22	Sp Assessments	0	298	298
23	Court	0	4,876	4,876
24	Com Fac-Century2	0	2,367	2,367
25	Expo Hall	0	64	64
28	Fire Department	0	27,134	27,134
29	Police-Field	0	31,150	31,150
30	Police-Support	0	8,636	8,636
31	Police-Investigations	0	10,734	10,734
32	Library Operations	0	6,811	6,811
34	Art Museum	0	679	679
36	Cowtown Operations	0	643	643
38	MAAIC	0	253	253
41	City Arts & Culture	0	1,113	1,113
42	Park-Forestry-Landscape	0	5,563	5,563
44	Public Works-Engineer	0	3,944	3,944
46	Park Department-Admin	0	457	457
47	Botanica	0	238	238
48	Park Department-Recreation	0	6,779	6,779
49	Central Insp	0	2,029	2,029
52	Landfill	0	530	530
54	Property Management Operations	0	119	119
56	Airport	0	8,403	8,403
57	Golf Course Ops	0	5,540	5,540
58	Transit Ops	0	1,414	1,414
60	Economic Develop	0	119	119

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Allocation Summary

Dept:11 Admin Svcs

	Department	Internal Audit	City Mgr Support	Total
62	Sewer	$0	$8,478	$8,478
63	Water-Operations	0	1,054	1,054
64	Water Sys Plan/Dev	0	1,042	1,042
66	WS-Prod / Pumping	0	4,413	4,413
67	WS-Trmnt/Distrib	0	4,663	4,663
68	Storm Water Ops	0	2,227	2,227
72	IT/IS	0	3,249	3,249
74	PW-Fleet Fund	0	2,753	2,753
76	Risk-Work Comp	0	119	119
78	Risk-Gen Liability	0	119	119
79	PW-Flood Control	0	1,424	1,424
80	MAPD Planning	0	759	759
81	Env Hlth Svcs	0	1,598	1,598
83	Pension Management	0	357	357
87	CDBG	0	2,701	2,701
88	CSBG	0	357	357
97	Fire Grants	0	357	357
98	Environmental Health Grants	0	179	179
102	Police Grants	0	630	630
103	Public Improvements	0	160	160
104	Downtown Parking Fund	0	119	119
105	HOME Program	0	60	60
106	Wichita Housing Authority	0	2,094	2,094
107	Transit Grants	0	6,666	6,666
108	Other	0	179	179
Total		$0	$192,899	$192,899

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Public Works Administration
Nature and Extent of Services

The mission of Public Works Administration is to provide coordination, guidance and support services for the operating divisions of the department, including Building Services, Engineering, Fleet, and Maintenance, so that employees are freed to focus directly on serving the public. Support services include: records management, human resources coordination, policy development and financial management. Costs are allocated as shown below for the following allowable functions:

- **Department Administration** – Costs are allocated based upon the salaries of the Public Works divisions administered.

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

A. Department Costs

Dept:12 PW Admin

Description		Amount	General Admin	Dept Admn
Personnel Costs				
Salaries	S1	211,071	0	211,071
Salary % Split			*.00%*	*100.00%*
Benefits	S	64,368	0	64,368
Subtotal - Personnel Costs		275,439	0	275,439
Services & Supplies Cost				
Contract Svcs	S	611,908	0	611,908
Mat & Sup	S	11,212	0	11,212
Capital	D	0	0	0
Revenues	S	(4,002)	0	(4,002)
Subtotal - Services & Supplies		619,118	0	619,118
Department Cost Total		894,557	0	894,557
Adjustments to Cost				
Capital	D	0	0	0
Subtotal - Adjustments		0	0	0
Total Costs After Adjustments		894,557	0	894,557
General Admin Distribution			0	0
Grand Total		$894,557		$894,557

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B. Incoming Costs - (Default Spread Custom%)

Dept:12 PW Admin

	Department	First Incoming	Second Incoming	Dept Admn
1	Equipment Depreciation	$4,980	$0	$4,980
	Subtotal - Equipment Depreciation	4,980	0	4,980
2	City Hall	15,205	0	15,205
	Subtotal - Building Depreciation	15,205	0	15,205
3	Manager	3,017	1,175	4,192
	Subtotal - City Manager	3,017	1,175	4,192
4	Advice & Opinions	286	12	297
4	Dept Support	255,681	11,720	267,401
	Subtotal - Law Department	255,967	11,732	267,699
5	Personnel	3,719	214	3,933
	Subtotal - Human Resources	3,719	214	3,933
6	Records	595	155	750
	Subtotal - City Clerk	595	155	750
7	Finance Dir	238	14	252
7	Budget	2,404	146	2,550
	Subtotal - Director of Finance	2,643	160	2,803
8	Cash Mgmt	5	0	5
	Subtotal - Treasury	5	0	5
9	Genl Accounting	658	39	697
9	Payroll	1,461	88	1,548
	Subtotal - Gen Acctng	2,119	127	2,245
10	Purchasing	575	36	612
	Subtotal - Purchasing	575	36	612
11	Internal Audit	0	0	0
11	City Mgr Support	472	19	491

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B. Incoming Costs - (Default Spread Custom%)

Dept:12 PW Admin

Department	First Incoming	Second Incoming	Dept Admn
Subtotal - Admin Svcs	$472	$19	$491
13 City Hall	0	164,605	164,605
Subtotal - PW Bldg Svcs	0	164,605	164,605
Total Incoming	289,297	178,224	467,521
C. Total Allocated		$1,362,078	$1,362,078
			100.00%

Cost Allocation & User Fee Study
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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

Dept Admn Allocations **Dept:12 PW Admin**

Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
13 PW Bldg Svcs	2,043,944.52	15.14%	$179,207	$0	$179,207	$26,979	$206,186
14 PW-Street Maint.	4,379,228.71	32.43%	383,957	0	383,957	57,803	441,760
44 Public Works-Engineer	1,615,632.50	11.97%	141,654	0	141,654	21,325	162,979
68 Storm Water Ops	1,785,432.28	13.22%	156,541	0	156,541	23,567	180,108
74 PW-Fleet Fund	2,571,528.35	19.04%	225,464	0	225,464	33,943	259,406
79 PW-Flood Control	1,106,692.01	8.20%	97,031	0	97,031	14,608	111,639
Subtotal	13,502,458.37	100.00%	1,183,854	0	1,183,854	178,224	1,362,078
Direct Bills					0		0
Total					$1,183,854		$1,362,078

Basis Units: Salaries of Divisions Administered

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Allocation Summary

Dept:12 PW Admin

	Department	Dept Admn	Total
13	PW Bldg Svcs	$206,186	$206,186
14	PW-Street Maint.	441,760	441,760
44	Public Works-Engineer	162,979	162,979
68	Storm Water Ops	180,108	180,108
74	PW-Fleet Fund	259,406	259,406
79	PW-Flood Control	111,639	111,639
Total		$1,362,078	$1,362,078

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Public Works – Building Services
Nature and Extent of Services

The mission of Public Works - Building Services is to maintain an efficient infrastructure of clean, attractive, and properly functioning City buildings, structures, and related facilities that best meet the needs of the public and of City employees providing service to the public. Costs are allocated as shown below for the following allowable functions:

- **General and Administration** – Costs are allocated based upon the other functional salaries within the department.
- **City Hall** – Associated costs are allocated based upon occupant's square footage.
- **Other Buildings** – Costs associated with building services for other buildings are allocated based upon the direct Departmental expenditures.

Note, the Health Department Building, and several buildings that were previously classified as 'Other Buildings' were reclassified as direct costs for FY 2014.

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

A. Department Costs

Dept:13 PW Bldg Svcs

Description		Amount	General Admin	City Hall	Other Bldgs
Personnel Costs					
Salaries	S1	2,043,945	0	1,588,448	455,497
Salary % Split			*.00%*	*77.71%*	*22.29%*
Benefits	P	897,433	0	727,624	169,809
Subtotal - Personnel Costs		2,941,378	0	2,316,072	625,306
Services & Supplies Cost					
Contract Svcs	P	1,629,508	0	1,145,102	484,406
Mat & Supp	P	301,677	0	178,219	123,458
Inventory	D	0	0	0	0
Revs & Reimb	P	(159)	0	(38)	(121)
Subtotal - Services & Supplies		1,931,026	0	1,323,283	607,743
Department Cost Total		4,872,404	0	3,639,355	1,233,049
Adjustments to Cost					
Inventory	D	0	0	0	0
Subtotal - Adjustments		0	0	0	0
Total Costs After Adjustments		4,872,404	0	3,639,355	1,233,049
General Admin Distribution			0	0	0
Grand Total		$4,872,404		$3,639,355	$1,233,049

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B. Incoming Costs - (Default Spread Salary%)

Dept:13 PW Bldg Svcs

	Department	First Incoming	Second Incoming	City Hall	Other Bldgs
1	Equipment Depreciation	$216,050	$0	$167,903	$48,147
	Subtotal - Equipment Depreciation	216,050	0	167,903	48,147
2	City Hall	936	0	727	209
	Subtotal - Building Depreciation	936	0	727	209
3	Manager	16,183	6,304	17,475	5,011
	Subtotal - City Manager	16,183	6,304	17,475	5,011
4	Advice & Opinions	1,532	62	1,239	355
	Subtotal - Law Department	1,532	62	1,239	355
5	Personnel	19,948	1,150	16,396	4,702
	Subtotal - Human Resources	19,948	1,150	16,396	4,702
6	Records	3,193	831	3,128	897
	Subtotal - City Clerk	3,193	831	3,128	897
7	Finance Dir	1,291	77	1,064	305
7	Budget	12,896	782	10,630	3,048
	Subtotal - Director of Finance	14,188	859	11,693	3,353
8	Cash Mgmt	14	1	12	4
	Subtotal - Treasury	14	1	12	4
9	Genl Accounting	4,442	263	3,657	1,049
9	Payroll	7,834	470	6,454	1,851
	Subtotal - Gen Acctng	12,276	734	10,110	2,899
10	Purchasing	10,933	693	9,035	2,591
	Subtotal - Purchasing	10,933	693	9,035	2,591
11	Internal Audit	0	0	0	0
11	City Mgr Support	2,534	100	2,047	587
	Subtotal - Admin Svcs	2,534	100	2,047	587
12	Dept Admn	179,207	26,979	160,237	45,949

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B. Incoming Costs - (Default Spread Salary%)

Dept:13 PW Bldg Svcs

	Department	First Incoming	Second Incoming	City Hall	Other Bldgs
	Subtotal - PW Admin	$179,207	$26,979	$160,237	$45,949
13	City Hall	0	10,130	7,872	2,257
	Subtotal - PW Bldg Svcs	0	10,130	7,872	2,257
Total Incoming		476,994	47,842	407,875	116,961
C. Total Allocated			$5,397,240	$4,047,230	$1,350,010
				74.99%	25.01%

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CITY OF WICHITA, KANSAS
FEDERAL 2 CFR 200 COST ALLOCATION PLAN

City Hall Allocations **Dept:13 PW Bldg Svcs**

	Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
3	City Manager	10,100	5.10%	$204,617	$0	$204,617	$0	$204,617
4	Law Department	3,230	1.63%	65,437	0	65,437	0	65,437
5	Human Resources	3,000	1.52%	60,777	0	60,777	0	60,777
6	City Clerk	2,825	1.43%	57,232	0	57,232	0	57,232
7	Director of Finance	2,630	1.33%	53,281	0	53,281	0	53,281
8	Treasury	3,035	1.53%	61,486	0	61,486	0	61,486
9	Gen Acctng	3,230	1.63%	65,437	0	65,437	0	65,437
10	Purchasing	2,780	1.40%	56,320	0	56,320	0	56,320
11	Admin Svcs	300	0.15%	6,078	0	6,078	0	6,078
12	PW Admin	8,125	4.10%	164,605	0	164,605	0	164,605
13	PW Bldg Svcs	500	0.25%	10,130	0	10,130	0	10,130
15	Housing Admin	9,500	4.80%	192,462	0	192,462	2,233	194,695
17	Public Information	100	0.05%	2,026	0	2,026	24	2,049
18	Intgovt Affairs	200	0.10%	4,052	0	4,052	47	4,099
21	City Council	3,000	1.52%	60,777	0	60,777	705	61,482
22	Sp Assessments	250	0.13%	5,065	0	5,065	59	5,124
23	Court	21,455	10.84%	434,659	0	434,659	5,043	439,702
28	Fire Department	6,462	3.26%	130,914	0	130,914	1,519	132,433
29	Police-Field	12,925	6.53%	261,849	0	261,849	3,038	264,887
30	Police-Support	12,925	6.53%	261,849	0	261,849	3,038	264,887
31	Police-Investigations	11,925	6.02%	241,590	0	241,590	2,803	244,393
44	Public Works-Engineer	6,463	3.27%	130,935	0	130,935	1,519	132,454
46	Park Department-Admin	6,462	3.26%	130,914	0	130,914	1,519	132,433
60	Economic Develop	3,380	1.71%	68,476	0	68,476	794	69,270
63	Water-Operations	8,805	4.45%	178,382	0	178,382	2,070	180,451
72	IT/IS	14,975	7.57%	303,380	0	303,380	3,520	306,900
75	Self Ins - Group Health	100	0.05%	2,026	0	2,026	24	2,049
76	Risk-Work Comp	700	0.35%	14,181	0	14,181	165	14,346
82	Pension-WER	300	0.15%	6,078	0	6,078	71	6,148
85	Pension-P&F	300	0.15%	6,078	0	6,078	71	6,148
108	Other	37,956	19.18%	768,955	0	768,955	8,921	777,877
Subtotal		197,938	100.00%	4,010,050	0	4,010,050	37,180	4,047,230
Direct Bills						0		0
Total						$4,010,050		$4,047,230

Basis Units: Square Footage Occupied

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Other Bldgs Allocations

Dept:13 PW Bldg Svcs

Department	Units	Allocation Percent	First Allocation	Direct Billed	Department Allocation	Second Allocation	Total
108 Other	100	100.00%	$1,339,348	$0	$1,339,348	$10,662	$1,350,010
Subtotal	100	100.00%	1,339,348	0	1,339,348	10,662	1,350,010
Direct Bills					0		0
Total					$1,339,348		$1,350,010

Basis Units: Direct to Other

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Allocation Summary

Dept:13 PW Bldg Svcs

	Department	City Hall	Other Bldgs	Total
3	City Manager	$204,617	$0	$204,617
4	Law Department	65,437	0	65,437
5	Human Resources	60,777	0	60,777
6	City Clerk	57,232	0	57,232
7	Director of Finance	53,281	0	53,281
8	Treasury	61,486	0	61,486
9	Gen Acctng	65,437	0	65,437
10	Purchasing	56,320	0	56,320
11	Admin Svcs	6,078	0	6,078
12	PW Admin	164,605	0	164,605
13	PW Bldg Svcs	10,130	0	10,130
15	Housing Admin	194,695	0	194,695
17	Public Information	2,049	0	2,049
18	Intgovt Affairs	4,099	0	4,099
21	City Council	61,482	0	61,482
22	Sp Assessments	5,124	0	5,124
23	Court	439,702	0	439,702
28	Fire Department	132,433	0	132,433
29	Police-Field	264,887	0	264,887
30	Police-Support	264,887	0	264,887
31	Police-Investigations	244,393	0	244,393
44	Public Works-Engineer	132,454	0	132,454
46	Park Department-Admin	132,433	0	132,433
60	Economic Develop	69,270	0	69,270
63	Water-Operations	180,451	0	180,451
72	IT/IS	306,900	0	306,900
75	Self Ins - Group Health	2,049	0	2,049
76	Risk-Work Comp	14,346	0	14,346
82	Pension-WER	6,148	0	6,148
85	Pension-P&F	6,148	0	6,148
108	Other	777,877	1,350,010	2,127,887
Total		$4,047,230	$1,350,010	$5,397,240

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Section 8
Schedule of Expenditures of Federal Awards

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CITY OF WICHITA, KANSAS

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

For the year ended December 31, 2018

Federal Grant or Program Title	Cluster	Federal CFDA Number	Pass-through Entity Identifying Number	Passed Through to Subrecipients	Total Federal Expenditures
U.S. Department of Defense					
Passed Through Wichita State University:					
Procurement Technical Assistance for Business Firms		12.002	SP480017217650002	$ -	$ 518
Total U.S. Department of Defense				-	518
U.S. Department of Housing and Urban Development					
Direct Funding:					
Community Development Block Grants/Entitlement Grants	1	14.218		608,153	2,543,593
Emergency Shelter Grants Program		14.231		411,562	571,362
HOME Investment Partnerships Program		14.239		-	1,230,463
Public and Indian Housing		14.850		-	1,670,211
Resident Opportunity and Supportive Services		14.870		57,168	45,187
Section 8 Housing Choice Vouchers	2	14.871		-	16,280,513
Public Housing Capital Fund		14.872		-	559,267
Mainstream Vouchers	2	14.879		-	291,871
Family Self-Sufficiency Program		14.896		-	179,044
Total U.S. Department of Housing and Urban Development				1,076,883	23,371,511
U. S. Department of the Interior					
Passed Through Kansas Historical Society:					
Historic Preservation Fund Grants-In-Aid		15.904	P14AS00012-006	-	(1,245)
Total U.S. Department of the Interior				-	(1,245)
U.S. Department of Justice					
Direct Funding:					
Adult Drug Court Discretionary Grant		16.585		-	8,261
Public Safety Partnership and Community Policing Grants		16.710		-	260,695
Equitable Sharing Program		16.922		-	81,442
Passed Through Sedgwick County:					
Missing Children's Assistance		16.543	2016-MC-FX-K005	-	121,798
Edward Byrne Memorial Justice Assistance Grant Program		16.738	2015-H2722-KS-DJ	-	422
Edward Byrne Memorial Justice Assistance Grant Program		16.738	2016-H3013-KS-DJ	-	38,795
Edward Byrne Memorial Justice Assistance Grant Program		16.738	2017-H2273-KS-DJ	-	61,436
Edward Byrne Memorial Justice Assistance Grant Program		16.738	2018-H3031-KS-DJ	-	55,632
Passed Through Kansas Governor's Grant Program:					
Crime Victim Assistance		16.575	16-VOCA-43	-	(306)
Crime Victim Assistance		16.575	18-VOCA-45	-	70,481
Crime Victim Assistance		16.575	18-VOCA-44	-	115,670
Crime Victim Assistance		16.575	19-VOCA-46	-	23,510
Crime Victim Assistance		16.575	19-VOCA-45	-	29,210
Total U.S. Department of Justice				-	867,046
U.S. Department of Transportation					
Direct Funding:					
Federal Transit - Formula Grants	3	20.507		90,013	4,530,308
Bus and Bus Facilities Formula Program	3	20.526		-	743,478
Bus and Bus Facilities Formula Program	3	20.526		-	225,319
Bus and Bus Facilities Formula Program	3	20.526		-	7,469
Bus and Bus Facilities Formula Program	3	20.526		-	599,950
Bus and Bus Facilities Formula Program	3	20.526		-	3,400
Passed Through Kansas Department of Transportation:					
Highway Planning and Construction	4	20.205	N-0597-01	-	63,913
Highway Planning and Construction	4	20.205	N-0613-01	-	1,698
Highway Planning and Construction	4	20.205	N-0615-01	-	1,437,243
Highway Planning and Construction	4	20.205	N-0614-01	-	1,982,693
Highway Planning and Construction	4	20.205	N-0616-01	-	1,545,157
Highway Planning and Construction	4	20.205	N-0639-01	-	218,893
Highway Planning and Construction	4	20.205	N-0582-01	-	1,714
Highway Planning and Construction	4	20.205	U-0407-01	-	31,079
Highway Planning and Construction	4	20.205	N-0673-01	-	355,691
Highway Planning and Construction	4	20.205	N-0519-01	-	4,087
Highway Planning and Construction	4	20.205	N-0611-01	-	24,492
Highway Planning and Construction	4	20.205	KA-2382-01	-	14,956,348
State and Community Highway Safety	5	20.600	PT-1701-17	-	240,046
State and Community Highway Safety	5	20.600	SP-1602-18	-	32,456
State and Community Highway Safety	5	20.600	SP-1704-17	-	45
State and Community Highway Safety	5	20.600	SP-4704-18	-	74,364
State and Community Highway Safety	5	20.600	PT-1049-19	-	5,874
National Priority Safety Programs	5	20.616	SP-4505-18	-	2,263
National Priority Safety Programs	5	20.616	SP-4704-18	-	10,102
Total U.S. Department of Transportation				90,013	27,098,082

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CITY OF WICHITA, KANSAS

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS (CONTINUED)

For the year ended December 31, 2018

Federal Grant or Program Title	Cluster	Federal CFDA Number	Pass-through Entity Identifying Number	Passed Through to Subrecipients	Total Federal Expenditures
U.S. Environmental Protection Agency					
Passed Through Kansas Department of Health and Environment:					
Air Pollution Control Program Support		66.001		$ -	$ 99,251
Surveys, Studies, Research Clean Air Act		66.034	97754601	-	8,012
Surveys, Studies, Research Clean Air Act		66.034	97754601	-	17,646
Nonpoint Source Implementation Grants		66.460	C900740522	-	8,000
Total U.S. Environmental Protection Agency				-	132,909
U.S. Department of Health and Human Services					
Passed Through Kansas Housing Resources Corporation:					
Community Services Block Grant		93.569	17-CSBG-01	127,642	720,743
Community Services Block Grant		93.569	17 DISC 01A	-	25,477
Community Services Block Grant		93.569	18-CSBG-01	-	192,002
Passed Through Kansas Department of Health and Environment:					
Child Care and Development Block Grant	6	93.575	3028-2643450G	-	115,792
Child Care and Development Block Grant	6	93.575	3028-2643450H	-	67,042
Total U.S. Department of Health and Human Services				127,642	1,121,056
Executive Office of the President					
Passed Through Kansas Bureau of Investigation:					
High Intensity Drug Trafficking Areas Program		95.001	G16MW0003A	-	9,956
High Intensity Drug Trafficking Areas Program		95.001	G17MW0003A	-	24,015
Total Executive Office of the President				-	33,971
U.S. Department of Homeland Security					
Direct Funding:					
Assistance to Firefighters Grant		97.044		-	127,077
Staffing for Adequate Fire and Emergency Response		97.083		-	421,382
Total U.S. Department of Homeland Security				-	548,459
Total revenue and expenditures of federal awards				$ 1,294,538	$ 53,172,307

(1) CDBG-Entitlement Grants Cluster	$ 2,543,593
(2) Housing Voucher Cluster	$ 16,572,384
(3) Federal Transit Cluster	$ 6,109,924
(4) Highway Planning and Construction Cluster	$ 20,623,008
(5) Highway Safety Cluster	$ 365,150
(6) Child Care and Development Fund (CCDF) Cluster	$ 182,834

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Appendix C
Cost Allocation & User Fee Study

Section 9
Indirect Cost Rate Base Details

Cost Allocation & User Fee Study
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CITY OF WICHITA, KANSAS
2 CFR PART 200 COST ALLOCATION PLAN
FY 2018 INDIRECT COST RATE DETAIL - RATE BASE DETAIL
OBJECT CODES 1XXX, 2XXX, 3XXX, 5XXX
EXCLUDES 4XXX - CAPITAL OUTLAY

GL Major	43

Sum of Rate Base	MGT Index										
	92	93	95	97	98	99	102	103	104	151	155
MGT Object Combo	CDBG	CSBG	WSCCAP	Emergency Shelter HUD	Library Grants	Planning Grants	HOME Program	Wichita Housing Authority	Transit Grants	Park Grants	Fire Grants
1100 - Bi-weekly wages	648,978	276,704		14,999		1,292	49,735	1,462,913	365,184		235,998
1101 - Longevity	6,368	4,869					750	26,819	421		
1102 - Education pay											575
1104 - Shift differential								169	1,548		
1105 - Hazard duty pay											
1125 - Paid leaves	98,685	51,116					6,018	245,490	46,469		23,042
1126 - Injury leave								43			2,474
1190 - Accrual	3,666	1,578		94			235	8,427	18,052		
1195 - Delegate agencies - payroll	480,578	74,017		59,200			37,782	58,960			
1199 - Other								11,370			
1200 - Part time/seasonal	141,234							33,483		1,266	
1202 - Bi-weekly wages WT drivers/maintenance								27	2,583,141		
1204 - Clothing allowance								150			-3,900
1205 - Auto allowance	7,088	942						9,746	53		100
1208 - Cellular phone allowance	4,400	600						3,050	600		
1211 - Longevity WT drivers/maintenance									35,660		
1214 - Shift Differential WT drivers/maint									4,974		
1215 - Paid Leaves WT drivers/maintenance									295,231		
1216 - Overtime WT drivers/maintenance									631,598		
1217 - Shift Differential 1st WT drivers/maint									157		
1229 - Police Physical Fitness Bonus											
1230 - Bonus Pay									23,474		
1233 - Holiday WT drivers/maintenance									135,219		
1300 - Premium-Overtime	117	861						25,188	35,921		2,051
1301 - Straight	29	59						2,662	588		699
1302 - Court appearance											
1303 - Holiday									97		13,137
1400 - FICA	65,335	24,097		1,141		90	4,125	129,106	240,971	97	3,890
1401 - Employee pension	97,143	38,540		1,910		159	7,237	203,339	51,875		
1402 - Police and fire pension								149			50,212
1403 - Workers compensation	9,433	3,681		168		29	619	19,390	144,641	44	8,191

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CITY OF WICHITA, KANSAS
2 CFR PART 200 COST ALLOCATION PLAN
FY 2018 INDIRECT COST RATE DETAIL - RATE BASE DETAIL
OBJECT CODES 1XXX, 2XXX, 3XXX, 5XXX
EXCLUDES 4XXX - CAPITAL OUTLAY

GL Major	43

Sum of Rate Base	MGT Index										
	92	93	95	97	98	99	102	103	104	151	155
MGT Object Combo	CDBG	CSBG	WSCCAP	Emergency Shelter HUD	Library Grants	Planning Grants	HOME Program	Wichita Housing Authority	Transit Grants	Park Grants	Fire Grants
1404 - Unemployment compensation	858	315		15		1	54	1,704	4,057	1	268
1405 - Group health insurance	144,213	77,181		4,617		243	9,556	436,704	993,117		84,120
1406 - Group life insurance	1,225	657		0		2	108	3,116	6,174		346
1407 - Central States - Transit									641,847		
1408 - Deferred compensation								0	14,098		
1410 - Tuition reimbursement											
1411 - EMT Recert Reimbursement											180
1413 - Dental insurance-employer									33		
1414 - Health insurance-employer WAMPO									316		
1415 - Vision insurance-employer									8		
1495 - Employee benefits-delegate agencies	63,754	20,448									
1499 - Employee benefits in aggregate	2,200							-3,091			
2100 - Electricity				13,812				127,349			
2101 - Gas-ONEOK Kansas Gas Service				2,886				37,291			
2102 - Gas-Black Hills								5,851			
2104 - Water				910				58,439			
2106 - Landfill								102			
2107 - Trash service					125			84,010			
2108 - Hazardous materials disposal	5,070										
2120 - Client utility assistance								542,965			
2195 - Delegate agencies - utilities				113,501							
2200 - PBX - line charges	893	798						7,259			
2201 - PBX - instrument charges	2,115	1,890						11,458			
2203 - Long distance service								1,208			
2204 - Local services		72						3,288			
2206 - Pagers and mobile phones								426			
2207 - Postage - regular	505	521				2	25	24,567	0		
2210 - Shipping and freight					160			134	12		
2211 - Express mail	82						80	38			
2212 - CATV (Cable)								2,773			
2214 - Air cards - mobile	1,225							5,351	245		

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OBJECT CODES 1XXX, 2XXX, 3XXX, 5XXX
EXCLUDES 4XXX - CAPITAL OUTLAY

GL Major	43

Sum of Rate Base	**MGT Index**										
	92	**93**	**95**	**97**	**98**	**99**	**102**	**103**	**104**	**151**	**155**
MGT Object Combo	**CDBG**	**CSBG**	**WSCCAP**	**Emergency Shelter HUD**	**Library Grants**	**Planning Grants**	**HOME Program**	**Wichita Housing Authority**	**Transit Grants**	**Park Grants**	**Fire Grants**
2215 - Plexar								4,774			
2216 - Voice mail	574	588						2,079			
2217 - Internet Service	2,819	-28			152,997			6,133			
2218 - Automatic Call Distribution								76			
2295 - Delegate agencies-phone, comm	153			4,263							
2296 - Delegate agencies-postage/ship				595							
2299 - Other-Communications								920			
2300 - Auto tags and titles									711		
2301 - Meals and lodging allowance	5,392	689			8,126			40,274	21,116		
2302 - Out of town registration fees	3,175	1,080			2,160			3,569	1,905		
2303 - In town registration fees								11,094	790		
2304 - Training consultants									8,107		
2307 - Employee - in-town mileage	13								6		
2308 - Transportation - out of town	381				2,487			2,695	8,482		
2310 - Turnpike fees and charges	531	6							225		
2395 - Delegate agencies - travel and training	822			1,014							
2399 - Other training/transportation		87,818						14	5,759		
2400 - Building and contents insurance								110,399			
2402 - General liability								33,479			
2495 - Delegate agency insurance chgs				12,304							
2499 - Other insurance	50							30,172			
2500 - Certification fees	150							275			
2501 - Pre-employment expenses	1,850								45		
2502 - Medical and laboratory services	6,223	71,545						303	369		
2503 - Studies/Consultants	863					-2,045		6,335	25,296		
2504 - Engineering	3,653										
2505 - Contractors	389,651				185	18,668		250	14,774		
2507 - Audits	1,623	442					628	12,826	3,874		
2508 - Temporary help								336			
2509 - Appraisal/inspection	1,625							875			
2512 - Credit report								37,362			

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EXCLUDES 4XXX - CAPITAL OUTLAY

GL Major	43

Sum of Rate Base	MGT Index										
	92	93	95	97	98	99	102	103	104	151	155
MGT Object Combo	CDBG	CSBG	WSCCAP	Emergency Shelter HUD	Library Grants	Planning Grants	HOME Program	Wichita Housing Authority	Transit Grants	Park Grants	Fire Grants
2514 - Laboratory services	79										
2516 - Sublet repairs									363,955		
2519 - Background checks	148							331	164		
2540 - Management Fees								637,700			
2541 - Bookkeeping Fees								50,045			
2542 - Asset Management Fees								69,360			
2599 - Other professional services	11,815	40				5,000		5,182	15,491		
2600 - Data center charges	98,286	17,518					19,657	272,978	214,358		
2601 - Maintenance - data equipment					10,634			52,835	29,860		
2700 - Motor pool - scheduled charges	1,870							77,200			
2701 - Motor pool-unscheduled charges	311	895			112		76	13	392		
2702 - Lease/rent equipment				-220							
2703 - Maintenance - equipment								80	17,347		
2704 - Car washes											
2705 - Outside services	85								25,355		
2706 - Towel rental service									5,675		
2707 - Cylinder rental-compressed gas								518			
2708 - Uniform rental service									6,148		
2795 - Delegate agen-equip rent/maint				600							
2799 - Other equipment charges									3,918		
2801 - Lease/Rent-Buildings or grounds	5,164			126,143				35			
2802 - Maintenance - grounds								41,284	16,073		
2803 - Maintenance - buildings	709,639							366,435	98,394		
2804 - Pest control services	195							45,236	192		
2805 - Janitorial services								53,988	102,054		
2806 - Security/Fire services								157,601	1,092		
2895 - Delegate agencies-Bldg rent/maint				35,189							
2899 - Other building/grounds charges					108			680,127	26,816		
2900 - City administrative charges	97,233	28,238	699	13,973	956	60	5,652	264,050	215,711		32
2902 - Advertising	4,269	1,459	1,175			54	7,840	1,542	35	2,500	
2904 - Codes and manuals								1,565			

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GL Major	43

Sum of Rate Base	MGT Index										
	92	93	95	97	98	99	102	103	104	151	155
MGT Object Combo	CDBG	CSBG	WSCCAP	Emergency Shelter HUD	Library Grants	Planning Grants	HOME Program	Wichita Housing Authority	Transit Grants	Park Grants	Fire Grants
2905 - Periodicals/Subscriptions							115	600			
2906 - Membership dues		11,705			15,227			5,932			
2907 - Rent and rent assistance	4,548			12,205				14,395,571			
2908 - Bad debt expense								-14,656			
2909 - Recording costs	8,715						380				
2910 - Purchase transp services-Transit	10,839	3,300									
2912 - City admin charges - projects									3,555		
2914 - Downpayment	10,566						231,297				
2915 - Rehabilitation costs							951,474				
2916 - Property taxes								2,186			
2917 - Printing and copying	14,515	7,301		854	11,692	201		76,989	295		
2922 - Shredding and recycling	369	369						105			
2923 - Application Fees	25			300							
2928 - Permits and Fees								449			
2950 - City Engineering Overhead	313					1,323					
2995 - Delegate agencies-rent	241							10,000			
2996 - Deleg agencies-other contractuals	50,076	65,000		9,106							
2997 - Deleg agencies-admin charges	4,131							14,796			
2999 - Other contractuals				111,847	1,056			51,612	275,910		
3101 - Computer/printer supplies	551				6,214			8,431	5,280		
3103 - Office supplies	4,265	1,920			163			13,318			
3195 - Delegate agency-office supplies				1,076				2,500			
3196 - Delegate agencies - supplies	261			284							
3199 - Other office supplies	272							108			
3200 - Clothing and towels								2,932	3,090		
3299 - Other clothing	1,640	450									
3301 - Industrial chemicals								16	19,688		
3399 - Other chemicals								3,416	57,261		
3400 - Equipment parts and supplies	12							534			
3401 - Aircraft											
3402 - Automotive								52	365,435		

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GL Major	43

Sum of Rate Base	MGT Index										
	92	93	95	97	98	99	102	103	104	151	155
MGT Object Combo	CDBG	CSBG	WSCCAP	Emergency Shelter HUD	Library Grants	Planning Grants	HOME Program	Wichita Housing Authority	Transit Grants	Park Grants	Fire Grants
3403 - Electrical								7,193			
3405 - Fuel	204							19,712	1,017,989		
3406 - Safety/security equipment								8,341	717		
3407 - Road/highway/traffic equipment											
3421 - Tires									85,713		
3499 - Other equipment parts								15,556	19,035		
3500 - Materials								7,983			
3515 - Welding supplies								13	1,266		
3550 - Weatherization materials									0		
3595 - Delegate agencies - materials	294			26,865							
3599 - Other materials								426	10,606		
3700 - Building parts and materials	12,468							197,334	5,919		
3702 - Building repairs and equipment								1,070	3,612		
3799 - Other building parts and materials									14,447		
3800 - Non-capital shop equipment < $5,000 each								10,154	13,545		
3801 - Appliances < $5,000 each								14,438			
3802 - Audio and visual equipment < $5000 each											
3804 - Data processing equipment < $5,000 each	1,832	8			19,213			1,832	170		
3805 - Furniture & equipment <$5000 each					26,779			10,460	27,839		
3806 - Athletic equipment < $5,000 each											
3807 - Garden/grounds/lawn equip < $5,000 each								107			
3808 - Photographic equipment < $5,000 each											579
3809 - Plumbing equipment < $5,000 each								34,997			
3810 - Police equipment < $5,000 each											
3811 - Library materials < $5,000 each					99,451						
3812 - Communication equipment < $5,000 each									21,370		
3813 - Training equipment < $5,000 each											3,098
3815 - Safety equipment < $5,000 each									540		
3895 - Delegate agency non-capital equip <$5000		9,965									
3896 - Delegate agency-real property							48,500				
3899 - Other non-capitalized equip <$5,000 each									6,284		

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GL Major	43

Sum of Rate Base	MGT Index										
	92	93	95	97	98	99	102	103	104	151	155
MGT Object Combo	CDBG	CSBG	WSCCAP	Emergency Shelter HUD	Library Grants	Planning Grants	HOME Program	Wichita Housing Authority	Transit Grants	Park Grants	Fire Grants
3901 - Custodial supplies								10,765	31,742		
3903 - Food supplies		207	22,505					4,913			
3904 - Petty cash expenditures								130	188		
3990 - Purchasing Card Clearing	0	0						0			
3995 - Delegate agencies-misc commod	673			1,710							
3999 - Other commodities	550	1,765	96					60	5,018		2,031
4202 - Carpeting and window treatment											
4400 - Furniture and fixtures => $5,000											
4505 - Vans => $10,000											
4508 - Motorcycles => $10,000											
4604 - Medical/Rescue/Security Equip => $5,000											
4610 - Lawn and farm equipment => $5,000											
4612 - Transportation Equipment => $5,000											
5101 - Reimbursements-interfund & interdepart		46,995						5,000			
5208 - Interest - temporary notes payment									11,543		
5303 - Legal settlements and claims								1,000			
5306 - In-kind expense											
5308 - Engineering overhead	4,123										
Grand Total	**3,265,313**	**938,222**	**24,476**	**571,362**	**357,845**	**25,079**	**1,381,942**	**21,600,139**	**9,518,327**	**3,909**	**427,123**

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GL Major

Sum of Rate Base

MGT Object Combo	157 Environmental Health Grants	159 Police Grants	169 Law Grants	170 Public Works Grants	171 City Manager Grants	172 Finance Grants	Grand Total
1100 - Bi-weekly wages	295,770	439,759	51,199			1,475	3,844,005
1101 - Longevity	652	4,092					43,970
1102 - Education pay		4,264					4,839
1104 - Shift differential		10,666					12,383
1105 - Hazard duty pay		1,140					1,140
1125 - Paid leaves	34,176	54,906	11,167				571,067
1126 - Injury leave		93					2,609
1190 - Accrual	1,023	6,242	287				39,604
1195 - Delegate agencies - payroll							710,537
1199 - Other							11,370
1200 - Part time/seasonal			3,443				179,426
1202 - Bi-weekly wages WT drivers/maintenance							2,583,167
1204 - Clothing allowance		681					-3,069
1205 - Auto allowance		375					18,304
1208 - Cellular phone allowance	2,700						11,350
1211 - Longevity WT drivers/maintenance							35,660
1214 - Shift Differential WT drivers/maint							4,974
1215 - Paid Leaves WT drivers/maintenance							295,231
1216 - Overtime WT drivers/maintenance							631,598
1217 - Shift Differential 1st WT drivers/maint							157
1229 - Police Physical Fitness Bonus		280					280
1230 - Bonus Pay							23,474
1233 - Holiday WT drivers/maintenance							135,219
1300 - Premium-Overtime	470	170,323					234,931
1301 - Straight	23	572					4,632
1302 - Court appearance		960					960
1303 - Holiday		3,398					16,633
1400 - FICA	25,217	16,314	3,118			104	513,605
1401 - Employee pension	44,316	13,461	6,398			189	464,566
1402 - Police and fire pension		79,486					129,846
1403 - Workers compensation	8,186	9,061	357			9	203,810

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GL Major

Sum of Rate Base

MGT Object Combo	157 Environmental Health Grants	159 Police Grants	169 Law Grants	170 Public Works Grants	171 City Manager Grants	172 Finance Grants	Grand Total
1404 - Unemployment compensation	330	518	40			1	8,161
1405 - Group health insurance	71,437	66,249	21,996			403	1,909,837
1406 - Group life insurance	577	714	65			2	12,984
1407 - Central States - Transit							641,847
1408 - Deferred compensation							14,099
1410 - Tuition reimbursement			0				0
1411 - EMT Recert Reimbursement							180
1413 - Dental insurance-employer							33
1414 - Health insurance-employer WAMPO							316
1415 - Vision insurance-employer							8
1495 - Employee benefits-delegate agencies							84,202
1499 - Employee benefits in aggregate	-1,735	-424	7,276				4,227
2100 - Electricity		8,658					149,819
2101 - Gas-ONEOK Kansas Gas Service							40,177
2102 - Gas-Black Hills		4,418					10,269
2104 - Water		1,439					60,788
2106 - Landfill							102
2107 - Trash service		358					84,493
2108 - Hazardous materials disposal							5,070
2120 - Client utility assistance							542,965
2195 - Delegate agencies - utilities							113,501
2200 - PBX - line charges	1,140	266	230				10,586
2201 - PBX - instrument charges	2,340	585	249				18,637
2203 - Long distance service	7	99	73				1,387
2204 - Local services							3,360
2206 - Pagers and mobile phones		2,236					2,662
2207 - Postage - regular	155	24	4,204		25		30,029
2210 - Shipping and freight		568			18		893
2211 - Express mail	450						650
2212 - CATV (Cable)							2,773
2214 - Air cards - mobile	2,873	630	420				10,744

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GL Major

Sum of Rate Base

MGT Object Combo	157 Environmental Health Grants	159 Police Grants	169 Law Grants	170 Public Works Grants	171 City Manager Grants	172 Finance Grants	Grand Total
2215 - Plexar	279						5,053
2216 - Voice mail	336	196	117				3,890
2217 - Internet Service		4,889					166,810
2218 - Automatic Call Distribution							76
2295 - Delegate agencies-phone, comm							4,417
2296 - Delegate agencies-postage/ship							595
2299 - Other-Communications	110						1,031
2300 - Auto tags and titles							711
2301 - Meals and lodging allowance	217	16,050	244				92,108
2302 - Out of town registration fees		32,618	100				44,607
2303 - In town registration fees							11,884
2304 - Training consultants							8,107
2307 - Employee - in-town mileage							19
2308 - Transportation - out of town		5,659	157				19,861
2310 - Turnpike fees and charges	80						841
2395 - Delegate agencies - travel and training							1,836
2399 - Other training/transportation		1,535					95,126
2400 - Building and contents insurance							110,399
2402 - General liability							33,479
2495 - Delegate agency insurance chgs							12,304
2499 - Other insurance							30,222
2500 - Certification fees							425
2501 - Pre-employment expenses							1,895
2502 - Medical and laboratory services							78,440
2503 - Studies/Consultants							30,449
2504 - Engineering							3,653
2505 - Contractors		2,801			29,378		455,706
2507 - Audits							19,393
2508 - Temporary help							336
2509 - Appraisal/inspection							2,500
2512 - Credit report							37,362

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Sum of Rate Base

MGT Object Combo	157 Environmental Health Grants	159 Police Grants	169 Law Grants	170 Public Works Grants	171 City Manager Grants	172 Finance Grants	Grand Total
2514 - Laboratory services							79
2516 - Sublet repairs							363,955
2519 - Background checks							642
2540 - Management Fees							637,700
2541 - Bookkeeping Fees							50,045
2542 - Asset Management Fees							69,360
2599 - Other professional services	154	1,364			91,298		130,343
2600 - Data center charges	17,844	2,848	2,178				645,667
2601 - Maintenance - data equipment							93,328
2700 - Motor pool - scheduled charges	4,320	18,040					101,430
2701 - Motor pool-unscheduled charges	399						2,199
2702 - Lease/rent equipment		9,731			150		9,661
2703 - Maintenance - equipment	2,532	15,488					35,447
2704 - Car washes		296					296
2705 - Outside services							25,440
2706 - Towel rental service							5,675
2707 - Cylinder rental-compressed gas							518
2708 - Uniform rental service							6,148
2795 - Delegate agen-equip rent/maint							600
2799 - Other equipment charges							3,918
2801 - Lease/Rent-Buildings or grounds		61,000					192,342
2802 - Maintenance - grounds		1,240					58,597
2803 - Maintenance - buildings		12,620					1,187,089
2804 - Pest control services		510					46,133
2805 - Janitorial services							156,042
2806 - Security/Fire services		912					159,605
2895 - Delegate agencies-Bldg rent/maint							35,189
2899 - Other building/grounds charges							707,051
2900 - City administrative charges	3,892	933			504	23	631,956
2902 - Advertising	10,170	965			17,681		47,689
2904 - Codes and manuals							1,565

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Sum of Rate Base

MGT Object Combo	157 Environmental Health Grants	159 Police Grants	169 Law Grants	170 Public Works Grants	171 City Manager Grants	172 Finance Grants	Grand Total
2905 - Periodicals/Subscriptions							715
2906 - Membership dues							32,864
2907 - Rent and rent assistance					100		14,412,424
2908 - Bad debt expense							14,656
2909 - Recording costs							9,095
2910 - Purchase transp services-Transit							14,139
2912 - City admin charges - projects							3,555
2914 - Downpayment							241,863
2915 - Rehabilitation costs							951,474
2916 - Property taxes							2,186
2917 - Printing and copying	4,290	960	3,056		644		120,796
2922 - Shredding and recycling							842
2923 - Application Fees							325
2928 - Permits and Fees							449
2950 - City Engineering Overhead		0					1,635
2995 - Delegate agencies-rent							10,241
2996 - Deleg agencies-other contractuals							124,182
2997 - Deleg agencies-admin charges							18,928
2999 - Other contractuals		682					441,107
3101 - Computer/printer supplies		93,730			142		114,349
3103 - Office supplies	3,936	296	731		227		24,857
3195 - Delegate agency-office supplies							3,576
3196 - Delegate agencies - supplies							545
3199 - Other office supplies							380
3200 - Clothing and towels	200	5,301					11,524
3299 - Other clothing	215						2,305
3301 - Industrial chemicals							19,703
3399 - Other chemicals							60,677
3400 - Equipment parts and supplies	1,791						2,336
3401 - Aircraft		23,260					23,260
3402 - Automotive		41,521					407,008

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Sum of Rate Base

MGT Object Combo	157 Environmental Health Grants	159 Police Grants	169 Law Grants	170 Public Works Grants	171 City Manager Grants	172 Finance Grants	Grand Total
3403 - Electrical							7,193
3405 - Fuel	840	39,780					1,078,526
3406 - Safety/security equipment							9,058
3407 - Road/highway/traffic equipment		12,500					12,500
3421 - Tires		5,336					91,048
3499 - Other equipment parts							34,591
3500 - Materials		-48			100		8,035
3515 - Welding supplies							1,279
3550 - Weatherization materials							0
3595 - Delegate agencies - materials							27,160
3599 - Other materials							11,031
3700 - Building parts and materials							215,722
3702 - Building repairs and equipment							4,682
3799 - Other building parts and materials		63					14,509
3800 - Non-capital shop equipment < $5,000 each							23,699
3801 - Appliances < $5,000 each							14,438
3802 - Audio and visual equipment < $5000 each		1,619					1,619
3804 - Data processing equipment < $5,000 each		25,801			876		49,733
3805 - Furniture & equipment <$5000 each	509	59,914					125,500
3806 - Athletic equipment < $5,000 each		2,580					2,580
3807 - Garden/grounds/lawn equip < $5,000 each							107
3808 - Photographic equipment < $5,000 each		6,527					7,106
3809 - Plumbing equipment < $5,000 each							34,997
3810 - Police equipment < $5,000 each		164,795					164,795
3811 - Library materials < $5,000 each							99,451
3812 - Communication equipment < $5,000 each		32,040					53,410
3813 - Training equipment < $5,000 each							3,098
3815 - Safety equipment < $5,000 each							540
3895 - Delegate agency non-capital equip <$5000							9,965
3896 - Delegate agency-real property							48,500
3899 - Other non-capitalized equip <$5,000 each							6,284

Cost Allocation & User Fee Study
Appendix C
MGT of America Submittal

CITY OF WICHITA, KANSAS
2 CFR PART 200 COST ALLOCATION PLAN
FY 2018 INDIRECT COST RATE DETAIL - RATE BASE
OBJECT CODES 1XXX, 2XXX, 3XXX, 5XXX
EXCLUDES 4XXX - CAPITAL OUTLAY

GL Major

Sum of Rate Base

MGT Object Combo	157 Environmental Health Grants	159 Police Grants	169 Law Grants	170 Public Works Grants	171 City Manager Grants	172 Finance Grants	Grand Total
3901 - Custodial supplies							42,507
3903 - Food supplies	202				22		27,849
3904 - Petty cash expenditures							319
3990 - Purchasing Card Clearing		0					0
3995 - Delegate agencies-misc commod							2,383
3999 - Other commodities	249	35,223			404		45,396
4202 - Carpeting and window treatment							
4400 - Furniture and fixtures => $5,000							
4505 - Vans => $10,000							
4508 - Motorcycles => $10,000							
4604 - Medical/Rescue/Security Equip => $5,000							
4610 - Lawn and farm equipment => $5,000							
4612 - Transportation Equipment => $5,000							
5101 - Reimbursements-interfund & interdepart							51,995
5208 - Interest - temporary notes payment							11,543
5303 - Legal settlements and claims							1,000
5306 - In-kind expense	148,711			13,333			162,044
5308 - Engineering overhead							4,123
Grand Total	**691,383**	**1,643,982**	**117,106**	**13,333**	**141,569**	**2,206**	**40,723,315**

Cost Allocation & User Fee Study
Appendix C
MGT of America Submittal

Cost Allocation & User Fee Study
Appendix C
MGT of America Submittal

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-359

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Susan Norton, Chief of Staff

FROM: Timothy Nyander, Utilities Director

DATE: February 2, 2023

SUBJECT: **Elkins Water Purchase Agreement**

RECOMMENDATION:
Staff recommends approval of a Water Purchase Agreement between the City of Fayetteville and the City of Elkins to allow the sale of wholesale water to the City of Elkins.

BACKGROUND:
The City of Fayetteville owns and operates a water supply distribution system with a capacity capable of serving its citizens as well as the City of Elkins. The City of Elkins currently purchases wholesale water from the City of Fayetteville for distribution within its present service area.

DISCUSSION:
The current agreement with the City of Elkins to furnish them with potable water is expired, and City staff recently drafted a new Water Purchase Agreement that has been agreed to and signed by the City of Elkins. The agreement outlines that the City of Elkins shall purchase water as required by its citizens up to a maximum of 130 million gallons per year and a maximum of 350 thousand gallons per day. The City of Fayetteville's water system has ample capacity to serve this need. The City of Elkins shall maintain a backflow prevention device at the point of delivery so that the City of Fayetteville's water supply is protected in the event of a backflow occurrence in the City of Elkins' water system.

The term of this agreement shall extend for a term of ten (10) years from the date of the signature, and may be renewed for further terms as agreed upon by both Cities. Staff recommends approval of the Water Purchase Agreement.

BUDGET/STAFF IMPACT:
Elkins will continue to be billed for its wholesale water purchases through the City of Fayetteville's Billing Office. The current rates are presented in Exhibit B of the agreement, but are subject to change by ordinance of the city council based on an approved rate study.

ATTACHMENTS: SRF Elkins Water Purchase Agreement, Water Purchase Agreement 2023 revised city attorney

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-359

Elkins Water Purchase Agreement

A RESOLUTION TO APPROVE A 10 YEAR WATER PURCHASE AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE AND THE CITY OF ELKINS TO ALLOW THE CITY OF FAYETTEVILLE TO FURNISH WHOLESALE POTABLE WATER TO THE CITY OF ELKINS AND ITS RESIDENTS

WHEREAS, the City of Fayetteville owns and operates a water supply distribution system with a capacity capable of serving its residents as well as the City of Elkins; and

WHEREAS, the City of Elkins currently purchases wholesale water from the City of Fayetteville for distribution within its present service area; and

WHEREAS, the current agreement with the City of Elkins to supply potable water is expired, and City staff recently drafted a new Water Purchase Agreement that has been agreed to and signed by the City of Elkins; and

WHEREAS, Staff recommends approval of the 10 year Water Purchase Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to sign the attached 10 year Water Purchase Agreement between the City of Fayetteville and the City of Elkins to allow the City of Fayetteville to furnish wholesale potable water to the City of Elkins and its residents.

City of Fayetteville Staff Review Form

2023-359

Item ID

2/21/2023

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander	1/27/2023	WATER SEWER (720)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Staff recommends approval of a Water Purchase Agreement between the City of Fayetteville and the City of Elkins to allow the sale of wholesale water to the City of Elkins.

Budget Impact:

N/A	N/A
Account Number	Fund
N/A	N/A
Project Number	Project Title

Budgeted Item?	No	Total Amended Budget	$	-
		Expenses (Actual+Encum)	$	-
		Available Budget	$	-
Does item have a direct cost?	No	Item Cost	$	-
Is a Budget Adjustment attached?	No	Budget Adjustment	$	-
		Remaining Budget	$	-

V20221130

Purchase Order Number: _____ **Previous Ordinance or Resolution #** _____

Change Order Number: _____ **Approval Date:** _____

Original Contract Number: _____

Comments:

WATER PURCHASE AGREEMENT

This Agreement, made and entered into on this _____ day of _____, 20____, by and between Fayetteville of Fayetteville, Arkansas ("Fayetteville") and the City of Elkins, Arkansas ("Elkins") witnesseth:

WHEREAS, Fayetteville owns and operates a water supply distribution system with a capacity currently capable of serving the present customers of Fayetteville system and the estimated number of water users to be served by Elkins; and

WHEREAS, Elkins desires to purchase water from Fayetteville for distribution within the present service area of Elkins, and Fayetteville desires to furnish and sell water to Elkins for distribution within its present service area.

NOW, THEREFORE, the City of Fayetteville, Arkansas and the City of Elkins, Arkansas agree as follows:

1. The City of Fayetteville, Arkansas agrees to:

   A. Furnish Elkins, at the point of delivery hereinafter specified, for distribution within its present service area, during the term of this agreement or any renewal or extension thereof, potable treated water meeting applicable purity standards of the Arkansas Department of Health, and in such quantity as may be required by Elkins, not to exceed 130 million gallons per year, and a maximum of 350 thousand gallons per day. Fayetteville shall not be obligated to provide water to Elkins at a rate greater than the amount(s) aforesaid.

   Total usage exceeding the amount(s) aforesaid shall be cause for renegotiation of this agreement. In the event Elkins requires water at a rate greater than herein provided, Fayetteville agrees, upon 30 days written notice from Elkins, to negotiate in good faith to provide for increased water volumes upon Elkins showing increased growth sufficient to warrant such increase. In determining the terms and conditions upon which such increase may be granted, Fayetteville may take into consideration any reinforcement of the eight (8) inch main(s) hereinafter referred to made necessary by the increase in volume if the reinforcement has not been accomplished by Fayetteville prior to the time it is required by Elkins. Elkins shall bear only that portion of those costs which are incurred as a result of Elkins's increase in volume.

   If any maximum allowable rate of usage specified is exceeded, an excess demand charge of 10% may be added to the bill for each day during which the maximum allowable rate was exceeded. If any maximum allowable rate of usage is exceeded, Fayetteville may install automatic, variable rate-of-flow controllers and charge the cost of same to Elkins. Fayetteville may install such rate of flow controllers at anytime at Fayetteville's expense. The excess demand charge shall not apply if the excess usage was beyond the control of Elkins. However, all customer usage is

considered as being within the control of Elkins, as is system loss which is not promptly corrected by Elkins.

It is further understood and agreed that Fayetteville's responsibility for the water ends at the meter box outlet or vault and Elkins agrees to indemnify and hold harmless Fayetteville from any and all liability incurred past the meter box outlet or vault.

B. Furnish water at a reasonably constant pressure (due consideration being given to friction loss) from an existing eight (8) inch water main at a point located at the site described in Exhibit "A" attached hereto and made a part hereof. If a greater pressure than that normally available at the point of delivery is required by Elkins, the cost of providing such greater pressure shall be borne by Elkins.

C. Operate and maintain the water mains up to the point of delivery and maintain at point of delivery the necessary metering equipment, including a meter pit, check valves, and required devices of standard type for properly measuring the quantity of water delivered to Elkins, including a meter of proper size. The cost of maintenance and operation of the metering facility shall be borne by Fayetteville. The responsibility for testing and calibrating the meter rests solely with Fayetteville.

A meter registering not more than two percent (2%) above or below 100% accuracy shall be deemed to be accurate. The previous reading of any meter disclosed by test to be inaccurate shall be corrected for the two (2) months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any meter fails to register for any period, the amount of water furnished during such period shall be determined by average readings over a period of two previous months or a like month of a previous year, at Fayetteville's option. The metering equipment shall be read on a regular schedule each month. An appropriate official of Elkins at all reasonable times shall have access to the meter for the purpose of verifying its reading.

The size of the meter shall be in keeping with anticipated water usage and/or demand. Currently, a four (4) inch meter is installed at the point of delivery. Elkins currently has a valve at the inlet side of the meter to shut off the supply and also to limit the flow of water to the rate permitted. Elkins also currently has a by-pass to the meter installed for use during periods of meter maintenance. The by-pass shall not be operated without express knowledge and consent of Fayetteville. The maintenance cost for the by-pass valves, fittings, and pipe shall be borne by Elkins.

D. Fayetteville's responsibility for maintenance shall end at the outlet side of the meter box or vault.

E. Fayetteville agrees to furnish the Manager of Elkins with an itemized statement of the amount of water furnished and other charges to Elkins in accordance with Fayetteville billing policies and procedures.

2. The City of Elkins, Arkansas agrees to:

A. Purchase water as required by Elkins and the consumers within the presently defined service area of Elkins, up to a maximum of 130 million gallons per year and 350 thousand gallons per day.

B. Pay Fayetteville not later than the due date given on the bill for water delivered in the preceding reading period, in accordance with the rates as established by Fayetteville. If Elkins does not remit payment on or before the specified due date each month, a penalty equal to ten percent (10%) of the total payment amount due shall be added to such payment, and if not paid within thirty (30) days following the due date in which the original billing is due or the aggrieved party has not submitted a claim for arbitration as specified in Section 4, Fayetteville may discontinue delivery of water to Elkins as a last resort and may continue to deny delivery to Elkins until Elkins pays the total amount due. The rates for water and meter service charges presently in effect are illustrated by the attached schedule, marked Exhibit "B". It is mutually understood and agreed among the parties that Fayetteville may immediately pass along to Elkins any increases or decreases in rates imposed upon by Fayetteville by the Beaver Water District, its successors or assigns. The rates shall be adjusted to Elkins in the same amount as the increase or decrease from said water district. Elkins also understands and agrees that rates may be increased or decreased following the adoption of any rate study approved and adopted by the Fayetteville City Council.

C. Maintain a backflow prevention device approved by Fayetteville and the Arkansas Department of Health. The backflow prevention device shall be inspected annually and maintained in accordance with Fayetteville City Code §51.146 – Backflow Prevention.

D. Restrict water connections to those customers having adequate on-site sewage disposal systems. For purposes of this agreement, all on-site disposal systems previously approved by the Arkansas Department of Health shall be deemed adequate. New on-site systems shall be deemed adequate if the system is approved by the Arkansas Department of Health.

3. It is further mutually agreed between Fayetteville and Elkins as follows:

A. That this agreement shall extend for a term of ten (10) years from the date of the signature on this agreement. Thereafter this agreement may be renewed for such term, or terms, as may be agreed upon by Fayetteville and Elkins.

B. That Fayetteville will, at all times, operate and maintain its system in an efficient manner and will take such action as may be necessary to furnish the quantities of water required by Elkins, up to the maximum amount as specified in Paragraph 1(A) hereof. Temporary or partial failures to deliver water caused by the failures or difficulties in Fayetteville's system shall be remedied with all possible dispatch. Provided, however, Fayetteville reserves the right, in the event of acute shortage of water, to limit or discontinue water sales and service to Elkins. Any reduction or discontinuance of water sales and service for this reason shall not render Fayetteville liable for damages of any kind, it being understood between the parties that Fayetteville's primary obligation is to furnish water and water services to the residents of Fayetteville, Arkansas.

Fayetteville shall not be responsible for any damages to Elkins or its consumers by reason of emergency failures of water supply due to water main breaks, power failure, flood, fire, earthquake and other acts of God, or catastrophe, acts of war, insurrection or rebellion, acts of a public enemy, acts of any unauthorized person, firm, or corporation, or acts of Elkins, or during any periods of water reduction or discontinuance by reason of fire fighting or other emergency situation; nor shall such failures of water supply and/or discontinuance or reduction of water sales and service be construed as a breach of this agreement by Fayetteville.

C. That this agreement is subject to such rules, regulations, or laws as may be applicable to similar agreements in the State of Arkansas and Fayetteville and Elkins will collaborate in obtaining such permits, certificates, or the like, as may be required to comply therewith.

It is expressly understood and agreed that the sale of water herein provided for, from Fayetteville to Elkins, is a sale for resale, and Elkins agrees to maintain a sales tax permit as required by the State of Arkansas and agrees that it will collect and pay over to the Commissioner of Revenues of the State of Arkansas, any and all sales tax now or hereafter imposed upon the resale of said water to Elkins's consumers.

D. That in the event of any occurrence rendering Elkins incapable of performing under this agreement, any successor of Elkins whether the result of legal process, assignment, or otherwise, shall succeed to the rights of Elkins hereunder.

E. It is understood and agreed that the water to be supplied by Fayetteville to Elkins under this agreement is to be furnished for distribution within Elkins's service area. Elkins shall not extend its water main outside its defined service area, as identified in Exhibit "C", without the prior written consent of Fayetteville. Fayetteville shall have the sole discretion in determining the terms and/or conditions upon which its consent shall be given.

F. Elkins shall provide Fayetteville with a copy of all Sanitary Surveys of its water system within thirty (30) days of completion of the Sanitary Survey by the Arkansas Department of Health.

G. In the event a portion of Elkins's water mains are constructed within the corporate limits of Fayetteville, Elkins is not permitted to serve consumers within the corporate limits of Fayetteville without prior written consent of Fayetteville.

H. Elkins agrees that it will not during the period of this agreement or any renewal thereof, levy any franchise tax, occupation tax, or any other tax of any for whatsoever, by whatever name it may be called, upon Fayetteville, Fayetteville water system and appurtenances thereto, or the operations called for by this agreement.

I. No provision of this agreement shall be construed to create any type of joint or equity ownership of any property, or partnership or joint venture, nor shall same create any other rights or liabilities and Customer payments (whether past, present, or future) shall not be construed as granting Customer partial ownership of, pre-paid capacity in, or equity in Fayetteville's system.

J. This agreement may be terminated by either Elkins or Fayetteville upon breach by the other of any of the covenants or agreements contained herein, and the failure of the party in breach to remedy such a breach within thirty (30) days after receipt of written notice of the existence of such breach. Written notice shall be sufficient, if sent by certified mail, return receipt requested, postage prepaid, to the respective mayor or chairman of the parties hereto.

4. Remedies

If either party to this agreement concludes that there is a breach of any terms of this contract, that party shall notify the other party by electronic mail and certified mail of the breach. After notification, the party in breach shall remedy the breach within thirty (30) days of receipt of the notice of breach. If the party claiming breach is not satisfied that the breach has been cured, then that party may pursue specific enforcement of the terms of this agreement through the Circuit Courts of Washington County, Arkansas. Prior to the filing of any action in the Circuit Courts, the parties should attempt to mediate any claims before a mutually agreeable mediator, the cost of which shall be shared equally by the parties to this agreement. A decision reached in circuit court or in mediation will in no way limit Fayetteville's or Elkins' power to enforce requirements directly against customers located in Elkins, nor will it preclude Fayetteville or Elkins from seeking other remedies including, but not limited to, specific performance.

5. Severability

The sections, paragraphs, sentences, phrases, and clauses of this agreement are severable, and should any section, paragraph, sentence, phrase, or clause be declared invalid by the lawful decree of any court of competent jurisdiction, such invalidity shall not affect any other portion of this agreement.

IN AGREEMENT WITH ALL THE TERMS AND CONDITIONS ABOVE, WE SIGN BELOW:

CITY OF ELKINS, ARKANSAS

By: _____
TROY REED, Mayor

ATTEST:

By: Delia Foster
DELIA FOSTER, City Clerk

CITY OF FAYETTEVILLE, ARKANSAS

By: _____
LIONELD JORDAN, Mayor

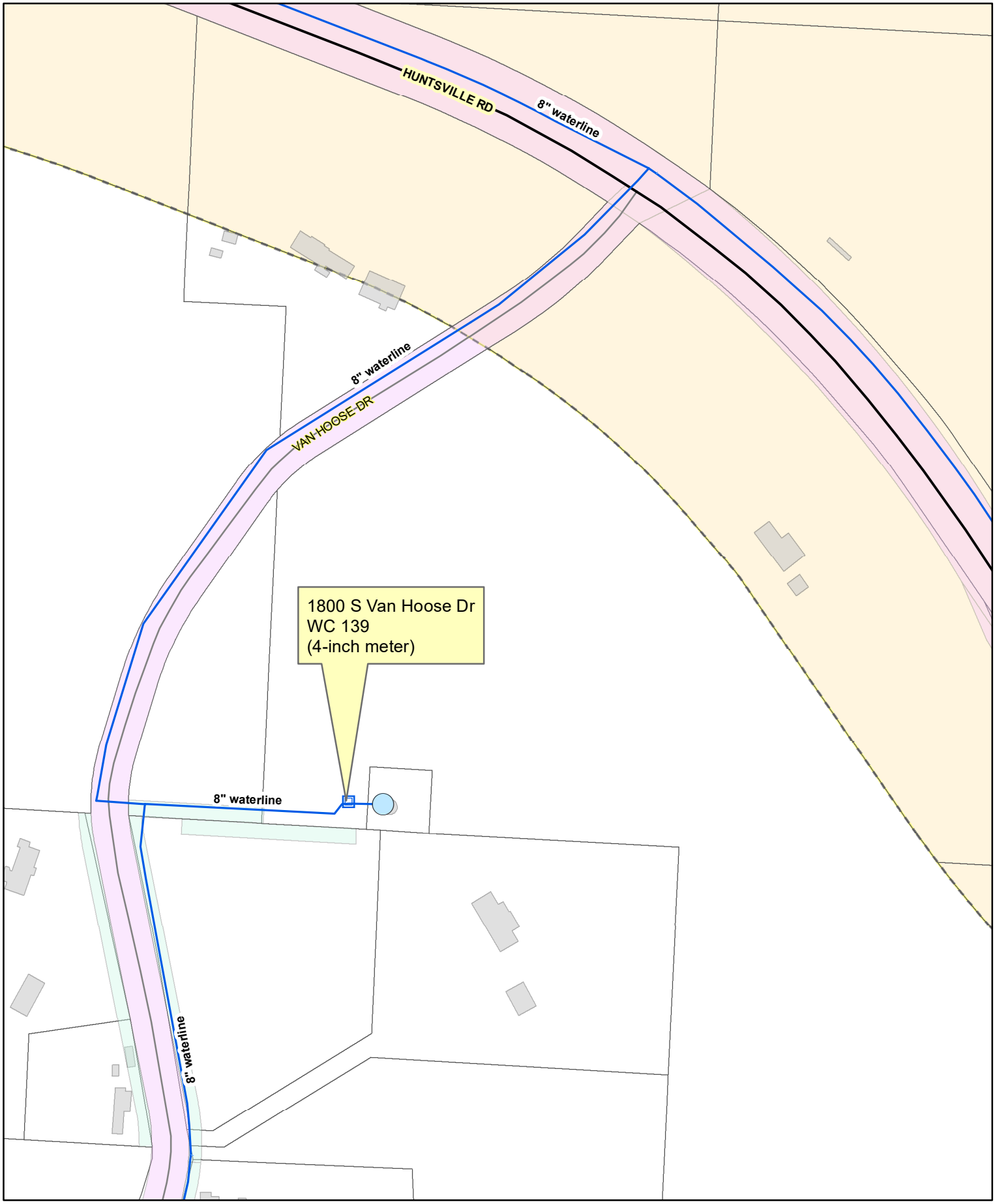
ATTEST:

By: _____
KARA PAXTON, City Clerk-Treasurer

EXHIBIT A

City of Elkins

Point of Delivery of Wholesale Water



N
W E
S

Exhibit A
1800 S Van Hoose Dr
WC 139
(4-inch meter)

150 75 0 150 Feet

EXHIBIT B

Wholesale Water Rates

Rate per 1,000 gallons of water	$2.96
Fixed Monthly Meter Fee (4” meter on Van Hoose Dr.)	$115.62

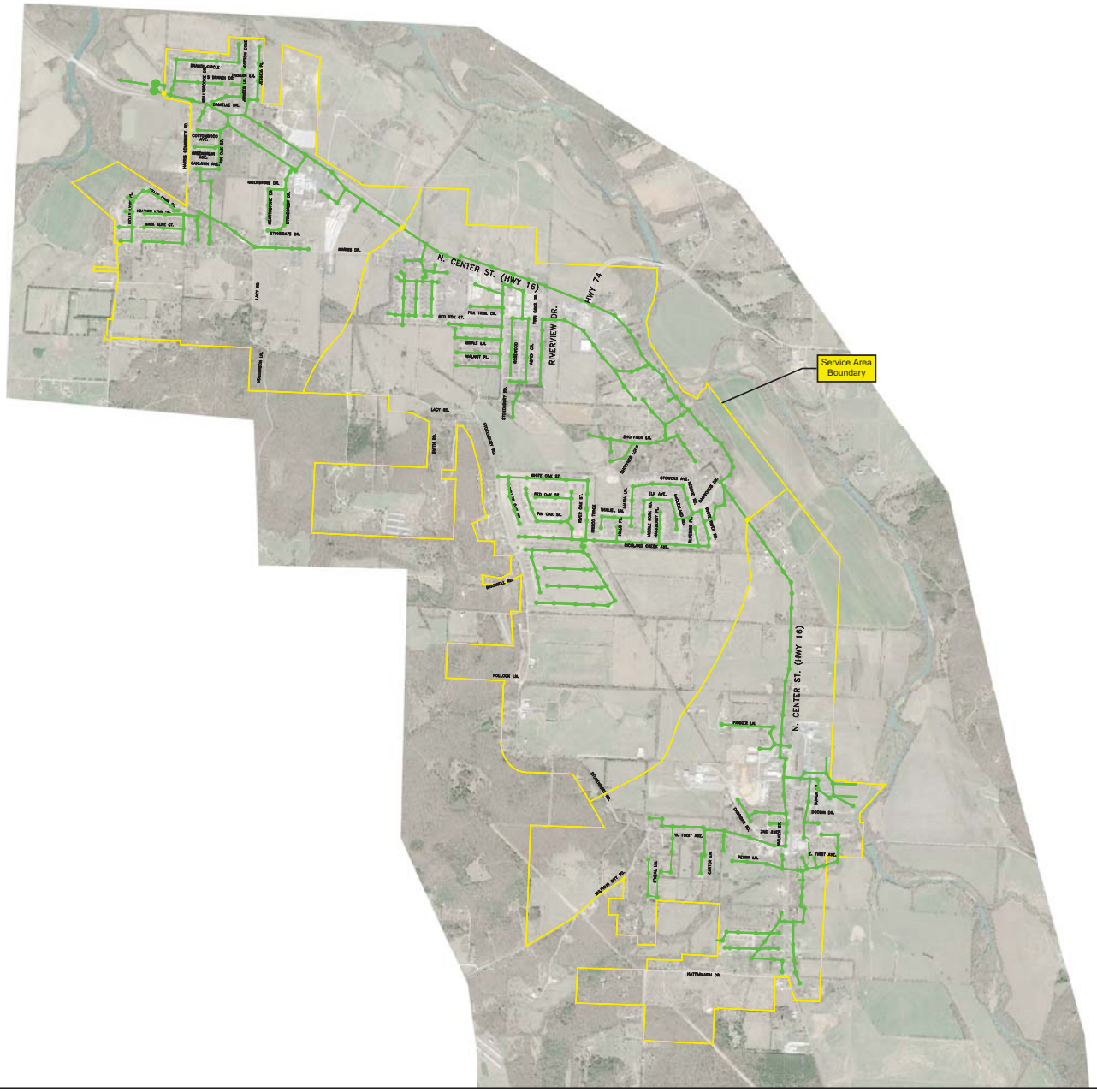
Rates will automatically increase by 3% on January 1st of each year.

A rate study is in progress that could affect the currently published rates.

EXHIBIT C

City of Elkins

Defined Water Service Area



GARVER

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CERTIFICATE OF AUTHORIZATION ENGINEERING GARVER LLC No. 766

REV	DATE	DESCRIPTION	BY

CITY OF ELKINS

JOB NO.: 18048060
DATE: SEPT. 2018
DESIGNED BY: CRB
DRAWN BY: O.C.

BAR IS ONE INCH ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

DRAWING NUMBER

SHEET NUMBER

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-411

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Susan Norton, Chief of Staff

FROM: Timothy Nyander, Utilities Director

DATE: February 2, 2023

SUBJECT: **Kim Petrone - Water Damage Claim at 3263 N. Makeig Ct.**

RECOMMENDATION:
Staff recommends approval of a damage claim payment to Kim Petrone in the amount of $32,241.27, a joint payment to Privacy Fence, Inc. & Kim Petrone in the amount of $2,580.00, and joint payment to JDE Foundations, Inc. & Kim Petrone in the amount of $15,178.73 for water damage remediation at 3263 N. Makeig Ct. after a City water main break caused damage to the property.

BACKGROUND:
On September 20, 2021, the City of Fayetteville experienced a large 36-inch diameter water main break on N. Makeig Ct. Kim Petrone owns the home located at 3263 N. Makeig Ct. This large water main break caused substantial amounts of flooding and damage to the neighborhood and to the Petrone's residence. Kim Petrone's insurance company denied her claim, so she immediately filed a damage claim with the City after the incident.

DISCUSSION:
Per City Code Section 39.10 – Water and Wastewater Damage Claims, "The Utilities Department Director may not authorize any payment greater than $10,000.00 for any claim pursuant to this section. The Mayor may request the City Council to authorize an amount greater than $10,000.00 by resolution, but in no case shall the city pay more than $25,000.00 pursuant to this claims procedure for a damage claim related to a water or wastewater utility infrastructure occurrence unless in an extraordinary case the Mayor recommends and the City Council by two-thirds (⅔) majority approves an exemption from the $25,000.00 damage cap and approves a payment up to $50,000.00."

When the large water main broke, the rush of water flooded the Petrone's home destroying flooring, walls, trim, and cabinetry. Foundation damage also occurred to the residence. The foundation repairs will include excavating around the perimeter of the home and installing 18 steel piers to lift the foundation and stabilize the home. The Petrone's 6-foot wooden fence and gate were also damaged and need to be repaired.

The reimbursements and payments to remediate the water damage would include:

- Reimbursement to Kim Petrone in the amount of $32,241.27 for hotel expenses, painting, flooring and trim, and plumbing expenses
- Joint payment to Privacy Fence, Inc. & Kim Petrone in the amount of $2,580.00 to repair the 6-foot wooden

fence and gate

- Joint payment to JDE Foundations, Inc. & Kim Petrone in the amount of $15,178.73 for foundation repair to the residence to permanently stabilize the foundation after erosion caused damage after the water main break and subsequent flooding

Staff requests approval to reimburse Kim Petrone and pay for the foundation and fence repairs needed for $50,000.00, which is the maximum amount allowed by Section 39.10 of the Fayetteville City Code.

BUDGET/STAFF IMPACT:
Funds are available in the Insurance Self (Non-Vehicle Damage) account within the Water & Sewer fund.

ATTACHMENTS: SRF Kim Petrone Water Damage Claim, 3263 Makeig Final Costs

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-411

Kim Petrone - Water Damage Claim at 3263 N. Makeig Ct.

A RESOLUTION PURSUANT TO §39.10(C)(4) OF THE FAYETTEVILLE CITY CODE TO AUTHORIZE THE MAYOR TO PAY THE AMOUNT OF $50,000.00 TO KIM PETRONE, PRIVACY FENCE, INC., AND JDE FOUNDATIONS, INC. FOR A WATER DAMAGE CLAIM ARISING AT 3263 NORTH MAKEIG COURT

WHEREAS, pursuant to §39.10(C)(4) of the City Code, the City Council may in an extraordinary case, upon the Mayor's recommendation and by two-thirds majority, approve the payment of water or sewer damage claims exceeding $25,000.00 up to $50,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas, pursuant to § 39.10(C)(4) of the Fayetteville City Code, authorizes Mayor Jordan to pay the amount of $32,241.27 to Kim Petrone for hotel expenses, painting, flooring and trim, and plumbing expenses related to the water main break damage at 3263 North Makeig Court.

Section 2: That the City Council of the City of Fayetteville, Arkansas, pursuant to § 39.10(C)(4) of the Fayetteville City Code, authorizes Mayor Jordan to pay the amount of $2,580.00 to Kim Petrone and Privacy Fence, Inc. for fence repair related to the water main break damage at 3263 North Makeig Court.

Section 3: That the City Council of the City of Fayetteville, Arkansas, pursuant to § 39.10(C)(4) of the Fayetteville City Code, authorizes Mayor Jordan to pay the amount of $15,178.73 to Kim Petrone and JDE Foundations, Inc. for foundation repairs related to the water main break damage at 3263 North Makeig Court.

City of Fayetteville Staff Review Form

2023-411

Item ID

2/21/2023

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander	2/2/2023	WATER SEWER (720)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Staff recommends approval of a damage claim payment to Kim Petrone in the amount of $32,241.27, a joint payment to Privacy Fence, Inc. & Kim Petrone in the amount of $2,580.00, and joint payment to JDE Foundations, Inc. & Kim Petrone in the amount of $15,178.73 for water damage remediation at 3263 N. Makeig Ct. after a City water main break caused damage to the property.

Budget Impact:

5400.720.4310-5311.04	Water and Sewer
Account Number	Fund
Project Number	Project Title

Budgeted Item?	Yes	Total Amended Budget	$	103,838.88
		Expenses (Actual+Encum)	$	-
		Available Budget	$	103,838.88
Does item have a direct cost?	Yes	Item Cost	$	50,000.00
Is a Budget Adjustment attached?	No	Budget Adjustment	$	-
		Remaining Budget	$	53,838.88

V20221130

Purchase Order Number: _____ **Previous Ordinance or Resolution #** _____

Change Order Number: _____ **Approval Date:** _____

Original Contract Number: _____

Comments:

Details of 3263 N. Makeig Ct. claim - Kim Petrone

Reimbursement	
Hotel Expense (Hampton)	$ 300.31
Painting (Adrian's Painting)	$ 17,800.00
Flooring and trim (Encore)	$ 5,340.96
Plumbing (Trenchless Leak Detection)	$ 8,800.00
TOTAL	**$ 32,241.27**
Joint Payable	
Foundation repairs (JDE Foundations Inc)	$ 18,000.00
Fence repairs (Privacy Fence Inc)	$ 2,580.00
TOTAL - $20,580.00 (up to $50,000 claim limit)	**$ 17,758.73**
$32,241.27 Check payable to Lou & Kim Petrone	
$2,580.00 Check jointly payable to Privacy Fence Inc. & Kim Petrone	
$15,178.73 Check jointly payable to JDE Foundations Inc. & Kim Petrone	
Claim Totals	$ 52,821.27
Reimbursement	$ 32,241.27
Joint Reimbursement	$ 17,758.73
Not Reimbured	$ 2,821.27
TOTAL ($32,241.27 + $17,758.73)	**$ 50,000.00**

Allstate. You're in good hands.
PO BOX 660636
DALLAS TX 75266

LOUIS PETRONE KIMBERLY PETRONE
2769 E BOARDWALK CT
FAYETTEVILLE AR 727012703

September 24, 2021

INSURED: KIMBERLY PETRONE
DATE OF LOSS: September 21, 2021
CLAIM NUMBER: 0642441117 ZJB
POLICY NUMBER: 000821297484

PHONE NUMBER: 800-347-5511
FAX NUMBER: 866-447-4293
OFFICE HOURS:

Re: Your Claim Status

Dear LOUIS PETRONE KIMBERLY PETRONE,

We appreciate the time you've spent assisting us with your claim. We have carefully reviewed the information about your loss that was reported to us, as well as the policy provisions that apply to this claim. Based on this review, we are unable to provide coverage for flood water into the interior of home. Please refer to losses we do not cover, paragraph A1 page 6 of your Landlords Package policy which states: Losses We Cover Under Coverages A and B:
We will cover sudden and accidental direct physical loss to property described in Dwelling Protection–Coverage A and Other Structures Protection–Coverage B except as limited or excluded in this policy.
Losses
We Do Not Cover Under Coverages A and B:
A. We do not cover loss to the property described in Dwelling Protection–Coverage A or Other Structures Protection–Coverage B consisting of or caused by:
1. Flood, including, but not limited to, surface water, waves, tidal water or overflow of any body of water, or spray from any of these, whether or not driven by wind].

We're Here to Help You

Please call us at the number below and refer to your claim number should you wish to discuss any aspect of this case, including this letter.

Sincerely,

JAMES BITTICK

JAMES BITTICK
800-347-5511 Ext. 1988556
Allstate Indemnity Company

PROD009

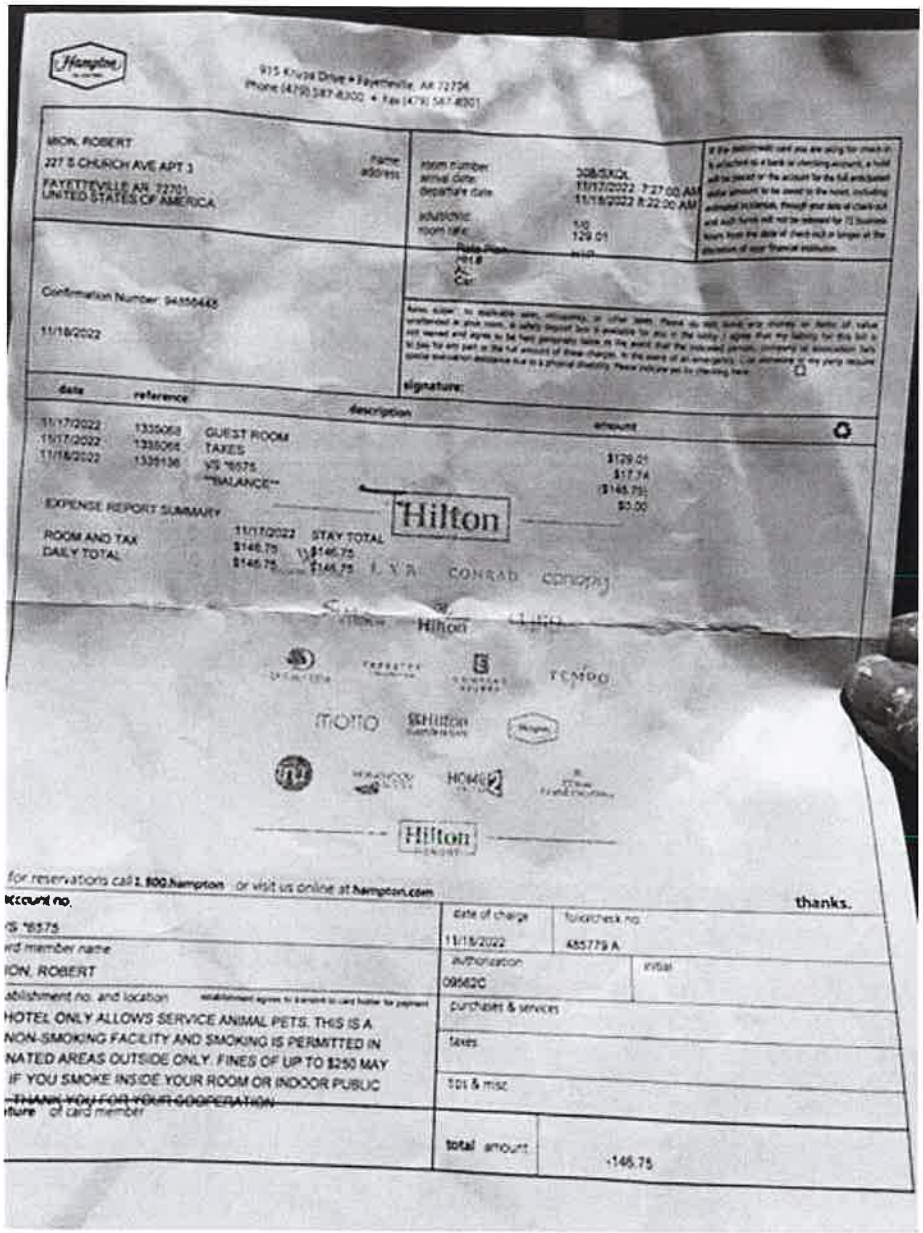
0642441117 ZJB

Watkins, Aaron

From: Kim Petrone <kkpetrone@yahoo.com>
Sent: Monday, December 12, 2022 11:54 AM
To: Watkins, Aaron
Subject: First receipt

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Renter hotel bills



Pd By Patrone

$146.75

Sent from Yahoo Mail for iPhone

Receipt

Travelocity itinerary: 72431443220228

Purchase date: Nov 16, 2022

Booking details

Hampton Inn Fayetteville

915 Krupa, Fayetteville, AR, 72704 United States of America

Check-in: Nov 16, 2022

Check-out: Nov 17, 2022

1 room x 1 night

Room, 2 Queen Beds

Booked for: ROBERT MION

Payment details

Room price	
Wed, Nov 16	$135.00
Taxes & Fees	$18.56
Total	**$153.56**
	Paid
	[Visa 6575]

Sent from Yahoo Mail for iPhone

Pd By Patron

Adrian's Painting

176 Niagara St
Springdale, Ar 72762
(479) 659-2402
Adrianspainting@gmail.com

QUOTE

DATE 10/4/21
QUOTE #
CUSTOMER ID
VALID UNTIL

CUSTOMER

Kim Petrone
3263 Makeig
Fayetteville AR

DESCRIPTION		AMOUNT
Reinstalling vanity		300
Shetrock, insulation, texture		6200
Paint / Stain		5750
Trim / trim labor		4200
Cleaning		900
Trash haul off		450

Subtotal $17,800

TOTAL $17,800.00

TERMS AND CONDITIONS

Customer Acceptance (sign below):

x _____
Print Name:

If you have any questions about this price quote, please contact
[Adrian Orozco, (479)659-2402, Adrian'spainting@gmail.com]

Thank You For Your Business!

Pd by Patrone

ENCORE Building Products

Encore Building Products
3905 S. Thompson St.
Springdale AR 72764
479-361-8900

PAYMENT RECEIPT

2201-029163

RECEIVED FROM	JOB
Lou Petrone 3263 Makeig Ct. Fayetteville, AR 72703	Cash Customer

ACCOUNT	JOB
CASH	0
PAID ON	1/18/2022 8:14:34 AM
BRANCH	1000
STATION	S17
CASHIER	204

	Payment Type		Amount
	Received On Account		
	Deposit on Order		
	Current Order Balances		
	Order Total		
	Deposit		
	Balance Due		
	COD Payment On Invoice	2112-021996	1,335.24
X	*Current Invoice Balances*		
	Invoice Total	5,340.96	
	Original COD Amt	1,335.24	
	Paid To Date	5,340.96	
	Balance Due	0.00	
	Miscellaneous Payment		
	Installed Sale		
	Previously Paid		
	Payment Today		
	Balance Due		

Payment Methods

American Express 1,335.24 COD (2112-021996) ##1004 246668

Total Received	1,335.24

SALE: 1335.24
Entry Mode: MANUAL

$5,340.96

Signature Pd By Petrone

TRENCHLESS LEAK DETECTION
2814 Zion Place
Van Buren, AR 72956
(479) 651-6022 / (479) 414-5744
service@tldpro.com

Invoice

DATE	11/28/2022
INVOICE#	636158
TERMS	Due Upon Receipt
DUE DATE	11/28/2022

BILL TO

Kim Petrone
Kim Petrone
3263 North Makeig Court
Fayetteville, AR 72703

SERVICE LOCATION

3263 North Makeig Court
Fayetteville, AR 72703

JOB#	DATE	PO/REF#	DESCRIPTION
1008181978	11/15/2022		Descaled and Structurally Lined 30'.

Job Charges	Qty	Rate	Total
NU Drain Install Install	1.00	$8,800.00	$8,800.00
Job Subtotal			**$8,800.00**
Job Total			**$8,800.00**

CUSTOMER MESSAGE

Add 3% for Credit Card payment.

Invoice Total:	**$8,800.00**
Deposits (-):	**$0.00**
Payments (-):	**$0.00**
Total Due:	**$8,800.00**

Pd by Patrone

Mayes Plumbing and Heating, Inc.
mayesplumbingandheating.com
3730 S Carley Road
Springdale, AR 72762
Phone: 479-751-8839 Fax: 479-872-1080
Email: mayesplumbing@gmail.com

November 7th, 2022

Kim Petrone
3263 N Makeig Ct
Fayetteville, AR

Mayes Plumbing and Heating, Inc. proposes to re-line approximately 30' of 30" cast iron pipe. 30' from upstream main to downstream exterior clean out, covering rot & broken sections of pipe. Customer will be given a video recording of liner once installed.

Mayes to provide all equipment, labor, and materials necessary to complete this scope of work.

Projected cost for this scope of work: $10,800.00

Exclusions: Unforeseen issues that may arise during given scope of work

We appreciate your consideration of this quotation and would like to thank you for your interest in Mayes Plumbing & Heating's services. If you have any questions, please call our office. Payment is due within 30 days of work unless other arrangements have been made.

Thank you,

Nathan Mayes
Note: This proposal may be withdrawn by us if not accepted within 30 days.

Accepted by: _____ Date: _____

Estimate Only

CONTRACT AGREEMENT

JDE Foundations Inc. hereinafter referred to as the "CONTRACTOR" and John & Kim Petrone hereinafter referred to as "OWNER. Witnesseth: On this 18th day of January 2022, in consideration of the mutual agreements and provisions set forth below in this Contract by and between " CONTRACTOR" and "OWNER" who warrants that he/she is the owner of the premises at:

3263 Makeig Ct Fayetteville, Ar 72703 and he/she has the right and authority to contract for the enumerated work, described below, and do hereby agree as follows:

I. **DESCRIPTION OF WORK TO BE PERFORMED BY CONTRACTOR:**

18 Exterior Pier ___Interior Pier ___Support Pier ___Interior Floor Drain ___Surface Drain

___Wall Membrane ___Sump Pump ___Trench Drain ___Concrete Yards ___Exterior Deep Drain

Warranty: Lifetime Transferable Warranty on DynaPiers.

Extent of Work to be done includes excavation along perimeter of home as provided graph shows for pier locations. Post excavation, installation of eighteen (18) hydraulically driven steel DynaPiers in locations shown, to slightly lift foundation and permanently stablize home. All broken bricks will be replaced, regrouted and acid washed. sealant will be applied to windows to prevent water intrusion. All excess material hauled off by JDE.

Mailing Address: 3263 Makeig Ct Fayetteville, Ar 72703

kkpetrone@yahoo.com (Email Address) 479-713-0851 (Phone Number) (Alt. Phone Number)

Work shall be completed in approximately___ days. Contractor shall remove and haul away all construction and/or installation debris and/or trash from the premises. Contractor shall furnish all necessary equipment, material and supplies and perform and complete all labor and services in a good workmanlike manner. Contractor warrants that the Company is insured, and qualified to perform and complete the above-described work. All the above-described construction, installation, and work is presumed to improve and enhance the value of the property and all labors and materials, furnished by Contractor shall become part of the Owner's real property.

II. **PRICE AND PAYMENT SCHEDULE:** Total cost to the owner for the above described work is $18,000 of which $2,500 is due upon acceptance of this contract, $_____ when work begins, $_____ at 60% completion (determined by JD Enterprise), and $15,500 on completion. Any and all building permits, license fees, inspection fees by governmental agency including, but not limited to the City/State of Fayetteville,Ar shall be paid by Contractor. In the event of the Owners failure to promptly pay Contractor Pursuant to this payment schedule, Owner shall be liable for any and all collection fees including attorney's fees, for the filing and enforcement of a mechanics lien and/or other legal remedies available to Contractor to enforce this Contract also leaving contracts warranty Void. A 3% processing fee will be applied to all credit card transactions. When you provide a check as a payment, you authorize us either to use the information from your check to make a one-time electronic funds transfer from your account or to process the payment as a check transaction.

III. **MODIFICATIONS AND CHANGES:** Any changes or variations from the above descriptions and specifications in this Contract involving extra costs will be invoiced promptly and due within 30 days to avert a null and void warranty.

IV. **DISCLAIMERS:**

1. Contractor will take great care for plants and shrubs temporarily removed for work to be performed. All plants will be replanted by Contractor but will not be responsible for life or longevity.
2. Contractor will attempt to stop any water intrusion caused by work performed, but will not be responsible for any water damages caused to any items or objects inside of the foundation system.
3. Any damage to the structure or utilities caused by the Contractor as a result of negligence or accident will be repaired by the Contractor. Lifting a structure can cause some cosmetic damage, such as cracks in sheetrock, concrete and other rigid materials. Therefore, damage resulting from lifting the structure as called for in the Agreement will not be the responsibility of the Contractor.
4. The warranties cover the performance of systems installed by the Contractor. Piering Systems cover stabilization only. Contractor will achieve lift recovery as the structure allows.
5. This Contract is contingent upon there not being any "unavoidable" delays that shall be construed to mean delays due to strikes, lockouts, acts of God, inability to obtain labor or materials, governmental restrictions, enemy or terrorist action, civil condition, fire, unavoidable casualty or similar causes beyond the control of Contractor.

"100 bid" Estimate

V. **NOTICE TO OWNER: I UNDERSTAND THAT EACH CONTRACTOR, SUBCONTRACTOR, LABORER, SUPPLIER, ARCHITECT, ENGINEER, SURVEYOR, APPRAISER, LANDSCAPER, ABSTRACTOR, OR TITLE INSURANCE AGENT SUPPLYING LABOR, SERVICES, MATERIAL, OR FIXTURES IS ENTITLED TO A LIEN AGAINST THE PROPERTY IF NOT PAID IN FULL FOR THE LABOR, SERVICES, MATERIALS, OR FIXTURES USED TO IMPROVE, CONSTRUCT, OR INSURE OR EXAMINE TITLE TO THE PROPERTY EVEN THOUGH THE FULL CONTRACT PRICE MAY HAVE BEEN PAID TO THE CONTRACTOR. I REALIZE THAT THIS LIEN CAN BE ENFORCED BY THE SALE OF THE PROPERTY IF NECESSARY. I AM ALSO AWARE THAT PAYMENT MAY BE WITHHELD TO THE CONTRACTOR IN THE AMOUNT OF THE COST OF ANY SERVICES, FIXTURES, MATERIALS, OR LABOR NOT PAID FOR. I KNOW THAT IT IS ADVISABLE TO, AND I MAY, REQUIRE THE CONTRACTOR TO FURNISH TO ME A TRUE AND CORRECT FULL LIST OF ALL SUPPLIERS AND SERVICE PROVIDERS UNDER THE CONTRACT, AND I MAY CHECK WITH THEM TO DETERMINE IF ALL MATERIALS, LABOR, FIXTURES, AND SERVICES FURNISHED FOR THE PROPERTY HAVE BEEN PAID FOR. I MAY ALSO REQUIRE THE CONTRACTOR TO PRESENT LIEN WAIVERS BY ALL SUPPLIERS AND SERVICE PROVIDERS, STATING THAT THEY HAVE BEEN PAID IN FULL FOR SUPPLIES AND SERVICES PROVIDED UNDER THE CONTRACT, BEFORE I PAY THE CONTRACTOR IN FULL. IF A SUPPLIER OR OTHER SERVICE PROVIDER HAS NOT BEEN PAID, I MAY PAY THE SUPPLIER OR OTHER SERVICE PROVIDER AND CONTRACTOR WITH A CHECK MADE PAYABLE TO THEM JOINTLY.**

VI. **COUNTERPARTS:** This Contract may be executed in counterpart, each of which shall be deemed an original but all of which together shall constitute one and the same Contract.

VII. **ENTIRE AGREEMENT:** This contract constitutes the entire understanding and agreement between the Contractor and Owner with regard to all matters herein. There are no other agreements, conditions, or representations, oral or written, expressed or implied, with regard thereto. The Contract may be amended only in writing, and signed by both Contractor and Owner.

VIII. **BINDING EFFECT:** The provisions of this Contract shall be binding upon and inure to the benefit of the Contractor and Owner and their respective successors and assigns.

IX. **GOVERNING LAW:** This contract shall be construed and enforced in accordance with the laws of the State of Arkansas.

X. **ACCEPTANCE:** We have read and agree to the terms and conditions of this Contract as set forth above. Note- This Contract Agreement "BID" may be withdrawn by us if not accepted within 30 days.

XI. **FAILURE OF PAYMENT:** Failure to pay the contract in full upon Completion will result in prosecution immediately under Arkansas law Ark. Code Ann. §16-56-111(a) Ark. Code Ann. § 4-2-725(1), Warranty Voided.

Owner

Contractor

Owner

JDE Foundations Incorporated

P.O. Box 8704 Springdale, AR 72766

VESTA Foundation Solutions

Prepared by:
Fitz Coleman
fcoleman@vestafs.com

VESTA Foundation Solutions
www.vestaofarkansas.com
TF 479-424-1188
O Arkansas Admin 2021

Prepared on:
1-27-22

Prepared for:
Kim Petrone
kkpetrone@yahoo.com
P (479) 713-0851

Job location:
3263 N Makeig Court
Fayetteville, AR 72703

Project Summary

Lift and Level

Stabilize & Protect: 2-Part

Permanently Stabilize Foundation

Total Investment	$44,428.87
Total Contract Price	**$44,428.87**
Deposit Required - 15%	$6,664.33
Deposit Paid	$0.00
Amount Due Upon Installation	**$44,428.87**

Customer Consent

Any alteration from the above specifications and corresponding price adjustment (if necessary) will be made only at the Customer's request or approval. Completing the work in this Proposal at the time scheduled is contingent upon accidents or delays beyond our control. This Proposal is based primarily on the Customer's description of the problem. This Proposal may be withdrawn if not accepted by the Customer within 30 days due to prices being subject to market fluctuations.

Authorized Signature _____ **Date** _____

Acceptance of Contract— I am/we are aware of and agree to the contents of this Proposal, the attached Job Detail sheet(s), and the attached Limited Warranty, (together, the "Contract"). You are authorized to do the work as specified in the Contract. I/we will make the payment set forth in this Contract at the time it is due. I/we will pay your service charge of 1-1/3% per month (16% per annum) if my/our account is 5 days or more past due, plus your attorney's fees and costs to collect and enforce this Contract. NO VERBAL COMMITMENTS AND PROMISES ARE EXPRESSED OR IMPLIED OUTSIDE OF THIS WRITTEN DOCUMENT.

Customer Signature _____ **Date** _____

Customer understands VFS is not liable for damage caused by lift. **Initial** _____

Customer understands original position may not be possible. **Initial** _____

Estimate

PRECISION FOUNDATION SPECIALISTS
Lic No. 022667021

6302 S. Wilkerson St
Fayetteville, Arkansas
72704

Office (479)441-9515

19JAN2022

Kim Petrone
3263 N Makeig Ct
Fayetteville, Arkansas
(479)713-0851

Estimate

RE: 22-01181 Cursory Foundation Survey

Dear Kim,

Thank you for contacting our company to provide a foundation survey for the residence referenced above. This report shall serve as our opinions as to the current foundation survey conducted on 18JAN2022 and recommendations for repairs to be done. All references and recommendations are based the Non-Destructive Test (NDT) Methods and local building code by visual observations only. The visual assessment was conducted by David Johnston, VP Operations and our International Code Council Certified Master Special Inspector (#8053368).

The foundation system was observed to be constructed of a standard concrete continuous footing with concrete slab on grade with an exterior brick veneer. The slope of the plot plat is negative towards the front of the home from the old cul-de-sac and positive drainage away from the home on the rear and sides.

Finding(s)

1. Both pictures and live video of the water main break and the amount of water flowing towards the home;
2. Shear fractures were observed on ALL perimeter foundation walls;
3. The brick veneer has moved on nine (9) window jambs;
4. The soils in the were very saturated and "spongy";

Opinion(s)

1. We are of the opinion that the foundation has moved in the outward and down directions due to differential soil settlement caused by the flooding of the property; especially the foundation system, due to the water main that broke in late 2021;

2. We are of the opinion the brick veneer and most of the wall ties that are directly supporting the system have been over-stressed due to the amount of water received due to the broken water main;

3. We are of the opinion the house and it's foundation will continue to settle up to five (5) years after the water flooding event due to the sub-surface soils being supersaturated; furthermore, causing the internal concrete slab on grade to then settle and fracture along with an unknown amount of soil erosion below the concrete slab on grade which will

then have to be high pressure injected with a polyurethane lifting foam in order to stabilize and potentially lift back into its original place. The cost of this is not included in this survey, but easily reach $25,000.00 additional (depending on the amount of settlement) on top of the recommended perimeter foundation underpinning cost analysis.

We are of the opinion that the foundation is not to be considered stable at the time of the survey due to its continued movement over the last four (4) months as determined by the photographs and live video observed.

Recommendation(s)

1. We are under the recommendation that the entire perimeter foundation system be underpinned by in the installation of the series of up to 27 ASTM A510 steel hydrulic pressed piers to bedrock or soil bearing strata (whichever occurs first to provide positive reaction to the foundation system) at a span of not greater than seven (7") between. The existing brick fractures should be sealed utilized a structural epoxy and the mortar joints should be filled by point and tuck methods per minimum masonry standards by the International Residential Code (IRC) 2021

The cost analysis for this extensive repair is based upon each pier being driven up to a depth of nine (9') based upon current geological surveys as provided by the USGS as well as PFS Inc. extensive knowledge of the soils in the neighborhood. The estimated cost of this service is $22,950.00 with a lock down price guaranteed for 30 calendar days from the date of this survey.

Below are some specifications for minimum construction standards that are referenced for our cursory surveys.

International Residential Code (IRC)

Section R301.1 Design (Comment: The code requires that buildings and structures have adequate strength to support the loads and forces without exceeding the allowable stresses on any element)

Section R301.5 Minimum Uniform Live Loads (Comment: The code requires that the minimum live loads be not less than the minimums established by the code)

Section R301.7 Deflections (Comment: The code establishes standards for the deflection of members)

Section R401.2 Foundation Construction (Comment: The code requires that the foundation construction be capable of accommodating of all loads. Structural fill can also be utilized with appropriate engineering design.)

Section R401.3 Drainage (Comment: The code requires that surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection so as to not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches (152 mm) within the first 10 feet (3048 mm))

Section R403.1.4 Minimum Depth (Comment: The code requires that the bottom of foundations extend below the frost penetration level, but not less than twelve inches)

Section R403.1.8 Expansive Soils (Comment: The code requires that foundations in expansive soils be designed for that condition)

ASTM C1754 Standard Test Method for Density and Void Content of Hardened Pervious Concrete (Comment: The code requires for the concrete to be free of porosity and consolidation by vibratory screed methods, not hand vibration)

All opinions and references are in accordance with the International Code Council, the International Residential Code and the Arkansas Fire Prevention Code as it pertained to the minimum specifications during the original construction.

This professional opinion was based upon a cursory examination of the perimeter walls and foundation materials visible at the time of examination on this specific day within the given range of environmental factors on the date of this report above. Other opinions could perhaps be developed as the result of a technically exhaustive engineering design by a licensed professional engineer. Such a study could involve several hours of information gathering at the site, laboratory testing, research, and engineering analysis by an licensed engineer and would involve a substantially higher fee (beginning at ($1,500.00). This cursory survey should not be construed as a guarantee or warranty of any kind in the construction methods utilized.

This professional opinion is for the sole use of the Precision Foundation Specialists Inc's (PFS Inc.) client and is the intellectual property of PFS Inc. Client will defend, indemnify, represent and hold harmless PFS, Inc. from and against any claim, action or proceeding brought by any party claiming to rely upon information or opinions contained in this document. No release without having obtained PFS, Inc's. prior written consent. PFS Inc. does not authorize client to share this information with competing companies. Unauthorized use is will be punished by to the full extent of the law through all legal avenues. By release of this report all parties promise to in indemnify, represent and defend any and all claims for any damages claimed by others in the use of this report. Liability is limited to the fees for the services provided. Thank you for calling upon PFS Inc. for this service.

Respectfully submitted,

Precision Foundation Specialists Inc.

By: Matt Johnston C/O PFS Inc.
Matt Johnston, ACSE, CSE, CSI

CERTIFICATE OF AUTHORIZATION
PRECISION FOUNDATION SPECIALISTS INC
Lic No 0226671022
19JAN2022
ARKANSAS

Pg 3

E.G

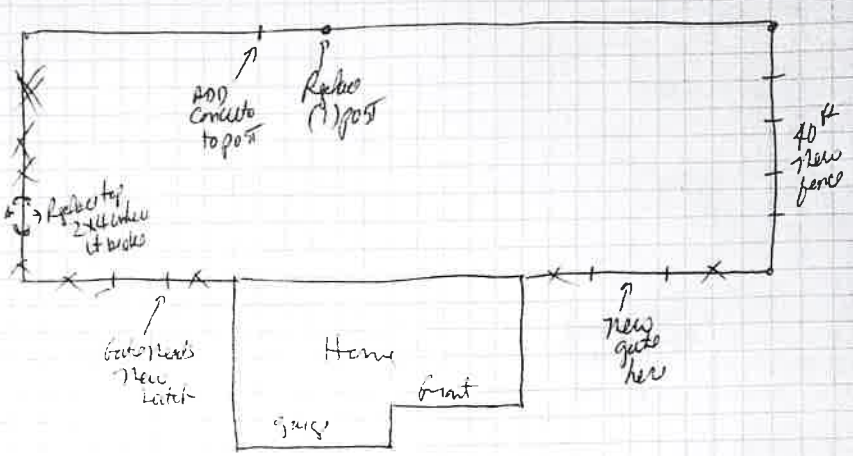
PRIVACY FENCE, INC

ESTIMATE: M T (W) T F S Date: 10 / 28 /21 _____ AM / PM APPROV DATE: ___/___/ 21 APPROX START: 4-5 wks from approval / 21 ADVERTISING A LIST CBRN CONTR GOOGLE N&N ND (PREV) RED REF SIGN SOCIAL YB	**PO Box 7582** **Springdale, AR 72766** **Office: 479-751-7894** https://www.PrivacyFenceNWA.com **Proposal / Invoice**	**INV# 21- 0839** **AR Contractor License #** 0156100421 **UTILITIES** ATT AWG BHILLS CARROLL CITY-BVILLE COX C-TEL LC OZGO OZARK PGT SWEPCO WS REF #: _____ ARKUPS: ___/___/___ AM / PM

Client: Kim Patrone Email: _____

Address: 3263 N. Makeig, FV, AR Phone: 479-713-0851

- ☐ TREES/BRUSH
- ☐ HILLSIDE
- ☐ ROCKY
- ☑ WATER AVAILABLE
- ☑ 0"-2" OFF GROUND
- ☑ ELECTRICITY AVAILABLE
- ☐ FENCE OFF GROUND >2"
- ☐ FINISHED SIDE OUTSIDE
- ☐ FINISHED SIDE INSIDE
- ☐ DOGS



****PRESSURE TREATED RAILS AND POSTS USED UNLESS OTHERWISE NOTED ON THIS PROPOSAL****

FENCE TYPE	PICKETS	HEIGHT	FOOTAGE
☑ BOARD TO BOARD	☐ PRESSURE-TREATED PINE	4FT / 5FT / (6FT)	45-50 ft
☐ SHADOW BOX	☑ EASTERN CEDAR 7 1/2" wide board	4FT / 5FT / 6FT	
☐ BOARD ON BOARD	☐ WESTERN CEDAR	4FT / 5FT / 6FT	
☐ ORNAMENTAL IRON	☐ MAGESTIC (SMOOTH TOP)		
_____ 2 RAIL	☐ CLASSIC (PINCHED PICKET)	4FT / 5FT / 6FT	
_____ 3 RAIL	☐ GENESIS (EXTENDED PICKET)		
☐ CHAIN LINK _____ GAUGE	TERM POSTS _____		
_____ GALVANIZED	LINE POSTS _____	4FT / 5FT / 6FT	
_____ VINYL COATED	TOP RAIL _____		
BLACK GREEN BROWN			

OTHER:

We propose to furnish material and labor, with the included specifications for the sum of:

CHECK/CASH PRICE: $ 2,380.00

CREDIT CARD PRICE: $ _____

VISA MasterCard *3.5% CC processing fee

TAX: $ X

DEPOSIT: $ X

BALANCE DUE UPON COMPLETION 2,380.00

Acceptance of Proposal

Estimate

SINGLE GATES:
- ☑ WOOD FRAME → (1) to Replace
- ☐ STEEL FRAME
- ☐ CHAIN LINK
- ☐ ORNMAMENTAL

DOUBLE GATES:
- ☐ WOOD FRAME
- ☐ STEEL FRAME
- ☐ CHAIN LINK
- ☑ ORNMAMENTAL

☑ TEAR OUT	DECORATIVE POSTS	WOOD STARTERS	ORN STARTERS	ROUND STEEL POSTS	POSTMASTERS STEEL POSTS
☑ HAUL OFF 45-50 ft included					

Client Signature: _____

Date: ___/___/2021

PFI Signature: John Cook

Date: 10 / 28 /2021

RESPONSIBILITY OF CLIENT AND PRIVACY FENCE, INC

Privacy Fence, Inc. agrees to guarantee the above fence to be free from defects in workmanship for one (1) year - (Not included are: alignment due to warping, splitting, twisting, shrinking, checking, or other changes in the shape of the wood). All other warranties come from manufacturer material used under this contract. It is recommended that sealer be applied to the wood in approximately 90 days to help lessen wood warping or checking.

Responsibility for complying with zone regulations and obtaining any required permits shall rest with the client. Under no circumstances does Privacy Fence, Inc. assume any responsibility concerning property lines. If property pins cannot be located, it is recommended that the client have the property surveyed. The client will defend Privacy Fence., Inc. in connection with any claims made by anyone about the location of the fence.

Privacy Fence, Inc. will assume the responsibility for having underground public utilities located and marked. However, Privacy Fence, Inc. assumes no responsibility for unmarked sprinkler lines or any other unmarked buried lines or objects. The client will assume all liability for damages caused by directing Privacy Fence, Inc. to dig in the immediate vicinity of known or unknown utilities.

Any additions or changes made by the client that requires extra labor and material will be added to the price established on this contract and will become due and payable to Privacy Fence, Inc. Right of access and removal is granted to Privacy Fence, Inc. in the event of non-payment under the terms of the contract. The client agrees to pay all interest and costs incurred in collecting this debt.

$35.00 Returned Check Fee

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-372

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Chris Brown, Public Works Director

FROM: Alan Pugh, Staff Engineer

DATE: February 2, 2023

SUBJECT: **Approval of $3,078.08 for dumpster service provided by CARDS Holdings, Inc associated with the demolition of the structures associated with the former West End Apartments**

RECOMMENDATION:
Staff recommends approval to spend an additional $3,078.08 for dumpster service provided by CARDS Holdings, Inc associated with the demolition of the structures associated with the former West End Apartments and approval of a budget adjustment.

BACKGROUND:
Due to historic and ongoing flooding of multiple structures located at 1125, 1137, 1153 and 1189 N West End Ave, the City Council approved Resolution 2022-0693 which approved the purchase of the property on August 16, 2022. As presented at that meeting, the solution to solve the flooding issues on this property was to complete the purchase and remove the structures. At the time of purchase, staff had one informal quote for removal of the structures, which was approximately $125,000 not including any asbestos abatement.

DISCUSSION:
After the purchase of the property, staff worked with transportation and determined that they had the ability to demolish the structures with existing equipment and personnel. Working with Transportation, Engineering collected quotes on dumpster services to haul off the debris once the buildings were demolished. It was anticipated that the service could stay below the $35,000 cap for bidding. This represents a significant savings over the previous estimate to remove the structures. For that reason, staff proceeded with the plan to have transportation demolish the structures. Once an asbestos survey was completed, asbestos was located in building A, 1125 N West End Ave, and was abated by an outside firm.

CARDS NWA provided the lowest quote to provide the dumpster service. This included a 40-yard dumpster with a 4-ton quantity of material included in the quote. Any additional tonnage would be paid out at a $55/ton rate. At the time we were ready to proceed, CARDS was unable to provide the 40-yard dumpsters but could provide a 30-yard dumpster with the same 4-ton included amount. This still represented the low quote, so staff proceeded with the dumpster service.
Due to the speed of the project, it was not discovered until the first invoice was received that many of the dumpsters were weighing in excess of the 4-ton limit. With this additional cost, the total cost of services did stay below the $35,000 limit. However, with the taxes included, the total invoice amount was in excess of that

limit. For this reason, staff is seeking approval of the total amount above the original approved purchase order.

BUDGET/STAFF IMPACT:
The approved invoice for dumpster service was taken from 2019 Drainage Bond funds which is the proposed source for the additional services.

ATTACHMENTS: Staff Review Form, Budget Adjustment, CARDS Invoice 309306, CARDS Approved PO, 189-22 RESOLUTION

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-372

Approval of $3,078.08 for dumpster service provided by CARDS Holdings, Inc associated with the demolition of the structures associated with the former West End Apartments

A RESOLUTION TO APPROVE ADDITIONAL FUNDING IN THE AMOUNT OF $3,078.08 ASSOCIATED WITH THE DEMOLITION OF THE STRUCTURES LOCATED AT THE FORMER WEST END APARTMENTS, AND TO APPROVE A BUDGET ADJUSTMENT - 2019 DRAINAGE IMPROVEMENT BOND PROJECT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution, in the amount of $3,078.08 for additional funds associated with the demolition of the structures located at the former West End Apartments.

City of Fayetteville Staff Review Form

2023-372

Item ID

2/14/2023

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Chris Brown	1/27/2023	ENGINEERING (621)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Approval to spend an additional $3,078.08 for dumpster service provided by CARDS Holdings, Inc associated with the demolition of the structures associated with the former West End Apartments and approval of a budget adjustment

Budget Impact:

4707.860.7405-5805.00	2019 Drainage Bond Funds
Account Number	Fund
46040.7405	Floodplain Buyout/Elevation
Project Number	Project Title

Budgeted Item?	Yes	Total Amended Budget	$	63,654.00
		Expenses (Actual+Encum)	$	15,236.00
		Available Budget	$	48,418.00
Does item have a direct cost?	Yes	Item Cost	$	3,078.08
Is a Budget Adjustment attached?	Yes	Budget Adjustment	$	3,079.00
		Remaining Budget	$	48,418.92

V20221130

Purchase Order Number: _____ **Previous Ordinance or Resolution #** _____

Change Order Number: _____ **Approval Date:** _____

Original Contract Number: _____

Comments:

City of Fayetteville, Arkansas - Budget Adjustment (Agenda)

Budget Year	Division /Org2	Adjustment Number
2023	ENGINEERING (621)	
	Requestor: Alan Pugh	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

Approval to spend an additional $3,078.08 for dumpster service provided by CARDS NWA LLC associated with the demolition of the structures associated with the former West End Apartments.

COUNCIL DATE: 2/21/2023

ITEM ID#: **2023-372**

Holly Black
1/27/2023 12:49 PM

Budget Division Date

TYPE: **D - (City Council)**

JOURNAL #:

GLDATE:

RESOLUTION/ORDINANCE

CHKD/POSTED: /

v.2023117

TOTAL - -

Account Number	Increase / (Decrease) Expense	Revenue	Project.Sub# Project	Sub.Detl	AT	Account Name
4704.860.7405-5805.00	3,079	-	46040	7405	EX	Land - Acquisition
4704.860.7999-5899.00	(3,079)	-	46040	7999	EX	Unallocated - Budget
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				
	-	-				

Cards NWA Inc
P.O.BOX 775
TONTITOWN, AR 72770
877-592-2737

Invoice	**309306**
Billing Date	1/19/2023
Acct #	01-21693
Service Dates	12/1 to 1/13

Bill To:
City Of Fayetteville
113 W. Mountain St
Fayetteville, AR 72701

Location:
City Of Fayetteville
1137 West End Ave
Fayetteville, AR 72701

Due Date **1/31/2023**

DATE	DESCRIPTION	QUANTITY	AMOUNT	TOTAL
12/09/2022	30YD ROLLOFF SWAP OUT WO# 290209	1	$ 540.00	$ 540.00
12/09/2022	30YD C&D DISPOSAL TONS TICKET 1541097	5.85	$ 55.00	$ 101.75
12/09/2022	30YD ROLLOFF SWAP OUT WO# 290210	1	$ 540.00	$ 540.00
12/09/2022	30YD C&D DISPOSAL TONS TICKET 1541195	6.6	$ 55.00	$ 143.00
12/09/2022	30YD ROLLOFF SWAP OUT 290211	1	$ 540.00	$ 540.00
12/09/2022	30YD C&D DISPOSAL TONS TICKET 1541249	9.36	$ 55.00	$ 294.80
12/09/2022	30YD ROLLOFF SWAP OUT WO# 290212	1	$ 540.00	$ 540.00
12/09/2022	30YD C&D DISPOSAL TONS TICKET 1541306	4.71	$ 55.00	$ 39.05
12/08/2022	30YD ROLLOFF SWAP OUT WO# 290250	1	$ 540.00	$ 540.00
12/08/2022	30YD C&D DISPOSAL TONS TICKET 1540984	7.72	$ 55.00	$ 204.60
12/08/2022	30YD ROLLOFF SWAP OUT WO# 290251	1	$ 540.00	$ 540.00
12/08/2022	30YD C&D DISPOSAL TONS TICKET 1541023	8.71	$ 55.00	$ 259.05
12/08/2022	30YD ROLLOFF SWAP OUT WO# 290252	1	$ 540.00	$ 540.00
12/08/2022	30YD C&D DISPOSAL TONS TICKET 1541048	7.56	$ 55.00	$ 195.80
01/13/2023	30YD ROLLOFF REMOVE WO# 308676	1	$ 540.00	$ 540.00
01/13/2023	30YD C&D DISPOSAL TONS TICKET 1549939	9.58	$ 55.00	$ 306.90
01/13/2023	30YD ROLLOFF REMOVE WO# 308677	1	$ 540.00	$ 540.00
01/13/2023	30YD C&D DISPOSAL TONS TICKET 155007	7.45	$ 55.00	$ 189.75
01/13/2023	30YD ROLLOFF REMOVE WO# 308678	1	$ 540.00	$ 540.00
01/13/2023	30YD C&D DISPOSAL TONS TICKET 1550061	6.95	$ 55.00	$ 162.25
01/13/2023	30YD ROLLOFF REMOVE WO# 308679	1	$ 540.00	$ 540.00
01/13/2023	30YD C&D DISPOSAL TONS TICKET 1550128	3.36	$ 55.00	$ -
01/13/2023	30Y Rental	5	$ 800.00	$ 800.00

Subtotal TX	$ 33,125.70
Subtotal NT	$ 800.00
Taxes	$ 3,229.76
SUM	$ 37,155.46

Page 3 of 3

AGE	CURRENT	Please Pay
Amount	37,155.46	$ 37,155.46

Please Remit Payment to: ards NWA Inc P.O.BOX 775 TONTITOWN, AR 72770

Cards NWA, Inc
P.O.BOX 775
TONTITOWN, AR 7
877-592-2737

Invoice	309306
Billing Date	1/19/2023
Acct #	01-21693
Service Dates	12/1 to 1/13

Bill To:
City Of Fayetteville
113 W. Mountain St
Fayetteville, AR 72701

Location:
City Of Fayetteville
1137 West End Ave
Fayetteville, AR 72701

Due Date **1/31/2023**

DATE	DESCRIPTION	QUANTITY	AMOUNT	TOTAL
12/06/2022	30YD ROLLOFF SWAP OUT WO# 289544	1	$ 540.00	$ 540.00
12/06/2022	30YD C&D DISPOSAL TONS TICKET 1539963	9.39	$ 55.00	$ 296.45
12/06/2022	30YD ROLLOFF SWAP OUT WO# 289545	1	$ 540.00	$ 540.00
12/06/2022	30YD C&D DISPOSAL TONS TICKET 1540050	8.29	$ 55.00	$ 235.95
12/06/2022	30YD ROLLOFF SWAP OUT WO# 289641	1	$ 540.00	$ 540.00
12/06/2022	30YD C&D DISPOSAL TONS TICKET 1540099	4.46	$ 55.00	$ 25.30
12/06/2022	30YD ROLLOFF SWAP OUT WO# 289642	1	$ 540.00	$ 540.00
12/06/2022	30YD C&D DISPOSAL TONS TICKET 1540148	5.44	$ 55.00	$ 79.20
12/06/2022	30YD ROLLOFF SWAP OUT WO# 289643	1	$ 540.00	$ 540.00
12/06/2022	30YD C&D DISPOSAL TONS TICKET 1540228	6.43	$ 55.00	$ 133.65
12/06/2022	30YD ROLLOFF SWAP OUT WO# 289644	1	$ 540.00	$ 540.00
12/06/2022	30YD C&D DISPOSAL TONS TICKET 1540272	5.51	$ 55.00	$ 83.05
12/06/2022	30YD ROLLOFF SWAP OUT WO# 289645	1	$ 540.00	$ 540.00
12/06/2022	30YD C&D DISPOSAL TONS TICKET 1540313	5.78	$ 55.00	$ 97.90
12/06/2022	30YD ROLLOFF SWAP OUT WO# 289808	1	$ 540.00	$ 540.00
12/06/2022	30YD C&D DISPOSAL TONS TICKET 1540343	7.00	$ 55.00	$ 165.00
12/07/2022	30YD ROLLOFF SWAP OUT WO# 289809	1	$ 540.00	$ 540.00
12/07/2022	30YD C&D DISPOSAL TONS TICKET 1540392	6.64	$ 55.00	$ 145.20
12/07/2022	30YD ROLLOFF SWAP OUT WO# 289810	1	$ 540.00	$ 540.00
12/07/2022	30YD C&D DISPOSAL TONS TICKET 1540423	8.01	$ 55.00	$ 220.55
12/07/2022	30YD ROLLOFF SWAP OUT WO# 289811	1	$ 540.00	$ 540.00
12/07/2022	30YD C&D DISPOSAL TONS TICKET 1540469	7.42	$ 55.00	$ 188.10
12/07/2022	30YD ROLLOFF SWAP OUT WO3 289812	1	$ 540.00	$ 540.00
12/07/2022	30YD C&D DISPOSAL TONS TICKET 1540530	8.00	$ 55.00	$ 220.00
12/07/2022	30YD ROLLOFF SWAP OUT WO# 289813	1	$ 540.00	$ 540.00
12/07/2022	30YD C&D DISPOSAL TONS TICKET 1540587	6.13	$ 55.00	$ 117.15
12/07/2022	30YD ROLLOFF SWAP OUT WO# 289940	1	$ 540.00	$ 540.00
12/07/2022	30YD C&D DISPOSAL TONS TICKET 1540638	7.81	$ 55.00	$ 209.55
12/07/2022	30YD ROLLOFF SWAP OUT 289941	1	$ 540.00	$ 540.00
12/07/2022	30YD C&D DISPOSAL TONS TICKET 1540695	8.44	$ 55.00	$ 244.20
12/08/2022	30YD ROLLOFF SWAP OUT WO# 289942	1	$ 540.00	$ 540.00
12/08/2022	30YD C&D DISPOSAL TONS TICKET 1540745	4.15	$ 55.00	$ 8.25
12/08/2022	30YD ROLLOFF SWAP OUT WO# 290002	1	$ 540.00	$ 540.00
12/08/2022	30YD C&D DISPOSAL TONS TICKET 1540782	9.04	$ 55.00	$ 277.20
12/08/2022	30YD ROLLOFF SWAP OUT WO# 290003	1	$ 540.00	$ 540.00
12/08/2022	30YD C&D DISPOSAL TONS TICKET 1540813	7.16	$ 55.00	$ 173.80
12/08/2022	30YD ROLLOFF SWAP OUT WO# 290004	1	$ 540.00	$ 540.00
12/08/2022	30YD C&D DISPOSAL TONS TICKET 1540851	6.42	$ 55.00	$ 133.10
12/08/2022	30YD ROLLOFF SWAP OUT WO# 290005	1	$ 540.00	$ 540.00
12/08/2022	30YD C&D DISPOSAL TONS TICKET 154090	8.80	$ 55.00	$ 264.00
12/08/2022	30YD ROLLOFF SWAP OUT WO# 290006	1	$ 540.00	$ 540.00
12/08/2022	30YD C&D DISPOSAL TONS TICKET 1540942	8.28	$ 55.00	$ 235.40
	Page 2 of 3			

CARDS RECYCLING

Cards NWA, Inc	**Invoice**	**309306**
P.O.BOX 775	Billing Date	1/19/2023
TONTITOWN, AR 727	Acct #	01-21693
877-592-2737	Service Dates	12/1 to 1/13

Bill To:	Location:
City Of Fayetteville	City Of Fayetteville
113 W. Mountain St	1137 West End Ave
Fayetteville, AR 72701	Fayetteville, AR 72701

Due Date **1/31/2023**

DATE	DESCRIPTION	QUANTITY	AMOUNT	TOTAL
12/02/2022	30YD ROLLOFF DELIVERY	5	$ 100.00	$ 500.00
12/02/2022	30YD ROLLOFF SWAP OUT WO# 289117	1	$ 540.00	$ 540.00
12/02/2022	30YD C&D DISPOSAL TONS TiCKET 1539491	6.34	$ 55.00	$ 128.70
12/02/2022	30YD ROLLOFF SWAP OUT WO# 289119	1	$ 540.00	$ 540.00
12/02/2022	30YD C&D DISPOSAL TONS TICKET 1539443	6.00	$ 55.00	$ 110.00
12/02/2022	30YD ROLLOFF SWAP OUT WO# 289125	1	$ 540.00	$ 540.00
12/02/2022	30YD C&D DISPOSAL TONS TICKET 1539449	5.65	$ 55.00	$ 90.75
12/02/2022	30YD ROLLOFF SWAP OUT WO# 289128	1	$ 540.00	$ 540.00
12/02/2022	30YD C&D DISPOSAL TONS TICKET 1539501	8.4	$ 55.00	$ 242.00
12/02/2022	30YD ROLLOFF SWAP OUT WO# 289182	1	$ 540.00	$ 540.00
12/02/2022	30YD C&D DISPOSAL TONS TICKET 1539552	4.62	$ 55.00	$ 34.10
12/02/2022	30YD ROLLOFF SWAP OUT WO# 289191	1	$ 540.00	$ 540.00
12/02/2022	30YD C&D DISPOSAL TONS TICKET 1538551	5.54	$ 55.00	$ 84.70
12/05/2022	30YD ROLLOFF SWAP OUT WO# 289256	1	$ 540.00	$ 540.00
12/05/2022	30YD C&D DISPOSAL TONS TICKET 1539606	3.86	$ 55.00	$ -
12/05/2022	30YD ROLLOFF SWAP OUT WO# 289257	1	$ 540.00	$ 540.00
12/05/2022	30YD C&D DISPOSAL TONS TICKET 1539654	6.97	$ 55.00	$ 163.35
12/05/2022	30YD ROLLOFF SWAP OUT WO# 289304	1	$ 540.00	$ 540.00
12/05/2022	30YD C&D DISPOSAL TONS TICKET 1539701	4.08	$ 55.00	$ 4.40
12/05/2022	30YD ROLLOFF SWAP OUT WO# 289306	1	$ 540.00	$ 540.00
12/05/2022	30YD C&D DISPOSAL TONS TICKET 1539744	4.58	$ 55.00	$ 31.90
12/05/2022	30YD ROLLOFF SWAP OUT WO# 289307	1	$ 540.00	$ 540.00
12/05/2022	30YD C&D DISPOSAL TONS TICKET 1539793	7.65	$ 55.00	$ 200.75
12/05/2022	30YD ROLLOFF SWAP OUT WO# 289308	1	$ 540.00	$ 540.00
12/05/2022	30YD C&D DISPOSAL TONS TICKET 1539853	7.42	$ 55.00	$ 188.10
12/05/2022	30YD ROLLOFF SWAP OUT WO# 289309	1	$ 540.00	$ 540.00
12/05/2022	30YD C&D DISPOSAL TONS TICKET 1539896	6.09	$ 55.00	$ 114.95
12/05/2022	30YD ROLLOFF SWAP OUT WO# 289508	1	$ 540.00	$ 540.00
12/05/2022	30YD C&D DISPOSAL TONS TICKET 1539935	6.4	$ 55.00	$ 132.00
12/05/2022	30YD ROLLOFF SWAP OUT WO 289510	1	$ 540.00	$ 540.00
12/05/2022	30YD C&D DISPOSAL TONS TICKET 1540004	8.91	$ 55.00	$ 270.05

SHIP TO
City of Fayetteville
125 W Mountain
Fayetteville, AR 72701

BILL TO
City of Fayetteville
113 W Mountain St
FAYETTEVILLE, AR 72701

REPRINT PURCHASE ORDER
NO. 2022-00000762

DATE 12/01/2022

VENDOR 94383 CARDS Holdings Inc

CONTACT
CARDS Holdings Inc
PO Box 775
Tontitown, AR 72770

CITY OF FAYETTEVILLE ARKANSAS

DELIVER BY
SHIP VIA
FREIGHT TERMS 1
ORIGINATOR Alan Pugh
RESOLUTION # N/A
PAYMENT TERMS 30

QUANTITY	U/M	DESCRIPTION	UNIT COST	TOTAL COST
1.0000	LOT	Demolition Services - West End Apartment Demolition Dumpster Service - C/O #1 to make line item into a "lot" type to allow for billing by size. Will be billed according to dumpster size: 40 yard = $550.00; 30 yard = $540.00. 4704.860.7405-5805.00 (Land Acquisition) $30,250.00 46040.7405 (Drainage Projects (2019 Bonds), Floodplain Buyout/Elevation)	$30,250.0000	$30,250.00
4.0000	Each	Demolition Services - West End Apartment Demolition Dumpster Rental 4704.860.7405-5805.00 (Land Acquisition) $800.00 46040.7405 (Drainage Projects (2019 Bonds), Floodplain Buyout/Elevation)	$200.0000	$800.00

OPEN TOTAL COST	$31,050.00
AMOUNT VOIDED	$0.00
OPEN AMOUNT EXPENSED	$0.00
OPEN AMOUNT	$31,050.00
AMOUNT DISCOUNTED	$0.00
OPEN AMOUNT	$31,050.00

SUBTOTAL	$31,050.00
SALES TAX	$3,027.38
TOTAL DUE	$34,077.38

Les McHaugh
APPROVED BY

PAGE 1 OF 1

SPECIAL INSTRUCTIONS

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Resolution: 189-22

File Number: 2022-0693

WEST END APARTMENTS:

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN AN OFFER TO PURCHASE APPROXIMATELY 1.74 ACRES OF LAND LOCATED AT 1125, 1137, 1153, AND 1189 NORTH WEST END AVENUE FOR THE AMOUNT OF $1,390,000.00 PLUS CLOSING COSTS, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $10,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, the structures located at 1125, 1137, 1153 and 1189 N West End Ave (commonly referred to as the West End Apartments) have flooded multiple times according to city records; and

WHEREAS, this flooding has led to significant loss of property for the residents and created a life safety issue in both the 2017 and 2022 flooding events; and

WHEREAS, this flooding puts both the residents and the City of Fayetteville Emergency Services at risk when these flooding events occur; and

WHEREAS, as a service to our residents, the City of Fayetteville participates in the Federal Emergency Management Agency (FEMA) Community Rating System (CRS). This provides for discounts (currently 5%) on most flood insurance policies within the City limits; and

WHEREAS, as of November 30, 2018, the City of Fayetteville contained 532 flood insurance policies resulting in approximately $522,224 in annual premiums paid. The total insurance coverage in force was just over $122 million and the total paid losses since entering the program in 1982 was approximately $3.2 million; and

WHEREAS, CRS reqires the participating community to develop and implement a plan to deal with

structures that continually flood. In many instances, including this one, the only economically feasible option is to purchase the property; and

WHEREAS, it will increase Fayetteville's overall flood resiliency and will reduce the overall flood loss to the community during large rain events affirming one goal of the Washington County Pre-Hazard Mitigation plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to sign an offer to purchase approximately 1.74 acres of land located at 1125, 1137, 1153, and 1189 North West End Avenue for the amount of $1,390,000.00 plus closing costs as well as any other documents necessary to effectuate the purchase of this property, and further approves a project contingency in the amount of $10,000.00.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

PASSED and APPROVED on 8/16/2022

Approved:

Lioneld Jordan, Mayor

Attest:

Kara Paxton, City Clerk Treasurer

CITY CLERK / TREASURER CITY OF FAYETTEVILLE ARKANSAS WASHINGTON COUNTY

Agenda Date: 8/16/2022 **Version:** 1 **Status:** Passed

In Control: City Council Meeting **File Type:** Resolution

Agenda Number: C.4

WEST END APARTMENTS:

A RESOLUTION TO AUTHORIZE MAYOR JORDAN TO SIGN AN OFFER TO PURCHASE APPROXIMATELY 1.74 ACRES OF LAND LOCATED AT 1125, 1137, 1153, AND 1189 NORTH WEST END AVENUE FOR THE AMOUNT OF $1,390,000.00 PLUS CLOSING COSTS, TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF $10,000.00, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, the structures located at 1125, 1137, 1153 and 1189 N West End Ave (commonly referred to as the West End Apartments) have flooded multiple times according to city records; and

WHEREAS, this flooding has led to significant loss of property for the residents and created a life safety issue in both the 2017 and 2022 flooding events; and

WHEREAS, this flooding puts both the residents and the City of Fayetteville Emergency Services at risk when these flooding events occur; and

WHEREAS, as a service to our residents, the City of Fayetteville participates in the Federal Emergency Management Agency (FEMA) Community Rating System (CRS). This provides for discounts (currently 5%) on most flood insurance policies within the City limits; and

WHEREAS, as of November 30, 2018, the City of Fayetteville contained 532 flood insurance policies resulting in approximately $522,224 in annual premiums paid. The total insurance coverage in force was just over $122 million and the total paid losses since entering the program in 1982 was approximately $3.2 million; and

WHEREAS, CRS reqires the participating community to develop and implement a plan to deal with structures that continually flood. In many instances, including this one, the only economically feasible option is to purchase the property; and

WHEREAS, it will increase Fayetteville's overall flood resiliency and will reduce the overall flood loss to the community during large rain events affirming one goal of the Washington County Pre-Hazard Mitigation plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to sign an offer to purchase approximately 1.74 acres of land located at 1125, 1137, 1153, and 1189 North West End Avenue for the amount of $1,390,000.00 plus closing costs as well as any other documents necessary to effectuate the purchase of this property, and further approves a project contingency in the amount of $10,000.00.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2022-0693

Legistar File ID

8/16/2022

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Chris Brown	7/27/2022	ENGINEERING (621)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Approval of a resolution authorizing the purchase of property and structures located at 1125, 1137, 1153 and 1189 N West End Ave, in the amount of $1,390,000 plus a $10,000 contingency for the associated closing costs and to approve a budget adjustment

Budget Impact:

4704.860.7405-5805.00	4704 - Drainage Bond Projects
Account Number	Fund
46040.7405	Drainage Projects - Floodplain Buyout/Elevation
Project Number	Project Title

Budgeted Item?	Yes	Current Budget	$	5,586,277.00
		Funds Obligated	$	5,261,669.87
		Current Balance	**$**	**324,607.13**
Does item have a cost?	Yes	Item Cost	$	1,390,000.00
Budget Adjustment Attached?	Yes	Budget Adjustment	$	1,390,000.00
		Remaining Budget	**$**	**324,607.13**

V20210527

Purchase Order Number: _____ **Previous Ordinance or Resolution #** _____

Change Order Number: _____ **Approval Date:** _____

Original Contract Number: _____

Comments:

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO

MEETING OF AUGUST 16, 2022

TO: Mayor and City Council

THRU: Susan Norton, Chief of Staff
Chris Brown, City Engineer

FROM: Alan Pugh, Staff Engineer

DATE: July 27, 2022

SUBJECT: Approval of a resolution authorizing the purchase of property and structures located at 1125, 1137, 1153 and 1189 N West End Ave, in the amount of $1,390,000 plus a $10,000 contingency for the associated closing costs and to approve a budget adjustment.

RECOMMENDATION:
Staff recommends approval of a resolution authorizing the purchase of property and structures located at 1125, 1137, 1153 and 1189 N West End Ave, in the amount of $1,390,000 plus a $10,000 contingency for the associated closing costs and to approve a budget adjustment.

This recommendation is based on the following:

1. The structures located at 1125, 1137, 1153 and 1189 N West End Ave (Commonly referred to as the West End Apartments) have flooded multiple times according to city records.
2. This flooding has left to significant loss of property for the residents and created a life safety issue in both the 2017 and 2022 flooding events.
3. This flooding puts both the residents and the City of Fayetteville Emergency Services at risk when these flooding events occur.
4. As a service to our residents, the City of Fayetteville participates in the Federal Emergency Management Agency (FEMA) Community Rating System (CRS). This provides for discounts (currently 5%) on most flood insurance policies within the City limits.
5. As of November 30, 2018, the City of Fayetteville contained 532 flood insurance policies resulting in approximately $522,224 in annual premiums paid. The total insurance coverage in force was just over $122 million and the total paid losses since entering the program in 1982 was approximately $3.2 million.
6. CRS requires the participating community to develop and implement a plan to deal with structures that continually flood. In many instances, including this one, the only economically feasible option is to purchase the property.
7. It will increase Fayetteville's overall flood resiliency
8. It will reduce the overall flood loss to the community during large rain events affirming one goal of the Washington County Pre-Hazard Mitigation plan.

BACKGROUND:
The subject property and structures are located within Zone AE according to flood insurance rate map 05143C0220F with portions of the structures and the property located within the floodway.

For those not familiar, the Special Flood Hazard Area (SFHA) is made up of multiple “zones.” These zones identify the various risks as well as the applicable regulations for development. Zone AE is commonly referred to as the 100-year floodplain and is made up of both floodplain and floodway. The floodway is the area designated by the Federal Emergency Management Agency, FEMA, for flood water conveyance. This is often relatively high velocity flood waters and the regulations are very restrictive as the intent is for this area to remain open space in order to preserve that conveyance. It is also the intent of the regulation to restrict developments in these areas which are the most susceptible to flooding. Unfortunately, these structures were located within a high-risk area prior to the maps being adopted by the City and as such have a long history of flooding.

DISCUSSION:
The West End Apartments contain approximately 50 total units spread over 4 structures. As stated previously, this apartment complex has flooded multiple times with the most recent occurring in April of 2017 and May of 2022. During those events, water entered all 4 of the buildings located on the property and impacted all of the residents. In each event, residents suffered the loss of much of their property including in some instances the vehicles they own that were in the parking area. Due to the velocity of the floodwater, emergency services also had to perform swiftwater rescues for many of the residents located in the facility endangering both the residents and the emergency crews. As an increase in the danger, the May 2022 event occurred in the early morning hours with little warning to the residents of the facility.

As a response to the flooding that occurred in 2017, City staff brought forward a proposal for a flood study to be completed to look at potential solutions to the flooding for the Hamestring Creek area upstream of I-49. This included several tributaries of Hamestring Creek including the tributary that flows next to the West End Apartments. As a result of that study, there was no real action with regard to upsizing culverts and channels that would reduce or eliminate the flooding to these structures. Left with no other feasible solutions, staff began to research the potential to purchase the structures. While we do understand the impact it would have to the residents of the West End Apartments, staff feels that the life safety issues and continual flood losses experienced by the owner and residents warrant the purchase of these faculties by the City and removal of those residents from harm’s way.

After the May 2022 event, the apartment complex was offered for sale. At that time, staff began working with the administration on the potential to purchase the apartments while there was a willing seller. As such, this proposal is brought forward for council’s consideration to purchase the facility. After the purchase, there are potential grant options that could help cover at least a portion of the demolition costs and restoration of the riparian area. Due to the urgency

associated with the purchase, these items will be brought forward at a later date for council's consideration.

It should be noted that this property is currently under contract to purchase. The attached draft offer letter would be contingent on the current offer to purchase not being completed for any reason. Upon approval from council, the offer letter will be signed and forwarded to the owner and the Land Sale Agreement which is also attached would be completed. If the offer is accepted and the current land sale is not completed for some reason, the City would proceed with preparing all necessary documents and scheduling a closing date.

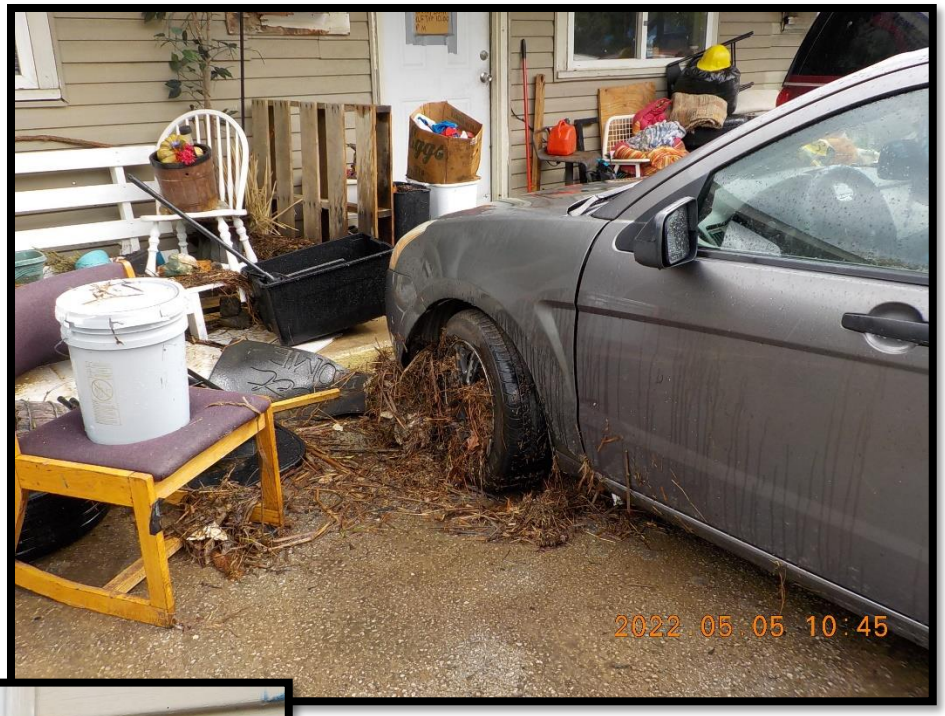
BUDGET/STAFF IMPACT:
As a part of the process, engineering staff had the property appraised to get a general idea of the market value. As of July 2022, the market value of the property was indicated to be $1,390,000 based on that appraisal. The proposed source for the funding would be the 2019 Drainage Bond Funds as portions of the funding were originally planned for floodplain buyout opportunities.

Attachments:
See photos on following pages
Draft offer letter
Draft Land Sale Agreement

May 2022 Flood:

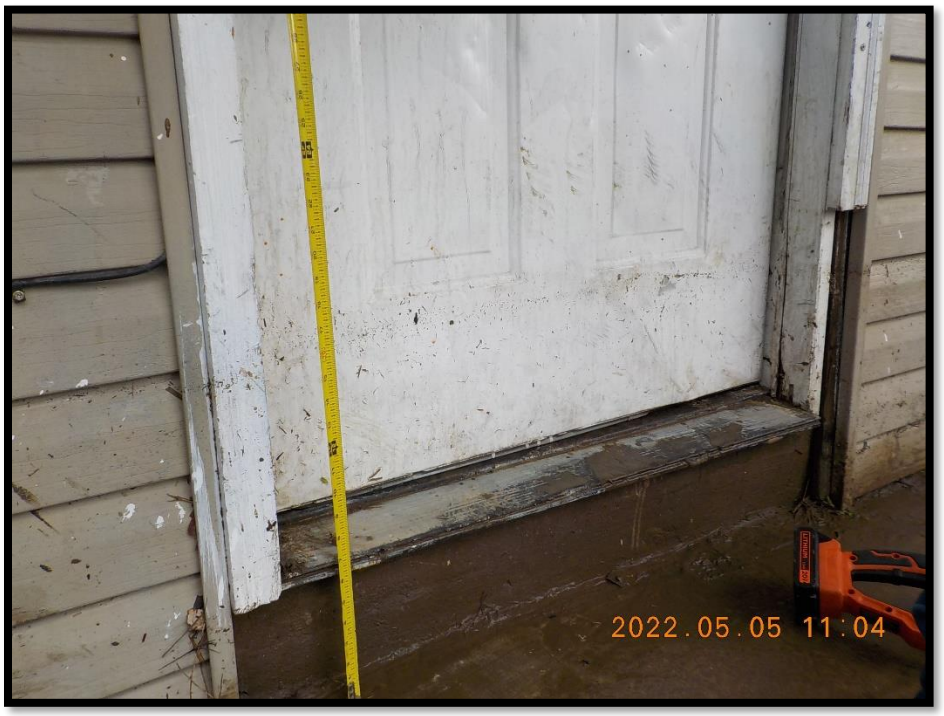
High water mark located on a door at 1125 N West End Ave.

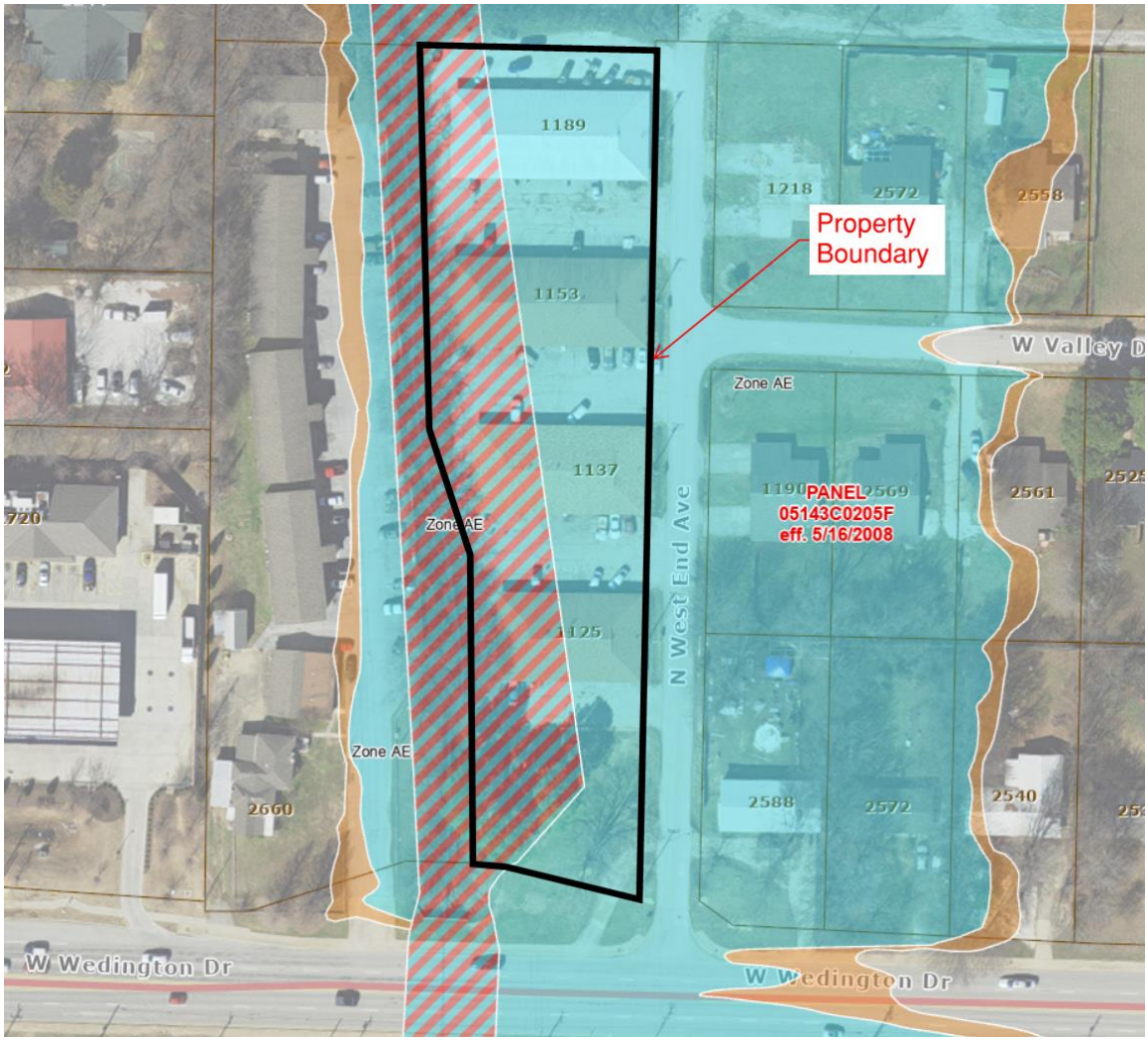
Debris and some items lost in the flood by residents



High water mark on door at 1153 N West End

High water mark on door at 1189 N West End. Depth from sidewalk grade approximately 18 inches.





Map of the floodplain/floodway

CITY OF
FAYETTEVILLE
ARKANSAS

July 29, 2022

WERP, LLC
418 E Huntsville Road
Fayetteville, AR 72701

RE: West End Apartments
Parcel #765-13695-000
Offer to Purchase

Dear Ladies and Gentlemen:

As you may be aware, the City of Fayetteville is working diligently to gain approval to purchase a property you own known as West End Apartments. You are fully aware that there have been flooding issues at this location and our purchase of the property would prevent someone else purchasing it and having the same issues you and your tenants have.

Based on a recent appraisal, the City offers to purchase this property for the amount of $1,390,000.00, contingent upon execution of a final Land Sale Agreement and the property being completely vacant of all tenants at the time the Land Sale Agreement is executed. A copy of the appraisal can be provided if you wish to see it. Below are the general terms of the City's offer:

A. Purchase Price of $1,390,000.00
B. Closing to occur within 90 days following the date of the Land Sale Agreement
C. Title Insurance to be provided by Seller
D. Taxes to be prorated as of the date of closing
E. Both parties shall equally share closing fees.
F. Buyer shall be responsible for any revenue stamps and recording fees

The full details of the sale will be memorialized in a final Land Sale Agreement negotiated between you and the City at a future date. A draft Land Sale Agreement is included for your reference.

A City Land Agent will be glad to meet with you or your representatives at your convenience and discuss this offer and there will be an official closing handled by a title company within 90 days of all approvals and signatures. Please contact Holly Jones at (479) 444-3414 (hjones@fayetteville-ar.gov) or Brandi Samuels at 479-444-3421 (bsamuels@fayetteville-ar.gov) regarding the closing. For any other questions or concerns, please contact Alan Pugh, Stormwater Engineer at (479) 575-8208 (apugh@fayetteville-ar.gov), or Chris Brown, Public Works Director/City Engineer, can be reached at (cbrown@fayetteville-ar.gov).

If the general terms above meet with your approval, please indicate your acceptance by signing below and we will work with you to finalize the Land Sale Agreement.

Sincerely,

Lioneld Jordan
Mayor

LJ/hj

Accepted: _____
WERP, LLC
By: _____
Title: _____

LAND SALE AGREEMENT

This Land Sale Agreement is made and entered into by and between the City of Fayetteville, Arkansas, an Arkansas municipal corporation (hereinafter "City" or "Fayetteville") and **WERP, LLC, an Arkansas Limited Liability Company** (hereinafter “the Sellers”).

TERMS AND CONDITIONS

1. *PURCHASE AND SALE*

Subject to the terms and conditions, mutual promises and covenants of this Agreement, the City of Fayetteville agrees to purchase, and the Sellers agree to sell, the following described property (the “Property”):

SEE ATTACHED EXHIBIT “A”
FOR PROPERTY DESCRIPTION

2. *PURCHASE PRICE*

Subject to the terms and conditions, mutual promises and covenants of this Agreement, the City agrees to purchase the Property for **One Million, Three Hundred Ninety Thousand Dollars and No/100 ($1,390,000)** to be paid to the Sellers by the City on or before the Closing Date.

3. CONTINGENCIES

This sale shall be contingent upon the property being vacant of all tenants at the time this Agreement is signed by the Seller and Seller is responsible for maintaining that vacancy until closing.

4. *CLOSING DATE AND PLACE*

Closing shall occur within 90 days following the date this Agreement has been executed by the parties. The Closing shall occur at 113 West Mountain Street, Fayetteville, Arkansas in a room supplied by the City of Fayetteville or at another location agreed upon by the parties. The Closing Date may be extended upon the mutual agreement of the parties.

5. *DATE OF POSSESSION*

Possession of the Property shall be delivered to the City of Fayetteville on the Closing Date free of any tenancies or other third-party possessory rights.

6. *TITLE INSURANCE*

The Sellers shall order a title commitment on the Property, as soon as practicable following the full execution of this Agreement, through a title insurance company selected by the Sellers and acceptable to the City. If the report on title, binder or commitment discloses any defects in title (other than liens or encumbrances of a definite or ascertainable amount which may be paid at closing), The Sellers shall have thirty (30) days from the date of the City notice of such defects to make a good faith effort to cure such defects and to furnish a report showing the defects cured or removed. If such defects are not cured within thirty (30) days, the City may terminate this agreement or may, at its election, take title subject to any such defects. The cost of the title commitment and the cost of the owner's title policy shall be borne by the Sellers.

7. *DEED, TAXES, CLOSING COSTS, AND OTHER DOCUMENTS*

On the Closing date, the Sellers shall convey marketable and insurable title to the premises by general warranty deed, free and clear of all liens, restrictions, and encumbrances except easements and rights-of-way of record, or as provided in this Agreement

Taxes and special assessments due on or before the date of closing shall be paid by Sellers. Ad valorem taxes shall be prorated as of the date of closing. The City and the Sellers shall equally share the cost

of a reasonable closing fee imposed by the closing agent employed by parties provided however that the City shall be responsible for any revenue stamps resulting from this transaction and all recordings fees for the deed and other documents that need to be filed.

8. *RISK OF LOSS*

Risk of loss as to the Property shall remain with the Sellers until the Closing date.

9. *THE CITY OF FAYETTEVILLE'S DUE DILIGENCE*

The City may enter upon the Property to conduct any surveying, testing or inspection it deems necessary to ensure the Property will be appropriate and safe. If the City discovers any problems that would adversely impact its development and use of the Property for its facilities, the City shall notify the Sellers who shall be granted sixty (60) days to remediate any problem. The Sellers may also terminate this Agreement without penalty rather than remediating any problem or issue discovered by the City.

10. *NOTICES*

Notices required by this Agreement shall be in writing and shall be delivered to:

City of Fayetteville
ATTN: Mayor's Office
113 W. Mountain Street
Fayetteville, AR 72701

WERP, LLC, an Arkansas Limited Liability Company
c/o John C. Cloyed, Jr.
418 E Huntsville Road
Fayetteville, AR 72701

11. *AUTHORITY*

Each of the undersigned individuals represent and warrant that they are authorized to enter into this Agreement on behalf of themselves or their respective entities and that execution hereof will bind all parties to this Agreement.

12. *COUNTERPARTS*

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same agreement.

13. *FACSIMILE*

For purposes of executing this Agreement, a scanned or facsimile signature shall be as effective an as actual signature.

14. *APPLICABLE LAW*

This Agreement shall be construed and enforced in accordance with the laws of the State of Arkansas with venue in Washington County, Arkansas.

15. *SURVIVAL*

The representations, warranties, and agreements of the parties contained herein shall survive the closing date.

16. *NO WAIVERS*

The waiver by either party hereto of any condition or the breach of any term, covenant or conditions herein contained shall not be· deemed to be a waiver of any other condition or of any subsequent breach of the same or of any other term, covenant or condition herein contained.

17. *TIME OF ESSENCE*

DRAFT

Time is of the essence in this Agreement.

18. *INVALIDITY*

If for any reason any term or provision of this Agreement shall be declared void and unenforceable by any court of law or equity, it shall only affect such particular term or provision of this Agreement and the balance of this Agreement shall remain in full force and effect and shall be binding upon the parties hereto.

19. *COMPLETE AGREEMENT*

All understandings and agreements heretofore existing between the parties are merged into this Agreement that alone fully and completely expresses their agreement. This Agreement may be changed only in writing signed by all of the parties hereto and shall apply to and bind the successors and assigns of each of the parties hereto and shall not merge with the deed delivered to the City at closing.

IN AGREEMENT WITH ALL OF THE TERMS AND CONDITIONS of this Land Sale Agreement and after being properly authorized by the Fayetteville City Council, the Mayor and City-Clerk Treasurer of the City of Fayetteville, Arkansas, Purchaser, sign their names below:

PURCHASER:

CITY OF FAYETTEVILLE, ARKANSAS

By: _____
Lioneld Jordan, Mayor

Date: 8-16-22

ATTEST:

_____
Kara Paxton, City Clerk-Treasurer

CITY CLERK / TREASURER CITY OF FAYETTEVILLE ARKANSAS WASHINGTON COUNTY

IN AGREEMENT WITH ALL OF THE TERMS AND CONDITIONS of this Land Sale Agreement, Sellers sign below:

SELLER:

WERP, LLC,
an Arkansas Limited Liability Company

By: _____
John C. Cloyed, Jr., Manager

By: _____
John F. Cloyed, Member

By: _____
Ellen Cloyed, Member

Date: _____

Legal Description from Warranty Deed: 2015-13714

A part of the of SE ¼ of the NE ¼ of Section 7, T-16-N, R-30W, Washington County, Arkansas, being more particularly described as follows: Beginning at a point which is 1,029.00 feet west and 62.55 feet north of the SE

corner of said 40 acre tract and running thence N 76 degrees 56’27” W along the north right of way of Wedington Drive 92.29 feet; thence N 89 degrees 44’02” W along said right of way 60 feet to the centerline of a creek; thence along said creek centerline N00 degrees 36’11” W, 70.93 feet; thence N01 degrees 31’24”W, 124.97 feet; thence N17 degrees 57’03” W, 87.21 feet, thence N00 degrees 20’43”E, 55.04 feet; thence N01 degrees 05’58” W, 91.44 feet; thence N03 degrees 20’10”W 101.23 feet; thence leaving said creek centerline N89 degrees 57’55” E 161.95 feet to the west right of way line of West end drive thence along said right of way south 547.45 feet to the point of beginning. Containing 1.74 acres, more or less. Subject to the portion of utility restrictions and rights of way of record. Subject to any easements, rights of way, restrictive covenants and/or bills of assurance of record, if any.

DRAFT

City of Fayetteville, Arkansas - Budget Adjustment Form (Legistar)

Budget Year	Division /Org2	Adjustment Number
2022	ENGINEERING (621)	
	Requestor: Chris Brown	

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

Approval of a resolution authorizing the purchase of property and structures located at 1125, 1137, 1153 and 1189 N West End Ave, in the amount of $1,390,000 plus a $10,000 contingency for the associated closing costs and approval of a budget adjustment

RESOLUTION/ORDINANCE

COUNCIL DATE: 8/16/2022

LEGISTAR FILE ID#: **2022-0693**

Holly Black
7/28/2022 8:35 AM

Budget Director Date

TYPE: **D - (City Council)**

JOURNAL #:

GLDATE: **8/16/2022**

CHKD/POSTED: /

v.20220718

	Increase / (Decrease)		Project.Sub#			
Account Number	Expense	Revenue	Project	Sub.Detl	AT	Account Name
TOTAL	-	-				
4704.860.7405-5805.00	1,390,000	-	46040	7405	EX	Land - Acquisition
4704.860.7405-5911.99	10,000	-	46040	7405	EX	Contingency - Capital Project
4704.860.7999-5899.00	(1,400,000)	-	46040	7999	EX	Unallocated - Budget
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CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2022-279

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Kit Williams, City Attorney

FROM: Blake Pennington, Assistant City Attorney

DATE: February 8, 2023

SUBJECT: **AMEND 130.39 GRAFFITI:**

RECOMMENDATION:

BACKGROUND:
Council Member Turk has sponsored an item to amend §130.39 Graffiti of the Fayetteville Code to create a graffiti abatement program.

DISCUSSION:

BUDGET/STAFF IMPACT:

ATTACHMENTS: Agenda Request Amend 130.39 Graffiti, EXHIBIT A - 120622 ADDITIONAL INFORMATION HAND OUT 2022-1051, ORD REPEAL §130.39 GRAFFITI ENACT NEW

Legistar ID No.: 2022-1057

AGENDA REQUEST FORM

FOR: Council Meeting of December 6, 2022

FROM: Council Member Teresa Turk

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

AN ORDINANCE TO AMEND §130.39 **GRAFFITI** IN THE *FAYETTEVILLE CODE* TO CREATE A GRAFFITI ABATEMENT PROGRAM

APPROVED FOR AGENDA:

Just A. Turk

City Council Member
Teresa Turk

11/10/22
Date

Asst. City Attorney Blake Pennington
Approved as to form

11/14/22
Date

ORDINANCE NO. _____

AN ORDINANCE TO AMEND §130.39 **GRAFFITI** IN THE *FAYETTEVILLE CODE* TO CREATE A GRAFFITI ABATEMENT PROGRAM

WHEREAS, the existence of graffiti on buildings, structures, such as fences or walls, or utility poles or boxes, located upon public or privately owned property viewable from a public or quasi-public place within the city is detrimental to property values, degrades the community, causes an increase in crime, is inconsistent with the city's property maintenance and aesthetic standards, and is a nuisance; and

WHEREAS, establishing a graffiti abatement program will enable the City to remove graffiti from public and privately owned property in addition to other remedies available to the City and to property owners.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby repeals §130.39 **Graffiti** of the *Fayetteville Code* in its entirety and enacts a new §130.39 **Graffiti** as shown in Exhibit A attached hereto and made a part hereof.

PASSED and **APPROVED** this 6th day of December, 2022.

APPROVED:

By: _____
LIONELD JORDAN, Mayor

ATTEST:

By: _____
KARA PAXTON, City Clerk/Treasurer

130.39 - Graffiti

(A) *Definitions.*

(1) Graffiti: For purposes of this section, the term "graffiti" shall mean any inscription, word, figure, design, symbol or insignia which is marked, etched, scratched, drawn, painted or otherwise affixed to or placed upon public or private property located within the city to the extent that the same is not approved by the owner.

(2) Quasi-public place: Any place, privately owned, but to which the public is invited, which shall include, but is limited to, the following: commercial, industrial and business properties, stores, restaurants, bars, retail business establishments, multi-family housing complexes containing 24 units of more, and their adjoining or related parking areas.

(B) *Unlawful to Apply Graffiti; Penalty.* It shall be unlawful for any person to apply graffiti upon any public and privately owned structure located on public or privately owned real property within the city. Nothing contained herein shall prevent the city from pursuing any other remedy available for redress of any damage or injury caused by the action of any such person.

(C) *Declaration of graffiti as unsightly and a nuisance.* The existence of graffiti on buildings, structures, such as fences or walls, or utility poles or boxes, located upon public or privately owned property viewable from a public or quasi-public place within the city is detrimental to property values, degrades the community, causes an increase in crime, is inconsistent with the city's property maintenance and aesthetic standards, and is declared to be a nuisance.

(D) *Right of city to remove*

(1) Whenever the city becomes aware, or is notified and determines that graffiti is so located on the exterior of a building or structure (including fences and walls), or utility box or pole, on public or privately owned property viewable from a public or quasi-public place within the city, the city shall be authorized to use public funds for the removal of graffiti from the entire exterior of the building or structure affected, or for the painting of graffiti from the entire exterior of the building affected, but shall not authorize or undertake to provide for the painting of any more extensive area than where the graffiti is located, unless the City determines that a more extensive area is required to be repainted in order to avoid an aesthetic disfigurement to the neighborhood or community.

(2) All incidents of graffiti should be reported to the Police Department, who may investigate the crime and notify the owner of the property or the property owner's agent and/or any leasehold tenant or utility company, concerning the city's graffiti removal program. The Police Department may also provide information on how to contact the appropriate division or department for the removal of the graffiti. The Police Department may also notify the appropriate division or department of the exact location of the graffiti and the name of the person to be contacted. In the event the owner

of the property or the property owner's agent and/or leasehold tenant or utility company cannot be reached after a period of two (2) business days since receiving the complaint, the city will then have the right to enter upon private property to the extent necessary to take corrective action.

(3) Upon notification by the Police Department concerning the necessity to remove the graffiti, the city may make contact with the owner of the property or the property owner's agent, and/or any leasehold tenant and request that they sign a graffiti abatement identification and permission form allowing the city to enter on the property and remove the graffiti. The document will release the city, its officers, agents, and employees of and from any and all liability, claims, demands, causes of action, or obligations of whatsoever arising out of or in any way related to entry upon the property and for the removal of the graffiti. In the event the owner of the property or the property owner's agent and/or leasehold tenant or utility company cannot be reached after a period of two (2) business days since receiving the complaint and after contact has been attempted, the city will then have the right to enter upon private property to the extent necessary to take corrective action.

(4) In the event the owner of the property or the property owner's agent, and/or any leasehold tenant refuses to sign the document which authorizes the city to remove the graffiti, the city may give or cause to be given notice to the owner of the property or the property owner's agent, and/or any leasehold tenant, to take corrective action and remove the graffiti from the property within two (2) business days from the date the notice is served. If the graffiti is not removed within two (2) business days after receipt of notice, then the city shall have the right to enter upon private property to the extent necessary to take corrective action to abate the nuisance.

(5) In the event that graffiti is discovered and reported on private property such as buildings, structures, fences, walls, or utility poles/boxes, and after thorough documentation by the city, where it is not reasonable to find the property owner or the property owner's agent and/or leasehold tenant or utility company, or in cases where immediate removal of graffiti is deemed necessary (due to profanity, location, etc.), and since removal of graffiti in a timely manner is necessary, the city will then have the right to enter upon private property to the extent necessary to take corrective action.

(6) In any case in which the city enters upon private property for the removal of graffiti without actual notice to the owner of the property or the property owner's agent and/or leasehold tenant, the city shall post a notice upon the front of the residence regarding the actions taken by the city to abate the nuisance.

(E) *Other remedies available to the city.* This section does not preclude the city from seeking the removal of graffiti through other available remedies, including those under the Arkansas criminal mischief statutes and the *International Property Maintenance Code*.

EXHIBIT A

D 2
Additional Information received during 12/6/22 City Council meeting

130.39 - Graffiti

(A) *Definitions.*

(1) Graffiti: For purposes of this section, the term "graffiti" shall mean any inscription, word, figure, design, symbol or insignia which is marked, etched, scratched, drawn, painted or otherwise affixed to or placed upon any public right-of-way or public or private property located within the City to the extent that the same is not approved by the owner, owner's agent, or leasehold tenant.

(2) Quasi-public place: Any place, privately owned, but to which the public is invited, which shall include, but is not limited to, the following: commercial, industrial and business properties, stores, restaurants, bars, retail business establishments, multi-family housing complexes containing 24 units or more, and their adjoining or related parking areas.

(B) *Unlawful to apply graffiti.* It shall be unlawful for any person to apply graffiti upon any right-of-way or upon any public or privately owned structure located on public right-of-way or public or privately owned real property within the City. Nothing contained herein shall prevent the city from pursuing any other remedy available for redress of any damage or injury caused by the action of any such person.

(C) *Declaration of graffiti as unsightly and a nuisance.* The existence of graffiti on buildings, structures, such as fences or walls, or utility poles or boxes, located upon public right-of-way or public or privately owned property viewable from a public right-of-way or public or quasi-public place within the City is detrimental to property values, degrades the community, causes an increase in crime, is inconsistent with the City's property maintenance and aesthetic standards, and is declared to be a nuisance.

(D) *Right of city to remove graffiti.*

(1) Whenever the city becomes aware or is notified and determines that graffiti is located on the exterior of a building or structure (including fences and walls), or utility box or pole, on public right-of-way or on public or privately owned property viewable from a public, quasi-public place, or public right-of-way within the City, the City shall be authorized to use public funds for the removal of graffiti from the entire exterior of the building or structure affected, or for the painting over of graffiti from the entire exterior of the building affected.

(2) All incidents of graffiti should be reported to the Police Department, who may investigate the crime and notify the owner of the property or the property owner's agent and/or any leasehold tenant or utility company, concerning the City's graffiti removal program. The Police Department may also provide information on how to contact the appropriate division or

department for the removal of the graffiti. The Police Department may also notify the appropriate division or department of the exact location of the graffiti and the name of the person to be contacted.

(3) Upon notification by the Police Department concerning the necessity to remove the graffiti, the City should contact the owner of the property or the property owner's agent, and/or any leasehold tenant and request that they sign a graffiti abatement identification and permission form allowing the City to enter on the property and remove the graffiti.

(4) In the event the City verifies that the owner of the property or the property owner's agent, and/or any leasehold tenant has not approved the graffiti but refuses to sign the document which authorizes the City to remove the graffiti, the City should give or cause to be given notice to the owner of the property or the property owner's agent, and/or any leasehold tenant to take corrective action and remove the graffiti from the property within two (2) business days from the date the notice is served. If the graffiti is not removed within two (2) business days after service of notice, and the owner, tenant or their agent has not filed a written objection to the removal of the graffiti with the City Clerk within two business days after notice, then the City shall have the right to enter upon private property to the extent necessary to take corrective action to abate the nuisance.

(5) If the owner, tenant, or their agent has filed a written objection to the City's removal of the graffiti including accurate contact information within two (2) business days with the City Clerk, the Chief of Staff or designee shall hold a due process hearing within a week after attempted notice to the appellant using the provided accurate contact information. The Chief of Staff or designee shall inform the appellant of the reasons for the planned graffiti removal during the due process hearing and give the appellant an opportunity to respond and justify the non-removal of the suspected graffiti.

(E) *Other remedies available to the City.* This section does not preclude the city from seeking the removal of graffiti through other available remedies, including those under the Arkansas criminal mischief statutes and the *International Property Maintenance Code*.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND §130.39 **GRAFFITI** IN THE *FAYETTEVILLE CODE* TO CREATE A GRAFFITI ABATEMENT PROGRAM

WHEREAS, the existence of graffiti on buildings, structures, such as fences or walls, or utility poles or boxes, located upon public or privately owned property viewable from a public or quasi-public place within the city is detrimental to property values, degrades the community, causes an increase in crime, is inconsistent with the city's property maintenance and aesthetic standards, and is a nuisance; and

WHEREAS, establishing a graffiti abatement program will enable the City to remove graffiti from public and privately owned property in addition to other remedies available to the City and to property owners.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby repeals §130.39 **Graffiti** of the *Fayetteville Code* in its entirety and enacts a new §130.39 **Graffiti** as shown in Exhibit A attached hereto and made a part hereof.

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-323

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Chris Brown, Public Works Director
Susan Norton, Chief of Staff

FROM: Matt Mihalevich, Active Transportation Manager

DATE: February 8, 2023

SUBJECT: **Active Transportation Plan Update**

RECOMMENDATION:
Staff recommends that the City Council adopt the newly updated version of Fayetteville's Active Transportation Plan (ATP) document.

BACKGROUND:
The current version of the ATP document was originally adopted on April 7th, 2015 as Resolution No. 81-15. 2015 Active Transportation Plan (ATP) This update is to the planning document and does not include any revisions to the Active Transportation Master Plan map which was last approved January 7th, 2020.
This update incorporates public input gathered through online surveys, and uses input gathered as part of regional active transportation plan and the City's 2018 Mobility Plan. The Fayetteville Active Transportation Advisory Committee (ATAC) provided input periodic review and guidance throughout the process of updating the document and unanimously approved the final draft of the document on October 12th, 2022. On October 25th, 2022 the City Council's Transportation Committee unanimously recommended forwarding the document to the full City Council for approval. On December 5th the Parks and Recreation Advisory Board unanimously approved the updated document.

DISCUSSION:
The Active Transportation Plan (ATP) serves as a guiding document for Fayetteville infrastructure and program development related to Active Transportation. Active Transportation is non-automotive human-powered transportation, primarily walking and biking but also includes other modes such as use of wheelchairs, skate boards and scooters.
Plans such as the ATP are typically updated every 5-10 years. In the 8 years since the current ATP was adopted there have been significant changes and advancements in Fayetteville's active transportation infrastructure and planning efforts. The completion of the Razorback Reginal Greenway, the adoption of Fayetteville 2018 Mobility Plan, the successful 2019 bond referendum and new guidance on All-Ages-and-Abilities cycling facilities from the Federal Highway Administration. This update to the ATP document is needed to establish goals and best practices that better reflect current conditions and position Fayetteville to continue to lead as a walkable and bike-friendly community into the future.

The six goals of this plan are:

1. Strive to create an equitable multimodal transportation system for all ages and abilities.
2. Build a paved trail connection within a 10-minute walk of every residence by 2040.
3. Encourage new participation in active transportation – gather and evaluate data to track trends and measure success.
4. Zero fatalities or severe injuries of vulnerable roadway users by 2030.
5. Implement all the appropriate recommendations from leading advocacy organizations community evaluations.
6. Enhance opportunities for people with disabilities to walk, roll, cycle, and use micromobility services and other innovative mobility technologies to the greatest extent possible.

BUDGET/STAFF IMPACT:
None

ATTACHMENTS: 2023-323 SRF - ATP Update, Active Transportation Plan - Update - 9.27.22 FINAL, 020623 ADDITIONAL INFORMATION ACTIVE TRANSPORTATION PLAN - UPDATE - 2.6.23 FINAL

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-323

Active Transportation Plan Update

A RESOLUTION TO APPROVE AN UPDATE TO THE FAYETTEVILLE ACTIVE TRANSPORTATION PLAN

WHEREAS, on April 7, 2015, the City Council approved Resolution 81-15 approving the current version of the Fayetteville Active Transportation Plan; and

WHEREAS, this update to the Active Transportation Plan document is needed to establish goals and best practices that better reflect current conditions and position Fayetteville to continue to lead as a walkable and bike-friendly community into the future; and

WHEREAS, the updated plan has been reviewed by the Fayetteville Active Transportation Advisory Committee, the City Council Transportation Committee, and the Parks and Recreation Advisory Board unanimously approved the updated Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves the update to the Fayetteville Active Transportation Plan, a copy of which is attached to this Resolution.

City of Fayetteville Staff Review Form

2023-323

Item ID

2/7/2022

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Matt Mihalevich	1/18/2023	ENGINEERING (621)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

Staff recommends that the City Council adopt the newly updated version of Fayetteville's Active Transportation Plan (ATP) document.

Budget Impact:

N/A	N/A
Account Number	Fund
N/A	N/A
Project Number	Project Title

Budgeted Item?		Total Amended Budget	$	-
		Expenses (Actual+Encum)	$	-
		Available Budget	$	-
Does item have a direct cost?	No	Item Cost	$	-
Is a Budget Adjustment attached?	No	Budget Adjustment	$	-
		Remaining Budget	$	-

V20221130

Purchase Order Number:

Previous Ordinance or Resolution # 81-15

Change Order Number:

Approval Date:

Original Contract Number:

Comments:

ACTIVE TRANSPORTATION PLAN

CITY OF FAYETTEVILLE ARKANSAS

2023 UPDATE

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Implementation and success metrics

INTRODUCTION
Executive Summary

ATP VISION AND GOALS

The City envisions the ATP as the guiding document for identifying and prioritizing bicycle and pedestrian infrastructure improvements. This plan is intended to be broad in scope and to provide a dynamic and timely framework for the decision making process.
Ultimately, the vision for this plan is as follows:

Fayetteville endeavors to develop and promote an interconnected and universally accessible network of sidewalks, trails and on-street bicycle facilities that encourage citizens to use active/non-motorized modes of transportation to safely and efficiently reach any destination.

PRIMARY GOALS OF THE ATP ARE:

Strive to create an equitable multimodal transportation system for all ages and abilities.

◆

Build a paved trail connection within a 10-minute walk of every residence by 2040.

◆

Encourage new participation in active transportation – gather and evaluate data to track trends and measure success.

◆

Zero fatalities or severe injuries of vulnerable roadway users by 2030.

◆

Implement all of the appropriate recommendations from leading advocacy organizations community evaluations.

◆

Enhance opportunities for people with disabilities to walk, roll, cycle, and use micromobility services and other innovative mobility technologies to the greatest extent possible.

EXECUTIVE SUMMARY

In 2003, the City of Fayetteville adopted the Fayetteville Alternative Transportation & Trails (FATT) Plan, which laid out a vision for the development of a city-wide trail system. The FATT Plan was developed through an extensive public input process which resulted in a comprehensive set of goals and objectives. At the time the FATT Plan was developed, Fayetteville had not yet committed to building the Scull Creek Trail that has become the backbone of our trails system. The FATT Plan served as a catalyst to initiate large-scale trail development and brought greater awareness of the benefits of alternative transportation networks.
In April 2015, The City Council adopted the original version of this plan – the Active Transportation Plan (ATP) by resolution. The ATP set forth a vision and a roadmap for measuring success, and it provides the general parameters for the prioritization and design of bicycle and pedestrian infrastructure without prescribing solutions for specific projects. The 2015 ATP has served as a guiding document in the seven year since its adoption.
This 2022 update the ATP builds on lessons learned and incorporates the recent developments and changes in best practices in Active Transportation planning. This plan's updated goals emphasize equity, safety and accessibility for all ages and abilities.

"Fayetteville's culture of active transportation plays a critical role in promoting our city's economic viability as well as the health and well being of all our residents."

-Mayor Lioneld Jordan

INTRODUCTION
Executive Summary

WHAT IS ACTIVE TRANSPORTATION?

Active transportation is any form of human powered transportation, e.g., walking, cycling, using a wheelchair, in-line skating or skateboarding.

WHAT IS MULTI-MODAL TRANSPORTATION?

Multi-modal refers to a range of mobility options; vehicular traffic, public transit, walking, bicycling and ride sharing that are effectively integrated to provide a high degree of accessibility for all users.

WHAT ARE ACTIVE TRANSPORTATION NETWORKS?

Just as motorized transportation networks connect destinations with an interconnected system of roadways, active transportation networks use trails sidewalks, bikeways and low stress streets to allow people to move freely and safely through a community without an automobile. Active Transportation planning should focus on providing maximum connectivity for all potential users while minimizing exposure to traffic risks.

INTRODUCTION
Community Development Pattern Chart

Completely automobile dependent communities share many of the same characteristics; lack of pedestrian connectivity and non-vehicular infrastructure, increased per capita travel mileage, increased vehicle traffic and associated costs, economic and social disadvantages for non-drivers, reduced diversity and fewer opportunities for education, employment and recreation.

The following table shows the relationships between built environment for supporting an auto-dependent or multi-modal transportation based community.

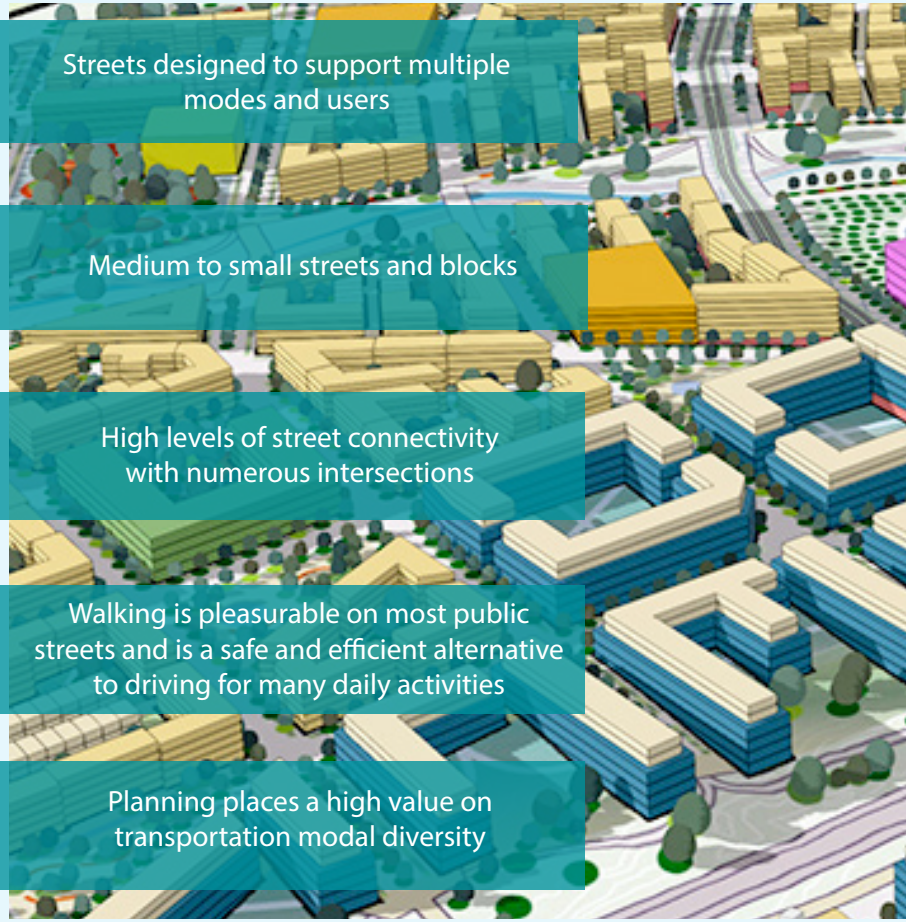
AUTOMOBILE DEPENDENT COMMUNITY		MULTI-MODAL TRANSPORTATION COMMUNITY
High per capita car ownership	CAR OWNERSHIP	Medium per capita car ownership
High per capita motor vehicle mileage	VEHICLE TRAVEL	Medium to low motor vehicle mileage
Automobile traffic is prioritized over pedestrian and bicycle use	PRIORITY OF TRAVELERS	Non-drivers are prioritized and their needs merit significant consideration
Generous supply, free	PARKING	Moderate supply, priced appropriately in high destination areas
Maximum traffic speeds	TRAFFIC SPEEDS	Lower traffic speeds

INTRODUCTION
Community Development Pattern Chart

AUTOMOBILE DEPENDENT COMMUNITY	VS	MULTI-MODAL TRANSPORTATION COMMUNITY
Low with common destinations dispersed from residential areas	LAND USE DENSITY	Medium to high with common destinations and clustered residential areas
Primarily single use development patterns	LAND USE MIX	Abundance of mixed-use development patterns
Large amounts of land devoted to roads and parking	LAND AREA FOR TRANSPORTATION	Medium amounts of land devoted to roads and parking
Parking is placed in front of buildings	SITE DESIGN	Buildings are placed at the street with parking behind or at the side

INTRODUCTION
Community Development Pattern Chart

AUTOMOBILE DEPENDENT COMMUNITY		MULTI-MODAL TRANSPORTATION COMMUNITY
Streets designed primarily for automobile traffic	STREET DESIGN	Streets designed to support multiple modes and users
Large scale streets and blocks	STREET SCALE	Medium to small streets and blocks
Low levels of street connectivity with abundant cul-de-sacs	STREET CONNECTIVITY	High levels of street connectivity with numerous intersections
Walking can be hazardous and is primarily undertaken by those unable to afford a car	WALKING	Walking is pleasurable on most public streets and is a safe and efficient alternative to driving for many daily activities
Non-drivers are a small minority with little political influence	PLANNING PRACTICES	Planning places a high value on transportation modal diversity



THE PLANNING PROCESS

The ATP has been developed with information gathered from a wide variety of planning studies and public input over time. This plan recognizes that exceptional bicycle and pedestrian planning, design and implementation occurs at many levels and is influenced and guided by a variety of plans, policies and advocates. In developing the Active Transportation Plan, staff incorporated data, best practices and input from a wide variety of sources including:

- 2003 Fayetteville Alternative Trails and Transportation Plan
- Recommendations from the League of American Bicyclists
- Recommendations from the NWA Bicycle and Pedestrian Plan developed with help from Alta Planning for the NWA Regional Planning Commission and endorsed by the Fayetteville City Council
- City Plan 2040 and the City of Fayetteville's Master Street Plan
- Specific neighborhood plans adopted by the City, including: Walker Park, Fayette Junction and the Wedington Corridor Plan
- The City of Fayetteville's annual sidewalk plan developed by the Public Works Department
- The 2018 Mobility Plan
- Generous public input from participants in the above plans, programs, and policies
- The Active Transportation Advisory Committee including 5-year trail prioritization plan

CITY PLAN 2040
FAYETTEVILLE, ARKANSAS

BICYCLE FRIENDLY COMMUNITY
GOLD
THE LEAGUE OF AMERICAN BICYCLISTS

NWA Regional Planning Commission

FAYETTEVILLE MOBILITY

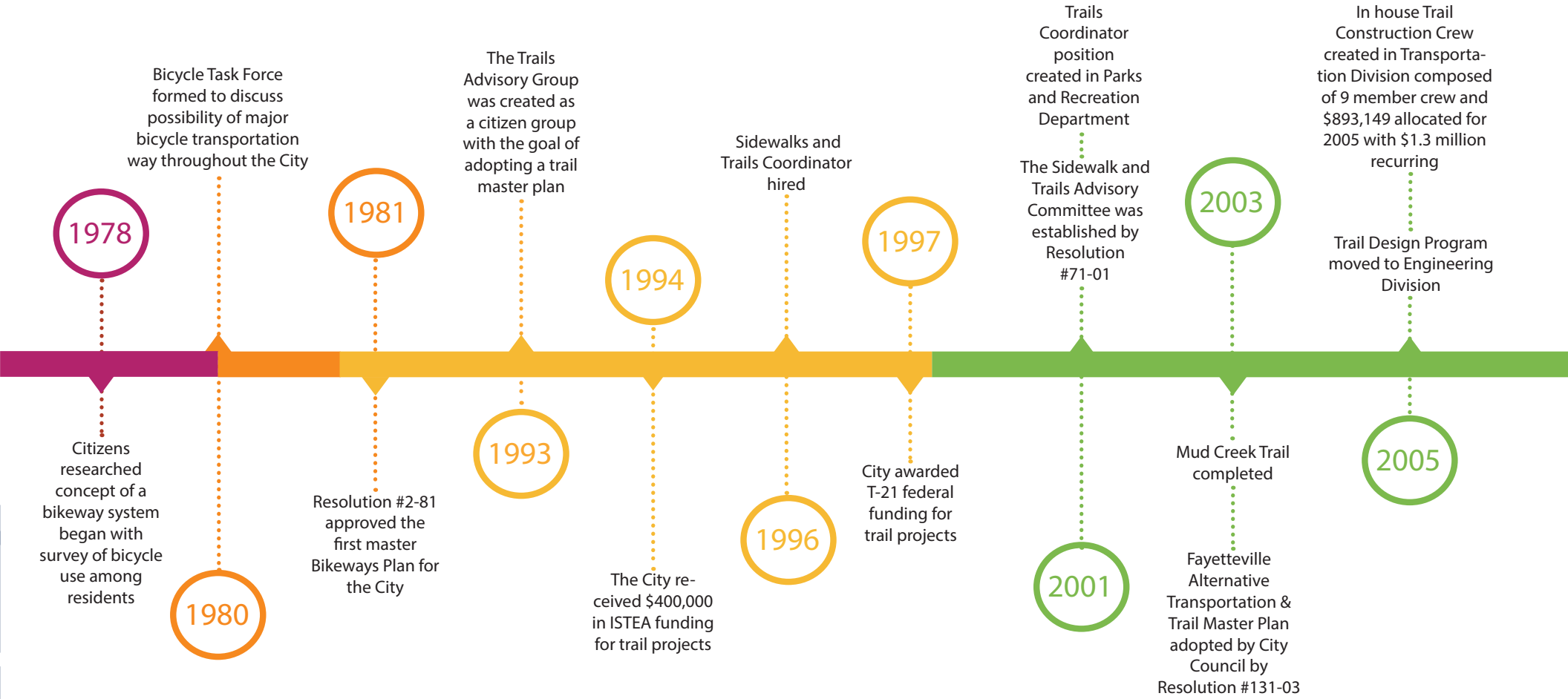
741

THE AVERAGE NUMBER OF USERS ON A RAZORBACK GREENWAY EACH AND EVERY DAY.*

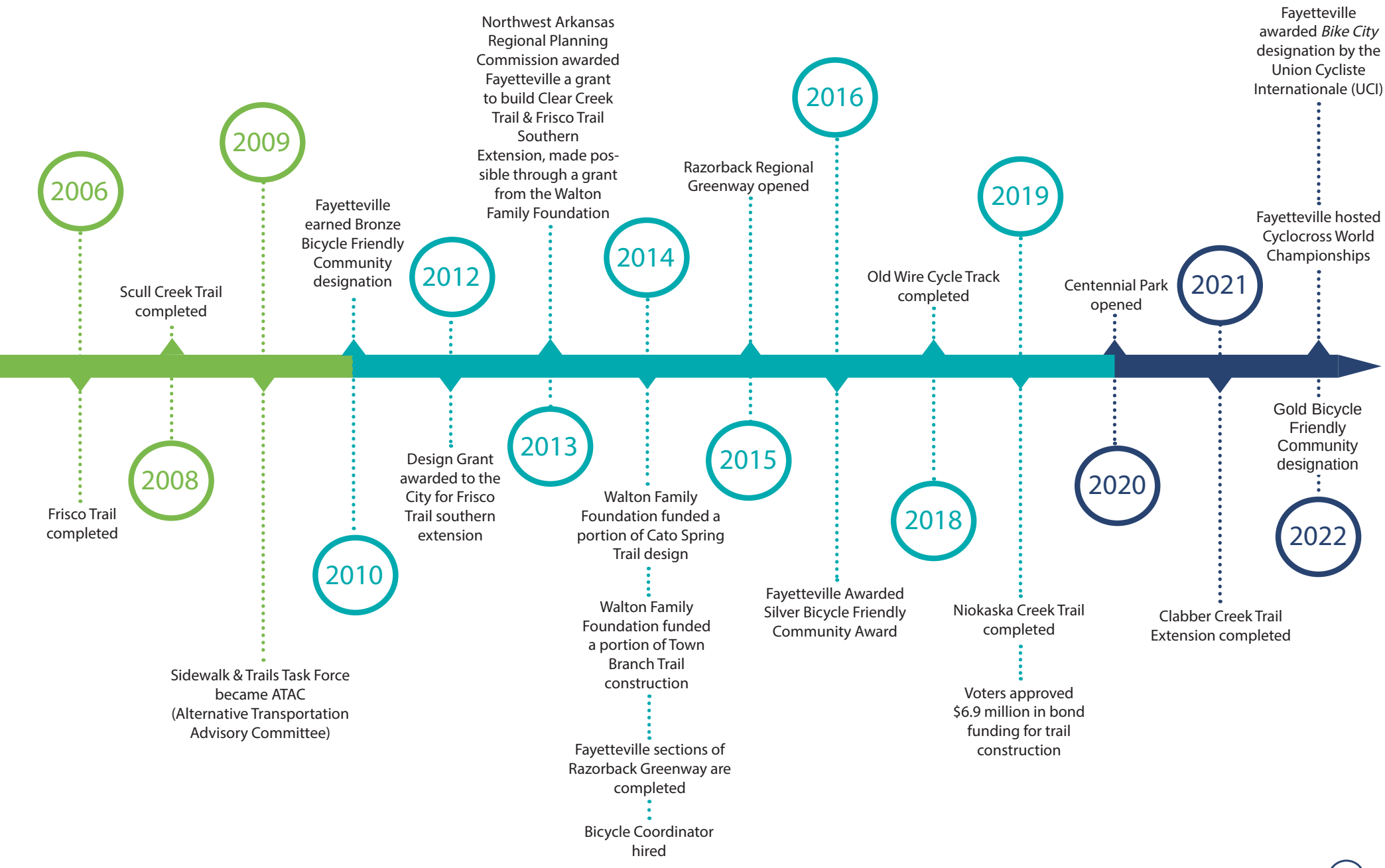
*City of Fayetteville Trail Count Data (2021)

PROGRESS AND TIMELINE

The City of Fayetteville has made enormous progress in the development of bicycle and pedestrian infrastructure since the adoption of the FATT Plan in 2003. Some notable accomplishments include: the completion of Scull Creek Trail in 2008 that serves as the backbone of the City's trail system and became part of the Razorback Regional Greenway in 2015, the adoption of a complete street policy through the adoption of a Master Street Plan and complete street cross-sections in 2005, the completion of the Dickson Street enhancement project in 2004. Fayetteville has earned numerous awards including a silver Bicycle Friendly Community designation from the League of American Bicyclists, ranked in the top 10 Bike City designation from People for Bikes and was named the first official Bike City in the US by the International Cycling Union.



BACKGROUND
Progress and Timeline



EXISTING CONDITIONS

As of 2022, Fayetteville's pedestrian network is made up of 435 miles of existing public sidewalks and 52 miles of existing shared-use paved trails. The sidewalk map shows where existing sidewalks are located and where gaps exist. Each year Capital Improvement Program funds are allocated for an annual sidewalk budget in the City's Public Works Department for sidewalk construction and maintenance. Additional funding also comes through local bond funding and State and Federal grants. Construction of sidewalks is required for most new development along public streets.

The 2018 Mobility Plan included a sidewalk and trail prioritization and evaluating matrix. This approach considers the relative benefits of each proposed project including gap closures, equity, economic benefit and well as construction feasibility. This data-driven approach helps guide decisions from staff, citizen committees and elected officials to determine which sidewalk and trail projects are selected for each year's work plans.

FAYETTEVILLE is considered a hilly city . . .

a **STEEP** slope for a multi-use trail is **5%** or more.

FAYETTEVILLE'S TRAIL SYSTEM has an average slope of **2.2%**

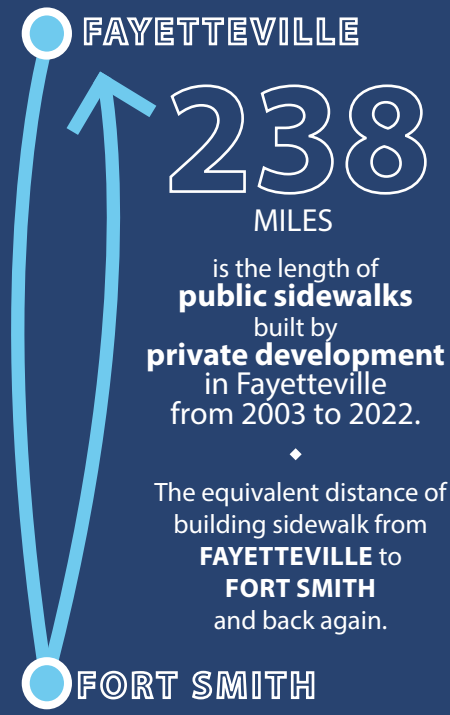
GIS Division. City of Fayetteville. (2014).

BACKGROUND
The Pedestrian Network

IT IS IMPORTANT TO LOOK AT EACH ACTIVE TRANSPORTATION MODE IN DETAIL IN ORDER TO UNDERSTAND HOW IT FITS INTO THE LARGER MULTI-MODAL TRANSPORTATION NETWORK.

THE PEDESTRIAN NETWORK

Presently, Fayetteville's pedestrian network is made up of 435 miles of existing public sidewalks and 52 miles of existing shared-use paved trails. Geographic Information System (GIS) mapping is used to identify where existing sidewalks are located and where gaps exist. Traditionally, Capital Improvement Program funds have been allocated for an annual sidewalk budget in the City's Transportation Department to build new sidewalks or to rebuild and replace existing damaged or inadequate sidewalks. Additional funding has also come through State and Federal grant for sidewalk construction. Construction of sidewalks is required for most new development along public streets. As a result of this requirement, 238 miles of sidewalks were built from 2003 to 2022 by private developers. This plan provides the framework for identifying and prioritizing sidewalk improvements in the future. Future sidewalk planning will emphasize improving connectivity throughout the existing network by connecting densely populated areas to key destinations such as parks, schools and businesses.



Sidewalk Coordinator, City of Fayetteville

WEST AVE
before reconstruction

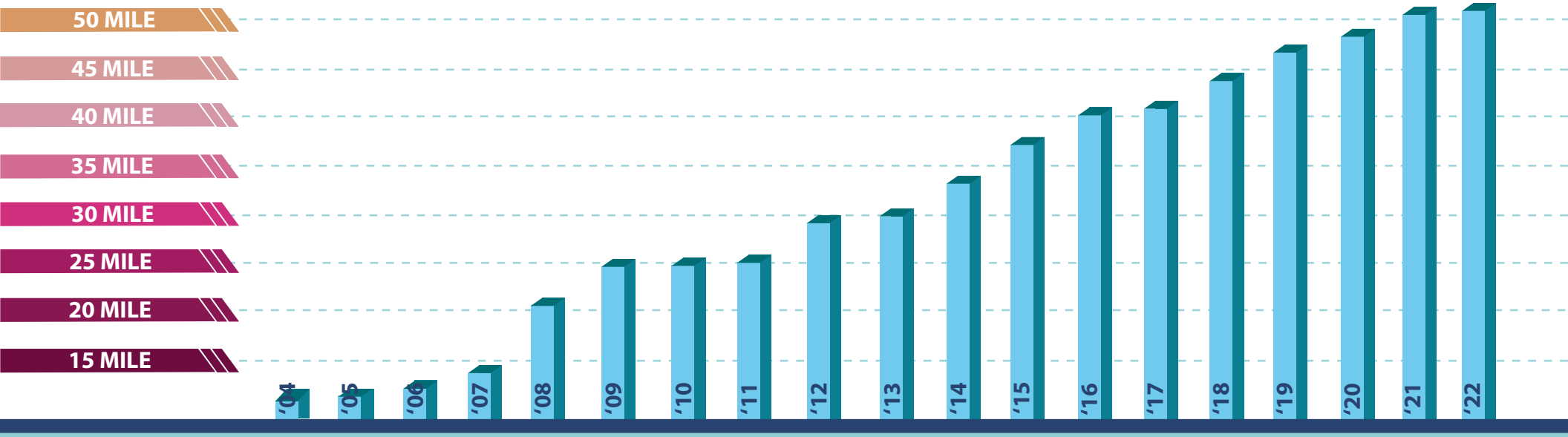
WEST AVE
during reconstruction

WEST AVE
after reconstruction

BACKGROUND
Shared-Use Paved Trails

Shared-use paved trails, are the centerpiece of Fayetteville's active transportation network. Share-use paved trails offer complete separation from traffic and provide a comfortable experience for users of all kinds. Shared-used paved trails can also offer more direct routes than street networks which sometimes do not connect in ways useful for people walking or riding bicycles.

Construction costs associated with shared-use paved trails are considerable. Much like our sidewalk program, trails are funded through dedicated Capital Improvement Project funds and additional public and private grant sources. Privately built trails cost upwards of $300 per linear foot or $1.6 million per mile. The City of Fayetteville's in-house design and construction model delivers trail projects at approximately 50 percent of the cost of those built by private contractors. Despite the high cost the return-on-investment in these trails has show to be positive. In a 2018 report funded by the Walton Family Foundation showed that bicycling brought more than $137 million in economic benefits* to Northwest Arkansas annually. The annual economic benefits associated with the regional trail network are equivelant to the cost of 85 miles of shared use paved trail each year.

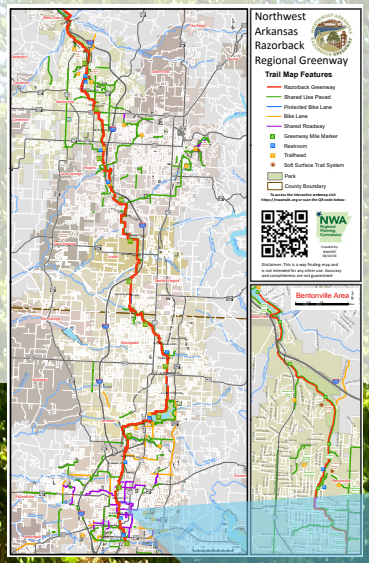


TRAIL AND SIDE PATH CONSTRUCTION MILEAGE OVER THE PAST 18 YEARS.

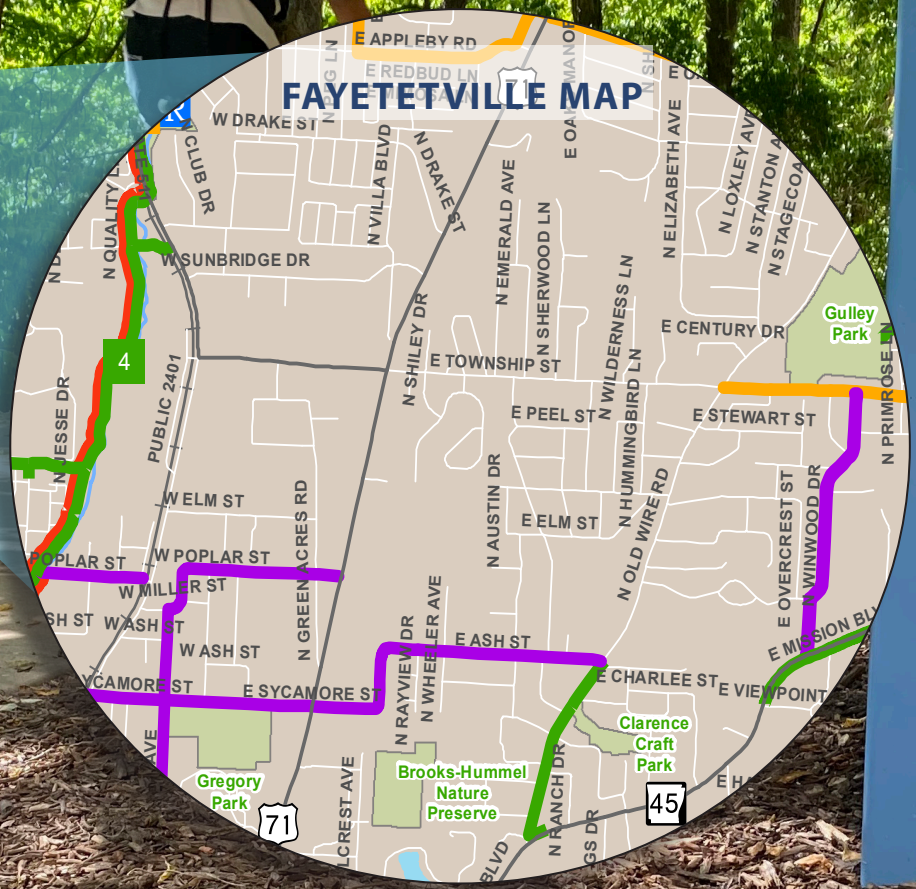
* https://www.waltonfamilyfoundation.org/our-work

BACKGROUND
Razorback Regional Greenway

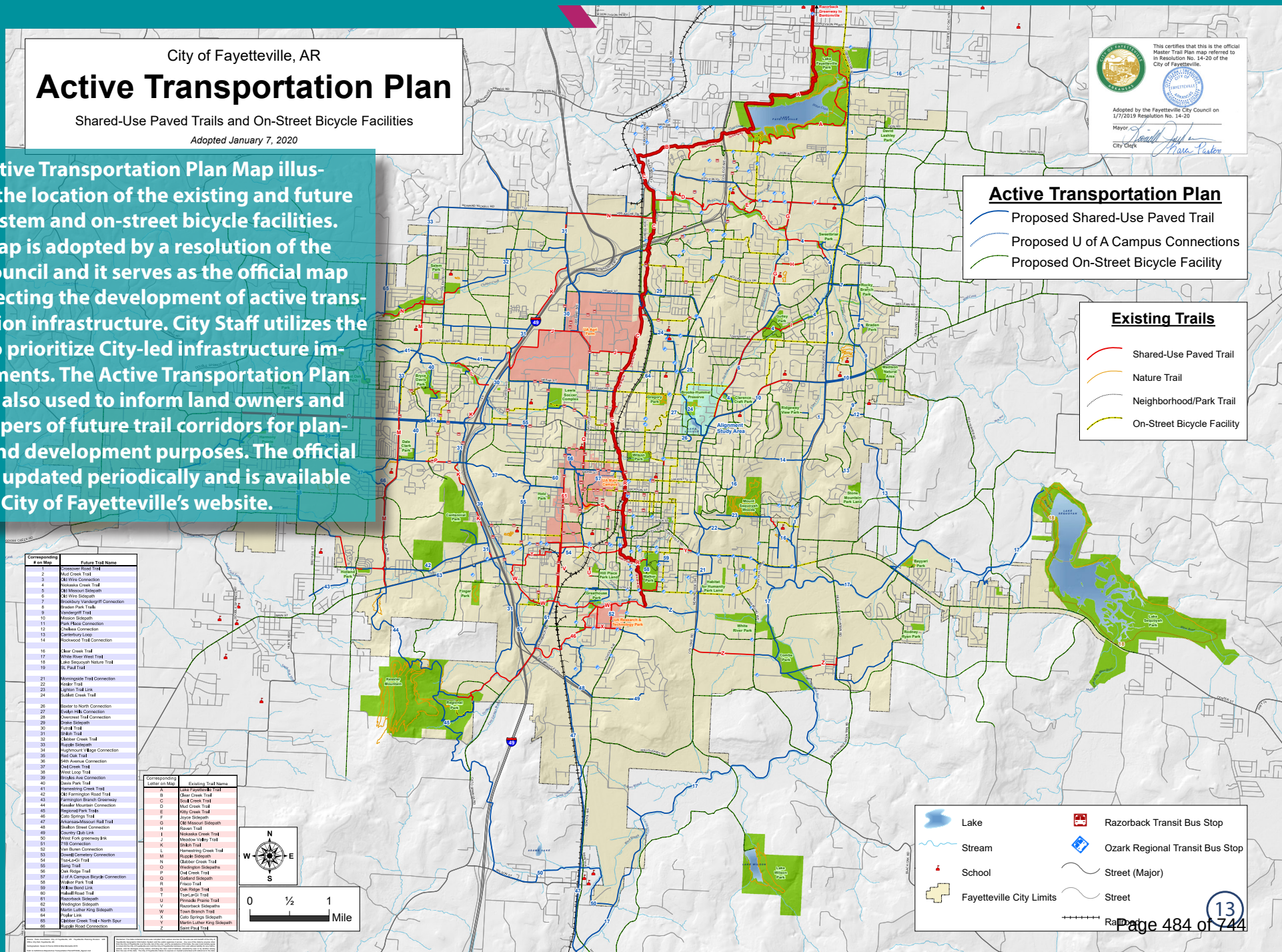
RAZORBACK REGIONAL GREENWAY MAP



The Razorback Regional Greenway is a 40-mile shared-use paved trail that includes more than 11.5 miles of Fayetteville's locally built trails and serves as the primary active transportation corridor for the region. The Razorback Regional Greenway opened in the spring of 2015 and spans across six municipalities, connecting dozens of popular community destinations. A Federal Department of Transportation TIGER grant was matched by the Walton Family Foundation to secure $38 million to fund construction of the regional portions of the Greenway.



BACKGROUND
Active Transportation Plan Map



The Active Transportation Plan Map illustrates the location of the existing and future trail system and on-street bicycle facilities. This map is adopted by a resolution of the City Council and it serves as the official map for directing the development of active transportation infrastructure. City Staff utilizes the map to prioritize City-led infrastructure improvements. The Active Transportation Plan Map is also used to inform land owners and developers of future trail corridors for planning and development purposes. The official map is updated periodically and is available on the City of Fayetteville's website.

BACKGROUND
Types of Bicycle Riders

Since the adoption of the 2015 Active Transportation Plan new research and guidance from the National Association of City Planning Officials (NACTO) the Federal Highway Administration and others has shifted the standards and best practices for on-street bicycle infrastructure. In order to attract new users, bicycle infrastructure must be appropriate for All Ages and Abilities. This philosophy means creating a low-stress network of streets and providing greater protection and buffer space from vehicular traffic to accommodate people who do not feel safe sharing the road with automobiles.

Percentages from the Federal Highway Department show how people interested in riding bicycles vary in their comfort levels in various street environments.

PERCENT BREAKDOWN RIDERSHIP INTEREST

25%

DOES NOT RIDE A BIKE

People who do not ride bikes.

59%

INTERESTED BUT CONCERNED

Bicyclists who would like to ride but are concerned about safety.

12%

SOMEWHAT CONFIDENT

Bicyclists who will ride on most streets, but prefer trails or streets with bicycle infrastructure.

4%

HIGHLY CONFIDENT

Bicyclists who are willing to ride on almost any type of steet.

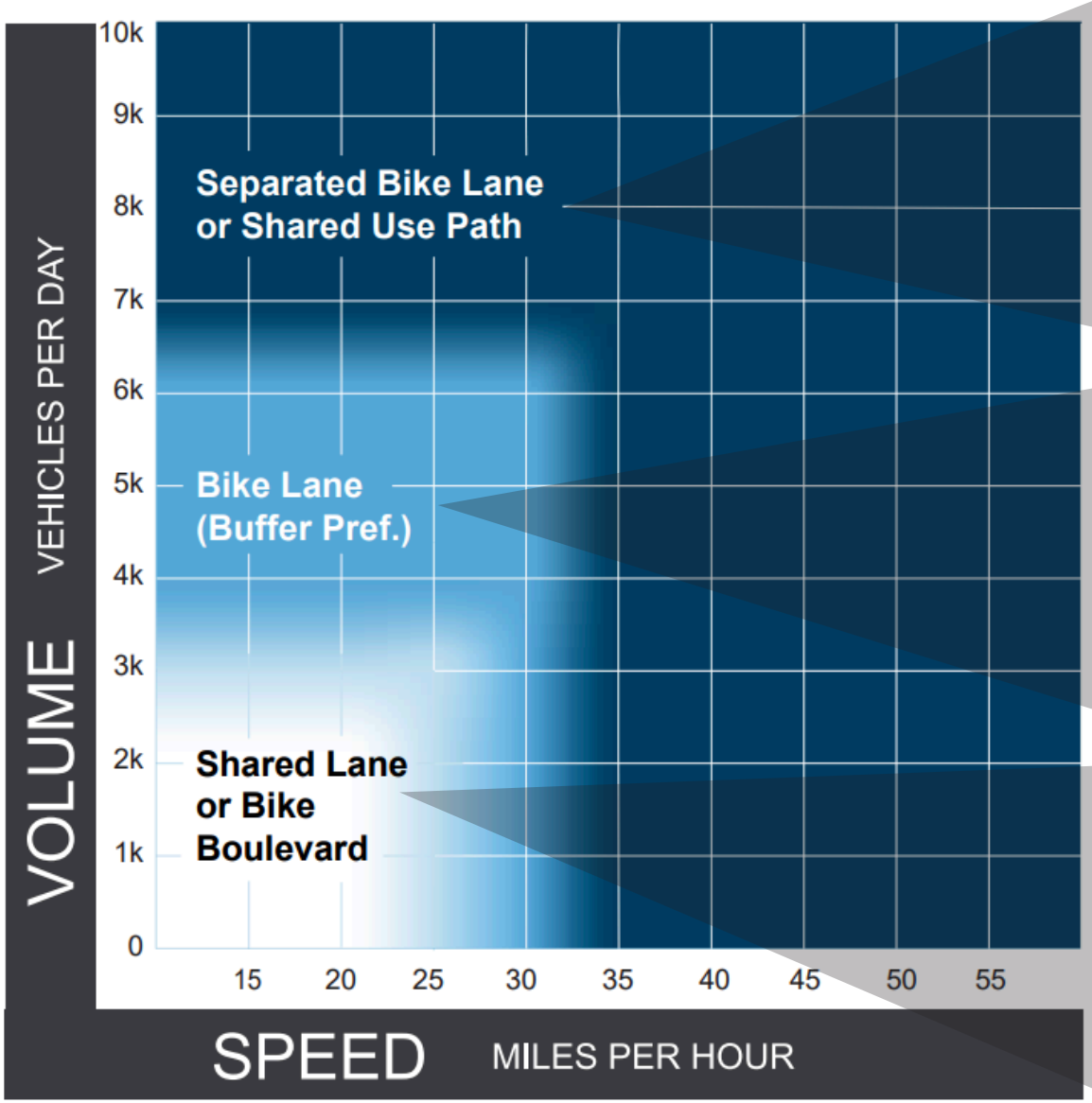
BACKGROUND
Bicycle Network Types

Traditional 5-foot bike lanes can be useful in certain applications such as climbing lanes; however, a single line of paint is generally not adequate in providing the safety and comfort to accommodate riders of all ages and abilities. Future on-street bikeways should incorporate best practices for better seperation for people riding bikes from fast moving traffic. When street widths are constrained two-way bike facilities should be considered. Vertical physical protection, curbs, buffer spaces, green paint, markings in intersections and conflict areas area all useful in increasing safety and comfort for people riding bikes on streets.

	INTERESTED BUT CONCERNED	SOMEWHAT CONFIDENT	HIGHLY CONFIDENT
SHARED STREET			✓
ON-STREET BIKEWAY		✓	✓
SEPARATED BIKE FACILITY	✓	✓	✓

BACKGROUND
Bicycle Network Types

TYPES OF STREET TREATMENT



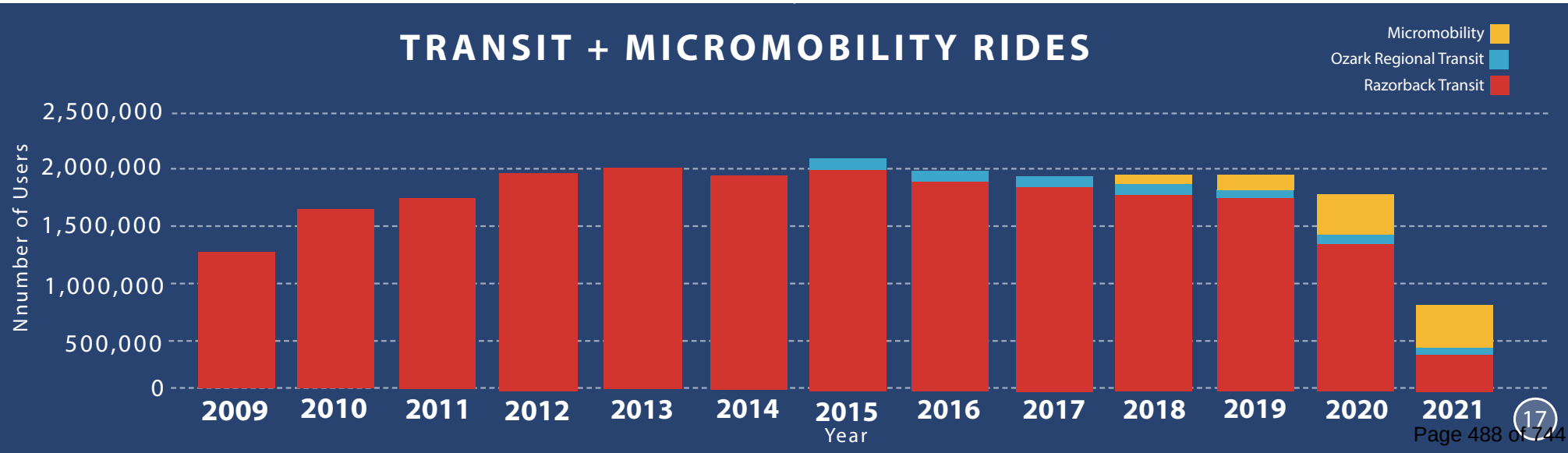
US Department of Transportation, *Federal Highway Administration*
https://safety.fhwa.dot.gov/ped_bike/tools_solve/docs/fhwasa18077.pdf

BACKGROUND
Transit

TRANSIT + MICROMOBILITY

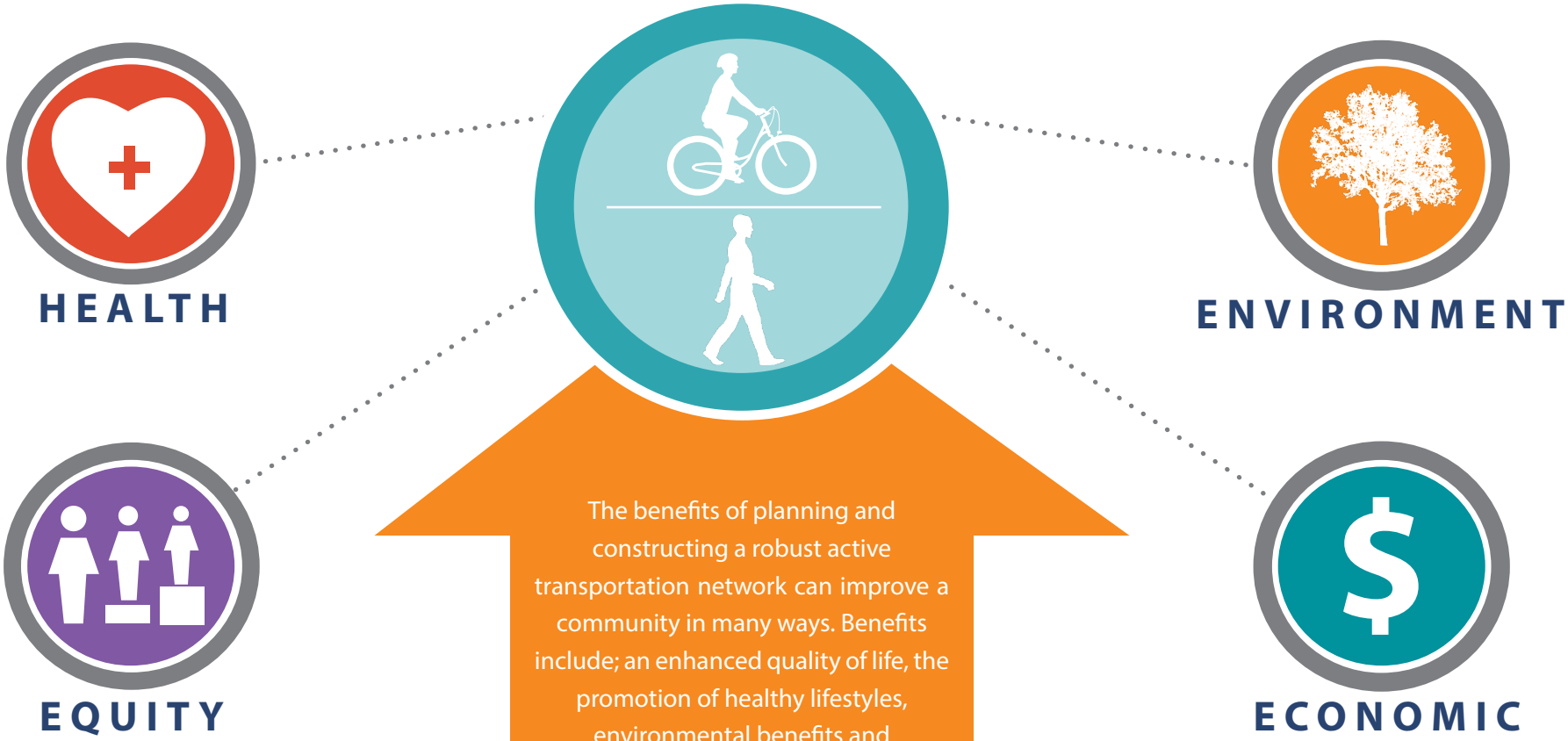
Fayetteville is served by two public transit agencies, Razorback Transit and Ozark Regional Transit. Both agencies are totally fare-free for everyone. Funding for the transit agencies comes from a variety of federal, state, and local sources. Razorback Transit ridership surpassed 2 million rides in 2015 but has declined in subsequent years, and in 2020 ridership fell by more than 50% due largely to the COVID 19 Pandemic. Ridership is rebounding, however travel patterns have changed with the introduction of micromobility.

Micromobility refers to the use of a range of small shared or privately-owned mobility devices such as electric scooters and bicycles. Micromobility has grown in popularity in Fayetteville with the launch of bike share in 2018 and with subsequent electric scooter shared programs. Fayetteville's paved trails and large student population has attracted investments from micromobility industry. In 2021 nearly half-million rides were taken using Fayetteville shared electric scooter programs. E-Scooters are not fully considered to be active transportation, but these vehicles offer a crucial last mile connection for multi modal trips and encourage new users to explore Fayetteville's trails and bikeways.



ACTIVE TRANSPORTATION BENEFITS
Transportation Benefits of Biking and Walking

BENEFITS OF A BICYCLE AND PEDESTRIAN PLAN



13 = THE NUMBER OF POUNDS THE AVERAGE PERSON WILL LOSE IN THEIR FIRST YEAR OF BIKING TO WORK

Outdoor Foundation. (2010).

ACTIVE TRANSPORTATION BENEFITS
Transportation Benefits of Biking and Walking

HEALTH

THE PROMOTION OF HEALTHY LIFESTYLES

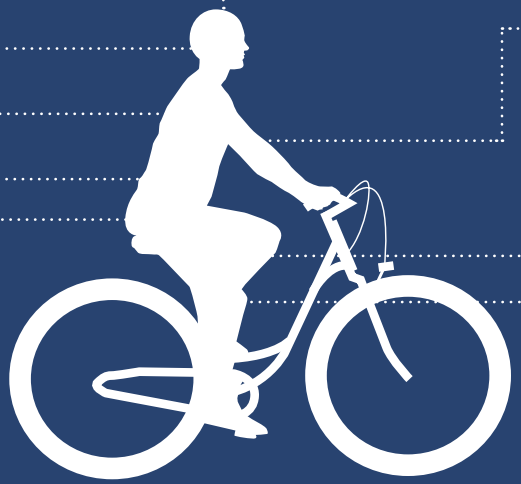
Bicycling and walking bring innumerable benefits to an individual's physical, mental and emotional well-being. Americans are increasingly aware of the link between transportation choices and health, and people value neighborhoods that are conducive to bicycling and walking as a form of exercise and transportation. The built environment is key to providing individuals with transportation choices and options. Fayetteville's commitment through City Plan 2040 to promote infill development, discourage sprawl and develop a livable transportation network acknowledges this link between the built environment and healthy lifestyles.

mental health
Cycling has a relaxing effect due to uniform movement which stabilizes physical and emotional functions. It reduces anxiety, depression and other psychological problems.

balance
Cycling produces the balance between exertion and relaxation which is important for the body's inner equilibrium.

back pain
Cycling posture is optimum, and the cyclic movement of the legs stimulates muscles in the lower back.

heart
All the risk factors that lead to a heart attack are reduced. Regular cycling reduces the likelihood of heart attack by more than 50%.



waistline
Cycling is ideal for targeting problem areas. It enables people who can not move easily to exercise. It increases fitness and stimulates the body's fat metabolism.

muscles
A week of inactivity reduces the strength of the muscular system by up to 50% and can harm muscles long-term. During cycling, most of the body's muscles are activated.

coordination
Moving both feet around in circles while steering with both your hands and your body's own weight is good practice for your coordination skills.

joints
The circular movement of cycling assists the transport of energy and other metabolic producers to the cartilages, reducing the likelihood of arthrosis.

Davis, Cavill. (2007). "Cycling and Health: what's the evidence?" *Cycling England*.

ACTIVE TRANSPORTATION BENEFITS
Transportation Benefits of Biking and Walking

EQUITY

ACTIVE TRANSPORTATION FOR EVERYONE.

Safe enjoyable places to walk and ride bicycles should be inclusive and easy to access for all. Investments in sidewalks, trails, crosswalks and bikeways should be made equitably with considerations for demographic factors such as neighborhood income levels, racial diversity, and language. Fayetteville's poverty rate of 22.9%. reflects a large number of low-income residents. According to a 2016 Community survey,* lower income residents are less likely to own automobiles and are more likely to walk or bike for daily transportation needs. Continued and sustained investments are needed for underserved, low-income and minority neighborhoods to reduce disparities in health and economic outcomes for disadvantaged residents.

* *https://www.fayetteville-ar.gov/3215/Community-Survey*

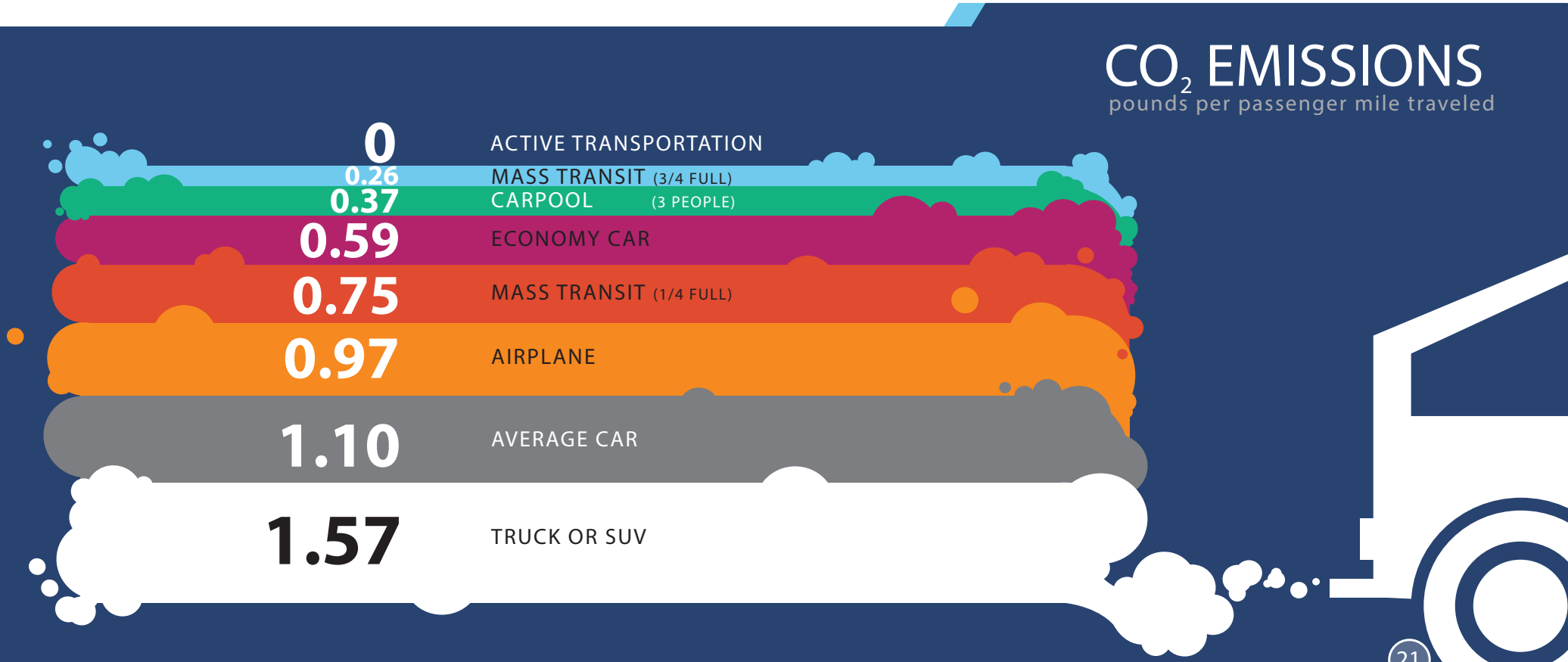
ACTIVE TRANSPORTATION BENEFITS
Transportation Benefits of Biking and Walking

ENVIRONMENT

ENVIRONMENTAL BENEFITS FOR THE COMMUNITY

An accessible active transportation network is essential for an environmentally sustainable community. According to 2019 data from the U.S. Environmental Protection Agency the transportation sector contributes 29% of all greenhouse gas emissions with signal occupancy vehicles having the most emissions be mile traveled.

Active transportation also helps to address land use challenges by reducing the amount a space needed to be paved for parking lots and roads. A typical automobile parking space is large enough to park 20 bicycles.



Sightline Institute. (2011).

ACTIVE TRANSPORTATION BENEFITS
Transportation Benefits of Biking and Walking

ECONOMIC

ECONOMIC RESILIENCY BENEFITS FOR THE COMMUNITY

Economic resiliency is a key benefit of having a robust active transportation network. Economic resiliency can be measured broadly, at the community level, or narrowly as the benefits and costs to an individual or family.

The Housing and Transportation (H+T) Index established by the Center for Neighborhood Technology measures average housing and transportation costs as a percentage of income. The average Fayetteville household spends 24% of its income on transportation. Fayetteville's data compares favorably to relative transportation costs other parts of Arkansas such as Russellville (31%) or Fort Smith (29%).

Housing prices are also positively correlated with walkability. Recent studies of the popular walkability metric "Walk Score" have shown that a one-point increase in a property's Walk Score will increase a property's average value by $3,250 or .9 percent.

Local economies are impacted negatively by the high transportation costs associated with an automobile-oriented land use and transportation network. Multi-modal transportation systems that include extensive active transportation components are less expensive to construct, operate and maintain.

The average annual operating cost of a **BICYCLE** is **$308** $

26X less

than that of a **VEHICLE** **$8,220** $$$$$$$$$$$$$$$$$$$$

LOCAL ECONOMY PAYBACK

TRAIL SYSTEMS HAVE THE POTENTIAL TO RETURN $3 IN REVENUE FOR EVERY $1 IN EXPENDITURE.

The Razorback Greenway cost approximately **$30 million** to complete and could generate **$100 million** in sales revenue at local shops, restaurants and hotels.

(Chuck Fink, president of Alta/Greenways)

PRIMARY GOAL

The Active Transportation Plan (ATP) has been developed through numerous planning and visioning exercises both locally and region wide. The ATP proposes to consolidate and summarize all of the various alternative transportation planning processes, policies and programs with the following vision statement:

"Fayetteville endeavors to develop and promote an interconnected and universally accessible network of sidewalks, trails and on-street bicycle facilities that encourage citizens to use active/non-automotive modes of transportation to safely and efficiently reach any destination."

PLAN GOALS

1. STRIVE TO CREATE AN EQUITABLE MULTI-MODAL TRANSPORTATION SYSTEM FOR ALL AGES AND ABILITIES.
2. BUILD A PAVED TRAIL CONNECTION WITHIN A TEN-MINUTE WALK OF EVERY RESIDENCE BY 2040.
3. ENCOURAGE NEW PARTICIPATION IN ACTIVE TRANSPORTATION - GATHER AND EVALUATE DATA TO TRACK TRENDS AND MEASURE SUCCESS
4. ZERO FATALITIES OR SEVERE INJURIES OF VULNERABLE ROAD USERS BY 2030.
5. IMPLEMENT ALL OF THE APPROPRIATE RECOMMENDATIONS FROM LEADING ADVOCACY ORGANIZATIONS COMMUNITY EVALUATIONS.
6. ENHANCE OPPORTUNITIES FOR PEOPLE WITH DISABILITIES TO WALK, ROLL, CYCLE, AND USE MICROMOBILITY SERVICES AND OTHER INNOVATIVE MOBILITY TECHNOLOGIES TO THE GREATEST EXTENT POSSIBLE.

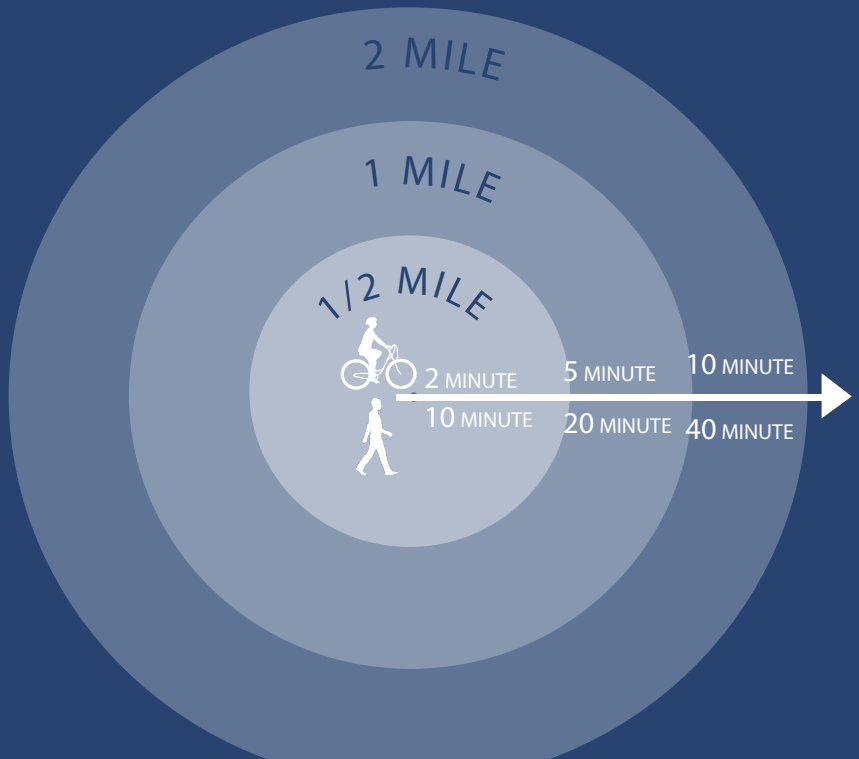
GOAL 1

STRIVE TO CREATE AN EQUITABLE MULTI-MODAL TRANSPORTATION SYSTEM FOR ALL AGES AND ABILITIES.

Developing an equitable multi-modal transportation system means everyone having the freedom to safely move throughout the city using any transportation mode of choice. City Plan 2040's goal of creating a "Livable Transportation Network" and the City's adopted complete street policy, public street cross-sections and Master Street Plan. Multi-modal refers to a range of mobility options; vehicular traffic, public transit, walking, bicycling and ride sharing that are effectively integrated to provide a high degree of accessibility for all users. A multi-modal transportation system has several significant benefits for the community including: promoting an active and healthy lifestyle, expanding mobility options for all users, reducing overall travel costs for residents and providing environmental benefits through the reduction of traffic congestion and associated air pollution. Success in this goal area can be quantified by measured increases in bike and pedestrian trips using trail counts, community surveys and by achieving a more balanced mode share between automotive, walking, biking, transit and other modes of travel.

GOAL 2 BUILD A PAVED TRAIL CONNECTION WITHIN A TEN-MINUTE WALK OF EVERY RESIDENCE BY 2040.

The previous version of the ATP set a goal of building a trail within a half mile of every resident. This updated goal of building a connected trail within a 10-minute walk of every residence takes into account barriers such as street connectivity and waterways that can block access to trails for residents even when within a half mile of a trail. This goal emphasizes need for greater connectivity and the benefits of small trail and sidewalk projects that can connect people to the larger network. Once completed, the Fayetteville trail system will include approximately 100 miles of shared-use paved trails. The pedestrian shed maps show the current conditions and models of future proximity as the trail network is built out. At the current rate of trail construction, it is estimated the City will have achieved this goal by 2040. This goal is essential to ensuring that the trails system and its benefit are inclusive for all residents regardless of the location of their residence. Success will be measured through locational data collected by the City of Fayetteville Geographic Information Systems Division.



WHAT IS A PEDESTRIAN SHED ?

A pedestrian shed is the linear distance that a typical pedestrian can walk in a given amount of time. Generally, this distance is 1/2 mile in 10 minutes.

IDEAL TRIPS

for bicycling and walking are those that are **3 miles or less.**

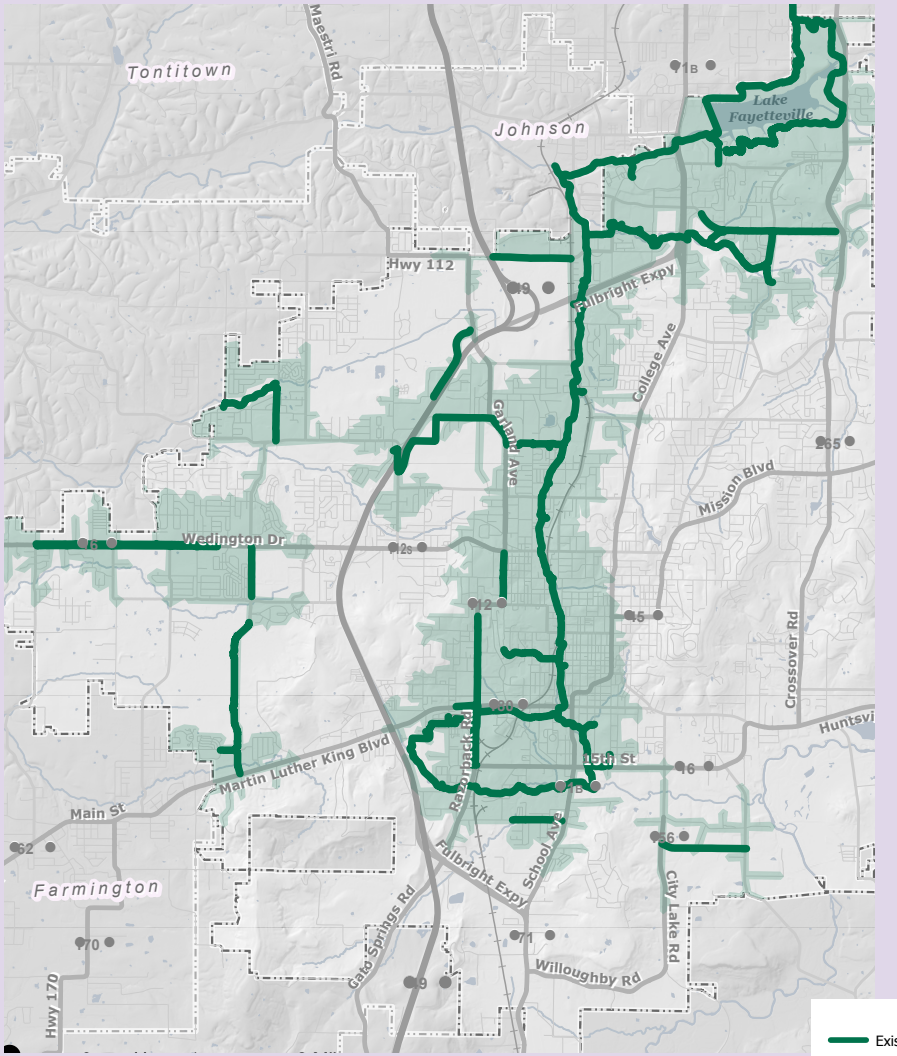
a **cyclist** can complete a **3 mile bike ride** in approximately **15 minutes**

and

a **pedestrian** can **walk ½ mile** in **10 minutes**

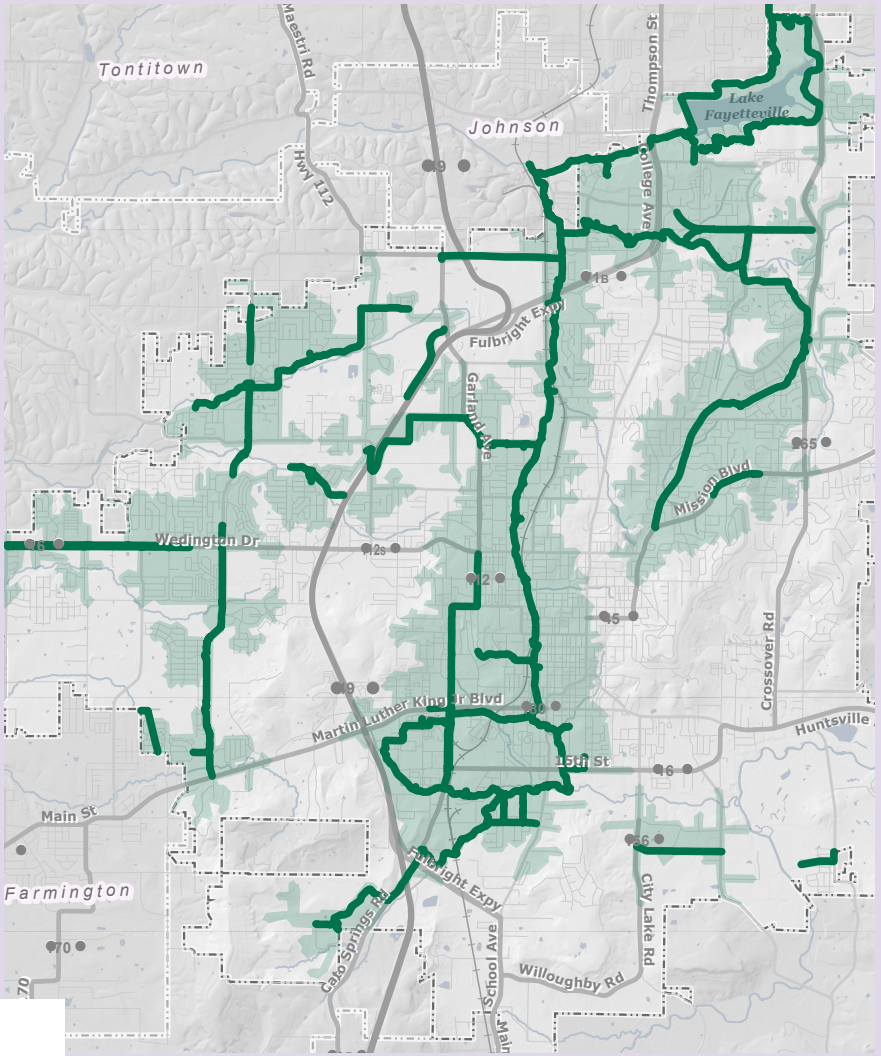
TRAIL SYSTEM IN 2017

58% of the Fayetteville's residents lived within a 10-minute walk of the trail system.



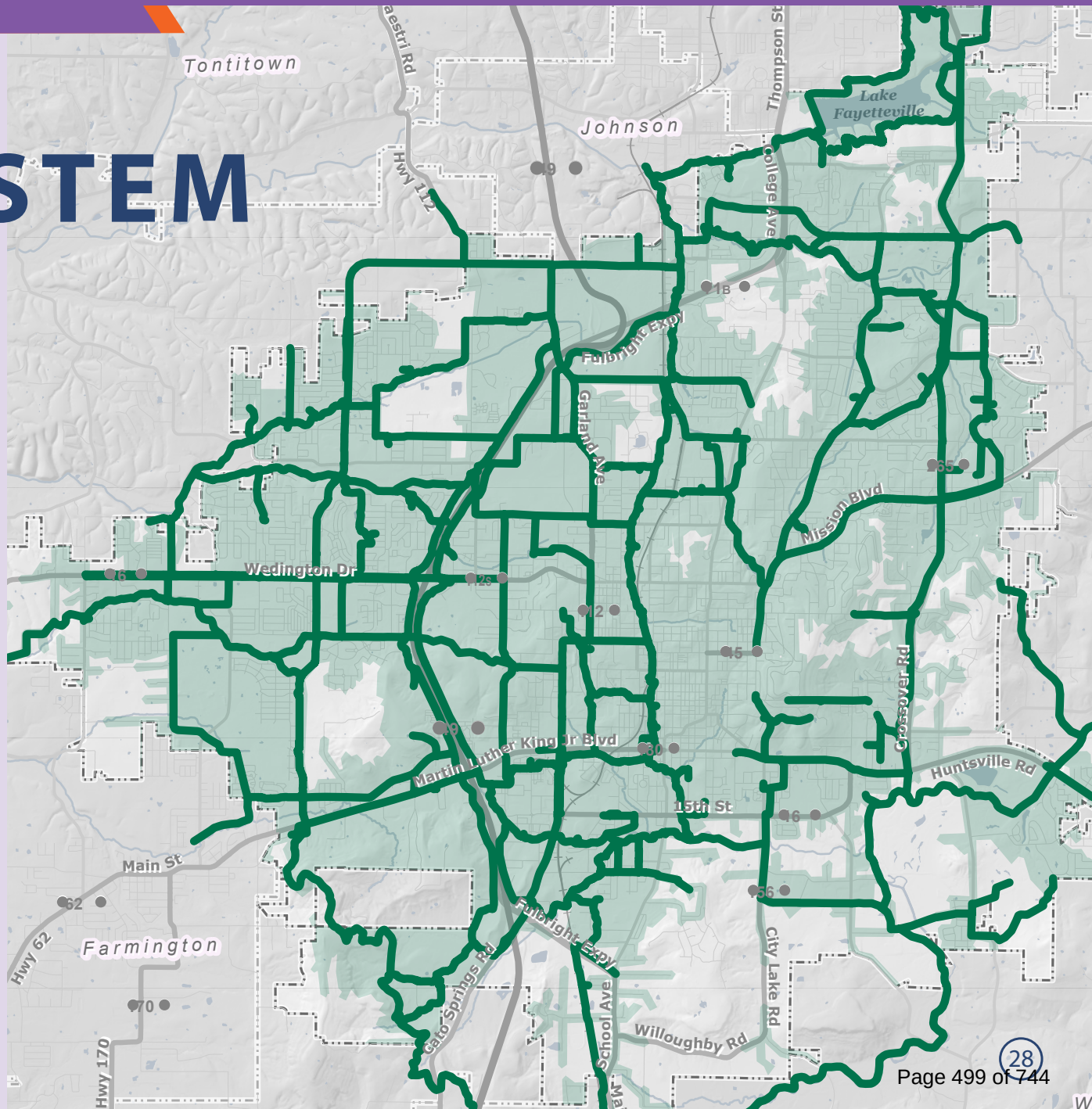
TRAIL SYSTEM IN 2022

68% of the Fayetteville's residents live within a 10-minute walk of the trail system.



2040 TRAIL SYSTEM

97% of the population will live within 10 minute walk of all proposed trails.



GOAL 3 ENCOURAGE NEW PARTICIPATION IN ACTIVE TRANSPORTATION - GATHER AND EVALUATE DATA TO TRACK TRENDS AND MEASURE SUCCESS

Fayetteville can grow the popularity of active transportation, by providing a variety of opportunities and incentives for people walking and riding bikes. Efforts such as celebration of National Bike Month, Bike-to-Work Day, Walk-to-School Days, community bike maps, route finding signage, bicycle-themed celebrations and rides and commuter challenges can all help to engage and educate new bike, transit and walking commuters.

Metrics are essential for measuring success. Infrastructure can be measured in miles of new sidewalks, trails and bike lanes but it is equally important to measure the number of residents served by this infrastructure and community-wide usage. Trail counters, surveys as well as geospatial mapping technology can all be used to tell the story of how people move throughout Fayetteville's active transportation network.

GOAL 4 ZERO FATALITIES OR SEVERE INJURIES OF VULNERABLE ROAD USERS BY 2030.

Vulnerable Roadway Users are people who are unprotected without physical separation from the roadway. Most often these individuals are engaged in active transportation - walking, biking, or other non-automotive transportation.

Collisions involving Vulnerable Roadway Users and vehicles too often result in tragedy. Between 2011 and 2021 Fayetteville saw 244 pedestrian injuries and 16 fatalities. Equity and safety intersect on this topic as Vulnerable Roadway Users are disproportionately people of color, minorities and low-income residents.

Fayetteville's rate of pedestrian fatalities is typical for an American community of its size however there is clearly work to be done in making our streets safer, especially for those most vulnerable. New approaches to road design and building a safer transportation system are needed to reduce and eliminate traffic related injuries and fatalities.

GOAL 5 IMPLEMENT ALL OF THE APPROPRIATE RECOMMENDATIONS FROM LEADING ADVOCACY ORGANIZATIONS COMMUNITY EVALUATIONS.

The League of American Bicyclists evaluates communities' bike friendliness based on five categories Engineering, Education, Equity, Encouragement and Evaluation; this broad set of criteria is known as the 5 E's. Since first earning a bronze Bicycle Friendly Community designation in 2010 Fayetteville improved its designation to silver in 2016, achieved gold in 2022 and will strive for a platinum award designation in the future. In 2017 the national bike advocacy group People for Bikes began ranking "bike cities" in North America based on bike network connectivity and community surveys. Fayetteville has consistently ranked among the top U.S. cities including a #8 overall ranking in 2020.

These programs recognize cities for successful efforts and provide critical feedback to identify weaknesses and areas for improvement. Implementing the recommendations from these leading organizations is key to improving bicycling in our community as well as earning community accolades.

GOAL 6 ENHANCE OPPORTUNITIES FOR PEOPLE WITH DISABILITIES TO WALK, ROLL, CYCLE, AND USE MICROMOBILITY SERVICES AND OTHER INNOVATIVE MOBILITY TECHNOLOGIES TO THE GREATEST EXTENT POSSIBLE.

The Census Bureau defines disability as a long-lasting sensory, physical, mental, or emotional condition or conditions that make it difficult for a person to do functional or participatory activities such as seeing, hearing, walking, climbing stairs, learning, remembering, concentrating, dressing, bathing, going outside the home, or working at a job. Nearly 10% of Fayetteville residents have at least one disability. While this is lower than the nation average of 12.6%, disabilities are very prevalent in our community.

Designing and planning for those with disabilities is an essential component of building a community that allows all people, not just the able-bodied, to enjoy mobility and the freedom to move throughout their environment. It is critical for the City to take steps to prevent and remove unnecessary barriers to mobility in the public right of way and work with developers, businesses and transportation agencies to comply with ADA laws and to pursue innovative and accessible mobility options for all.

** Civilian noninstitutionalized population. Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates.*

https://www.disabled-world.com/disability/statistics/scc.php

THE "5 E" RECOMMENDATIONS

from the

LEAGUE OF AMERICAN BICYCLISTS

EQUITY, DIVERSITY & INCLUSION	A bicycle friendly America for everyone
ENGINEERING	Creating safe and convenient places to ride and park
EDUCATION	Giving people of all ages and abilities the skills and confidence to ride
ENCOURAGEMENT	Creating a strong bike culture that welcomes and celebrates bicycling
EVALUATION & PLANNING	Planning for bicycling as a safe and viable transportation option

WALKABILITY

Urban density is the first key to walkability.

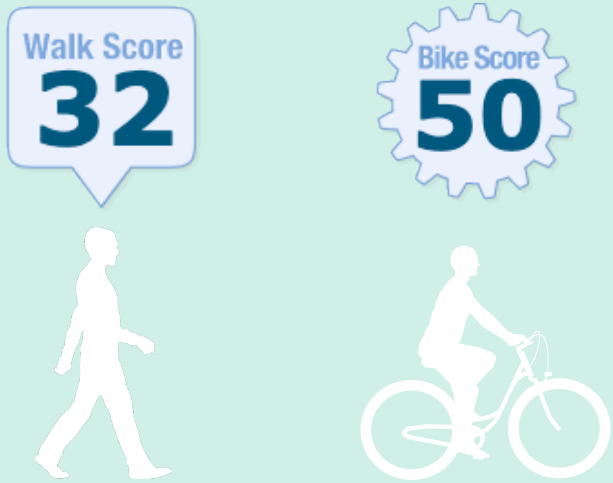
On average Fayetteville's population density is a relatively sparse 1,555 people per square-mile.

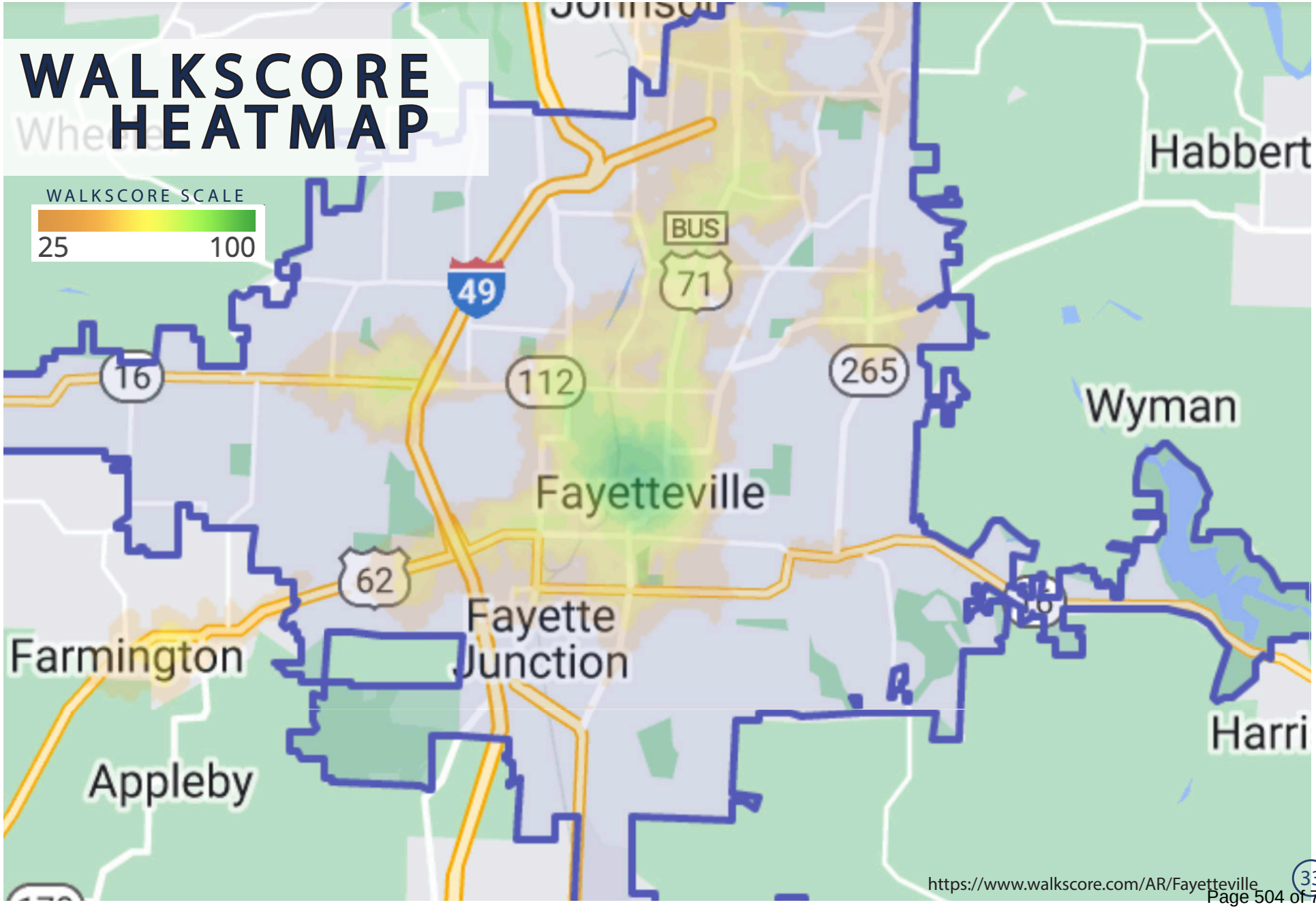
Fayetteville's population density and associated walkability is not evenly distributed across all areas of town. Fayetteville's core downtown and University-adjacent neighborhoods have connected sidewalks combined with significant concentration of housing, employment and commercial activity. These core areas of Fayetteville have Walk Scores above 80 and are categorized as "very walkable". In Fayetteville's most sparsely-populated areas Walk Scores are in the single-digits and are considered almost entirely car dependent.

Walk Score®

Walk Score is a measure of walkability based on population density, the number of destinations within walking distance of a particular address or within a neighborhood/city.

FAYETTEVILLE'S COMMUNITY WALK SCORE IS 32 OUT OF 100 PLACING IT IN THE "CAR DEPENDENT" COMMUNITY CLASIFICATION.




WALKSCORE HEATMAP
WALKSCORE SCALE
25
100
Habbert
BUS
71
49
16
112
265
Wyman
Fayetteville
62
Fayette Junction
Farmington
Appleby
Harri
https://www.walkscore.com/AR/Fayetteville

WALK SCORE

Regardless of how densely or sparsely populated an area may be, safe enjoyable and direct walking routes are essential for the mobility and wellness of every Fayetteville resident. Every Fayetteville resident should enjoy a safe walking environment starting from the street in front of their home.

An appropriate walking environment can sometimes be achieved on low-volume residential streets. But most streets need pedestrian infrastructure including high-quality, accessible connected sidewalks and frequent safe crossings along roadways with higher speeds and volume of automobile traffic.

The City's Public Works Department builds and maintains all of Fayetteville's sidewalk infrastructure that falls within the public right-of-way. A portion of the Capital Improvement Project budget is allocated annually for sidewalk construction and repair. The Public Works Department develops an annual sidewalk plan that is presented for approval from the Active Transportation Advisory Committee (ATAC) and the City Council. Sidewalk projects are prioritized based on a scoring system that weighs a wide variety of factors including proximity to schools and the safety, economic and equity benefits relative to the cost of each project.

Real-estate developers are generally required to build sidewalks when constructing residential or commercial projects in Fayetteville's planning jurisdiction. The City's minimum street standards vary depending on street classification and dictate the standards to which developers must build sidewalks. In recent years minimum street standards have been updated to make sidewalks wider with greater amounts of greenspace separation between sidewalks and the street.

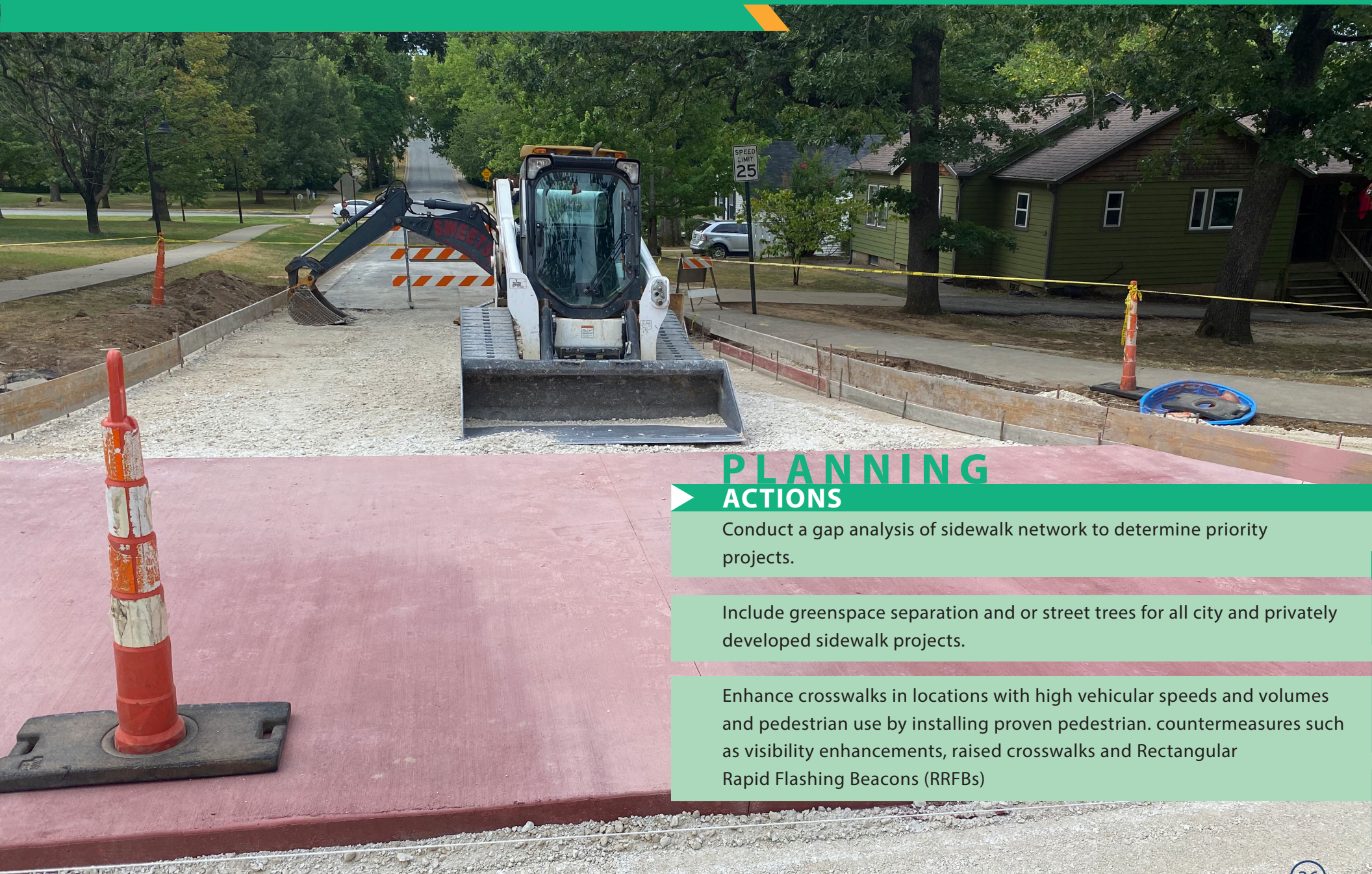
PLANNING

Sidewalks serve as vital conduits for pedestrian movement and access. In highly walkable places sidewalks can activate the street by providing pedestrian space for social interactions and economic activity. Highly walkable places are comfortable and encourage walking with a dense mixture of land uses and building types in spaces that were designed at a human scale. This can be difficult to achieve in suburban places that were designed at the automobile scale, with wide streets, large building setbacks and an overabundance of surface parking lots. However, even highly suburban places may be retrofitted, densified and redeveloped into highly walkable places over time. This type of transformation is ambitious but possible with strong leadership, smart investment and sound planning. Planning for highly walkable development is prioritized in Fayetteville's comprehensive plan, City Plan 2040, with goals of promoting density through rezoning and infill development, discouraging sprawl, making traditional town form the standard and growing a livable transportation network. The following action steps should guide the planning process as it relates to pedestrian infrastructure.

LAFAYETTE ST + COLLEGE AVE
2015

LAFAYETTE ST+ COLLEGE AVE
2022

PEDESTRIAN RECOMMENDATIONS



PLANNING

ACTIONS

Conduct a gap analysis of sidewalk network to determine priority projects.

Include greenspace separation and or street trees for all city and privately developed sidewalk projects.

Enhance crosswalks in locations with high vehicular speeds and volumes and pedestrian use by installing proven pedestrian. countermeasures such as visibility enhancements, raised crosswalks and Rectangular Rapid Flashing Beacons (RRFBs)

PEDESTRIAN RECOMMENDATIONS

ENGINEERING & EVALUATION

The City of Fayetteville's sidewalk construction and maintenance program has been upgrading Fayetteville's sidewalk network for decades. Earlier sidewalk projects along flat streets with ample right of way such as Rolling Hills Drive allowed for cost efficient and timely construction. However, many of the City's more recent projects such as East Dickson Street have been located in hilly terrain that requires major curb, gutter and storm drain improvements in order to add sidewalks. These much-needed hillside projects are expensive and present design and engineering challenges but bring environmental benefits beyond just walkable streets. As Fayetteville continues to be developed, stormwater runoff has become an increasing concern, the sidewalk construction program's projects and their associated drainage improvements are more important than ever. The following action steps will help to guide the sidewalk program in order to create the greatest value for the most people regarding sidewalk construction.

ACTIONS

Focus on sidewalk connections to key destinations such as schools, parks, and entertainment and shopping areas.

Reduce pedestrian exposure time while crossing at signalized and unsignalized crossings by reducing crossing distances with smaller radii, refuge islands and Leading pedestrian Intervals (LPI's).

Implement priority recommendations from the Walk Friendly Communities program.

EQUITY

3A's of EQUITY

ACKNOWLEDGEMENT
recognize equity as a central value

ACCOUNTABILITY
establish measures to be achieved

APPLICATION
implementation of interventions that will achieve equity

*Transportation Research Record: Journal of the Transportation Research Board

ACTIONS

Prioritize requests for sidewalks, crosswalks, trails and other pedestrian projects based on needs of the most vulnerable populations first.

Emphasize efforts in neighborhoods that fall within Federally-designated Areas of Persistent Poverty and Opportunity Zones. These Neighborhoods have lower average incomes and lower rates of car ownership. Projects in these areas are more likely to quality for grant funding.

PEDESTRIAN RECOMMENDATIONS

SAFETY & ENCOURAGEMENT

Pedestrian comfort and safety is essential for creating highly walkable neighborhoods and commercial districts. In addition to basic design elements such as sidewalk width and surface condition, features such as street trees for shade, reduced intersection crossing distance, lighting for night time safety and ADA compliant intersections, are critical for producing an adequate level of pedestrian comfort. Pedestrians' real and perceived safety is increased when a buffer zone is present between the sidewalk and the adjacent street traffic. In a dense urban environment, these may include parallel parking spaces, cycletracks or street trees. In less urban environments, the sidewalk buffer may be comprised of a sufficiently wide planting zone with trees and ground cover. In either case, the idea is to offer pedestrian protection and physical separation from the moving vehicles. These actions are designed to integrate pedestrian safety and comfort in the planning, design and engineering process.

ACTIONS

Evaluate public and private development projects and require sufficient sidewalk width for the anticipated volume of pedestrians.

Prioritize pedestrian safety when redeveloping existing streets through the appropriate use of landscaped buffers, reduced curb radii at intersections where appropriate, on-street parking, bicycle infrastructure, street trees and signalized ADA compliant intersection design.

Create separate pedestrian and bicycle facilities in areas where the combined active transportation network creates conflicts between the people walking and biking.

STREET CROSS-SECTIONS

The City of Fayetteville's complete street policy provides standards for developers building new streets and for the Public Works Department as they rebuild existing streets. This policy ensures that new streets include facilities for all transportation modes; vehicular, pedestrian and bicycle.

ACTIONS

Implement recommendations from the Active Transportation Advisory Committee for sidewalks and trails infrastructure projects.

Make street intersections and trail crossings safer and more comfortable for pedestrians through the use of colored pavement markings, signage, medians, grade separation and signalization.

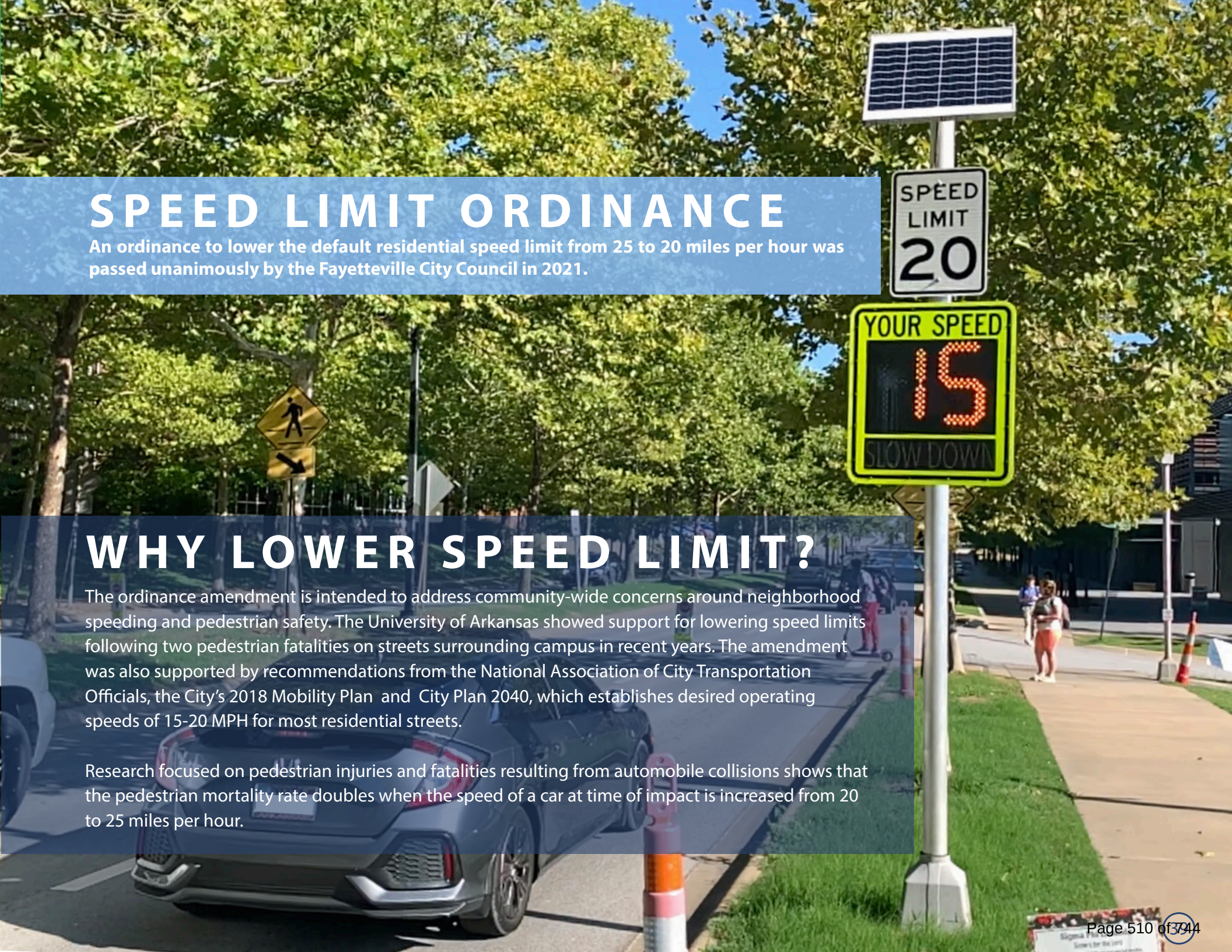
TRAIL ETIQUETTE SIGNS

FROM THE

UNIVERSITY OF ARKANSAS

SPEED LIMIT ORDINANCE

An ordinance to lower the default residential speed limit from 25 to 20 miles per hour was passed unanimously by the Fayetteville City Council in 2021.



WHY LOWER SPEED LIMIT?

The ordinance amendment is intended to address community-wide concerns around neighborhood speeding and pedestrian safety. The University of Arkansas showed support for lowering speed limits following two pedestrian fatalities on streets surrounding campus in recent years. The amendment was also supported by recommendations from the National Association of City Transportation Officials, the City's 2018 Mobility Plan and City Plan 2040, which establishes desired operating speeds of 15-20 MPH for most residential streets.

Research focused on pedestrian injuries and fatalities resulting from automobile collisions shows that the pedestrian mortality rate doubles when the speed of a car at time of impact is increased from 20 to 25 miles per hour.

WAYFINDING

As bicycle and trail networks mature, special attention should be paid to developing and installing appropriate wayfinding signs to provide users with information about direction, distance and destinations. Fortunately, the Northwest Arkansas Regional Bicycle and Pedestrian Master Plan adopted a universal wayfinding sign template that will be used throughout the region along the Razorback Regional Greenway. This signage will provide trail users with on-the-ground information to help them navigate the trail system without the aid of maps. On-street bicycle infrastructure should include directional signage alerting motorists to the presence of bicyclists on the streets. Lastly, the innovative use of temporary signage can be utilized to educate users on bicycle safety and etiquette along the trail.

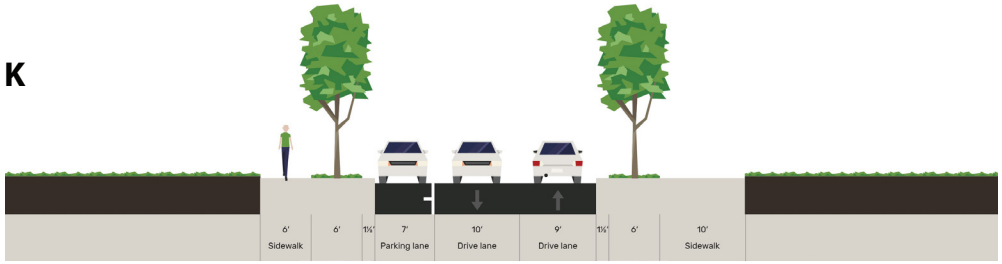
ACTIONS

Invest in improvements to the community's on-street bike routes. All on-street routes should be well connected and comfortable for riders of all ages and abilities.

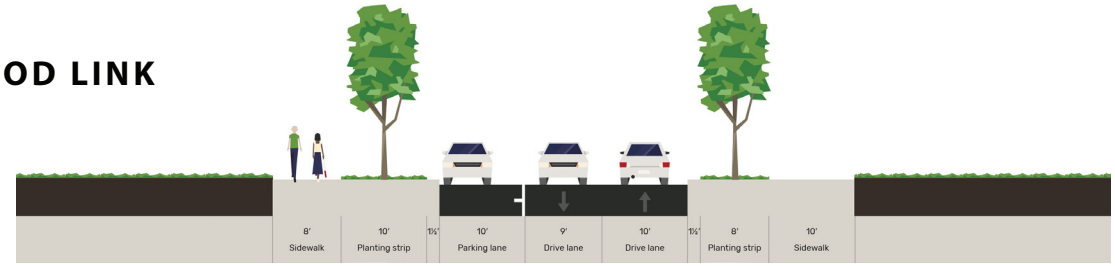
STREET CROSS-SECTIONS

The City of Fayetteville implemented a complete street policy in 2005 with the adoption of City Plan 2025 and the Master Street Plan. This policy ensures that new streets include facilities for all transportation modes; vehicular, pedestrian and bicycle. However, many existing streets lack sidewalks and bicycle facilities. As part of the implementation of this plan, the City will begin to prioritize streets in need of retrofit, focusing on streets that connect the largest number of potential users to the rest of the active transportation network.

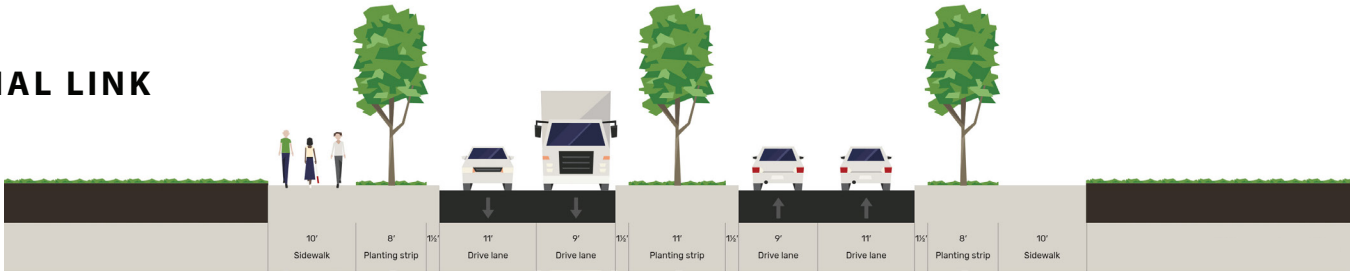
RESIDENTIAL LINK



NEIGHBORHOOD LINK



REGIONAL LINK



CONNECT THE NETWORK

The collection of accurate and relevant baseline data is key for understanding the effectiveness of a bicycle network. The ongoing evaluation of factors such as traffic speeds, transportation mode share counts, existing street cross-sections, percent of grade and other physical barriers are all significant considerations when determining the appropriate engineering solution for a given project. Additionally, data collected from partnering advocate organizations such as the Trailblazers or the Fayetteville Public Schools Safe Routes to School Program may be applicable and pertinent to the engineering design process.

Major city streets that carry large amounts of motor vehicle traffic act as barriers to bicyclists because these roads are difficult to cross and generally lack bicycle facilities. Additionally, Fayetteville's hilly topography can present a barrier for lower classification streets that lack proper bicycle facilities such as sidepaths or on-street climbing lanes. The development of appropriate bicycle infrastructure in key locations can provide safe connectivity that is lacking due to these existing physical barriers. Moreover, portions of the existing trail network in Fayetteville are discontinuous, primarily because many trails have been constructed with development projects but have yet to be connected to the larger trail network. This problem of a disjointed trail network is typical of new and developing trail networks and will be overcome in time with private and public investments in bicycle infrastructure.

ACTIONS

Reapply for the League of American Bicyclists Bicycle Friendly Community program and implement recommendations to work toward gold or platinum designations.

Implement recommendations from People for Bikes City Rankings program report card.

Increase the budget for shared use paved trail construction to match inflation and increased construction costs.

Partner with University of Arkansas to connect bicycle infrastructure projects on and around University campus and associated properties.

Continue to support positions across all departments of the City of Fayetteville that work to further the goals of the Active Transportation Plan.

Work with Fayetteville Public School district to expand bicycle education efforts to include K-2nd grade balance bike learning.

Double the number of League of American Bicyclists designated Bicycle Friendly Businesses in Fayetteville to become national leader in this program.

Partner with the Trailblazers and other bicycle advocates to expand encouragement efforts during National Bike Month in May. This may include bicycle themed community events, campaigns and programs.

EDUCATION & ENCOURAGEMENT

Education for bicyclists, drivers, pedestrians and those using micromobility is an important and ongoing effort to ensure the safety and comfort for all roadway and trail users. People riding bicycles have all the same rights and responsibilities as someone driving an automobile, however new State laws and city ordinances have made changes to the laws concerning cyclists. It is important to inform the public and increase popular understanding and awareness of these laws.

Education is also key in encouraging new users, as confidence is gained through knowledge and experience. People will typically only engage in active transportation when they have a working knowledge of the active transportation network and an adequate understanding of the rules of the trails and of the roadways. Programs and events that celebrate bicycling in the community also help to grow the number of people riding bicycles for enjoyment who can begin riding for transportation.

ACTIONS

Work with schools to develop a safe routes to school plan to include alternate drop off locations to increase walking and biking by students and reduce traffic congestions around schools.

Measure trail activity in consistent locations to collect year-over-year data.

Conduct regular community transportation surveys to gauge participation in active transportation and mode-share for transit, biking and driving.

Track and report Vehicle Miles Traveled (VMT) to determine environmental impacts and trends in community driving levels.

Work with Fayetteville Public School district to expand bicycle education efforts to include K-2nd grade balance bike learning.

Double the number of League of American Bicyclists designated Bicycle Friendly Businesses in Fayetteville to become national leader in this program.

SAFETY & ENFORCEMENT

Safety is an essential element of any comprehensive active transportation plan that must be included at every phase of planning, design and implementation. The single most significant factor influencing bicyclist safety is the number of cyclists on the road. A strong inverse correlation has been shown between bicycle mode share and accident rates; more cyclists make cycling safer overall. This principle of "safety in numbers" should be central to planning for safer bicycling in Fayetteville. The real or perceived safety of riding a bicycle in the street with cars close by is a major factor in people's travel mode choice. Streets with high volumes of high-speed automobile traffic can threaten the safety of bicyclists and deter would-be cyclists. Individuals with modest bicycling skills often called the "interested but concerned" cyclists, who represent the largest population of potential cyclists, are most often discouraged by safety concerns. Courses in bicycle safety for adults can help to encourage riders that may need to build confidence in their riding skills. Bike routes that limit cyclists' interaction with high-traffic conditions by utilizing shared-use paved trails, cycletracks or bike ways provide users with greater safety and comfort that will yield the highest usage. Lastly, local traffic regulations should be reviewed and updated to ensure that vulnerable road users like bicyclist's are protected.

ACTIONS

Develop and adopt a Vison Zero plan and become a Vision Zero community.

Enhance unsignalized and mid-block crosswalks using proven interventions such as Rectangular Rapid Flashing Beacons (RRFB's), curb extensions and raised crossings.

Lower the speed of automobile traffic where vulnerable road users are present through enforcement of safer speed limits and traffic calming measures.

Implement Road Diets on streets identified as candidates in the City's Mobility Plan.

Provide grade separated or controlled crossings, such as HAWKs, for people walking and on bikes crossing multi-lane arterial roads.

CONCLUSION

The 2003 Fayetteville Alternative Trails and Transportation plan succeeded in spurring the development of the City's ever-expanding trail network over the last decade. This Active Transportation Plan builds upon past success and reaffirms the City's commitment to planning for the future of active transportation. This plan sets a path forward by identifying a progressive yet achievable vision, developing a set of realistic goals and through the implementation of important action steps. By combining pedestrian and bicycle planning into active transportation planning we recognize that a comprehensive approach will yield the maximum return on the public's investment.

Many of the action steps in this plan are similar to steps taken in other prominent bicycle and pedestrian friendly communities. The implementation process is designed to be ongoing and dynamic with progress made through constant innovation and adaption. Success will be measured through identified metrics collected over time. Ultimately, this plan provides Fayetteville with the framework for building an active transportation network that will lead to a more healthy and vibrant community.

CITY OF
FAYETTEVILLE
ARKANSAS

CITY OF FAYETTEVILLE'S ACTIVE TRANSPORTATION PLAN

Originally created: 2014
Updated: 2022

Created by: The City of Fayetteville Staff

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2/6/23 11:27 AM

ACTIVE TRANSPORTATION PLAN

CITY OF FAYETTEVILLE ARKANSAS

2023 UPDATE

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GOALS
Six targeted goals of the ATP

PAGES 32 - 39

PEDESTRIAN RECOMMENDATIONS
Implementation and success metrics

PAGES 40 - 44

BICYCLE RECOMMENDATIONS
Implementation and success metrics

ATP VISION AND GOALS

The City envisions the ATP as the guiding document for identifying and prioritizing bicycle and pedestrian infrastructure improvements. This plan is intended to be broad in scope and to provide a dynamic and timely framework for the decision making process.
Ultimately, the vision for this plan is as follows:

Fayetteville endeavors to develop and promote an interconnected and universally accessible network of sidewalks, trails and on-street bicycle facilities that encourage citizens to use active/non-motorized modes of transportation to safely and efficiently reach any destination.

PRIMARY GOALS OF THE ATP ARE:

Strive to create an equitable multimodal transportation system for all ages and abilities.

◆

Build a paved trail connection within a 10-minute walk of every residence by 2040.

◆

Encourage new participation in active transportation – gather and evaluate data to track trends and measure success.

◆

Zero fatalities or severe injuries of vulnerable roadway users by 2030.

◆

Implement all of the appropriate recommendations from leading advocacy organizations community evaluations.

◆

Enhance opportunities for people with disabilities to walk, roll, cycle, and use micromobility services and other innovative mobility technologies to the greatest extent possible.

EXECUTIVE SUMMARY

In 2003, the City of Fayetteville adopted the Fayetteville Alternative Transportation & Trails (FATT) Plan, which laid out a vision for the development of a city-wide trail system. The FATT Plan was developed through an extensive public input process which resulted in a comprehensive set of goals and objectives. At the time the FATT Plan was developed, Fayetteville had not yet committed to building the Scull Creek Trail that has become the backbone of our trails system. The FATT Plan served as a catalyst to initiate large-scale trail development and brought greater awareness of the benefits of alternative transportation networks.
In April 2015, The City Council adopted the original version of this plan – the Active Transportation Plan (ATP) by resolution. The ATP set forth a vision and a roadmap for measuring success, and it provides the general parameters for the prioritization and design of bicycle and pedestrian infrastructure without prescribing solutions for specific projects. The 2015 ATP has served as a guiding document in the seven year since its adoption.
This 2022 update the ATP builds on lessons learned and incorporates the recent developments and changes in best practices in Active Transportation planning. This plan's updated goals emphasize equity, safety and accessibility for all ages and abilities.

"Fayetteville's culture of active transportation plays a critical role in promoting our city's economic viability as well as the health and well being of all our residents."

-Mayor Lioneld Jordan

INTRODUCTION
Executive Summary

WHAT IS ACTIVE TRANSPORTATION?

Active transportation is any form of human powered transportation, e.g., walking, cycling, using a wheelchair, in-line skating or skateboarding.

WHAT IS MULTI-MODAL TRANSPORTATION?

Multi-modal refers to a range of mobility options; vehicular traffic, public transit, walking, bicycling and ride sharing that are effectively integrated to provide a high degree of accessibility for all users.

WHAT ARE ACTIVE TRANSPORTATION NETWORKS?

Just as motorized transportation networks connect destinations with an interconnected system of roadways, active transportation networks use trails sidewalks, bikeways and low stress streets to allow people to move freely and safely through a community without an automobile. Active Transportation planning should focus on providing maximum connectivity for all potential users while minimizing exposure to traffic risks.

INTRODUCTION
Community Development Pattern Chart

Completely automobile dependent communities share many of the same characteristics; lack of pedestrian connectivity and non-vehicular infrastructure, increased per capita travel mileage, increased vehicle traffic and associated costs, economic and social disadvantages for non-drivers, reduced diversity and fewer opportunities for education, employment and recreation.

The following table shows the relationships between built environment for supporting an auto-dependent or multi-modal transportation based community.

AUTOMOBILE DEPENDENT COMMUNITY		MULTI-MODAL TRANSPORTATION COMMUNITY
High per capita car ownership	CAR OWNERSHIP	Medium per capita car ownership
High per capita motor vehicle mileage	VEHICLE TRAVEL	Medium to low motor vehicle mileage
Automobile traffic is prioritized over pedestrian and bicycle use	PRIORITY OF TRAVELERS	Non-drivers are prioritized and their needs merit significant consideration
Generous supply, free	PARKING	Moderate supply, priced appropriately in high destination areas
Maximum traffic speeds	TRAFFIC SPEEDS	Lower traffic speeds

INTRODUCTION
Community Development Pattern Chart

AUTOMOBILE DEPENDENT COMMUNITY		MULTI-MODAL TRANSPORTATION COMMUNITY
Low with common destinations dispersed from residential areas	LAND USE DENSITY	Medium to high with common destinations and clustered residential areas
Primarily single use development patterns	LAND USE MIX	Abundance of mixed-use development patterns
Large amounts of land devoted to roads and parking	LAND AREA FOR TRANSPORTATION	Medium amounts of land devoted to roads and parking
Parking is placed in front of buildings	SITE DESIGN	Buildings are placed at the street with parking behind or at the side

INTRODUCTION
Community Development Pattern Chart

AUTOMOBILE DEPENDENT COMMUNITY		MULTI-MODAL TRANSPORTATION COMMUNITY
Streets designed primarily for automobile traffic	STREET DESIGN	Streets designed to support multiple modes and users
Large scale streets and blocks	STREET SCALE	Medium to small streets and blocks
Low levels of street connectivity with abundant cul-de-sacs	STREET CONNECTIVITY	High levels of street connectivity with numerous intersections
Walking can be hazardous and is primarily undertaken by those unable to afford a car	WALKING	Walking is pleasurable on most public streets and is a safe and efficient alternative to driving for many daily activities
Non-drivers are a small minority with little political influence	PLANNING PRACTICES	Planning places a high value on transportation modal diversity

THE PLANNING PROCESS

The ATP has been developed with information gathered from a wide variety of planning studies and public input over time. This plan recognizes that exceptional bicycle and pedestrian planning, design and implementation occurs at many levels and is influenced and guided by a variety of plans, policies and advocates. In developing the Active Transportation Plan, staff incorporated data, best practices and input from a wide variety of sources including:

- 2003 Fayetteville Alternative Trails and Transportation Plan
- Recommendations from the League of American Bicyclists
- Recommendations from the NWA Bicycle and Pedestrian Plan developed with help from Alta Planning for the NWA Regional Planning Commission and endorsed by the Fayetteville City Council
- City Plan 2040 and the City of Fayetteville's Master Street Plan
- Specific neighborhood plans adopted by the City, including: Walker Park, Fayette Junction and the Wedington Corridor Plan
- The City of Fayetteville's annual sidewalk plan developed by the Public Works Department
- The 2018 Mobility Plan
- Generous public input from participants in the above plans, programs, and policies
- The Active Transportation Advisory Committee including 5-year trail prioritization plan

CITY PLAN 2040
FAYETTEVILLE, ARKANSAS

BICYCLE FRIENDLY COMMUNITY
GOLD
THE LEAGUE OF AMERICAN BICYCLISTS

NWA Regional Planning Commission

FAYETTEVILLE MOBILITY

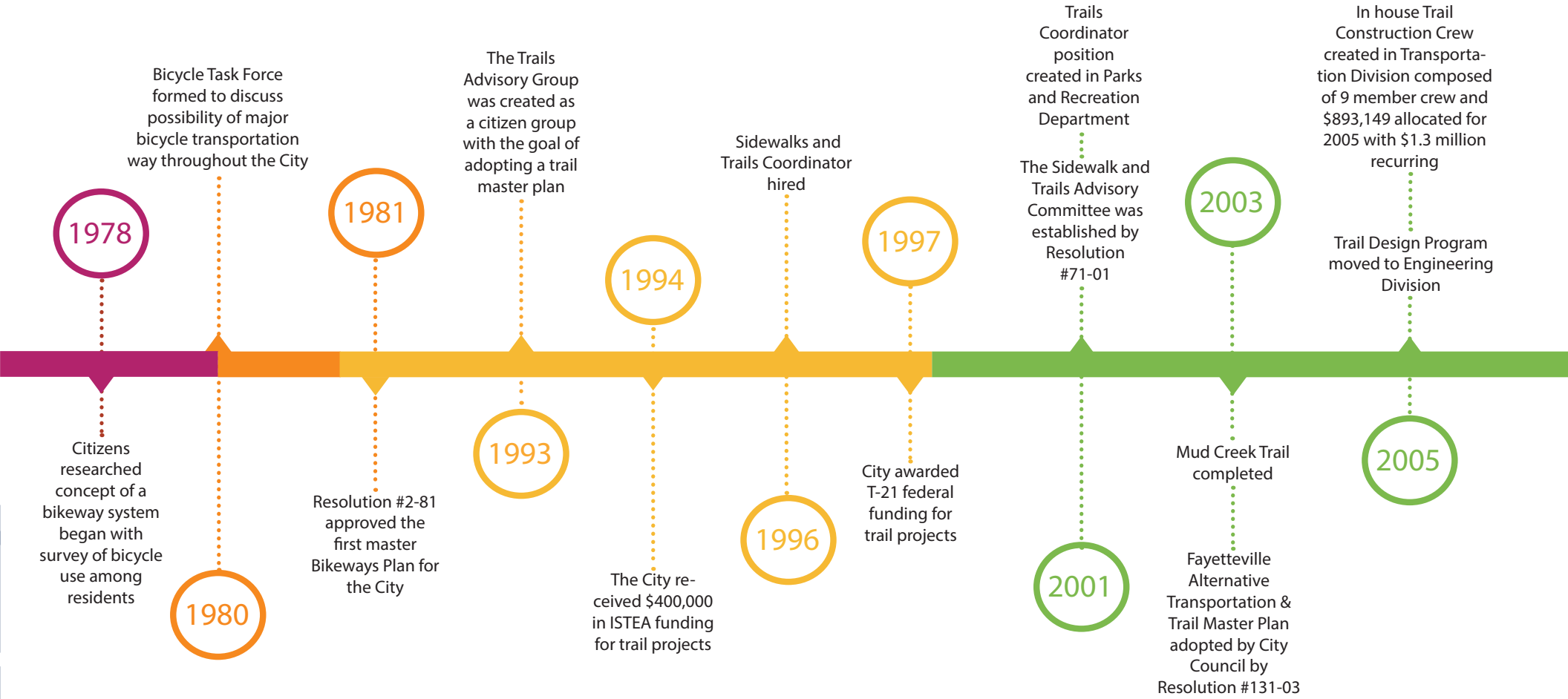
741

THE AVERAGE NUMBER OF USERS ON A RAZORBACK GREENWAY EACH AND EVERY DAY.*

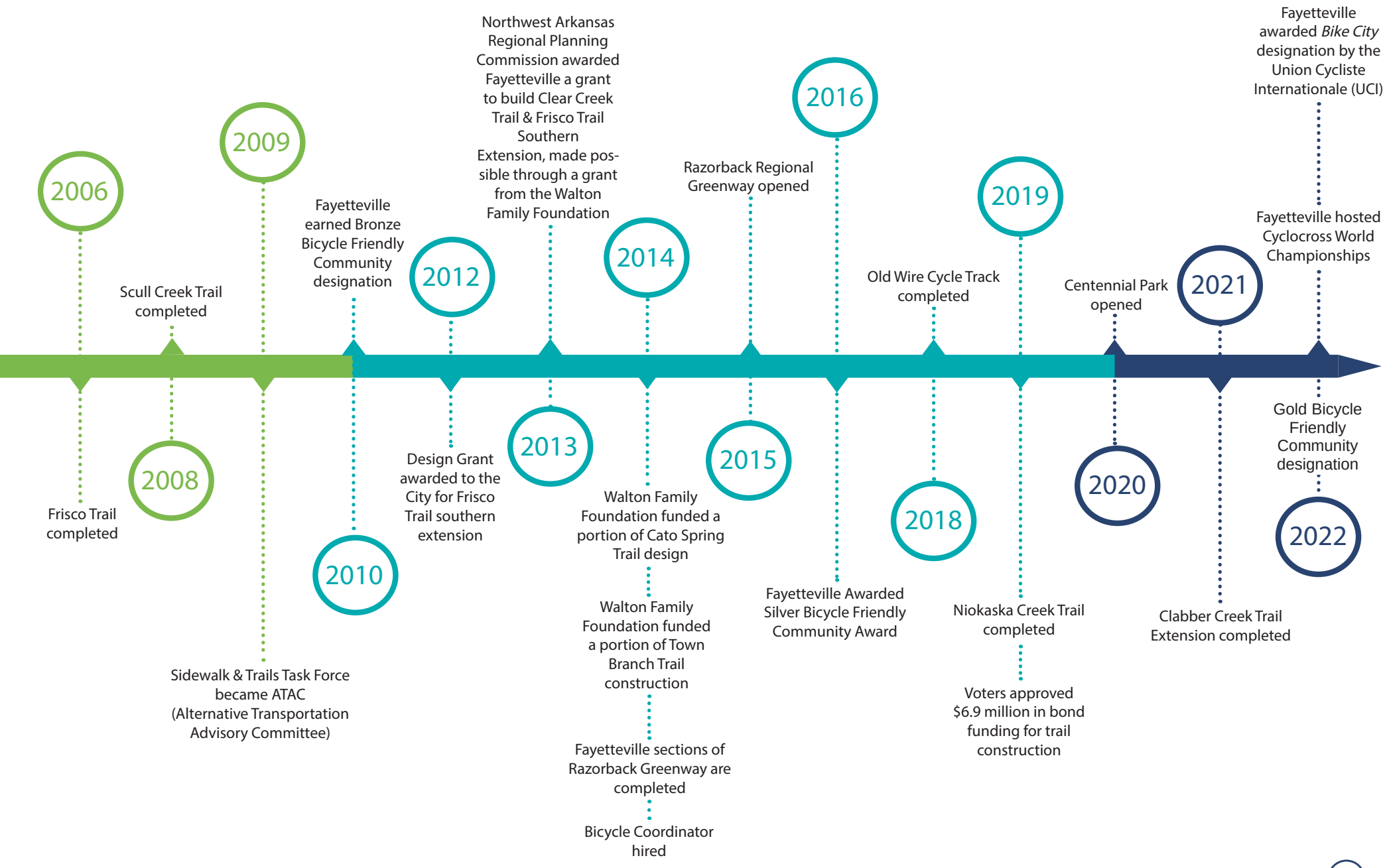
*City of Fayetteville Trail Count Data (2021)

PROGRESS AND TIMELINE

The City of Fayetteville has made enormous progress in the development of bicycle and pedestrian infrastructure since the adoption of the FATT Plan in 2003. Some notable accomplishments include: the completion of Scull Creek Trail in 2008 that serves as the backbone of the City's trail system and became part of the Razorback Regional Greenway in 2015, the adoption of a complete street policy through the adoption of a Master Street Plan and complete street cross-sections in 2005, the completion of the Dickson Street enhancement project in 2004. Fayetteville has earned numerous awards including a silver Bicycle Friendly Community designation from the League of American Bicyclists, ranked in the top 10 Bike City designation from People for Bikes and was named the first official Bike City in the US by the International Cycling Union.



BACKGROUND
Progress and Timeline



EXISTING CONDITIONS

As of 2022, Fayetteville's pedestrian network is made up of 435 miles of existing public sidewalks and 52 miles of existing shared-use paved trails. The sidewalk map shows where existing sidewalks are located and where gaps exist. Each year Capital Improvement Program funds are allocated for an annual sidewalk budget in the City's Public Works Department for sidewalk construction and maintenance. Additional funding also comes through local bond funding and State and Federal grants. Construction of sidewalks is required for most new development along public streets.

The 2018 Mobility Plan included a sidewalk and trail prioritization and evaluating matrix. This approach considers the relative benefits of each proposed project including gap closures, equity, economic benefit and well as construction feasibility. This data-driven approach helps guide decisions from staff, citizen committees and elected officials to determine which sidewalk and trail projects are selected for each year's work plans.

FAYETTEVILLE is considered a hilly city . . .

a **STEEP** slope for a multi-use trail is **5%** or more.

FAYETTEVILLE'S TRAIL SYSTEM has an average slope of **2.2%**

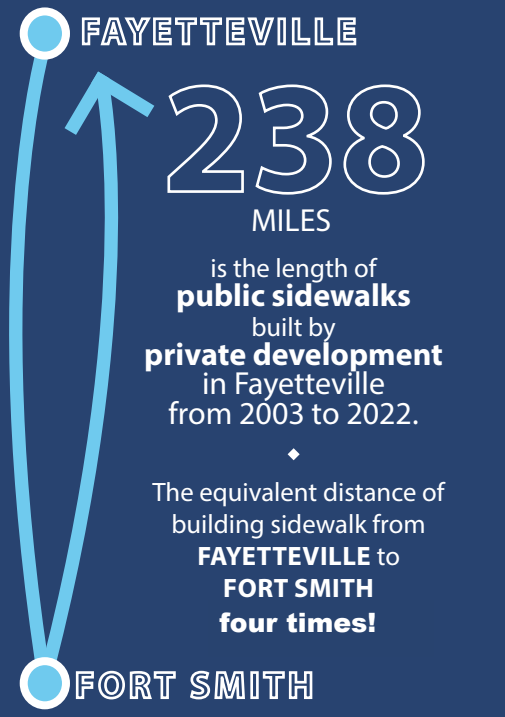
GIS Division. City of Fayetteville. (2014).

BACKGROUND
The Pedestrian Network

IT IS IMPORTANT TO LOOK AT EACH ACTIVE TRANSPORTATION MODE IN DETAIL IN ORDER TO UNDERSTAND HOW IT FITS INTO THE LARGER MULTI-MODAL TRANSPORTATION NETWORK.

THE PEDESTRIAN NETWORK

Presently, Fayetteville's pedestrian network is made up of 435 miles of existing public sidewalks and 52 miles of existing shared-use paved trails. Geographic Information System (GIS) mapping is used to identify where existing sidewalks are located and where gaps exist. Traditionally, Capital Improvement Program funds have been allocated for an annual sidewalk budget in the City's Transportation Department to build new sidewalks or to rebuild and replace existing damaged or inadequate sidewalks. Additional funding has also come through State and Federal grant for sidewalk construction. Construction of sidewalks is required for most new development along public streets. As a result of this requirement, 238 miles of sidewalks were built from 2003 to 2022 by private developers. This plan provides the framework for identifying and prioritizing sidewalk improvements in the future. Future sidewalk planning will emphasize improving connectivity throughout the existing network by connecting densely populated areas to key destinations such as parks, schools and businesses.



Sidewalk Coordinator, City of Fayetteville

WEST AVE
before reconstruction

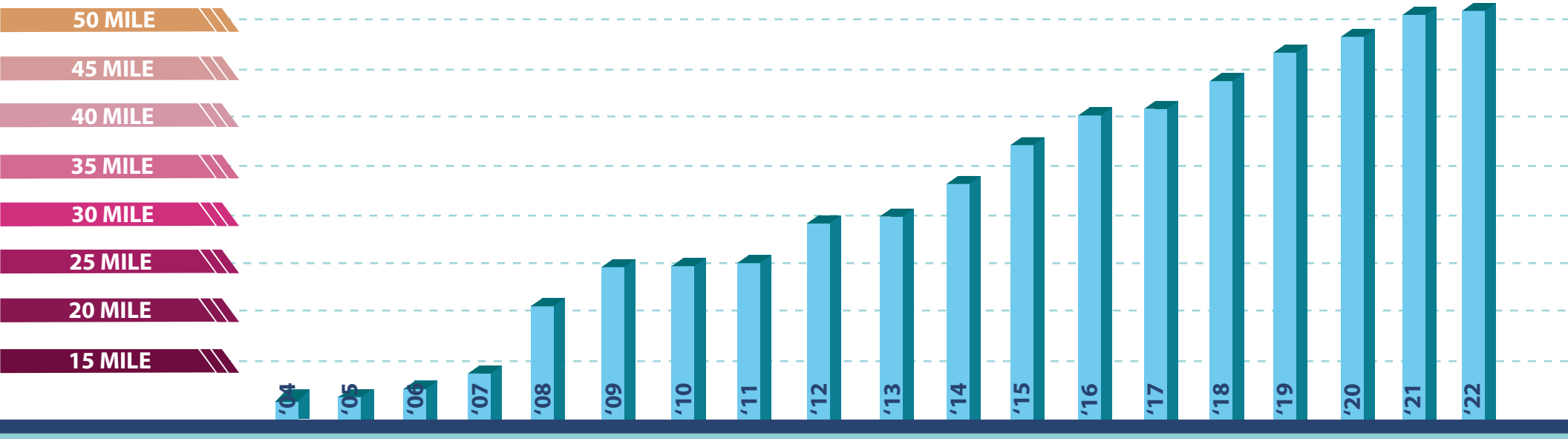
WEST AVE
during reconstruction

WEST AVE
after reconstruction

BACKGROUND
Shared-Use Paved Trails

Shared-use paved trails, are the centerpiece of Fayetteville's active transportation network. Share-use paved trails offer complete separation from traffic and provide a comfortable experience for users of all kinds. Shared-used paved trails can also offer more direct routes than street networks which sometimes do not connect in ways useful for people walking or riding bicycles.

Construction costs associated with shared-use paved trails are considerable. Much like our sidewalk program, trails are funded through dedicated Capital Improvement Project funds and additional public and private grant sources. Privately built trails cost upwards of $300 per linear foot or $1.6 million per mile. The City of Fayetteville's in-house design and construction model delivers trail projects at approximately 50 percent of the cost of those built by private contractors. Despite the high cost the return-on-investment in these trails has show to be positive. In a 2018 report funded by the Walton Family Foundation showed that bicycling brought more than $137 million in economic benefits* to Northwest Arkansas annually. The annual economic benefits associated with the regional trail network are equivelant to the cost of 85 miles of shared use paved trail each year.

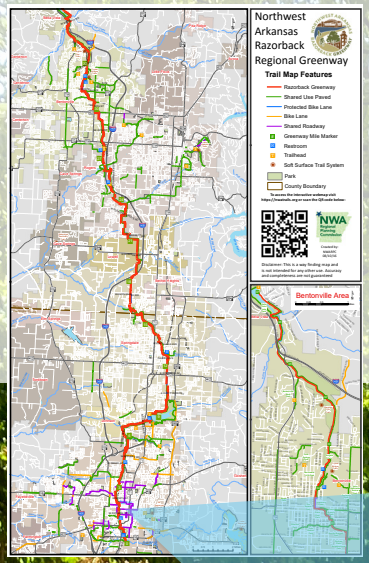


TRAIL AND SIDE PATH CONSTRUCTION MILEAGE OVER THE PAST 18 YEARS.

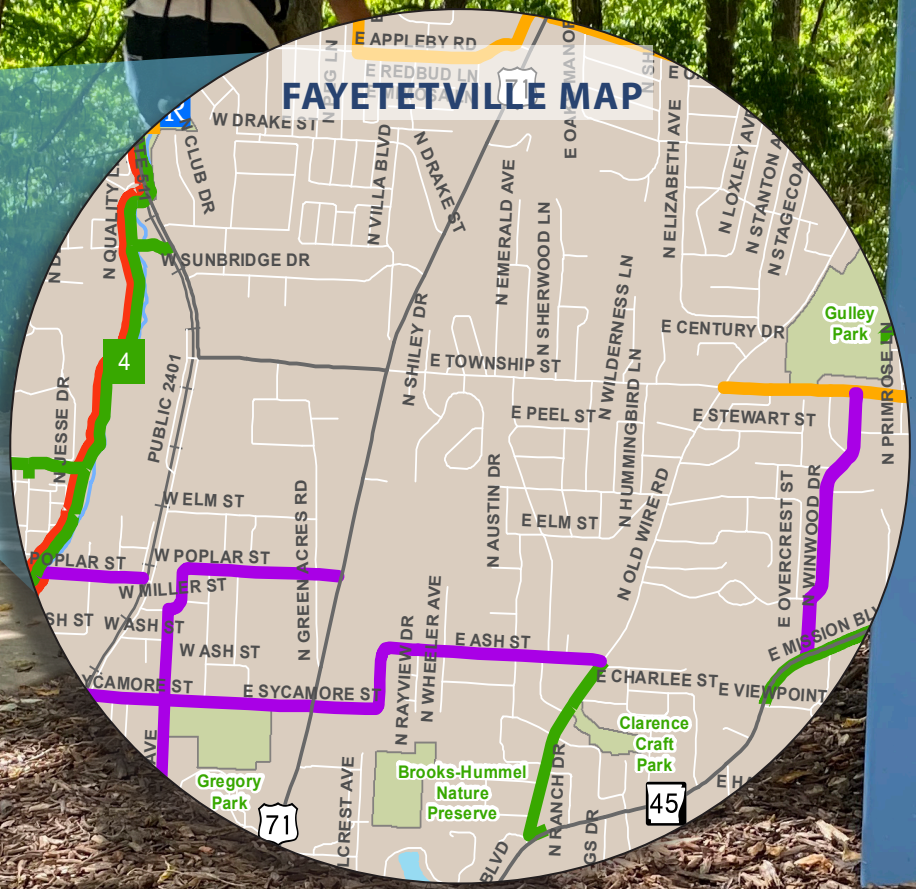
* https://www.waltonfamilyfoundation.org/our-work

BACKGROUND
Razorback Regional Greenway

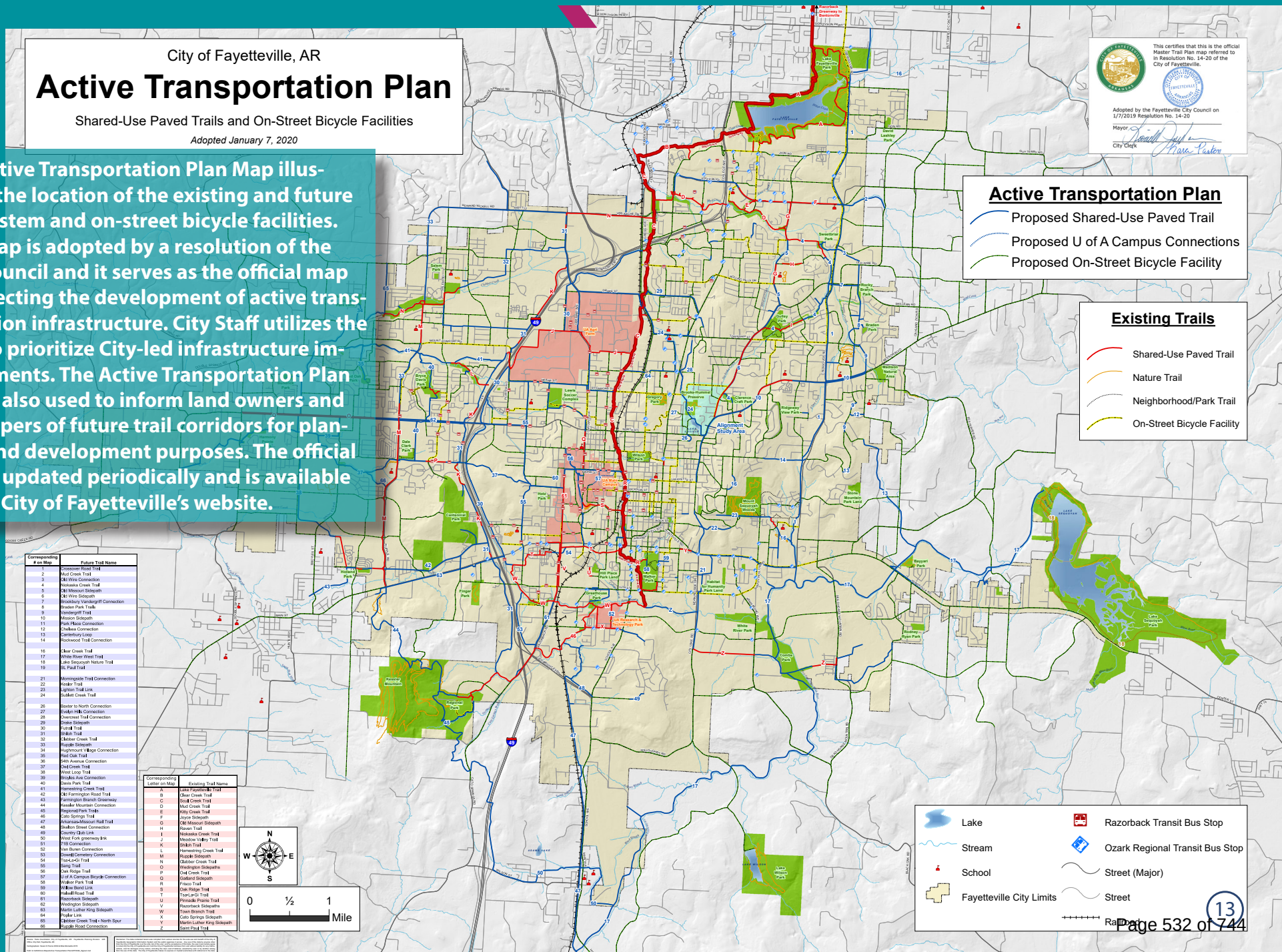
RAZORBACK REGIONAL GREENWAY MAP



The Razorback Regional Greenway is a 40-mile shared-use paved trail that includes more than 11.5 miles of Fayetteville's locally built trails and serves as the primary active transportation corridor for the region. The Razorback Regional Greenway opened in the spring of 2015 and spans across six municipalities, connecting dozens of popular community destinations. A Federal Department of Transportation TIGER grant was matched by the Walton Family Foundation to secure $38 million to fund construction of the regional portions of the Greenway.



BACKGROUND
Active Transportation Plan Map



The Active Transportation Plan Map illustrates the location of the existing and future trail system and on-street bicycle facilities. This map is adopted by a resolution of the City Council and it serves as the official map for directing the development of active transportation infrastructure. City Staff utilizes the map to prioritize City-led infrastructure improvements. The Active Transportation Plan Map is also used to inform land owners and developers of future trail corridors for planning and development purposes. The official map is updated periodically and is available on the City of Fayetteville's website.

BACKGROUND
Types of Bicycle Riders

Since the adoption of the 2015 Active Transportation Plan new research and guidance from the National Association of City Planning Officials (NACTO) the Federal Highway Administration and others has shifted the standards and best practices for on-street bicycle infrastructure. In order to attract new users, bicycle infrastructure must be appropriate for All Ages and Abilities. This philosophy means creating a low-stress network of streets and providing greater protection and buffer space from vehicular traffic to accommodate people who do not feel safe sharing the road with automobiles.

Percentages from the Federal Highway Department show how people interested in riding bicycles vary in their comfort levels in various street environments.

PERCENT BREAKDOWN RIDERSHIP INTEREST

25%

DOES NOT RIDE A BIKE

People who do not ride bikes.

59%

INTERESTED BUT CONCERNED

Bicyclists who would like to ride but are concerned about safety.

12%

SOMEWHAT CONFIDENT

Bicyclists who will ride on most streets, but prefer trails or streets with bicycle infrastructure.

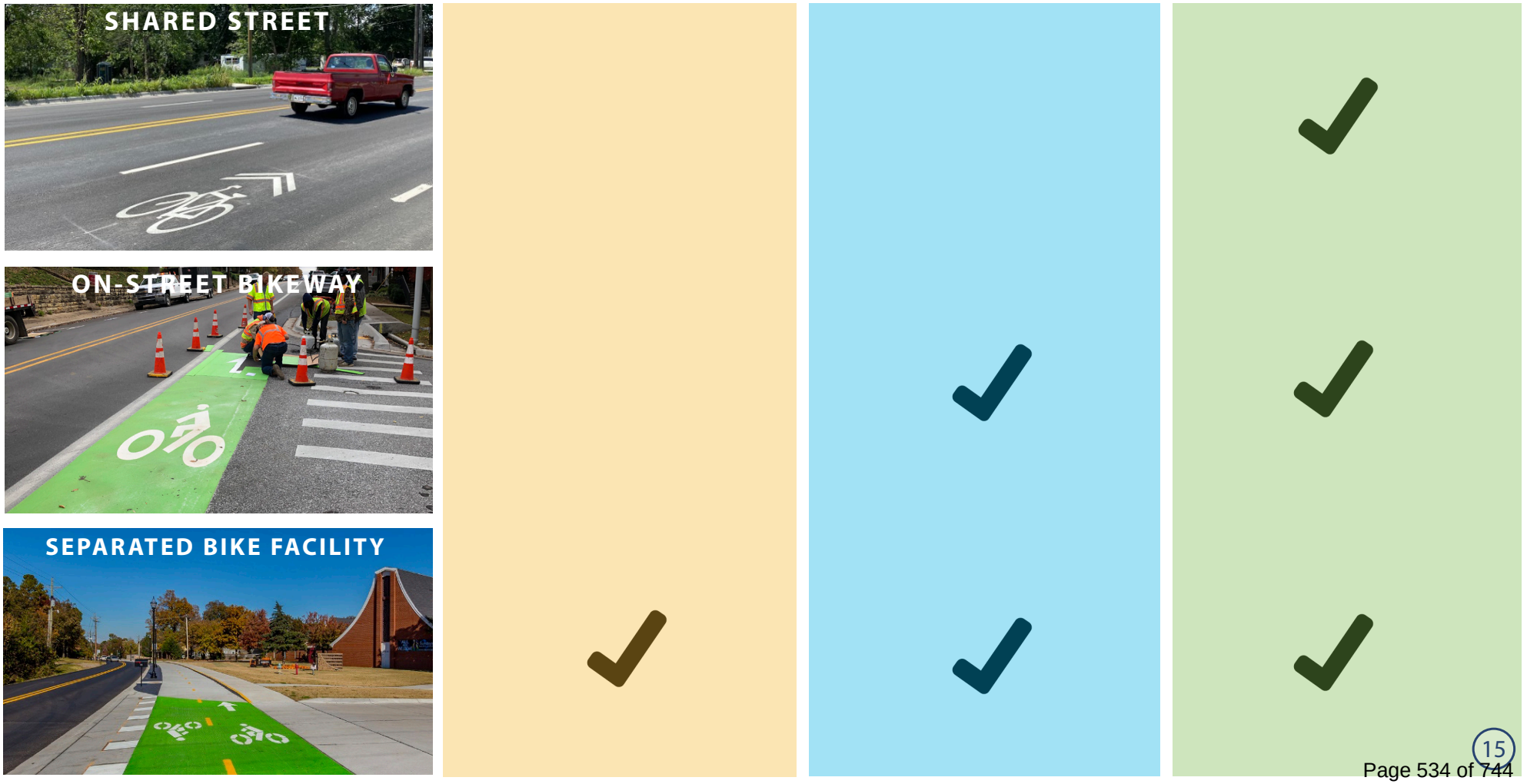
4%

HIGHLY CONFIDENT

Bicyclists who are willing to ride on almost any type of steet.

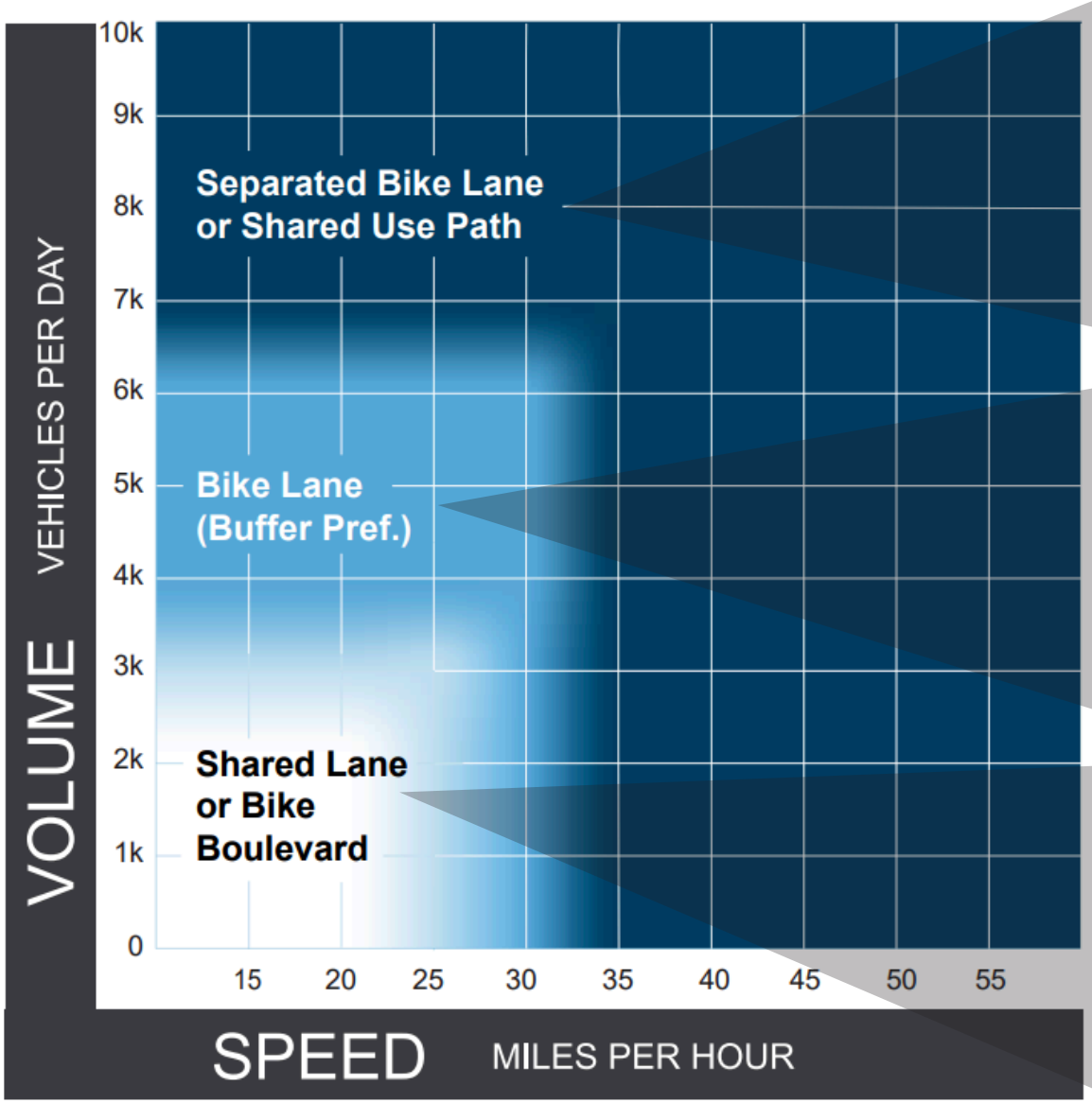
BACKGROUND
Bicycle Network Types

Traditional 5-foot bike lanes can be useful in certain applications such as climbing lanes; however, a single line of paint is generally not adequate in providing the safety and comfort to accommodate riders of all ages and abilities. Future on-street bikeways should incorporate best practices for better seperation for people riding bikes from fast moving traffic. When street widths are constrained two-way bike facilities should be considered. Vertical physical protection, curbs, buffer spaces, green paint, markings in intersections and conflict areas area all useful in increasing safety and comfort for people riding bikes on streets.



BACKGROUND
Bicycle Network Types

TYPES OF STREET TREATMENT



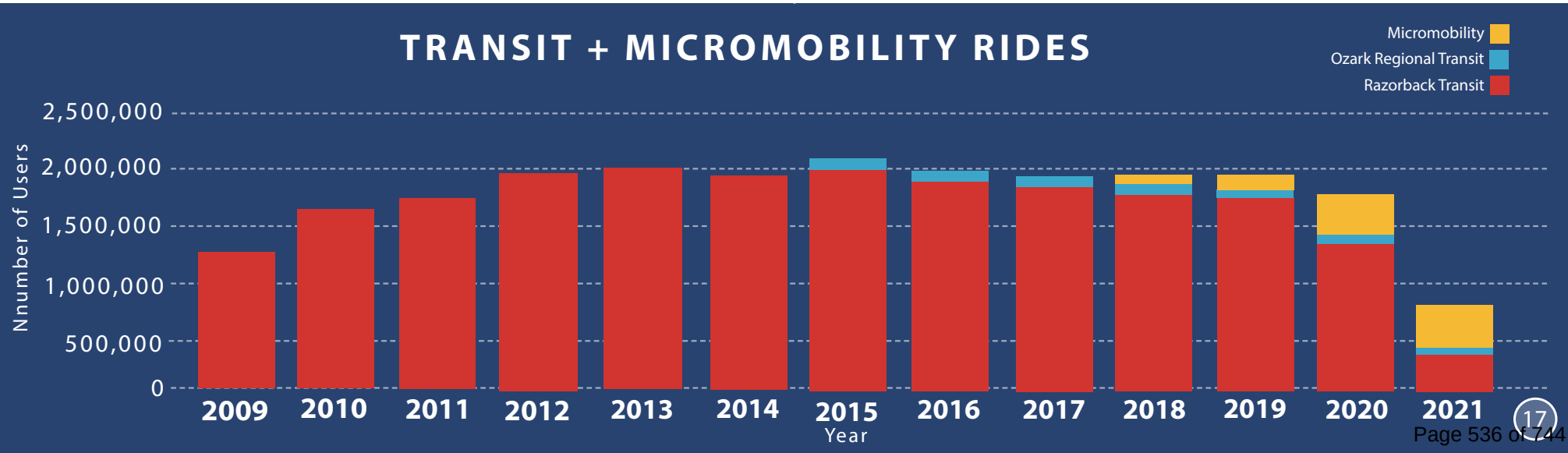
US Department of Transportation, *Federal Highway Administration*
https://safety.fhwa.dot.gov/ped_bike/tools_solve/docs/fhwasa18077.pdf

BACKGROUND
Transit

TRANSIT + MICROMOBILITY

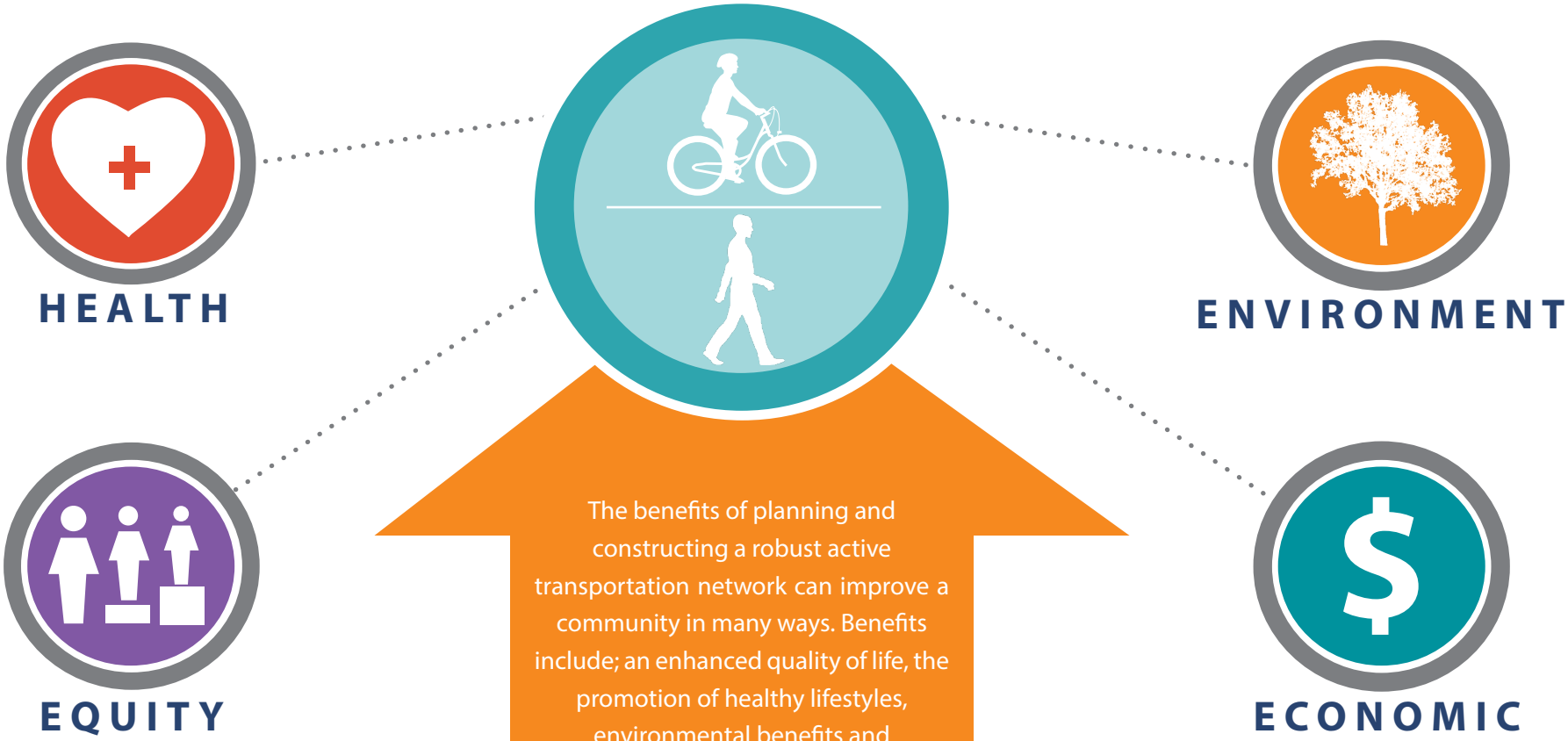
Fayetteville is served by two public transit agencies, Razorback Transit and Ozark Regional Transit. Both agencies are totally fare-free for everyone. Funding for the transit agencies comes from a variety of federal, state, and local sources. Razorback Transit ridership surpassed 2 million rides in 2015 but has declined in subsequent years, and in 2020 ridership fell by more than 50% due largely to the COVID 19 Pandemic. Ridership is rebounding, however travel patterns have changed with the introduction of micromobility.

Micromobility refers to the use of a range of small shared or privately-owned mobility devices such as electric scooters and bicycles. Micromobility has grown in popularity in Fayetteville with the launch of bike share in 2018 and with subsequent electric scooter shared programs. Fayetteville's paved trails and large student population has attracted investments from micromobility industry. In 2021 nearly half-million rides were taken using Fayetteville shared electric scooter programs. E-Scooters are not fully considered to be active transportation, but these vehicles offer a crucial last mile connection for multi modal trips and encourage new users to explore Fayetteville's trails and bikeways.



ACTIVE TRANSPORTATION BENEFITS
Transportation Benefits of Biking and Walking

BENEFITS OF A BICYCLE AND PEDESTRIAN PLAN



13 = THE NUMBER OF POUNDS THE AVERAGE PERSON WILL LOSE IN THEIR FIRST YEAR OF BIKING TO WORK

Outdoor Foundation. (2010).

ACTIVE TRANSPORTATION BENEFITS
Transportation Benefits of Biking and Walking

HEALTH

THE PROMOTION OF HEALTHY LIFESTYLES

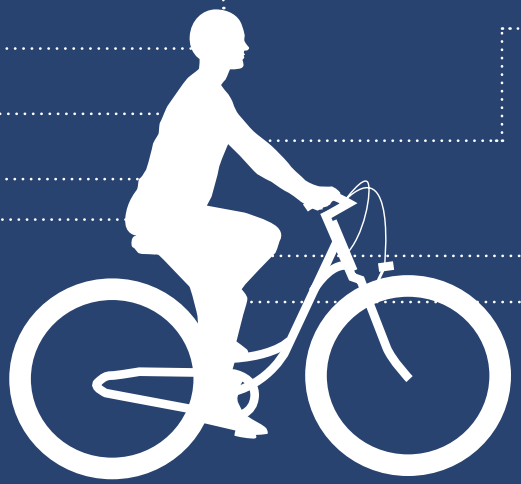
Bicycling and walking bring innumerable benefits to an individual's physical, mental and emotional well-being. Americans are increasingly aware of the link between transportation choices and health, and people value neighborhoods that are conducive to bicycling and walking as a form of exercise and transportation. The built environment is key to providing individuals with transportation choices and options. Fayetteville's commitment through City Plan 2040 to promote infill development, discourage sprawl and develop a livable transportation network acknowledges this link between the built environment and healthy lifestyles.

mental health
Cycling has a relaxing effect due to uniform movement which stabilizes physical and emotional functions. It reduces anxiety, depression and other psychological problems.

balance
Cycling produces the balance between exertion and relaxation which is important for the body's inner equilibrium.

back pain
Cycling posture is optimum, and the cyclic movement of the legs stimulates muscles in the lower back.

heart
All the risk factors that lead to a heart attack are reduced. Regular cycling reduces the likelihood of heart attack by more than 50%.



waistline
Cycling is ideal for targeting problem areas. It enables people who can not move easily to exercise. It increases fitness and stimulates the body's fat metabolism.

muscles
A week of inactivity reduces the strength of the muscular system by up to 50% and can harm muscles long-term. During cycling, most of the body's muscles are activated.

coordination
Moving both feet around in circles while steering with both your hands and your body's own weight is good practice for your coordination skills.

joints
The circular movement of cycling assists the transport of energy and other metabolic producers to the cartilages, reducing the likelihood of arthrosis.

Davis, Cavill. (2007). "Cycling and Health: what's the evidence?" *Cycling England*

ACTIVE TRANSPORTATION BENEFITS
Transportation Benefits of Biking and Walking

EQUITY

ACTIVE TRANSPORTATION FOR EVERYONE.

Safe enjoyable places to walk and ride bicycles should be inclusive and easy to access for all. Investments in sidewalks, trails, crosswalks and bikeways should be made equitably with considerations for demographic factors such as neighborhood income levels, racial diversity, and language. Fayetteville's poverty rate of 22.9%. reflects a large number of low-income residents. According to a 2016 Community survey,* lower income residents are less likely to own automobiles and are more likely to walk or bike for daily transportation needs. Continued and sustained investments are needed for underserved, low-income and minority neighborhoods to reduce disparities in health and economic outcomes for disadvantaged residents.

* *https://www.fayetteville-ar.gov/3215/Community-Survey*

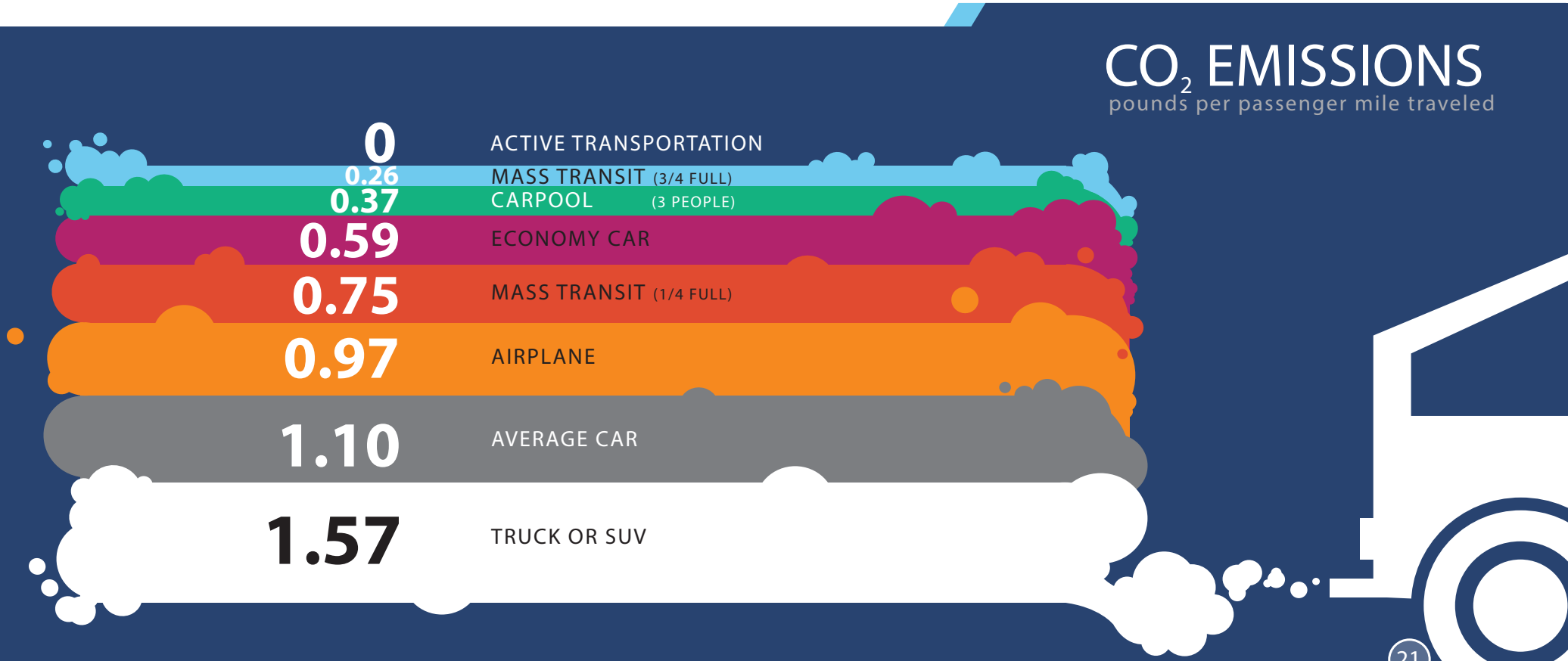
ACTIVE TRANSPORTATION BENEFITS
Transportation Benefits of Biking and Walking

ENVIRONMENT

ENVIRONMENTAL BENEFITS FOR THE COMMUNITY

An accessible active transportation network is essential for an environmentally sustainable community. According to 2019 data from the U.S. Environmental Protection Agency the transportation sector contributes 29% of all greenhouse gas emissions with signal occupancy vehicles having the most emissions be mile traveled.

Active transportation also helps to address land use challenges by reducing the amount a space needed to be paved for parking lots and roads. A typical automobile parking space is large enough to park 20 bicycles.



Sightline Institute. (2011).

ACTIVE TRANSPORTATION BENEFITS
Transportation Benefits of Biking and Walking

ECONOMIC

ECONOMIC RESILIENCY BENEFITS FOR THE COMMUNITY

Economic resiliency is a key benefit of having a robust active transportation network. Economic resiliency can be measured broadly, at the community level, or narrowly as the benefits and costs to an individual or family.

The Housing and Transportation (H+T) Index established by the Center for Neighborhood Technology measures average housing and transportation costs as a percentage of income. The average Fayetteville household spends 24% of its income on transportation. Fayetteville's data compares favorably to relative transportation costs other parts of Arkansas such as Russellville (31%) or Fort Smith (29%).

Housing prices are also positively correlated with walkability. Recent studies of the popular walkability metric "Walk Score" have shown that a one-point increase in a property's Walk Score will increase a property's average value by $3,250 or .9 percent.

Local economies are impacted negatively by the high transportation costs associated with an automobile-oriented land use and transportation network. Multi-modal transportation systems that include extensive active transportation components are less expensive to construct, operate and maintain.

The average annual operating cost of a **BICYCLE** is **$308** $

26X less

than that of a **VEHICLE** **$8,220** $$$$$$$$$$$$$$$$$$$$

LOCAL ECONOMY PAYBACK

TRAIL SYSTEMS HAVE THE POTENTIAL TO RETURN $3 IN REVENUE FOR EVERY $1 IN EXPENDITURE.

The Razorback Greenway cost approximately **$30 million** to complete and could generate **$100 million** in sales revenue at local shops, restaurants and hotels.

(Chuck Fink, president of Alta/Greenways)

PRIMARY GOAL

The Active Transportation Plan (ATP) has been developed through numerous planning and visioning exercises both locally and region wide. The ATP proposes to consolidate and summarize all of the various alternative transportation planning processes, policies and programs with the following vision statement:

"Fayetteville endeavors to develop and promote an interconnected and universally accessible network of sidewalks, trails and on-street bicycle facilities that encourage citizens to use active/non-automotive modes of transportation to safely and efficiently reach any destination."

PLAN GOALS

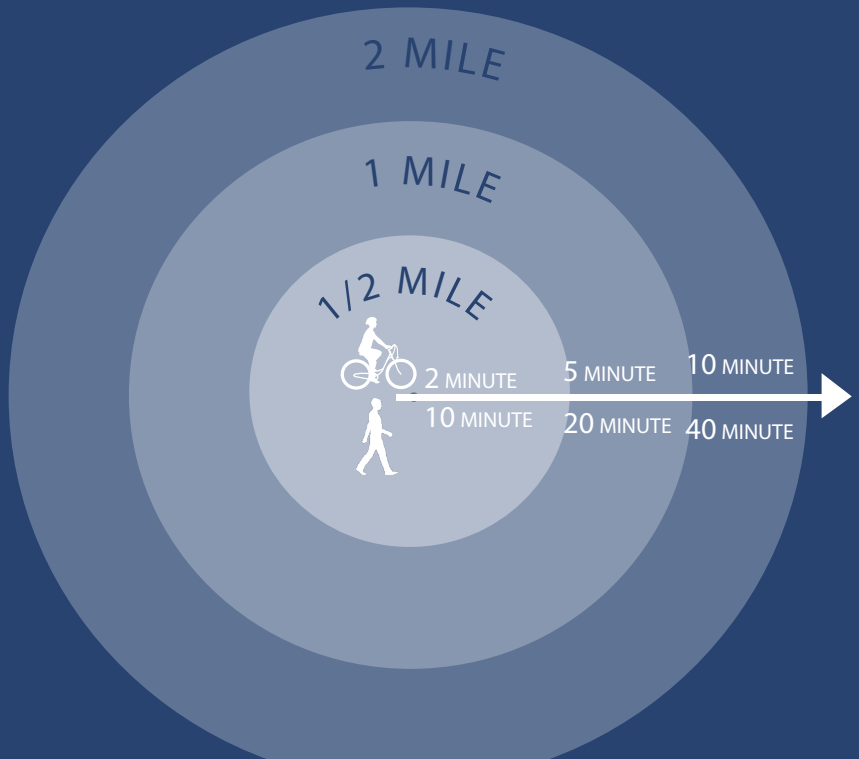
1. STRIVE TO CREATE AN EQUITABLE MULTI-MODAL TRANSPORTATION SYSTEM FOR ALL AGES AND ABILITIES.
2. BUILD A PAVED TRAIL CONNECTION WITHIN A TEN-MINUTE WALK OF EVERY RESIDENCE BY 2040.
3. ENCOURAGE NEW PARTICIPATION IN ACTIVE TRANSPORTATION - GATHER AND EVALUATE DATA TO TRACK TRENDS AND MEASURE SUCCESS
4. ZERO FATALITIES OR SEVERE INJURIES OF VULNERABLE ROAD USERS BY 2030.
5. IMPLEMENT ALL OF THE APPROPRIATE RECOMMENDATIONS FROM LEADING ADVOCACY ORGANIZATIONS COMMUNITY EVALUATIONS.
6. ENHANCE OPPORTUNITIES FOR PEOPLE WITH DISABILITIES TO WALK, ROLL, CYCLE, AND USE MICROMOBILITY SERVICES AND OTHER INNOVATIVE MOBILITY TECHNOLOGIES TO THE GREATEST EXTENT POSSIBLE.

GOAL 1 STRIVE TO CREATE AN EQUITABLE MULTI-MODAL TRANSPORTATION SYSTEM FOR ALL AGES AND ABILITIES.

Developing an equitable multi-modal transportation system means everyone having the freedom to safely move throughout the city using any transportation mode of choice. City Plan 2040's goal of creating a "Livable Transportation Network" and the City's adopted complete street policy, public street cross-sections and Master Street Plan. Multi-modal refers to a range of mobility options; vehicular traffic, public transit, walking, bicycling and ride sharing that are effectively integrated to provide a high degree of accessibility for all users. A multi-modal transportation system has several significant benefits for the community including: promoting an active and healthy lifestyle, expanding mobility options for all users, reducing overall travel costs for residents and providing environmental benefits through the reduction of traffic congestion and associated air pollution. Success in this goal area can be quantified by measured increases in bike and pedestrian trips using trail counts, community surveys and by achieving a more balanced mode share between automotive, walking, biking, transit and other modes of travel.

GOAL 2 BUILD A PAVED TRAIL CONNECTION WITHIN A TEN-MINUTE WALK OF EVERY RESIDENCE BY 2040.

The previous version of the ATP set a goal of building a trail within a half mile of every resident. This updated goal of building a connected trail within a 10-minute walk of every residence takes into account barriers such as street connectivity and waterways that can block access to trails for residents even when within a half mile of a trail. This goal emphasizes need for greater connectivity and the benefits of small trail and sidewalk projects that can connect people to the larger network. Once completed, the Fayetteville trail system will include approximately 100 miles of shared-use paved trails. The pedestrian shed maps show the current conditions and models of future proximity as the trail network is built out. At the current rate of trail construction, it is estimated the City will have achieved this goal by 2040. This goal is essential to ensuring that the trails system and its benefit are inclusive for all residents regardless of the location of their residence. Success will be measured through locational data collected by the City of Fayetteville Geographic Information Systems Division.



WHAT IS A PEDESTRIAN SHED ?

A pedestrian shed is the linear distance that a typical pedestrian can walk in a given amount of time. Generally, this distance is 1/2 mile in 10 minutes.

IDEAL TRIPS

for bicycling and walking are those that are **3 miles or less.**

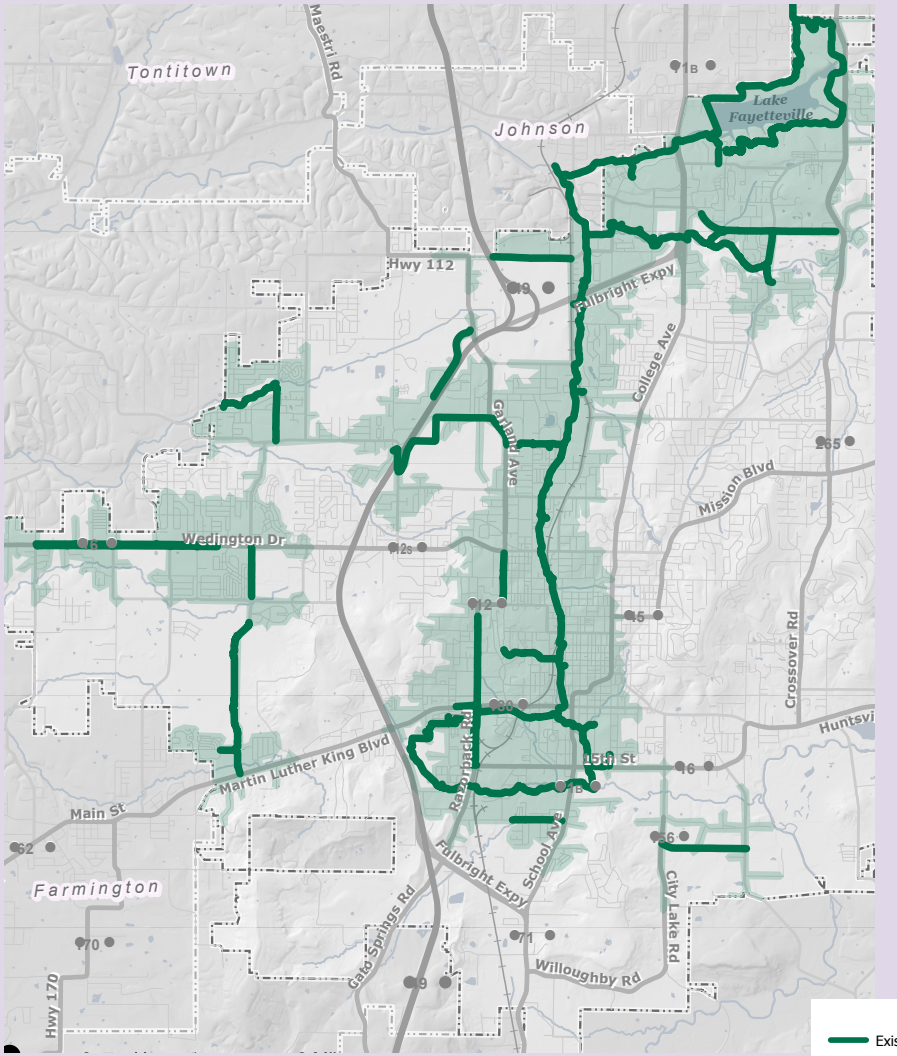
a **cyclist** can complete a **3 mile bike ride** in approximately **15 minutes**

and

a **pedestrian** can **walk ½ mile** in **10 minutes**

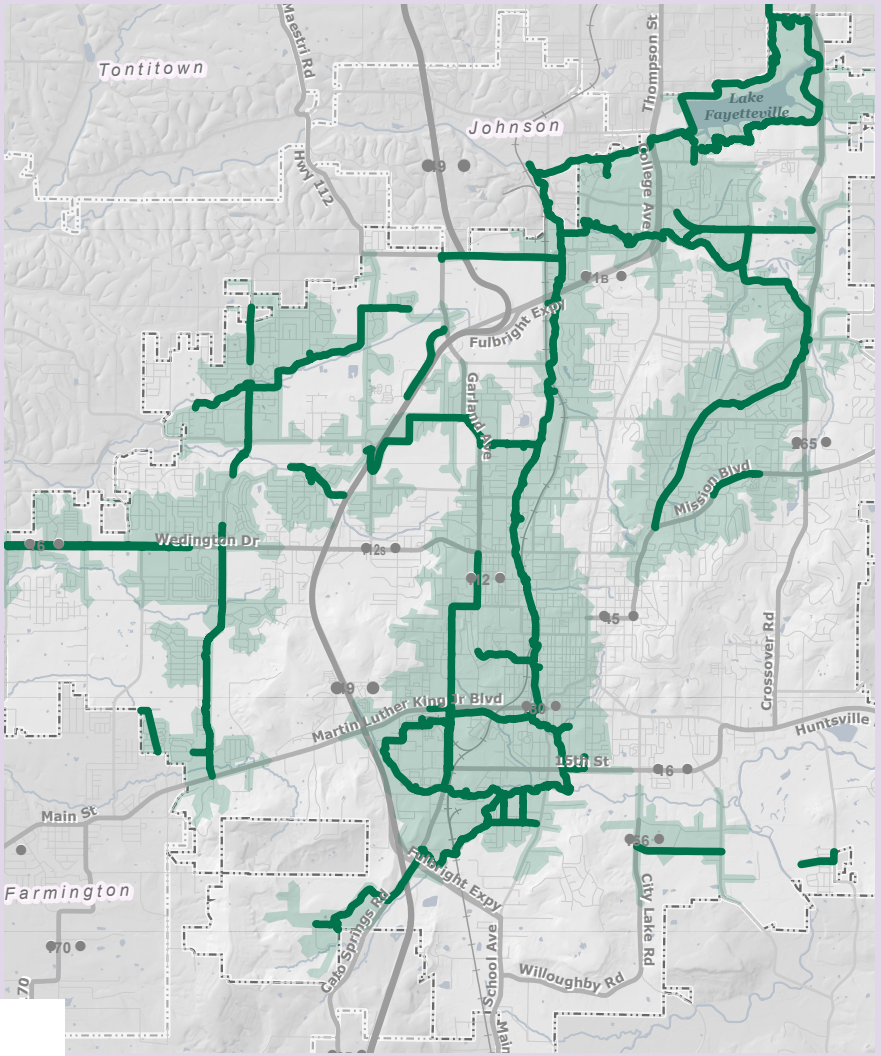
TRAIL SYSTEM IN 2017

58% of the Fayetteville's residents lived within a 10-minute walk of the trail system.



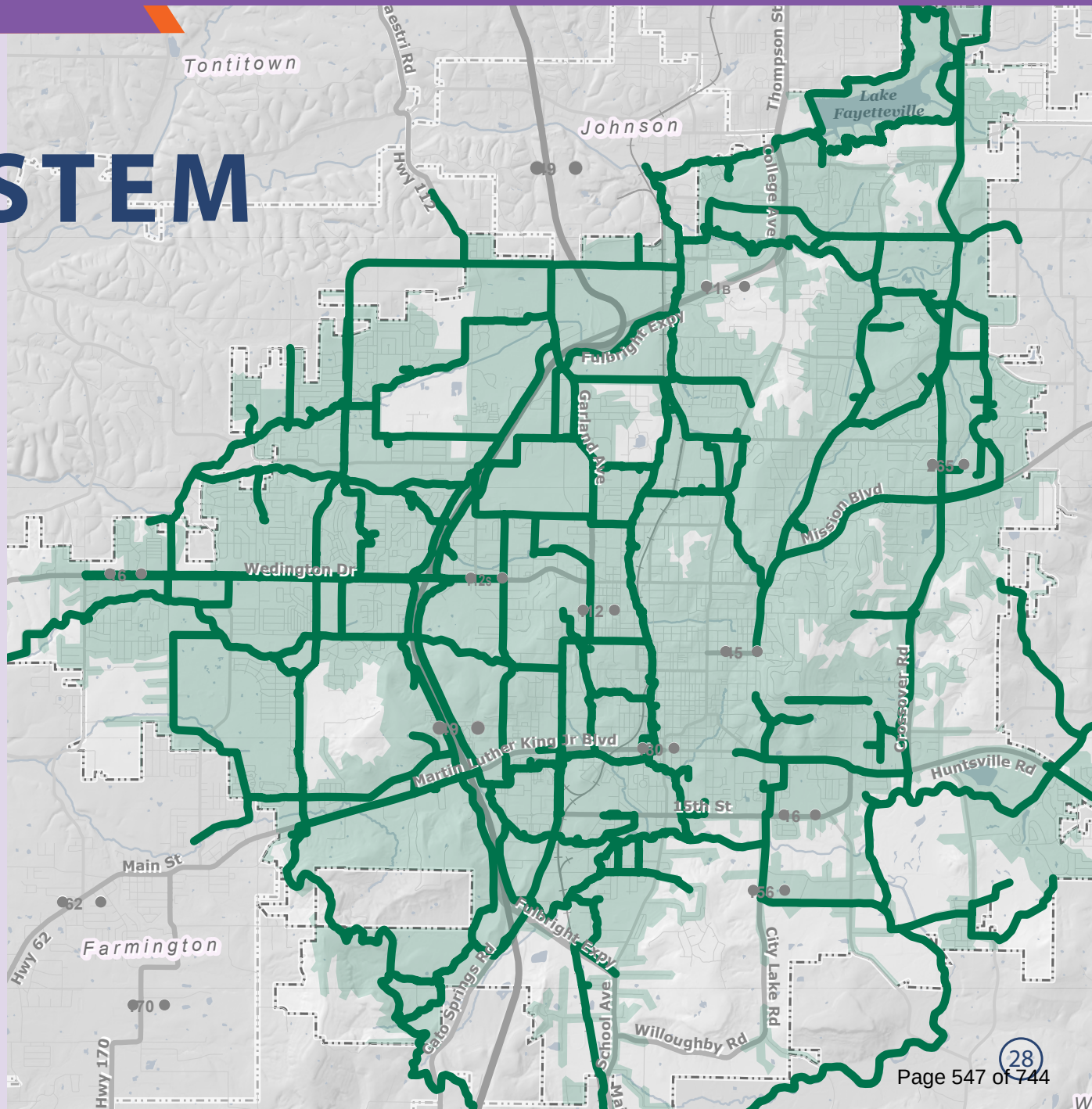
TRAIL SYSTEM IN 2022

68% of the Fayetteville's residents live within a 10-minute walk of the trail system.



2040 TRAIL SYSTEM

97% of the population will live within 10 minute walk of all proposed trails.



GOAL 3 ENCOURAGE NEW PARTICIPATION IN ACTIVE TRANSPORTATION - GATHER AND EVALUATE DATA TO TRACK TRENDS AND MEASURE SUCCESS

Fayetteville can grow the popularity of active transportation, by providing a variety of opportunities and incentives for people walking and riding bikes. Efforts such as celebration of National Bike Month, Bike-to-Work Day, Walk-to-School Days, community bike maps, route finding signage, bicycle-themed celebrations and rides and commuter challenges can all help to engage and educate new bike, transit and walking commuters.

Metrics are essential for measuring success. Infrastructure can be measured in miles of new sidewalks, trails and bike lanes but it is equally important to measure the number of residents served by this infrastructure and community-wide usage. Trail counters, surveys as well as geospatial mapping technology can all be used to tell the story of how people move throughout Fayetteville's active transportation network.

GOAL 4 ZERO FATALITIES OR SEVERE INJURIES OF VULNERABLE ROAD USERS BY 2030.

Vulnerable Roadway Users are people who are unprotected without physical separation from the roadway. Most often these individuals are engaged in active transportation - walking, biking, or other non-automotive transportation.

Collisions involving Vulnerable Roadway Users and vehicles too often result in tragedy. Between 2011 and 2021 Fayetteville saw 244 pedestrian injuries and 16 fatalities. Equity and safety intersect on this topic as Vulnerable Roadway Users are disproportionately people of color, minorities and low-income residents.

Fayetteville's rate of pedestrian fatalities is typical for an American community of its size however there is clearly work to be done in making our streets safer, especially for those most vulnerable. New approaches to road design and building a safer transportation system are needed to reduce and eliminate traffic related injuries and fatalities.

GOAL 5 IMPLEMENT ALL OF THE APPROPRIATE RECOMMENDATIONS FROM LEADING ADVOCACY ORGANIZATIONS COMMUNITY EVALUATIONS.

The League of American Bicyclists evaluates communities' bike friendliness based on five categories Engineering, Education, Equity, Encouragement and Evaluation; this broad set of criteria is known as the 5 E's. Since first earning a bronze Bicycle Friendly Community designation in 2010 Fayetteville improved its designation to silver in 2016, achieved gold in 2022 and will strive for a platinum award designation in the future. In 2017 the national bike advocacy group People for Bikes began ranking "bike cities" in North America based on bike network connectivity and community surveys. Fayetteville has consistently ranked among the top U.S. cities including a #8 overall ranking in 2020.

These programs recognize cities for successful efforts and provide critical feedback to identify weaknesses and areas for improvement. Implementing the recommendations from these leading organizations is key to improving bicycling in our community as well as earning community accolades.

GOAL 6 ENHANCE OPPORTUNITIES FOR PEOPLE WITH DISABILITIES TO WALK, ROLL, CYCLE, AND USE MICROMOBILITY SERVICES AND OTHER INNOVATIVE MOBILITY TECHNOLOGIES TO THE GREATEST EXTENT POSSIBLE.

The Census Bureau defines disability as a long-lasting sensory, physical, mental, or emotional condition or conditions that make it difficult for a person to do functional or participatory activities such as seeing, hearing, walking, climbing stairs, learning, remembering, concentrating, dressing, bathing, going outside the home, or working at a job. Nearly 10% of Fayetteville residents have at least one disability. While this is lower than the nation average of 12.6%, disabilities are very prevalent in our community.

Designing and planning for those with disabilities is an essential component of building a community that allows all people, not just the able-bodied, to enjoy mobility and the freedom to move throughout their environment. It is critical for the City to take steps to prevent and remove unnecessary barriers to mobility in the public right of way and work with developers, businesses and transportation agencies to comply with ADA laws and to pursue innovative and accessible mobility options for all.

** Civilian noninstitutionalized population. Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates.*
https://www.disabled-world.com/disability/statistics/scc.php

THE "5 E" RECOMMENDATIONS

from the

LEAGUE OF AMERICAN BICYCLISTS

EQUITY, DIVERSITY & INCLUSION	A bicycle friendly America for everyone
ENGINEERING	Creating safe and convenient places to ride and park
EDUCATION	Giving people of all ages and abilities the skills and confidence to ride
ENCOURAGEMENT	Creating a strong bike culture that welcomes and celebrates bicycling
EVALUATION & PLANNING	Planning for bicycling as a safe and viable transportation option

WALKABILITY

Urban density is the first key to walkability.

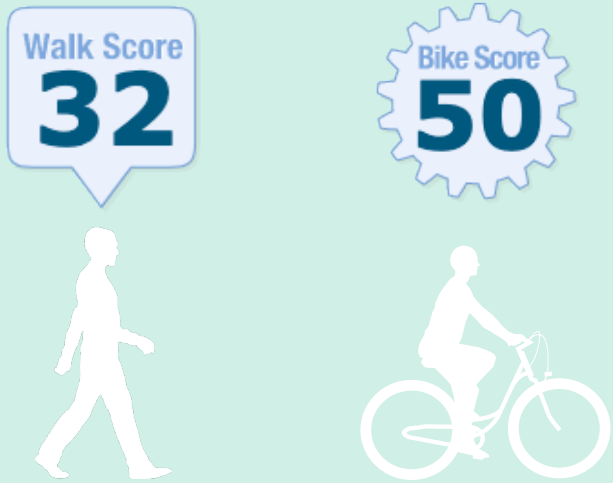
On average Fayetteville's population density is a relatively sparse 1,555 people per square-mile.

Fayetteville's population density and associated walkability is not evenly distributed across all areas of town. Fayetteville's core downtown and University-adjacent neighborhoods have connected sidewalks combined with significant concentration of housing, employment and commercial activity. These core areas of Fayetteville have Walk Scores above 80 and are categorized as "very walkable". In Fayetteville's most sparsely-populated areas Walk Scores are in the single-digits and are considered almost entirely car dependent.

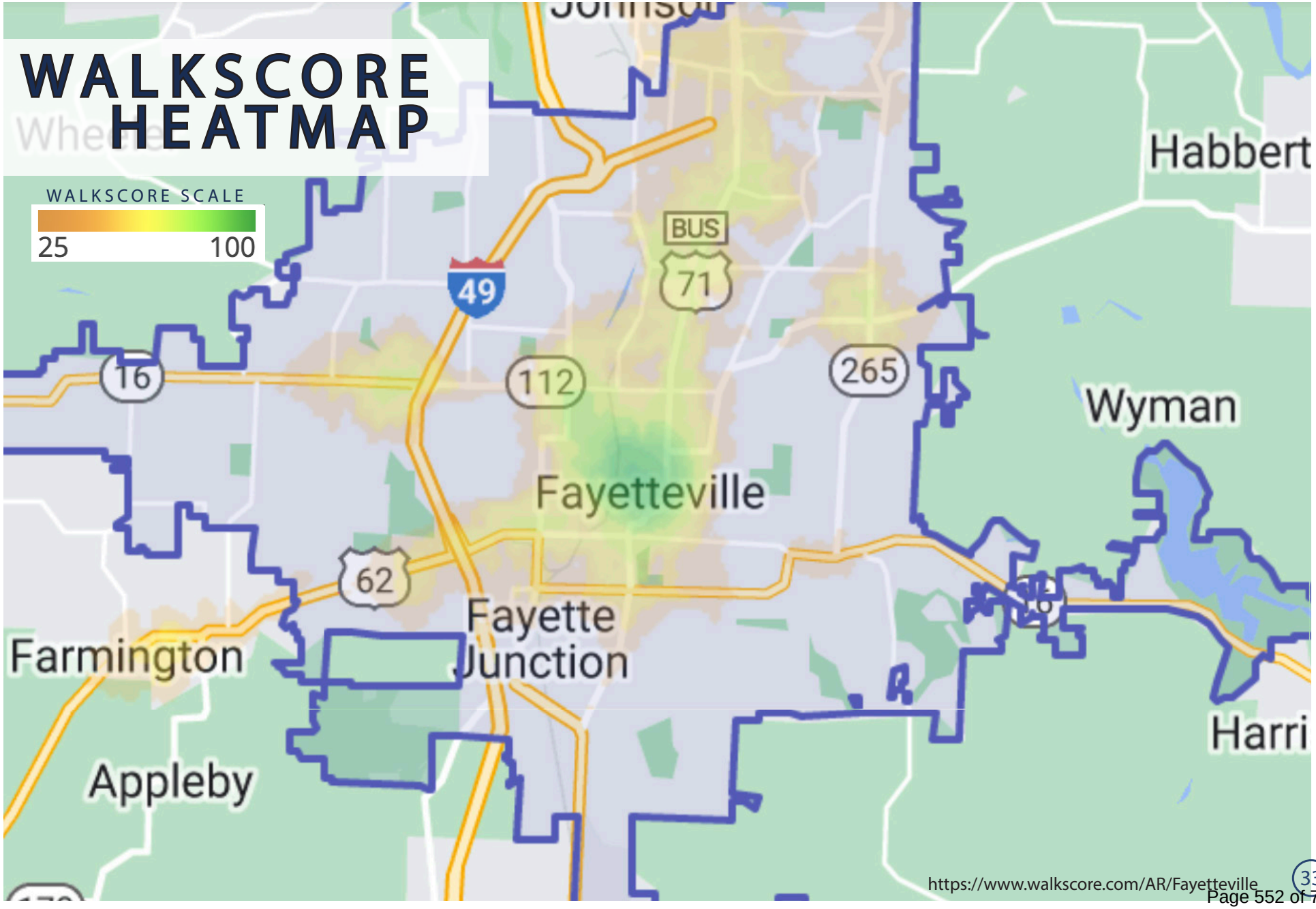
Walk Score®

Walk Score is a measure of walkability based on population density, the number of destinations within walking distance of a particular address or within a neighborhood/city.

FAYETTEVILLE'S COMMUNITY WALK SCORE IS 32 OUT OF 100 PLACING IT IN THE "CAR DEPENDENT" COMMUNITY CLASIFICATION.



WALKSCORE HEATMAP



https://www.walkscore.com/AR/Fayetteville

WALK SCORE

Regardless of how densely or sparsely populated an area may be, safe enjoyable and direct walking routes are essential for the mobility and wellness of every Fayetteville resident. Every Fayetteville resident should enjoy a safe walking environment starting from the street in front of their home.

An appropriate walking environment can sometimes be achieved on low-volume residential streets. But most streets need pedestrian infrastructure including high-quality, accessible connected sidewalks and frequent safe crossings along roadways with higher speeds and volume of automobile traffic.

The City's Public Works Department builds and maintains all of Fayetteville's sidewalk infrastructure that falls within the public right-of-way. A portion of the Capital Improvement Project budget is allocated annually for sidewalk construction and repair. The Public Works Department develops an annual sidewalk plan that is presented for approval from the Active Transportation Advisory Committee (ATAC) and the City Council. Sidewalk projects are prioritized based on a scoring system that weighs a wide variety of factors including proximity to schools and the safety, economic and equity benefits relative to the cost of each project.

Real-estate developers are generally required to build sidewalks when constructing residential or commercial projects in Fayetteville's planning jurisdiction. The City's minimum street standards vary depending on street classification and dictate the standards to which developers must build sidewalks. In recent years minimum street standards have been updated to make sidewalks wider with greater amounts of greenspace separation between sidewalks and the street.

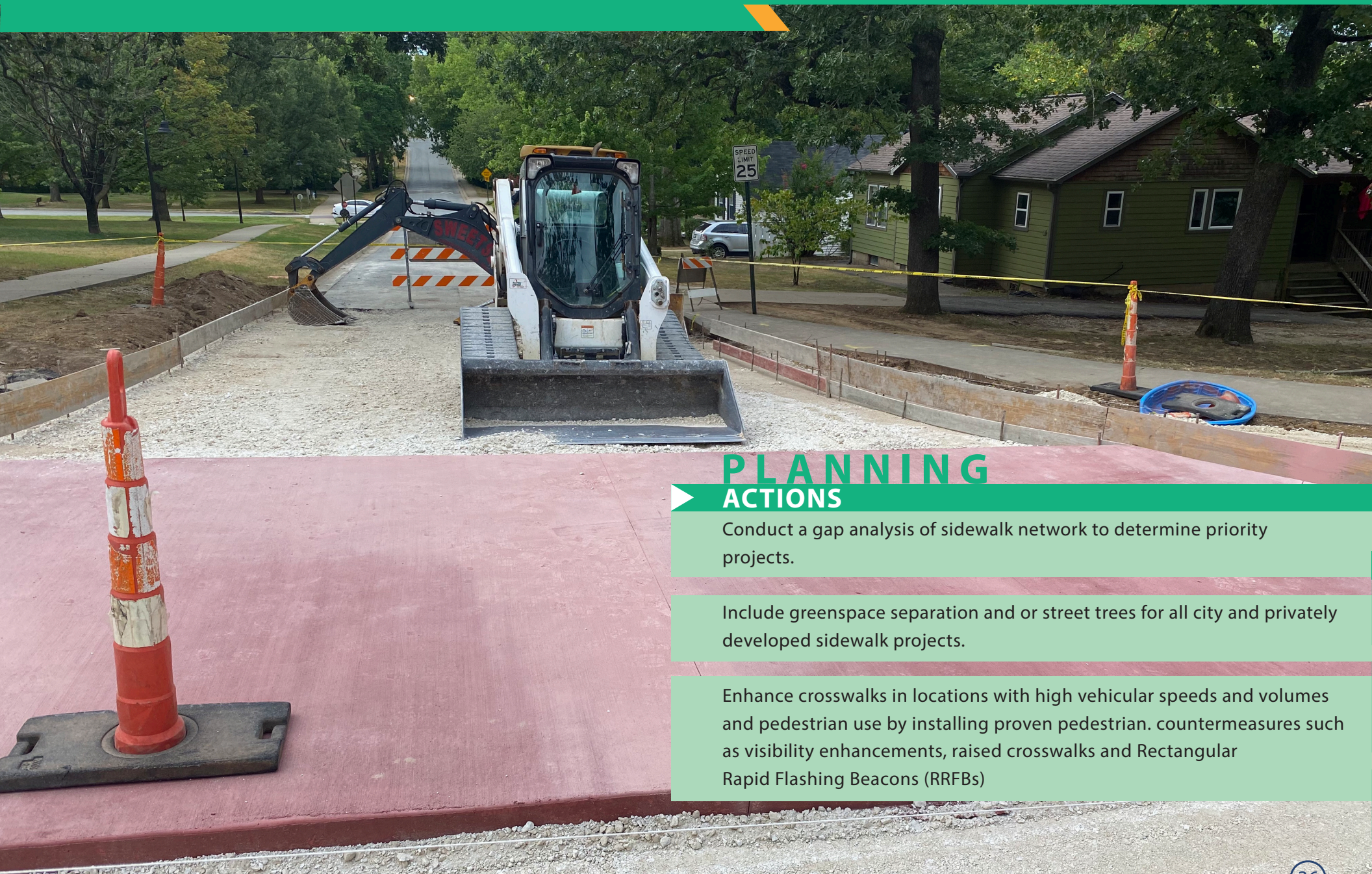
PLANNING

Sidewalks serve as vital conduits for pedestrian movement and access. In highly walkable places sidewalks can activate the street by providing pedestrian space for social interactions and economic activity. Highly walkable places are comfortable and encourage walking with a dense mixture of land uses and building types in spaces that were designed at a human scale. This can be difficult to achieve in suburban places that were designed at the automobile scale, with wide streets, large building setbacks and an overabundance of surface parking lots. However, even highly suburban places may be retrofitted, densified and redeveloped into highly walkable places over time. This type of transformation is ambitious but possible with strong leadership, smart investment and sound planning. Planning for highly walkable development is prioritized in Fayetteville's comprehensive plan, City Plan 2040, with goals of promoting density through rezoning and infill development, discouraging sprawl, making traditional town form the standard and growing a livable transportation network. The following action steps should guide the planning process as it relates to pedestrian infrastructure.

LAFAYETTE ST + COLLEGE AVE
2015

LAFAYETTE ST+ COLLEGE AVE
2022

PEDESTRIAN RECOMMENDATIONS



PLANNING

ACTIONS

Conduct a gap analysis of sidewalk network to determine priority projects.

Include greenspace separation and or street trees for all city and privately developed sidewalk projects.

Enhance crosswalks in locations with high vehicular speeds and volumes and pedestrian use by installing proven pedestrian. countermeasures such as visibility enhancements, raised crosswalks and Rectangular Rapid Flashing Beacons (RRFBs)

PEDESTRIAN RECOMMENDATIONS

ENGINEERING & EVALUATION

The City of Fayetteville's sidewalk construction and maintenance program has been upgrading Fayetteville's sidewalk network for decades. Earlier sidewalk projects along flat streets with ample right of way such as Rolling Hills Drive allowed for cost efficient and timely construction. However, many of the City's more recent projects such as East Dickson Street have been located in hilly terrain that requires major curb, gutter and storm drain improvements in order to add sidewalks. These much-needed hillside projects are expensive and present design and engineering challenges but bring environmental benefits beyond just walkable streets. As Fayetteville continues to be developed, stormwater runoff has become an increasing concern, the sidewalk construction program's projects and their associated drainage improvements are more important than ever. The following action steps will help to guide the sidewalk program in order to create the greatest value for the most people regarding sidewalk construction.

ACTIONS

Focus on sidewalk connections to key destinations such as schools, parks, and entertainment and shopping areas.

Reduce pedestrian exposure time while crossing at signalized and unsignalized crossings by reducing crossing distances with smaller radii, refuge islands and Leading pedestrian Intervals (LPI's).

Implement priority recommendations from the Walk Friendly Communities program.

EQUITY

3A's of EQUITY

ACKNOWLEDGEMENT
recognize equity as a central value

ACCOUNTABILITY
establish measures to be achieved

APPLICATION
implementation of interventions that will achieve equity

*Transportation Research Record: Journal of the Transportation Research Board

ACTIONS

Prioritize requests for sidewalks, crosswalks, trails and other pedestrian projects based on needs of the most vulnerable populations first.

Emphasize efforts in neighborhoods that fall within Federally-designated Areas of Persistent Poverty and Opportunity Zones. These Neighborhoods have lower average incomes and lower rates of car ownership. Projects in these areas are more likely to quality for grant funding.

PEDESTRIAN RECOMMENDATIONS

SAFETY & ENCOURAGEMENT

Pedestrian comfort and safety is essential for creating highly walkable neighborhoods and commercial districts. In addition to basic design elements such as sidewalk width and surface condition, features such as street trees for shade, reduced intersection crossing distance, lighting for night time safety and ADA compliant intersections, are critical for producing an adequate level of pedestrian comfort. Pedestrians' real and perceived safety is increased when a buffer zone is present between the sidewalk and the adjacent street traffic. In a dense urban environment, these may include parallel parking spaces, cycletracks or street trees. In less urban environments, the sidewalk buffer may be comprised of a sufficiently wide planting zone with trees and ground cover. In either case, the idea is to offer pedestrian protection and physical separation from the moving vehicles. These actions are designed to integrate pedestrian safety and comfort in the planning, design and engineering process.

ACTIONS

Evaluate public and private development projects and require sufficient sidewalk width for the anticipated volume of pedestrians.

Prioritize pedestrian safety when redeveloping existing streets through the appropriate use of landscaped buffers, reduced curb radii at intersections where appropriate, on-street parking, bicycle infrastructure, street trees and signalized ADA compliant intersection design.

Create separate pedestrian and bicycle facilities in areas where the combined active transportation network creates conflicts between the people walking and biking.

STREET CROSS-SECTIONS

The City of Fayetteville's complete street policy provides standards for developers building new streets and for the Public Works Department as they rebuild existing streets. This policy ensures that new streets include facilities for all transportation modes; vehicular, pedestrian and bicycle.

ACTIONS

Implement recommendations from the Active Transportation Advisory Committee for sidewalks and trails infrastructure projects.

Make street intersections and trail crossings safer and more comfortable for pedestrians through the use of colored pavement markings, signage, medians, grade separation and signalization.

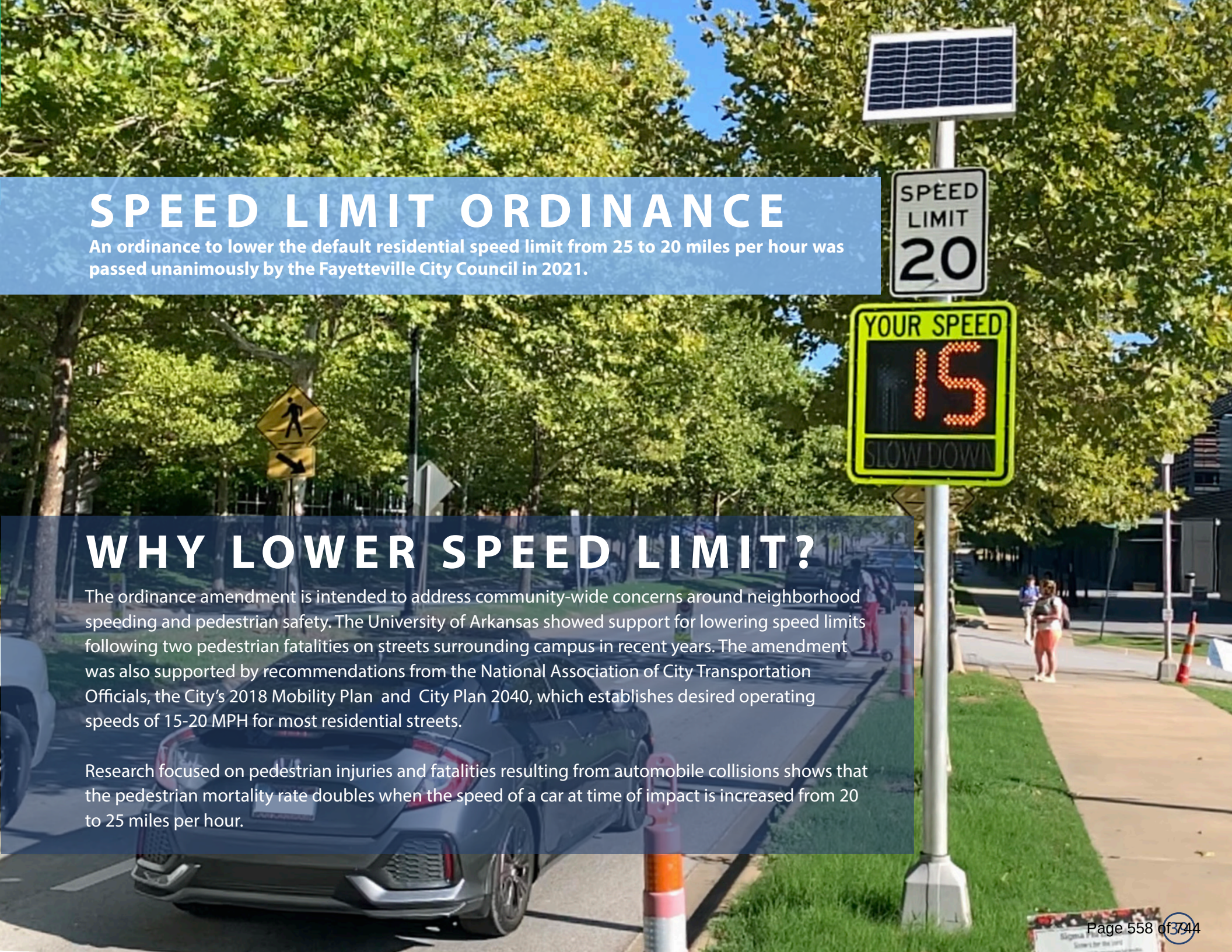
TRAIL ETIQUETTE SIGNS

FROM THE

UNIVERSITY OF ARKANSAS

SPEED LIMIT ORDINANCE

An ordinance to lower the default residential speed limit from 25 to 20 miles per hour was passed unanimously by the Fayetteville City Council in 2021.



WHY LOWER SPEED LIMIT?

The ordinance amendment is intended to address community-wide concerns around neighborhood speeding and pedestrian safety. The University of Arkansas showed support for lowering speed limits following two pedestrian fatalities on streets surrounding campus in recent years. The amendment was also supported by recommendations from the National Association of City Transportation Officials, the City's 2018 Mobility Plan and City Plan 2040, which establishes desired operating speeds of 15-20 MPH for most residential streets.

Research focused on pedestrian injuries and fatalities resulting from automobile collisions shows that the pedestrian mortality rate doubles when the speed of a car at time of impact is increased from 20 to 25 miles per hour.

WAYFINDING

As bicycle and trail networks mature, special attention should be paid to developing and installing appropriate wayfinding signs to provide users with information about direction, distance and destinations. Fortunately, the Northwest Arkansas Regional Bicycle and Pedestrian Master Plan adopted a universal wayfinding sign template that will be used throughout the region along the Razorback Regional Greenway. This signage will provide trail users with on-the-ground information to help them navigate the trail system without the aid of maps. On-street bicycle infrastructure should include directional signage alerting motorists to the presence of bicyclists on the streets. Lastly, the innovative use of temporary signage can be utilized to educate users on bicycle safety and etiquette along the trail.

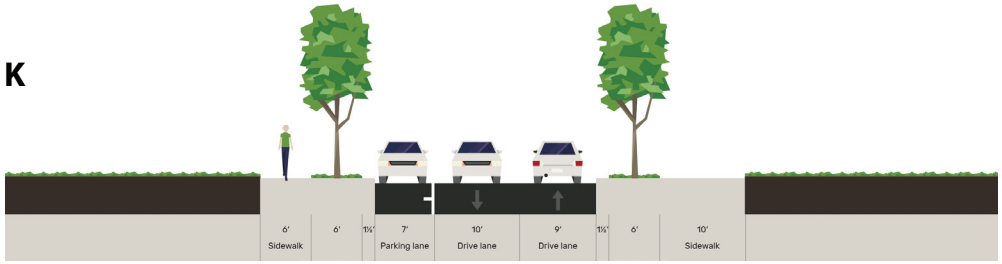
ACTIONS

Invest in improvements to the community's on-street bike routes. All on-street routes should be well connected and comfortable for riders of all ages and abilities.

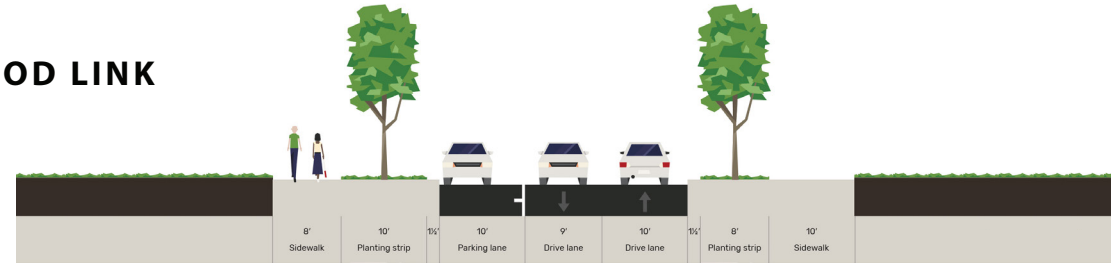
STREET CROSS-SECTIONS

The City of Fayetteville implemented a complete street policy in 2005 with the adoption of City Plan 2025 and the Master Street Plan. This policy ensures that new streets include facilities for all transportation modes; vehicular, pedestrian and bicycle. However, many existing streets lack sidewalks and bicycle facilities. As part of the implementation of this plan, the City will begin to prioritize streets in need of retrofit, focusing on streets that connect the largest number of potential users to the rest of the active transportation network.

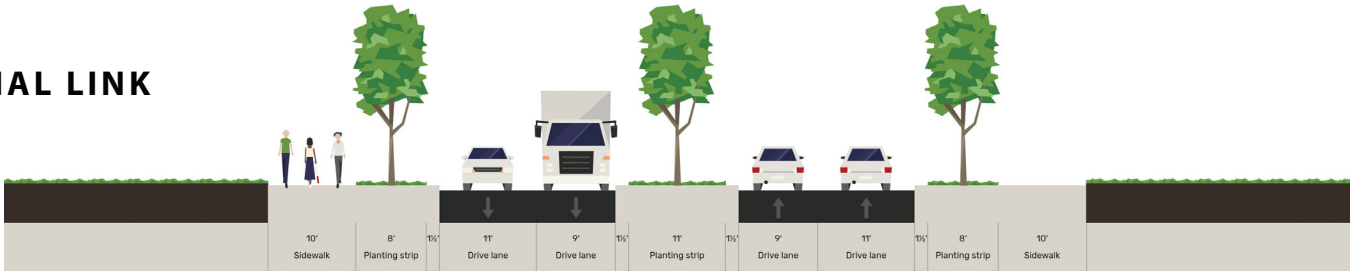
RESIDENTIAL LINK



NEIGHBORHOOD LINK



REGIONAL LINK



CONNECT THE NETWORK

The collection of accurate and relevant baseline data is key for understanding the effectiveness of a bicycle network. The ongoing evaluation of factors such as traffic speeds, transportation mode share counts, existing street cross-sections, percent of grade and other physical barriers are all significant considerations when determining the appropriate engineering solution for a given project. Additionally, data collected from partnering advocate organizations such as the Trailblazers or the Fayetteville Public Schools Safe Routes to School Program may be applicable and pertinent to the engineering design process.

Major city streets that carry large amounts of motor vehicle traffic act as barriers to bicyclists because these roads are difficult to cross and generally lack bicycle facilities. Additionally, Fayetteville's hilly topography can present a barrier for lower classification streets that lack proper bicycle facilities such as sidepaths or on-street climbing lanes. The development of appropriate bicycle infrastructure in key locations can provide safe connectivity that is lacking due to these existing physical barriers. Moreover, portions of the existing trail network in Fayetteville are discontinuous, primarily because many trails have been constructed with development projects but have yet to be connected to the larger trail network. This problem of a disjointed trail network is typical of new and developing trail networks and will be overcome in time with private and public investments in bicycle infrastructure.

ACTIONS

Reapply for the League of American Bicyclists Bicycle Friendly Community program and implement recommendations to work toward gold or platinum designations.

Implement recommendations from People for Bikes City Rankings program report card.

Increase the budget for shared use paved trail construction to match inflation and increased construction costs.

Partner with University of Arkansas to connect bicycle infrastructure projects on and around University campus and associated properties.

Continue to support positions across all departments of the City of Fayetteville that work to further the goals of the Active Transportation Plan.

Work with Fayetteville Public School district to expand bicycle education efforts to include K-2nd grade balance bike learning.

Double the number of League of American Bicyclists designated Bicycle Friendly Businesses in Fayetteville to become national leader in this program.

Partner with the Trailblazers and other bicycle advocates to expand encouragement efforts during National Bike Month in May. This may include bicycle themed community events, campaigns and programs.

EDUCATION & ENCOURAGEMENT

Education for bicyclists, drivers, pedestrians and those using micromobility is an important and ongoing effort to ensure the safety and comfort for all roadway and trail users. People riding bicycles have all the same rights and responsibilities as someone driving an automobile, however new State laws and city ordinances have made changes to the laws concerning cyclists. It is important to inform the public and increase popular understanding and awareness of these laws.

Education is also key in encouraging new users, as confidence is gained through knowledge and experience. People will typically only engage in active transportation when they have a working knowledge of the active transportation network and an adequate understanding of the rules of the trails and of the roadways. Programs and events that celebrate bicycling in the community also help to grow the number of people riding bicycles for enjoyment who can begin riding for transportation.

ACTIONS

Work with schools to develop a safe routes to school plan to include alternate drop off locations to increase walking and biking by students and reduce traffic congestions around schools.

Measure trail activity in consistent locations to collect year-over-year data.

Conduct regular community transportation surveys to gauge participation in active transportation and mode-share for transit, biking and driving.

Track and report Vehicle Miles Traveled (VMT) to determine environmental impacts and trends in community driving levels.

Work with Fayetteville Public School district to expand bicycle education efforts to include K-2nd grade balance bike learning.

Double the number of League of American Bicyclists designated Bicycle Friendly Businesses in Fayetteville to become national leader in this program.

SAFETY & ENFORCEMENT

Safety is an essential element of any comprehensive active transportation plan that must be included at every phase of planning, design and implementation. The single most significant factor influencing bicyclist safety is the number of cyclists on the road. A strong inverse correlation has been shown between bicycle mode share and accident rates; more cyclists make cycling safer overall. This principle of "safety in numbers" should be central to planning for safer bicycling in Fayetteville. The real or perceived safety of riding a bicycle in the street with cars close by is a major factor in people's travel mode choice. Streets with high volumes of high-speed automobile traffic can threaten the safety of bicyclists and deter would-be cyclists. Individuals with modest bicycling skills often called the "interested but concerned" cyclists, who represent the largest population of potential cyclists, are most often discouraged by safety concerns. Courses in bicycle safety for adults can help to encourage riders that may need to build confidence in their riding skills. Bike routes that limit cyclists' interaction with high-traffic conditions by utilizing shared-use paved trails, cycletracks or bike ways provide users with greater safety and comfort that will yield the highest usage. Lastly, local traffic regulations should be reviewed and updated to ensure that vulnerable road users like bicyclist's are protected.

ACTIONS

Develop and adopt a Vison Zero plan and become a Vision Zero community.

Enhance unsignalized and mid-block crosswalks using proven interventions such as Rectangular Rapid Flashing Beacons (RRFB's), curb extensions and raised crossings.

Lower the speed of automobile traffic where vulnerable road users are present through enforcement of safer speed limits and traffic calming measures.

Implement Road Diets on streets identified as candidates in the City's Mobility Plan.

Provide grade separated or controlled crossings, such as HAWKs, for people walking and on bikes crossing multi-lane arterial roads.

CONCLUSION

The 2003 Fayetteville Alternative Trails and Transportation plan succeeded in spurring the development of the City's ever-expanding trail network over the last decade. This Active Transportation Plan builds upon past success and reaffirms the City's commitment to planning for the future of active transportation. This plan sets a path forward by identifying a progressive yet achievable vision, developing a set of realistic goals and through the implementation of important action steps. By combining pedestrian and bicycle planning into active transportation planning we recognize that a comprehensive approach will yield the maximum return on the public's investment.

Many of the action steps in this plan are similar to steps taken in other prominent bicycle and pedestrian friendly communities. The implementation process is designed to be ongoing and dynamic with progress made through constant innovation and adaption. Success will be measured through identified metrics collected over time. Ultimately, this plan provides Fayetteville with the framework for building an active transportation network that will lead to a more healthy and vibrant community.

CITY OF
FAYETTEVILLE
ARKANSAS

CITY OF FAYETTEVILLE'S ACTIVE TRANSPORTATION PLAN

Originally created: 2014
Updated: 2022

Created by: The City of Fayetteville Staff

Dane Eifling
Mobility Coordinator
479-575-8243
deifling@fayetteville-ar.gov

Matt Mihalevich
Active Transportation Manager
479-444-3416
mmihalevich@fayetteville-ar.gov

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-421

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU:

FROM: Kit Williams, City Attorney

DATE: February 7, 2023

SUBJECT:

RECOMMENDATION:
Council Members D'Andre Jones and Sonia Harvey are sponsoring a resolution to honor African American trailblazers of Fayetteville

BACKGROUND:

DISCUSSION:

BUDGET/STAFF IMPACT:

ATTACHMENTS: Agenda Request - Honor African American Trail Blazers

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-421

A RESOLUTION TO HONOR AFRICAN AMERICAN TRAIL BLAZERS OF FAYETTEVILLE

WHEREAS, the City of Fayetteville Black Heritage Preservation Commission requests that the City of Fayetteville recognize and honor Jessie Bryant, Frank Johnson, Tony Johnson, and John L Colbert as governmental Trail Blazers in Fayetteville; and

WHEREAS, Jessie Bryant was elected and served honorably and efficiently as the first African American Washington County Quorum Court Justice of the Peace, and founded the Northwest Arkansas Free Health Clinic; and

WHEREAS, Chief of Police Frank Johnson served as the first African American Fayetteville Police Chief for the last two years of his twenty-five years of dedicated and honorable service in the Fayetteville Police Department; and

WHEREAS, Fire Chief Tony Johnson honorably served as the first African American Fayetteville Fire Chief for four years until retiring in 2009; and

WHEREAS, Dr. John L Colbert capped his lengthy, honorable, and effective service in the Fayetteville School District as a principal, assistant superintendent and associate superintendent by becoming the first African American Fayetteville School District Superintendent.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby expresses its gratitude, commendation and thanks to Quorum Court Member Jessie Bryant, Chief of Police Frank Johnson, Fire Chief Tony Johnson, and School District Superintendent Dr. John L Colbert for all of their excellent and valuable service to Fayetteville and all of its citizens and for being role models, servant leaders and trail blazers in our journey toward equality, justice, and respect for the worth of all persons.

Civic Clerk Item No.: 2023-

AGENDA REQUEST FORM

FOR: Council Meeting of February 21, 2023

FROM: Council Members Sonia Harvey and D'Andre Jones

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

A RESOLUTION TO HONOR AFRICAN AMERICAN TRAIL BLAZERS OF FAYETTEVILLE

APPROVED FOR AGENDA:

Approved by email — Feb 7, 2023

City Council Member
Sonia Harvey — Date

Approved by email — February 6, 2023

City Council Member
D'Andre Jones — Date

City Attorney Kit Williams — February 6, 2023
Approved as to form — Date

Williams, Kit

From: D'Andre Jones <dre91732000@gmail.com>
Sent: Monday, February 06, 2023 1:49 PM
To: Williams, Kit
Cc: Bostick, Britin; Harvey, Sonia; Paxton, Kara
Subject: Re: Resolution to honor trailblazers

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Kit Sounds good to me

On Mon, Feb 6, 2023 at 1:47 PM Williams, Kit <kwilliams@fayetteville-ar.gov> wrote:

D'Andre and Sonia,

Thanks you for your request for a City Council resolution to honor these four worthy persons. Attached is my draft Resolution for your review and consideration. Please let me know if any changes are needed. If not, please email back your approval so we can get this on the February 21st agenda.

Kit

From: D'Andre Jones <dre91732000@gmail.com>
Sent: Friday, February 03, 2023 11:20 AM
To: Bostick, Britin <bbostick@fayetteville-ar.gov>; Paxton, Kara <kapaxton@fayetteville-ar.gov>; Williams, Kit <kwilliams@fayetteville-ar.gov>
Subject: Fwd: Resolution to honor trailblazers

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The City of Fayetteville's Black Heritage Preservation Commission is proud to recognize the following trailblazers who made history and contributed to our community's progress toward representation, inclusion, and diversity. The Commission is grateful for their contributions to our city and looks forward to honoring them in our work in the years to come as well as expanding this list to honor additional trailblazers in our community.
Resolution to publicly recognize and honor the following first African Americans to serve in key leadership in the city of Fayetteville.

Tony Johnson

Tony Johnson was the first African American chief of the Fayetteville Fire Department. Johnson served the city for four years as chief before retiring in 2009, a period during which the city added three stations to its roster of fire stations.

Frank Johnson

Frank Johnson was the first African American chief of the Fayetteville Police Department. Johnson served 25 years with the department, serving as patrolman, sergeant, lieutenant, captain, and chief where he spent two years leading the department.

Jessie Bryant

Jessie Bryant, a lifelong resident of Fayetteville, was the first African American to be elected to the Washington County Quorum Court. Active in all facets of community service, Bryant also founded the Northwest Arkansas Free Health Center, known today as Welcome Health.

Dr. John Colbert

John Colbert, superintendent of the Fayetteville School District, is the first African American to serve Fayetteville Public Schools as a principal, assistant superintendent, associate superintendent, and superintendent. Colbert is the namesake of the new John L. Colbert Middle School, located on Rupple Road and set to open August 2023.

Council members Jones and Harvey are co sponsors

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Best Regards,

D'Andre L. Jones - MSW, MA

Fayetteville City Council

Ward 1 Position 2

"Everybody can be great ... because anybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and verb agree to serve. You only need a heart full of grace. A soul generated by love. Dr. Martin Luther King Jr.

Williams, Kit

From: Harvey, Sonia
Sent: Tuesday, February 07, 2023 8:59 AM
To: Williams, Kit; 'D'Andre Jones'
Cc: Paxton, Kara; Bostick, Britin
Subject: Re: Resolution to honor trailblazers

Looks great. I approve also. Thank you for preparing this for us.

Sonia Harvey
Fayetteville City Council Member
Ward 1, Position 1
(479) 409-5064

Report a concern with SeeClickFix:
https://www.fayetteville-ar.gov/4233/Report-a-Concern-with-SeeClickFix
Speak up on City projects:
https://speakup.fayetteville-ar.gov/
Voice your feedback to the entire Council and Mayor by emailing:
agendaitemcomment@fayetteville-ar.gov

From: Williams, Kit <kwilliams@fayetteville-ar.gov>
Sent: Monday, February 6, 2023 1:47:43 PM
To: 'D'Andre Jones' <dre91732000@gmail.com>; Harvey, Sonia <sonia.harvey@fayetteville-ar.gov>
Cc: Paxton, Kara <kapaxton@fayetteville-ar.gov>; Bostick, Britin <bbostick@fayetteville-ar.gov>
Subject: RE: Resolution to honor trailblazers

D'Andre and Sonia,

Thanks you for your request for a City Council resolution to honor these four worthy persons. Attached is my draft Resolution for your review and consideration. Please let me know if any changes are needed. If not, please email back your approval so we can get this on the February 21st agenda.

Kit

From: D'Andre Jones <dre91732000@gmail.com>
Sent: Friday, February 03, 2023 11:20 AM
To: Bostick, Britin <bbostick@fayetteville-ar.gov>; Paxton, Kara <kapaxton@fayetteville-ar.gov>; Williams, Kit <kwilliams@fayetteville-ar.gov>
Subject: Fwd: Resolution to honor trailblazers

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The City of Fayetteville's Black Heritage Preservation Commission is proud to recognize the following trailblazers who made history and contributed to our community's progress toward representation, inclusion, and diversity. The Commission is grateful for their contributions to our city and looks forward to honoring them in our work in the years to come as well as

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-374

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director
Jessica Masters, Development Review Manager

FROM: Gretchen Harrison, Planner

DATE: February 3, 2023

SUBJECT: **Appeal: LSD-2022-0039: Large Scale Development (788 S. SHERMAN AVE./E. HUNTSVILLE RD. MULTI-FAMILY WEST, 565): Submitted by DCI for property located at 788 S. SHERMAN AVE. in WARD 1. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 1.21 acres. The request is for a residential development with seven triplexes, one single-family dwelling, and associated parking.**

RECOMMENDATION:
City staff recommends approval and the Planning Commission recommends denial of a request for a multi-family residential development as described and shown below. The Planning Commission denied the proposal at the January 9, 2023 Planning Commission meeting and the applicant has appealed the decision to City Council.

BACKGROUND:
The subject property is in southeast Fayetteville on the south side of Huntsville Road, about a quarter of a mile west of the street's intersection with Happy Hollow Road. The property contains roughly 1.21 acres and is currently undeveloped. Another multi-family residential development is planned just east of this site which is currently under review as a Large Site Improvement Plan (LSIP-2022-0009). The applicant has provided a combined drainage report that includes both proposed developments.

Request: The applicant requests Large Scale Development approval to develop the subject property with seven triplexes, one single-family dwelling, and associated parking. Four variances from the Unified Development Code have been requested. Each variance is described in detail alongside staff's recommendations in the attached Planning Commission staff report.

Public Comment: Staff received no public comment regarding this request.

DISCUSSION:
At the January 9, 2023 Planning Commission meeting, a vote to deny this request passed with a vote of 7-2-0; Commissioner Garlock made the motion with Commissioner McGetrick seconding. Commissioners Canada, Garlock, Holcomb, Johnson, Madden, McGetrick, and Sparkman voted in favor of the denial. Commissioners Johnson, McGetrick, and Sparkman expressed concerns about the requested variance from the City's access

management standards, stating that it may create or compound a dangerous traffic condition along Huntsville Road. Commissioners Garlock, Johnson, and Madden also expressed concerns about the design of the site, stating that it did not align with the City's goals for appropriate housing and infill and did not appear to meet the intent of several city ordinances. Those commissioners felt that reducing the number of units or creating a cluster housing development may be more appropriate on this site. Commissioners Brink and Winston voted against the denial. Those commissioners felt that the applicant had designed a difficult site to the best of their ability and were supportive of all requested variances. No public comment was offered at the meeting.

Conditions of Approval:

1. Planning Commission determination of right-of-way dedication. *Staff recommends no additional right-of-way dedication;*
2. Planning Commission determination of street improvements. *Staff recommends improvements along the property's Huntsville Road frontage in line with the typical Master Street Plan section for a Neighborhood Link street, including six-foot greenspace and 10-foot trail. Staff also recommends that an accessible pedestrian connection be provided to Doc Mashburn Park with additional tree plantings to be coordinated with the City's Parks Department;*
3. Planning Commission determination of a variance to UDC §166.08(F)(2)(b), Access Management – Neighborhood Links. *Staff recommends denial of this variance for reasons outlined in the attached staff report;*
4. Planning Commission determination of a variance to UDC §172.03(E), Minimum Number of Accessible Parking Spaces. *Staff recommends denial of this variance for reasons outlined in the attached staff report;*
5. Planning Commission determination of a variance to UDC §177.04(D)(1), Perimeter Landscaping Requirement – Side and Rear Property Lines. *Staff recommends approval of this variance for reasons outlined in the attached staff report;*
6. Planning Commission determination of a variance to UDC §177.04(D)(2)(f), Perimeter Landscaping Requirement – Screening. *Staff recommends approval of this variance for reasons outlined in the attached staff report;*
7. Remaining comments from the Planning Division shall be addressed, including:
    a. Clarify how the architectural design requirements in our Urban Residential Design Standards will be met (UDC §166.23(D)). It is unclear what building materials will be used.
    b. There may be a conflict between the four spaces in the turnaround and our vehicle maneuvering requirements (UDC §172.04). Those spaces may create a potential conflict in the event of a fire as well, since vehicles may be parked in a way that blocks the Fire Department's access. It's also unclear how cars will park in the two 'parallel' spaces.
    c. Striping should be provided across the turnaround for a pedestrian crossing.
    d. Shrubs should be provided for screening between the parking lot and the public right-of-way;
8. 10 feet of landscaped area should be maintained on the west side of the property to the east;
9. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval;
10. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance;
11. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks, SWEPCO, and Cox Communications);
12. All mechanical/utility equipment (roof and ground mounted) shall be screened using materials that are compatible with and incorporated into the structure. A note shall be clearly placed on the plat and all construction documents indicating this requirement;
13. Trash enclosures shall be screened on three sides with materials complimentary to and compatible with the principle structure. Containers may also be screened from view of the street by the principal structure or vegetation. Elevations of the proposed dumpster enclosure shall be submitted to the

Planning and Solid Waste Divisions for review prior to building permit;

14. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;
15. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with City's current requirements;
16. All exterior lights shall comply with the City lighting ordinance. Manufacturer's cut-sheets are required for review and approval prior to issuance of a building permit;
17. All freestanding and wall signs shall comply with ordinance specifications for location, size, type, number, etc. Any proposed signs shall be permitted by a separate sign permit application prior to installation. Freestanding pole signs and electronic message boards (direct lighting) are prohibited in the I-540 Design Overlay District;
18. Large scale development shall be valid for one calendar year;
19. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit;
20. Prior to building permit, a cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy; and
21. Prior to the issuance of a building permit, the following is required:
    a. Grading and drainage permits;
    b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
    c. Exterior lighting package must be provided to the Planning Division;
    d. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
    e. Project Disk with all final revisions; and
    f. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 "Guarantees in Lieu of Installed Improvements" to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.

BUDGET/STAFF IMPACT:
N/A

ATTACHMENTS: Appeal Letter, Exhibit A, Exhibit B, Planning Commission Staff Report

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-374

Appeal: LSD-2022-0039: Large Scale Development (788 S. SHERMAN AVE./E. HUNTSVILLE RD. MULTI-FAMILY WEST, 565): Submitted by DCI for property located at 788 S. SHERMAN AVE. in WARD 1. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 1.21 acres. The request is for a residential development with seven triplexes, one single-family dwelling, and associated parking.

A RESOLUTION TO GRANT THE APPEAL OF DCI AND TO APPROVE LARGE SCALE DEVELOPMENT 2022-039 LOCATED AT 788 SOUTH SHERMAN AVENUE IN WARD 1

WHEREAS, on January 9, 2023, the Planning Commission denied the application for Large Scale Development LSD-2022-039 located at 788 South Sherman Avenue; and

WHEREAS, the applicant timely appealed the denial by letter to City Clerk-Treasurer Kara Paxton on January 19, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby grants the appeal of DCI and approves Large Scale Development 2022-039, with the conditions outlined in the staff memo attached to this Resolution.

DCI
DEVELOPMENT
CONSULTANTS
INCORPORATED

19 January 2023

City of Fayetteville
City Council
125 W. Mountain Street
Fayetteville, AR 72701
479.575.8267

RE: Appeal of Planning Commission denial of LSD-2022-0039
Project Name: E. Huntsville Road Multi-Family West
Owner: Nicholas Corter, 3216 N Deane Solomon Rd, 479.445.8075

Mayor and Council Members:

I am requesting an opportunity to discuss an appeal of the Planning Commission decision to deny the above-referenced Large Scale Development application for the property located on E Huntsville Rd at the address of 786 S Sherman Ave (Parcel 765-15235-002).

Based on the conversation between the Commissioners on the night of the Planning Commission on January 9th, 2023, the Commissioners based their determination on 3 factors: 1) They stated that the number of Variances requested seemed excessive; 2) They perceived a possible safety issue related to the Access Management Variance requested for the additional driveway curb cut; & 3) They felt that if the Access Management Variance was denied that the entire project would need to be re-designed.

Planning Commission may not have had all of the facts needed to make a full review of the Large Scale Development application and Variance requests. This project may still be able to be approved with additional information regarding the 4 Variances requested, additional discussion regarding safety, and discussion of the ability of the Large Scale Development design to be slightly modified if it were to be approved with conditions or denial of one or more variance requests.

Thank you,

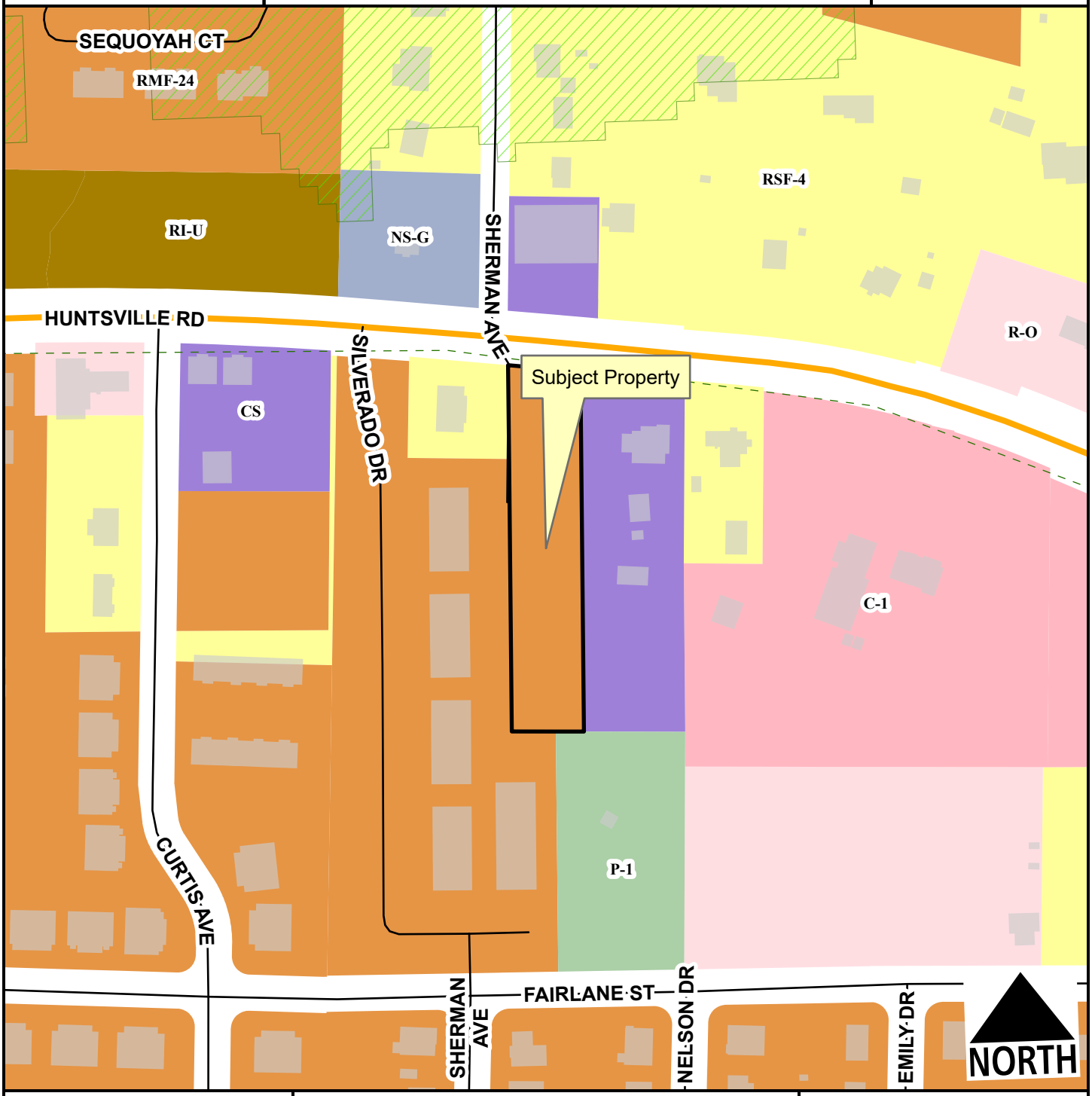
Allen Jay Young

LSD-2022-0039

Close Up View

788 S. SHERMAN AVE

LSD-2022-0039
EXHIBIT 'A'



- Neighborhood Link
- Unclassified
- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)

Feet

0 75 150 300 450 600

1:2,400

- RSF-4
- RI-U
- RMF-24
- Residential-Office
- C-1
- Community Services
- Neighborhood Services - Gen.
- P-1

LSD-2022-0039
EXHIBIT 'B'

PROPERTY DESCRIPTION

(FILE #2001-00001485) - PLAT PAGE NUMBER: 565

PT NW NW 23-16-30 1.25 AC FURTHER DESCRIBED FROM 2017-15896 AS: Part of the NW/4 of the NW/4 of Section 23, Township 16 North, Range 30 West of the 5th P.M., described as follows, to-wit Beginning at a. point 2320. 6 feet West of the Northeast corner of the NW/4 of said Section 23, thence 'West 100 feet; thence South 544.5 feet, thence East 100 feet, thence North 544.5 feet, to the point of beginning. LESS AND EXCEPT all that part of the above described premises lying North of the South Right of Way of Highway 16 (also known as 786 S. Sherman Ave, Fayetteville, AR)

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Planner
Melissa Boyd, Staff Engineer
Melissa Evans, Urban Forester

MEETING: January 9, 2023 (Updated with results from PC hearing)

SUBJECT: **LSD-2022-0039: Large Scale Development (788 S. SHERMAN AVE./E. HUNTSVILLE RD. MULTI-FAMILY WEST, 565):** Submitted by DCI for property located at 788 S. SHERMAN AVE. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 1.21 acres. The request is for a residential development with seven triplexes, one single-family dwelling, and associated parking.

RECOMMENDATION:
Staff recommends approval of **LSD-2022-0039** with conditions.

RECOMMENDED MOTION: *"I move to approve* **LSD-2022-0039**, *determining:*

- *In denial of a variance to UDC §166.08(F)(2)(b),*
- *In denial of a variance to UDC §172.03(E),*
- *In favor of a variance to UDC §177.04(D)(1),*
- *In favor of a variance to UDC §177.04(D)(2)(f),*
- *In favor of the recommended right-of-way dedication,*
- *In favor of the recommended street improvements, and*
- *In favor of all other conditions as recommended by staff."*

BACKGROUND:
The subject property is in southeast Fayetteville on the south side of Huntsville Road, about a quarter of a mile west of the street's intersection with Happy Hollow Road. The property contains roughly 1.21 acres and is currently developed with one duplex which is slated to be demolished. Another multi-family residential development is planned just east of this site which is currently under review as a Large Site Improvement Plan (LSIP-2022-0009). The applicant has provided a combined drainage report that includes both proposed developments. Surrounding land uses and zoning are depicted in *Table 1.*

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	CS, Community Services
South	Multi-Family Residential; Doc Mashburn Park	RMF-24, Residential Multi-Family, 24 Units per Acre; P-1, Institutional
East	Single-Family Residential	CS, Community Services
West	Multi-Family Residential	RSF-4, Residential Single-Family, 4 Units per Acre; RMF-24, Residential Multi-Family, 24 Units per Acre

Proposal: The applicant requests Large Scale Development approval to develop the subject property with seven triplexes, one single-family dwelling, and associated parking. Four variances from the Unified Development Code have been requested. Each variance is described further below alongside staff's recommendations:

- **§166.08(F)(2)(b): Access Management - Neighborhood Links. Curb cuts shall be located a minimum of 100 feet from an intersection or driveway. When necessary, curb cuts along neighborhood links shall be shared between two (2) or more lots.** The applicant has requested a variance to allow the proposed curb cut serving this development to be located approximately 70 feet away from existing and proposed curb cuts to the east and west along Huntsville Road. The applicant has stated that this variance is needed due to fire code requirements. If cross access were provided to the proposed development to the east, the Fire Department would require that all buildings be sprinkled, or a secondary point of access be provided. Per the applicant, a second point of access is not possible given the location and size of the property and sprinkling the buildings would be cost prohibitive to the owner.
    - *Staff recommendation: Staff is not supportive of this variance request. The subject property currently shares a curb cut with the property to the west which is proposed to remain but not be accessed by this development. A similar multi-family residential development is proposed to the east, and staff recommends that a combined access point be provided between those developments to accommodate the maximum curb cut separation possible between new and existing curb cuts along Huntsville Road, and based on the codified language that, when necessary, curb cuts along neighborhood links shall be shared between two or more lots. The intent of the City's access management standards is to ensure safe and adequate vehicular, bicycle, and pedestrian access to all properties. The site design appears to be a self-imposed hardship, as there is an existing curb cut on the property that is not being utilized for this development, and there are opportunities for shared access that would improve the safety of ingress and egress. Since sprinkling is an option available to the applicant, which would allow them to provide cross access to the proposed development to the east, staff does not find fire code requirements to constitute a hardship in this instance.*

- **§172.03(E): Minimum Number of Accessible Spaces. In parking lots that contain 26-50 total parking spaces, a minimum of two (2) accessible spaces are required.** The applicant has requested a variance to allow no accessible spaces in a parking lot that contains a total of 44 spaces. The applicant has cited the limited space available for parking and the non-accessible architectural design of each unit as their reasoning for this variance request.
    - *Staff recommendation: Staff is not supportive of this variance request. While the applicant has stated that there is limited room for parking on site due to the size of the property and the required parking ratios for single-family dwellings and triplexes, staff finds that there are options available that would allow the applicant to provide two accessible parking spaces. The City's parking ordinance allows up to 20% of required standard parking spaces to be substituted with motorcycle/scooter parking and bicycle parking. Since 44 spaces are required for this development, up to nine standard parking spaces could be substituted for motorcycle/scooter and bicycle parking, reducing the parking requirement to 35 standard spaces and providing room for two accessible spaces to be provided.*

- **§177.04(D)(1): Perimeter Landscaping Requirement – Side and Rear Property Lines. All parking lots shall have five feet of landscaped area between the property line and parking lot.** To maximize tree preservation on the west side of the property while maintaining necessary fire lane widths, the applicant is requesting a variance from this requirement to provide no landscape buffer between the east property line and the parking lot proposed to serve this development. The adjacent property owner has expressed his support for this request.
    - *Staff recommendation: Staff is supportive of this variance request. While there is no landscape buffer proposed between the parking lot serving this development and the subject property's east property line, a landscaped area with an average width of 10 feet is currently proposed for the development to the east which is currently under administrative review. Since the applicant has demonstrated an intent to maintain a landscaped area between adjacent properties, staff is supportive of this variance request with the added condition that 10 feet of landscaped area be maintained on the property to the east. However, at Subdivision Committee, the applicant requested that this condition be amended to reduce the width to eight feet.*

- **§177.04(D)(2)(f): Perimeter Landscaping Requirement – Screening. Parking lots containing five (5) or more spaces shall be screened from the public right-of-way and adjacent properties, where said parking areas are adjacent to residential zones, with shrubs and/or graded berms. If graded berms are used, shrubs are also required.** Since no landscape buffer is proposed along the east side of the property, the applicant is requesting a variance to provide no shrubs or graded berms for screening between the proposed parking lot and the property to the east. The adjacent property owner has expressed his support for this request.
    - *Staff recommendation: Staff is supportive of this variance request. Since there is no landscape buffer provided between the proposed parking area and the east property line, it is not possible to screen parking from the adjacent property with shrubs or graded berms. Further, a bioretention swale is proposed in the landscaped buffer on the lot to the east, making it difficult to install vegetative screening on the adjacent property. Staff still recommends that shrubs be planted between the parking lot and the public right-of-way.*

Right-of-Way to be Dedicated: The subject property has frontage along Huntsville Road, a Neighborhood Link street. Neighborhood Link streets typically require right-of-way in the amount of 33.5 feet from the centerline of the road. Since the existing right-of-way is shown to total 33.5 feet from centerline, staff does not recommend any additional right-of-way dedication with this development.

Street Improvements: Huntsville Road is a Neighborhood Link street with asphalt paving and six-foot sidewalk along the property's frontage. Staff recommends that six-foot greenspace and a 10-foot trail be installed along the property's Huntsville Road frontage, in line with the Active Transportation Plan and the Master Street Plan section for a Neighborhood Link street.

Access Management/Connectivity: Staff has determined that the proposed development is only partially compliant with the City's access and connectivity standards. The applicant proposes to access the site with one driveway onto Huntsville Road, which is located less than 100 feet away from adjacent driveways. A variance from Unified Development Code §166.08(F) would be necessary to place the curb cut as proposed. The applicant has requested this variance, as further

described above, though staff is not supportive of the variance since there is an existing curb cut on site and there is potential to provide cross access with the proposed development to the east.

Design Standards: As a multi-family residential development, this proposal is subject to Unified Development Code §166.23, Urban Residential Design Standards. In reviewing the provided site plan and elevations, staff has determined that this development is likely compliant with applicable design standards. Pedestrian circulation is proposed throughout the site and mechanical and utility equipment is shown to be screened from the right-of-way. Four building types are provided with variety in roof form and building color. However, descriptions of materials are needed to confirm that variety in building material is also being provided.

Water and Sewer System: This project includes approximately 800 linear feet of new eight-inch water mains. The applicant is proposing to connect to an existing 12-inch water main on the north side of Huntsville Road and an existing six-inch main on the adjacent multi-family development just west of Doc Mashburn Park. As proposed, the southern connection is shown to extend through the existing utility easement on the multi-family development to the west of Doc Mashburn Park. In terms of sanitary sewer, this project includes approximately 805 linear feet of new eight-inch sanitary sewer mains. The applicant is proposing to connect to an existing eight-inch main on Fairlane Street to the south by installing a new main through the west side of Doc Mashburn Park. Approval from the City's Parks Department would be required to install any new mains on Parks' property.

Parkland dedication or fee in-lieu: This proposal was discussed by the Parks and Recreation Advisory Board (PRAB) at their November 7, 2022. PRAB recommended fee-in-lieu for this development in the amount of $20,944 based on 22 multi-family units. PRAB also recommended that an accessible pedestrian connection be installed between this development and Doc Mashburn Park to the south.

Tree Preservation:
Canopy minimum requirement: 20%
Existing canopy: 46.6%
Preserved canopy: 12.6%
Mitigation required: 24 two-inch caliper trees

Public Comment: To date, staff has received no public comment on this item.

RECOMMENDATION: Staff recommends approval of **LSD-2022-0039** with the following conditions:

Conditions of Approval:

1. Planning Commission determination of right-of-way dedication. *Staff recommends no additional right-of-way dedication;*

   Subdivision Committee recommended in favor of this.

2. Planning Commission determination of street improvements. *Staff recommends improvements along the property's Huntsville Road frontage in line with the typical Master Street Plan standard for a Neighborhood Link street, including six-foot greenspace and 10-foot trail, and staff recommends that an accessible pedestrian connection be provided to Doc Mashburn Park;*

Subdivision Committee recommended in favor of this.

3. Planning Commission determination of a variance to UDC §166.08(F)(2)(b), Access Management – Neighborhood Links. *Staff recommends denial of this variance for the reasons stated above;*

Subdivision Committee did not make a recommendation on this variance.

4. Planning Commission determination of a variance to UDC §172.03(E), Minimum Number of Accessible Parking Spaces. *Staff recommends denial of this variance for the reasons stated above;*

Subdivision Committee did not make a recommendation on this variance.

5. Planning Commission determination of a variance to UDC §177.04(D)(1), Perimeter Landscaping Requirement – Side and Rear Property Lines. *Staff recommends approval of this variance for the reasons stated above;*

Subdivision Committee recommended in favor of this variance.

6. Planning Commission determination of a variance to UDC §177.04(D)(2)(f), Perimeter Landscaping Requirement – Screening. *Staff recommends approval of this variance for the reasons stated above;*

Subdivision Committee recommended in favor of this variance.

7. Remaining comments from the Planning Division shall be addressed, including:
    a. Clarify how the architectural design requirements in our Urban Residential Design Standards will be met (UDC §166.23(D)). It is unclear what building materials will be used.
    b. There may be a conflict between the four spaces in the turnaround and our vehicle maneuvering requirements (UDC §172.04). Those spaces may create a potential conflict in the event of a fire as well, since vehicles may be parked in a way that blocks Fire's access. It's also unclear how cars will park in the two 'parallel' spaces.
    c. Striping should be provided across the turnaround for a pedestrian crossing.

8. Shrubs should be provided for screening between the parking lot and the public right-of-way;

9. 10 feet of landscaped area should be maintained on the west side of the property to the east;

10. Conditions of approval from Engineering and Urban Forestry are included in the official conditions of approval, attached hereto;

Standard Conditions of Approval:

11. Impact fees for fire, police, water, and sewer shall be paid in accordance with City ordinance;

12. Plat Review and Subdivision comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives: Black Hills Energy, AT&T, Ozarks, SWEPCO, and Cox Communications);

13. All mechanical/utility equipment (roof and ground mounted) shall be screened using materials that are compatible with and incorporated into the structure. A note shall be clearly placed on the plat and all construction documents indicating this requirement;

14. Trash enclosures shall be screened on three sides with materials complimentary to and compatible with the principle structure. Containers may also be screened from view of the street by the principal structure or vegetation. Elevations of the proposed dumpster enclosure shall be submitted to the Planning and Solid Waste Divisions for review prior to building permit;

15. All existing utilities below 12kv shall be relocated underground. All proposed utilities shall be located underground;

16. Staff approval of final detailed plans, specifications and calculations (where applicable) for grading, drainage, water, sewer, fire protection, streets (public and private), sidewalks, parking lot(s) and tree preservation. The information submitted for the plat review process was reviewed for general concept only. All public improvements are subject to additional review and approval. All improvements shall comply with City's current requirements;

17. All exterior lights shall comply with the City lighting ordinance. Manufacturer's cut-sheets are required for review and approval prior to issuance of a building permit;

18. All freestanding and wall signs shall comply with ordinance specifications for location, size, type, number, etc. Any proposed signs shall be permitted by a separate sign permit application prior to installation. Freestanding pole signs and electronic message boards (direct lighting) are prohibited in the I-540 Design Overlay District;

19. Large scale development shall be valid for one calendar year;

20. Contact the City's Emergency 911 Address Coordinator for addressing prior to building permit;

21. Prior to building permit, a cost estimate for all required landscaping is to be submitted to the Landscape Administrator for review. Once approval is gained, a guarantee is to be issued (bond/letter of credit/cash) for 150% of the cost of the materials and installation of the plants. This guarantee will be held until the improvements are installed and inspected, at the time of Certificate of Occupancy; and

22. Prior to the issuance of a building permit the following is required:
    a. Grading and drainage permits;
    b. Separate easement plat for this project that shall include the tree preservation area and all utility and access easements;
    c. Exterior lighting package must be provided to the Planning Division;
    d. An on-site inspection by the Landscape Administrator of all tree protection measures prior to any land disturbance;
    e. Project Disk with all final revisions; and

f. Completion of all required improvements or the placement of a surety with the City (letter of credit, bond, escrow) as required by Section 158.01 “Guarantees in Lieu of Installed Improvements” to guarantee all incomplete improvements. Further, all improvements necessary to serve the site and protect public safety must be completed, not just guaranteed, prior to the issuance of a Certificate of Occupancy.

PLANNING COMMISSION ACTION: **Required** **YES**

Date: **January 9, 2023** ❒ **Tabled** ❒ **Forwarded** ☒ **Denied**

Motion: Garlock

Second: McGetrick

Vote: 7-2-0 (motion to deny)

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:

- Engineering Memo
- Fire Memo
- Urban Forestry Comments
- Request Letter
- Variance Request Letter
- Site Plan
- Elevations
- One Mile Map
- Close-up Map
- Current Land Use Map

CITY OF FAYETTEVILLE ARKANSAS

STAFF MEMO

TO: Gretchen Harrison, Planner

FROM: Melissa Boyd, Staff Engineer

DATE: January 4, 2023

SUBJECT: **Planning Commission Engineering Comments for LSD-2022-0039 E. HUNTSVILLE RD MULTIFAMILY WEST**

Access Management: The applicant requested a City Engineer waiver to UDC 166.08(F)(1) to not provide the minimum 5' of separation between curb cuts and adjoining property lines (unless curb cuts are shared) and 166.08(F)(2)(b) requiring a minimum of 100' of separation between adjacent curb cuts on Neighborhood Links. As proposed, the separation between the existing and proposed east and west curb cuts will be approximately 70' when measured according to UDC 166.08(F)(1). The subject property currently shares a curb cut with the property to the west that is proposed to remain, but not be accessed by this development. The City Engineer is not able to approve this request based on the addition of a curb cut on a property where one exists even though the applicant is proposing to dedicate an access easement for the adjacent property owner for the existing curb cut, so this curb cut will require a Planning Commission variance. The City Engineer is able to approve the request for the lesser separation on the east proposed curb cut, determining that it isn't adding a new curb to this property and provides the most separation from the proposed west curb cut and the existing curb cut to the east, with it also being centrally located on the property's frontage; however, Engineering is recommending a combined access point between these two developments to provide the maximum separation possible between the new and existing curb cuts on the adjacent properties, and based on UDC 166.08(F)(2)(b) stating that, "When necessary, curb cuts along neighborhood links shall be shared between two (2) or more lots."

Water: This project includes approximately 800LF of new 8" watermain. They are proposing to connect to the existing 12" watermain on the north side of E. Huntsville Rd. and an existing 6" watermain on the adjacent multifamily development just west of Doc Mashburn Park. As proposed, the southern connection is shown to extend through the existing utility easement on the multifamily development and no longer through park property.

Sewer: This project includes approximately 805LF of new 8" sanitary sewer main. They are proposing to connect to an existing 8" sanitary sewer main on E. Fairlane St. by installing sanitary sewer through the west side of Doc Mashburn Park. Parks approval to install the sanitary sewer main on the park property will be required.

Drainage: This development is required to meet the four Minimum Standards of the Drainage Criteria Manual. Minimum Standard 1 water quality requirements will be met through use of bioretention. They are showing to keep the peak flow of the 1-year, 24-hour storm below 2.0cfs, so the channel protection requirement of Minimum Standard 2 does not apply. Minimum Standard 3 Overbank Flood Protection and Minimum Standard 4 Extreme Flood Protection requirements

will be met by the design of the pond outfall structure keeping peak flows post-development below peak flows pre-development. Further review of the design will be conducted with the grading permit submittal.

One administrative variance to the Drainage Criteria Manual is being requested, which has been reviewed by the City Engineer and is outlined below:

1. The applicant is requesting to reduce the setback distance from buildings to 5' from 25' as outlined in Appendix B of the Drainage Criteria Manual. The applicant provided a recommendation from a geotechnical engineer, and this variance can be approved with the requirement that the geotechnical recommendations be followed during construction.

Plan Comments:

1. Outlet structure detail in drainage report needs to include elevations.
2. Provide table with pipe size, material, and length of proposed water and sewer mains on plans.
3. Confirm if the correct bioretention area for sub-basin W is included in the drainage report as the post-development map has changed since the previous submittal, but the calculations have stayed the same.

Standard Comments:

1. All designs are subject to the City's latest design criteria (water, sewer, streets and drainage). Review for plat approval is not approval of public improvements, and all proposed improvements are subject to further review at the time construction plans are submitted.
2. Any damage to the existing public street due to construction shall be repaired/replaced at the owner/developers expense
3. All public sidewalks, curb ramps, curb & gutter, and driveway aprons along this project frontage must meet ADA guidelines and be free of damage. Any existing infrastructure that does not conform to ADA guidelines or is otherwise damaged must be removed and replaced to correct the issue. Coordinate with the engineering department for inspection of existing facilities to determine compliance.
4. Water and sewer impact fees will apply for the additional impact to the system. The fees will be based on the proposed meter size and will be charged at the time of meter set.
5. Note, the following portions of all projects will typically not be reviewed by the Engineering Division until time of construction-level review (unless specifically requested at plat review):
    - Storm Sewer pipe/inlet sizing, gutter spread, profiles, or utility conflicts
    - Sanitary Sewer pipe sizing, profiles, or utility conflicts
    - Waterline fittings, callouts, or utility conflicts
    - Street profiles
    - Fine grading/spot elevations

To: Jesse Masters, Planner

CC: Battalion Chief Jeremy Ashley, Fire Marshal

From: Captain Andrew Horton, Deputy Fire Marshal

Date: 1/4/2023

Subject: LSD 2022-0039 - 788 S. SHERMAN AVE, FAYETTEVILLE, AR 72703

Attached below I have provided the code as it reads for clarification.

SECTION D107 - ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

AFPC 2012 D107.1 *Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.*

Exceptions:

1. *Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.*

AFPC 2012 D104.3 Remoteness*. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.*

CITY OF FAYETTEVILLE ARKANSAS

URBAN FORESTRY
TREE PRESERVATION COMMENTS

To: Allen Jay Young, DCI

From: Melissa M. Evans, Urban Forestry & John Scott, Urban Forester

CC: Gretchen Harrison, Planner

Meeting Date: December 29, 2022

Subject: LSD-2022-0039: E. Huntsville Rd. Multi-Family West: 788 S. Sherman Ave., 565

1. Submittal Requirements	Yes	No	N/A
Initial Review with the Urban Forester		X	
Site Analysis Map Submitted (if justification is needed)	X		
Site Analysis Written Report Submitted (justification is needed)	X		
Complete Tree Preservation Plan Submitted	X		
Tree Mitigation Table on Plans	X		
Tree Preservation Wavier Submitted (only use if no trees onsite or near P/L)			X
2. Tree Preservation Calculations			

Tree Preservation Calculations Square Feet		
	Square Feet	**Percent of site**
Total Site Area *Minus Right of Way and Easements	52,624	100%
*Zoning Designation * Select Below with drop down arrow*		
RMF-24 Multi-Family Residential-Twenty-Four Units Per Acre	10,525	20%
*HHOD * Select Below with Drop Down Arrow*		
No	0	0%
Total Canopy for Minimum Preservation Requirements	10,525	20.0%
Existing Tree Canopy * Minus Right of Way and Easements	24,497	46.6%
Tree Canopy Preserved	6,631	12.6%
Tree Canopy Removed *On Site	17,866	34.0%
Tree Canopy Removed *Off Site	1,413	
Tree Canopy Removed Total	19,279	36.6%
Removed Below Minimum	**3,894**	
Mitigation Requirements	**5,307**	

3. Mitigation Requirements	Canopy below requirement	Number of 2" caliper trees to be planted
High Priority	5307	24
Low Priority		
Total Mitigation Trees Required	**5307**	**24**

4. Mitigation Type	Yes	No	N/A
On-Site Mitigation	X		
Off-Site Mitigation			X
Tree Escrow (See Conditions of Approval)			X

5. Tree Preservation Plan Checklist *UDC Chapter 167.04H1*	Tech Plat	Subdivision Committee	Planning Commission
a. 5 year Aerial Check on Existing Trees	Yes	Yes	
b. Property Boundary	Yes	Yes	
c. Natural Features (100ft beyond limits of disturbance)	Yes	Yes	
d. Existing Topography and Proposed Grading	Yes	Yes	
e. Soil Types	No	Yes	
f. Significant Trees	No	Yes	
g. Groupings of Trees	Yes	Yes	
h. Table Inventory List (species, size, health, priority)	No	Yes	
i. All Existing and Proposed Utilities	Yes	Yes	
j. All Existing and Proposed Utility Easements and ROW's	Yes	Yes	
k. All Streams (with approximate center line)	N/A	N/A	
l. Floodplains and floodways	N/A	N/A	
m. Existing Street, Sidewalk or Bike Path ROW	Yes	Yes	
n. Submitted Site Analysis Plan (if required)	No	Yes	
o. Shows ALL Proposed Site Improvements	Yes	Yes	
p. Delineates trees/canopy to be preserved and removed	Yes	Yes	
Tree Protection Methods			
a. Tree Protection Fencing	Yes	Yes	
b. Limits of Root Pruning	No	No	
c. Traffic flow on work site	Yes	Yes	
d. Location of material storage	No	No	
e. Location of concrete wash out	No	No	
f. Location of construction entrance/exit	No	No	

6. Site Analysis Report (if required) *UDC Chapter 167.04H4*	Yes	No	N/A
a. Provide graphic examples of multiple options used to minimize removal of existing canopy	**X**		
b. Submitted Analysis Statement – Note the process, iterations, and approaches to preserve canopy.	**X**		

7. Review Status	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved		**11-28-22** **12-27-22**	
Approved			
Tabled	**10-31-22** **11-14-22**		
Denied			

Comments

1. Address items above marked “No” and all Redlines provided.
2. Staff is concerned about trees due to new water line going through the park. Please adjust the tree preservation calculations and fence around the trees due to the water line.
3. Please double check your mitigation numbers as 24 is the required number.

CITY OF FAYETTEVILLE ARKANSAS

URBAN FORESTRY
LANDSCAPE PLAN COMMENTS

To: Allen Jay Young, DCI

From: Melissa M. Evans, Urban Forestry & John Scott, Urban Forester

CC: Gretchen Harrison, Planner

Meeting Date: December 29, 2022

Subject: LSD-2022-0039: E. Huntsville Rd Multi-Family West: 788 S. Sherman Ave., 565

1. General Landscape Plan Checklist	Yes	No	N/A
a. Irrigation (notes either automatic or hose bib 100' o.c.) *UDC Chapter 177.03C7g, 177.04B3a*	X		
b. Species of plant material identified *UDC Chapter 177.03C7d,e*	X		
c. Size of plant material (minimum size 2" caliper for trees and 3 gal. shrubs) *UDC Chapter 177.03C7b,c*	X		
d. Soil amendments notes include that soil is amended and sod removed *UDC Chapter 177.03C6b*	X		
e. Mulch notes indicate organic mulching around trees and within landscape beds *UDC Chapter 177.03C6c,d*	X		
f. LSD, LSIP, and Subdivisions (PPL & FPL) plans stamped by a licensed Landscape Architect, others by Landscape Designer *UDC Chapter 177.03B*		X	
g. Planting bed contained by edging *UDC Chapter 177.03C6f*	X		
h. Planting details according to Fayetteville's Landscape Manual *UDC Chapter 177.03C6g*	X		
i. Provide information about 3-Year Maintenance plan. The owner shall deposit with the City of Fayetteville a surety for approved landscape estimate. *UDC Chapter 177.05 A2g*	X		

2. Parking Lot Requirements 1 Tree : 12 Parking Spaces	Yes	No	N/A
a. Wheel Stops/Curbs *UDC Chapter 177.04B1*		X	
b. Narrow Tree Lawn (8' min. width, 37.5' length) *UDC Chapter 177.04C*			X

c.	Tree Island (8' min. width, 18.7' min length OR 150 square feet) *UDC Chapter 177.04C*	X		
d.	Placement of Trees (either side at entrances and exits) *UDC Chapter 177.04C2*	X		
3.	**Perimeter Landscaping Requirements**	**Yes**	**No**	**N/A**
a.	Front Property Line (15' wide landscape) and five on sides. *UDC Chapter 177.04D2a*	X		
b.	Side and Rear Property Lines (5' Wide Landscape Area) *UDC Chapter 177D1*	**No**		
c.	Shade trees planted on south and west sides of parking lots *UDC Chapter 177.04D2e*	X		
d.	Screening of parking lot from adjacent residential properties.		**X**	
4.	**Street Tree Planting Requirements**	**Yes**	**No**	**N/A**
a.	Residential Subdivisions 1 Large Shade Species Tree per Lot *UDC Chapter 177.05B1a*			X
b.	Non-Residential Subdivisions 1 Large Species Shade Tree every 30' (planted in greenspace) *UDC Chapter 177.05B2a*	X		
c.	Urban Tree Well – Urban Streetscapes Trees every 30' (8' sidewalk) *UDC Chapter 177.05B3a-f*			X
d.	Structured Soil – Urban Tree Wells Include a note and/or detail of structural soil on Landscape Plan *UDC Chapter 177.05B3a-f*			X
e.	Residential Subdivisions Timing of planting indicated on plans *UDC Chapter 177.05A4*			X
f.	Residential Subdivisions Written description for method of tracking planting *UDC Chapter 177.05A4e*			X

5. Landscape Requirement Totals	Amount
Mitigation Trees	**24**
Parking Lot Trees	**4**
Street Trees	**3**
Detention Pond – Large Trees (1 Tree/3,000 square feet)	**?**
Detention Pond – Small Tree/Large Shrub (4 small trees or large shrubs/3,000 square feet)	**?**
Detention Pond – Small Shrubs/Large Grasses (6 shrubs or grasses (1 gallon)/3,000 square feet)	**?**

6. Review Status (See Comments)	Tech Plat	Subdivision Committee	Planning Commission
Conditionally Approved		**12-27-22**	
Approved			
Tabled	**10-31-22** **11-14-22**	**11-29-22**	
Denied			

Comments

1. Address items above marked “No” and all Redlines provided.
2. This project is required and needs to be reviewed and stamped by a licensed landscape architect.
3. It is understood that the Owner and adjacent Property Owner do not want to provide shrubs along the east side of the site to screen the adjacent residential zoning. The applicant applied for a variance on this and the requirement for 5’ of greenspace. The plan shows 2’-6” of greenspace. Since more greenspace is being provided along the property line for the proposed development to the east, which is in review now, Urban Forestry will support the variance request.
4. Please provide shrubs between the parking and E. Huntsville Road.

DCI
DEVELOPMENT
CONSULTANTS
INCORPORATED

Written request and narrative to accompany petition packet for the
E. Huntsville Rd. Multi-Family West LSD at 788 S Sherman Ave, City of Fayetteville, Arkansas.

To: The Fayetteville City Planning Commission

On behalf of the landowners, I am petitioning the Fayetteville City Planning Commission to accept the included Large Scale Development of the property located at 788 S Sherman Ave. in the City of Fayetteville, Arkansas.

This property is currently being used as a single-family residence with a one existing residential home.

Current zoning is MF-24, allowing up to 24 units per acre. The proposed multi-family development will include 22 units comprised of 7 triplexes and 1 stand alone unit fronting E. Huntsville Road. Improvements to water, sewer, and drainage are included with this project. The proposed development intends to have a single point of vehicular access along the north side of the property from E. Huntsville Rd. for all of the multi-family units.

A fee-in-lieu is being requested for the Park Land Dedication requirement. The fee-in-lieu totals to $20,944.00 for the 22 multi-family units.

Additionally, 22 – 2 inch caliper trees will be planted as part of the tree preservation plan.

By accepting this large scale development request, the current owners would benefit, and no other landowner would be adversely affected.

The public interest and welfare would not be adversely affected by accepting this large scale development request.

Included in the Petition Packet is:

1. Application and Payment of applicable fees for processing the application $400.00.
2. This written description.
3. Authorization Letter
4. LSD Civil/Landscape Plans
5. Survey
6. Architectural Elevations
7. Drainage Report
8. Tech Plat Fire Review

Allen Jay Young, Development Consultants, Inc.

04 January 2023

City of Fayetteville
Planning Commission
125 W. Mountain Street
Fayetteville, AR 72701
479.575.8267

DCI Job Number: 2022-128 West
LSD Number: 2022-0039
Project Name: E. Huntsville Road Multi-Family West
Owner: Nicholas Corter, 3216 N Deane Solomon Rd, 479.445.8075

Project Narrative:
The E. Huntsville Road Multi-Family West development is located at 786 S Sherman Ave, Parcel 765-15235-002, and is approximately 1.21 acres. This parcel is approximately 110' along E. Huntsville Road and 507.9' deep. The project is a multifamily development consisting of seven triplexes and one single family unit for a total of 22 units. Each unit is designed to be a multistory building utilizing steps into the home and stairs to the living areas on the second floor. Because of the architect's width of the units and the tight layout of the site, the minimum number of required parking stalls was met by utilizing spaces around the hammerhead turnaround.
The Owner of the subject property and the owner of the property to the east are developing their properties simultaneously. They have agreed that their two developments will share storm water management responsibilities, and that the detention pond will be located on the property to the east. This development is utilizing a bioretention swale for water quality that is located along the shared property line that captures the subject property storm water and channels it to the detention pond for storm water management. Due to the location of the bioretention swale, simultaneous and similar development of their properties, and shared responsibility of the swale along the common property line, the two landowners have agreed that they wish to not have any side yard landscape buffer between their properties.

Variance Request:
On behalf of the owner, DCI is requesting variances to the following sections of the Unified Development Code.

1. Variance to UDC Section 166.08.F, Access management. E. Huntsville Road is classified as a Neighborhood Link in the Fayetteville Master Street Plan and thus is required to have 100' spacing between curb cuts. The parcel is approximately 110' wide along E. Huntsville Road with existing neighbor curb cuts located on the subject property western property line and approximately 55' east of the eastern property line. So, this property needs a curb cut for access between two existing curb cuts that are currently only 165' apart. DCI has designed this development to create an equal spacing between the existing curb cut to the west and a future curb cut to the east (shifted slightly east from current location). The new spacing will be approximately 90' from each driveway centerline, or 70'

from the one curb cut to the next, which maximizes the distance between curb cuts given the constraints of the site (see attached Exhibit A).

In this spacing, the driveway radius return also lies within 5' of the extension of the east property line to the back of curb. Shifting the driveway west could meet the requirement but would reduce the distance from the existing curb cut to the west, resulting in a less desirable configuration. Additionally, this shift would require the driveway to move approximately 10.2 feet west, reducing the available footprint of Unit 1, making it less desirable for the owner. The adjoining east property owner has agreed to this design for the radius to cross the extension of the property line within the right-of-way. The existing driveway on the western property line will be granted an access easement to the property owner the west and not utilized for this project.

The option of a shared access drive with the neighboring property to the east was explored, however whenever both properties share a common drive, the fire department counts all of the units of both developments, which by code necessitates a second access which must be separated from the first access by a minimum of half the distance of the long diagonal of the combined properties. In this scenario, it would require a second entrance at least 228 feet from the potential shared drive. Due to the location of these parcels, the private ownership of the properties on each side, and the public park to the south, this is not possible. The only other option allowed by fire code would be to require that every unit have an automated sprinkler system. We anticipated utilizing the 13D fire suppression system at an estimated cost of $5,000 per unit. With the combined properties having 45 units, that cost would be approximately $225,000.00. That option is cost prohibitive to the owners and would inhibit the ability of the owners to proceed with the development. We are requesting this variance due to a hardship resulting from the fire code as described above, since fire code allows each development to be developed with a separate entrance off of E. Huntsville Road.

2. Variance to UDC Section 172.03.E, Minimum Number of Accessible Spaces. Due to the limited parking on this site, with no additional room for more parking, as well as the non-accessible architectural design of each unit, DCI is requesting a variance from providing ADA Accessible parking. The addition of the two required ADA parking stalls would be a net loss of 1 parking space for the site for the ADA landing, thus requiring an elimination of one unit or an additional variance for reduced parking, creating a hardship for the owner. Also, since each unit requires steps to enter it and steps up to the second floor, and they are not going to be built with other ADA accessibility traits within the units, it is anticipated that they will not have any disabled occupants. Therefore, if we were to include the two ADA parking spaces, they would not likely be utilized and would take away from available parking for the anticipated residents of the units. If we are required to include two spaces on the idea that a disabled individual may decide to visit a resident of the development at some point in the future, there would only be a 2 in 22 chance that the space would actually be in the correct location to be utilized by that individual.
3. Variance to UDC Section 177.04.D.1, Perimeter Landscape Requirements on Side and Rear Property Lines. In order to maximize tree preservation on the west property line while providing the necessary fire lane widths, and due to the narrow nature of the parcel, DCI is requesting a variance for the 5' wide side yard perimeter landscape buffer requirements along the eastern property line. The subject property owner and the owner of the parcel to the east have an

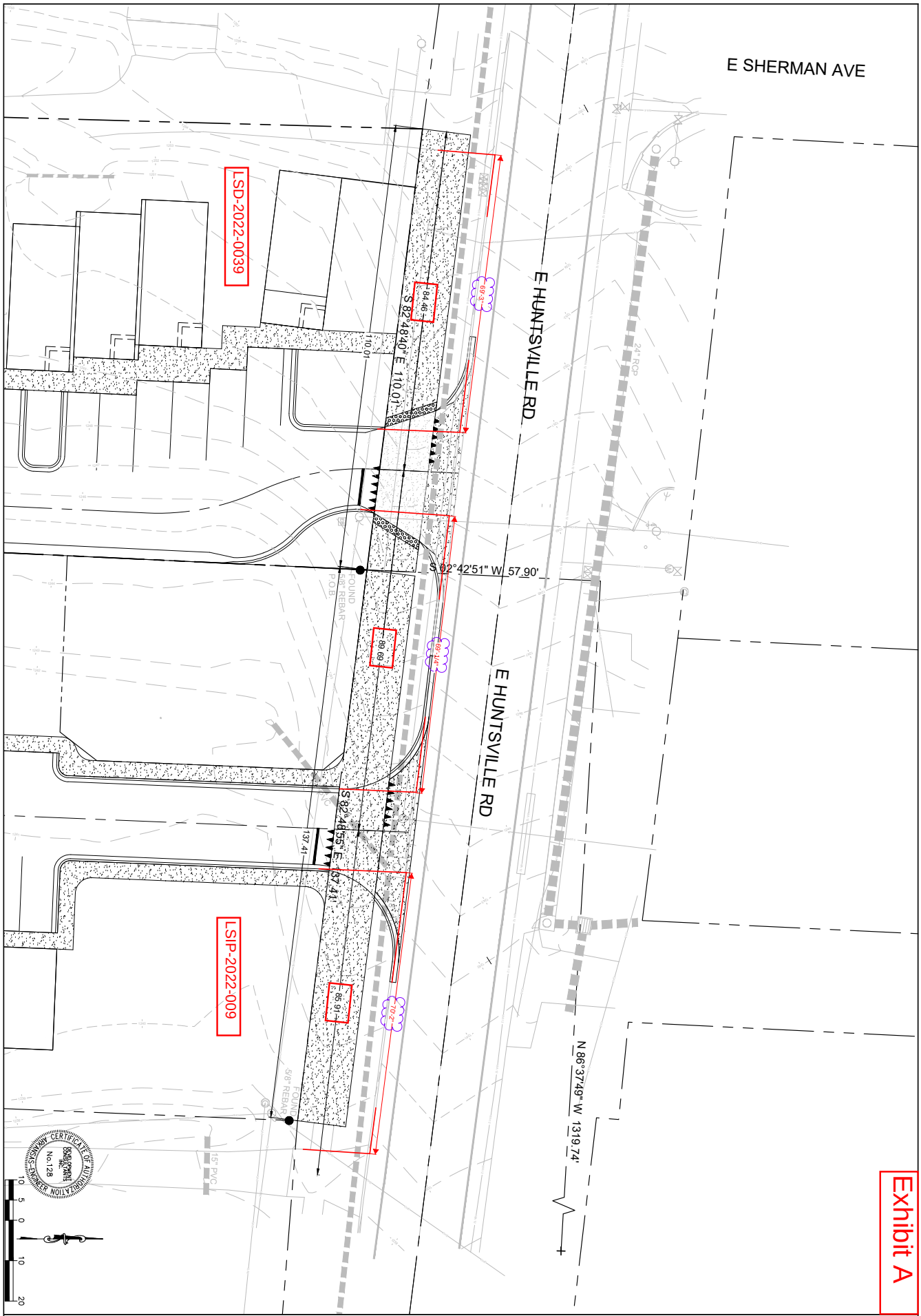
agreement that neither owner wants the buffer. Additionally, the bioretention swale is located along the eastern property line. In order to create the landscape buffer on the east property line, the site would be required to shift west, either impacting existing trees and reducing the tree preservation on the site, or further reducing the units which only have a 575 square foot footprint as is, creating a hardship for the owner.

4. Variance to UDC Section 177.04.d.2.f, Parking Lot Screening. In order to maximize tree preservation on the west property line while providing the necessary fire lane widths, and due to the narrow nature of the parcel, DCI is requesting a variance for the parking lot screening requirement along the eastern property line. The subject property owner and the owner of the parcel to the east have an agreement that neither owner wants the screening. Additionally, the bioretention swale is located along the eastern property line, limiting the ability to plant screening vegetation at this location. In order to create the screening on the east property line, the site would be required to shift west, either impacting existing trees and reducing the tree preservation on the site, or further reducing the units which only have a 575 square foot footprint as is, creating a hardship for the owner.

Thank you for your consideration and we look forward to working with the City moving forward.

Sincerely,

Chase Henrichs, P.E.
ChaseH@DCIUS.PRO
479.444.7880
Development Consultants



DEVELOPMENT CONSULTANTS INCORPORATED

PROJECT TITLE:	E. HUNTSVILLE ROAD MF EAST & WEST
SHEET TITLE:	CURB CUT SEPARATION EXHIBIT
PROJECT NO.	22-128
SHEET NO.	EXHIBIT-01
REVISIONS	
DATE	12/12/2022
SCALE	1" = 10'
COPYRIGHT	2022

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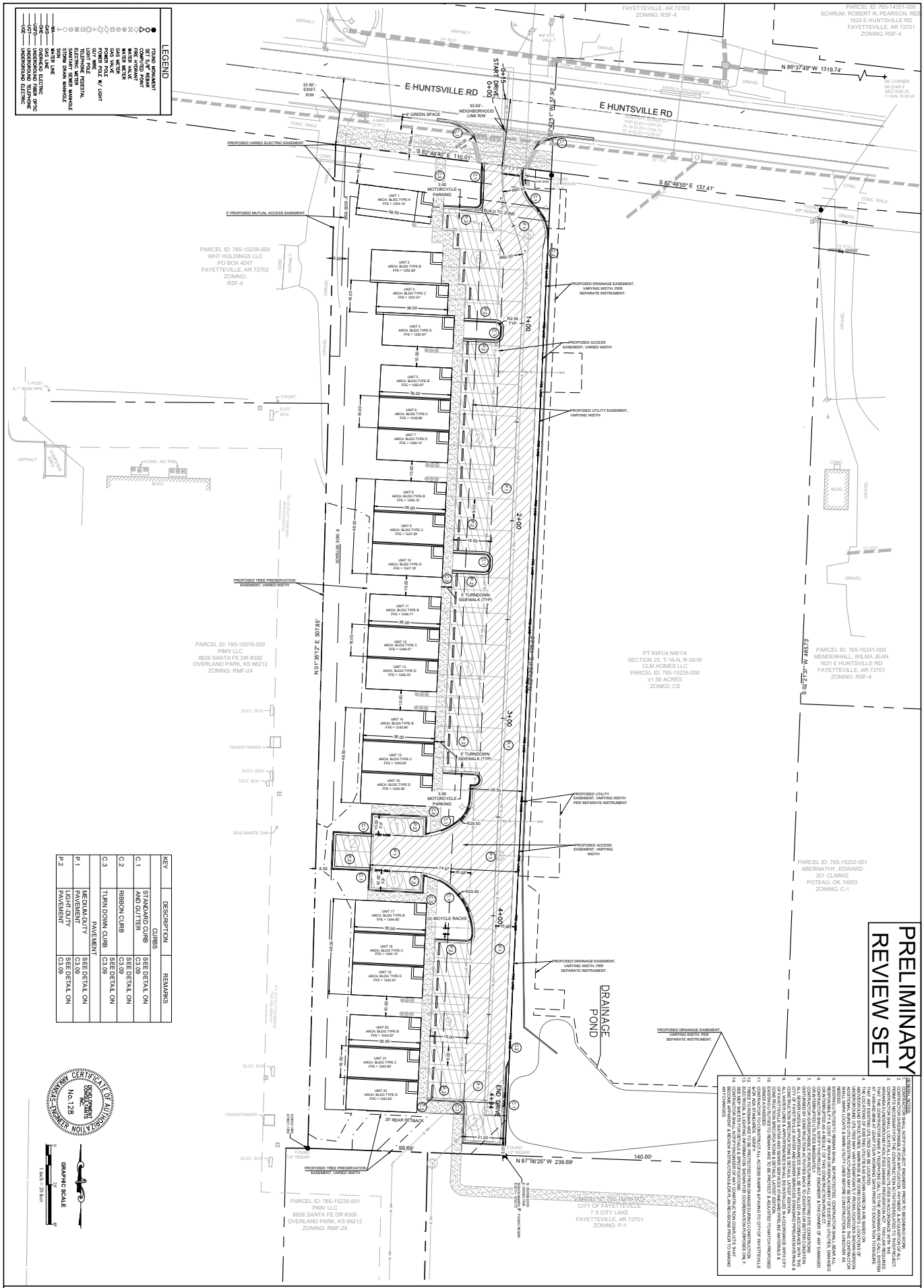


KEY	DESCRIPTION	REMARKS
	CURBS	
C.1	STANDARD CURB AND GUTTER	SEE DETAIL ON C3.09
C.2	RIBBON CURB	SEE DETAIL ON C3.09
C.3	TURN DOWN CURB	SEE DETAIL ON C3.09
	PAVEMENT	
P.1	MEDIUM-DUTY PAVEMENT	SEE DETAIL ON C3.09
P.2	LIGHT DUTY PAVEMENT	SEE DETAIL ON C3.09

GENERAL NOTES

1. CONTRACTOR SHALL NOTIFY PROJECT ENGINEER PRIOR TO MEDIAN CUTTING.
2. CONTRACTOR SHALL OBTAIN ALL PERMITS AND PAY ALL FEES REQUIRED BY LOCAL AUTHORITIES.
3. CONTRACTOR IS RESPONSIBLE FOR APPLICATION, PAYMENT, & ACQUISITION OF ALL PERMITS.
4. CONTRACTOR SHALL LOCATE ALL EXISTING UTILITIES IN ACCORDANCE WITH THE ARKANSAS UNDERGROUND FACILITIES LAW. CONTRACTOR SHALL CONTACT ALL UTILITIES AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.
5. CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGED UTILITIES DISTURBED BY CONSTRUCTION ACTIVITIES BACK TO EXISTING OR BETTER CONDITION.
6. ALL WATERLINES & APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF FAYETTEVILLE WATER AND SEWER SERVICES STANDARD PERMA MATERIALS & CONSTRUCTION SPECIFICATIONS & DETAILS, LATEST EDITION.
7. ALL EXISTING SITE CONDITIONS NOT INDICATED TO BE REMOVED OR ALTERED ON THESE PLANS SHALL REMAIN AS IS AND SHALL BE PROTECTED FROM DAMAGE DURING CONSTRUCTION.
8. ALL DISTURBED AREAS NOT OTHERWISE PROTECTED BY PAVEMENT OR STRUCTURES SHALL BE GRADED, SEEDED, AND MULCHED IMMEDIATELY FOLLOWING GRADING.
9. ALL ACCESS RAMPS & PAVING TO CITY OF FAYETTEVILLE STANDARDS.
10. CONTRACTOR SHALL REPAIR ALL EXISTING SITE CONDITIONS NOT INDICATED TO BE REMOVED OR ALTERED ON THESE PLANS THAT ARE DAMAGED DURING CONSTRUCTION.
11. ALL TRAFFIC CONTROL DEVICES SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
12. CONTRACTOR SHALL MAINTAIN ACCESS TO ADJACENT PROPERTIES AT ALL TIMES.
13. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING PAVEMENT, SIDEWALKS, CURBS, ETC. AND SHALL REPAIR OR REPLACE AS DIRECTED BY THE OWNER.
14. SEE A&P SHEETS FOR DETAILS & SPECIFICATIONS.
15. CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY IF ANY CONSTRUCTION CONFLICTS THAT MAY REQUIRE A REVISION TO THE PLANS ARE DISCOVERED. CONTRACTOR SHALL NOT BECOME LIABLE FOR ANY CHANGES MADE PRIOR TO NOTIFYING ENGINEER AND RECEIVING INSTRUCTIONS.
16. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES AND SITE CONDITIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY IF ANY CONFLICTS ARE DISCOVERED.
17. CONTRACTOR SHALL MAKE A TELEPHONE CALL TO THE ARKANSAS ONE-CALL SYSTEM AT 811 OR 1-800-482-8998 A MINIMUM OF 48 HOURS PRIOR TO EXCAVATION TO ENSURE THAT ANY EXISTING UTILITIES CAN BE LOCATED.
18. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR OF ANY DAMAGED UTILITIES AS REQUIRED BY THE OWNER.
19. CONTRACTOR SHALL LOCATE & MARK UTILITY LINES BEFORE CONSTRUCTION & UNCOVER AS REQUIRED.
20. CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS NOT INDICATED TO BE REMOVED OR ALTERED ON THESE PLANS THAT ARE DAMAGED DURING CONSTRUCTION.
21. ALL WATERLINES & APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF FAYETTEVILLE WATER AND SEWER SERVICES STANDARD PERMA MATERIALS & CONSTRUCTION SPECIFICATIONS & DETAILS, LATEST EDITION.
22. ALL TRAFFIC CONTROL DEVICES SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
23. CONTRACTOR SHALL MAINTAIN ACCESS TO ADJACENT PROPERTIES AT ALL TIMES.
24. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING PAVEMENT, SIDEWALKS, CURBS, ETC. AND SHALL REPAIR OR REPLACE AS DIRECTED BY THE OWNER.
25. SEE A&P SHEETS FOR DETAILS & SPECIFICATIONS.
26. CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY IF ANY CONSTRUCTION CONFLICTS THAT MAY REQUIRE A REVISION TO THE PLANS ARE DISCOVERED. CONTRACTOR SHALL NOT BECOME LIABLE FOR ANY CHANGES MADE PRIOR TO NOTIFYING ENGINEER AND RECEIVING INSTRUCTIONS & OR PLANS REVISIONS PRIOR TO MAKING ANY CHANGES.

PRELIMINARY REVIEW SET

CERTIFICATE OF AUTHORIZATION No. 128 CLARK & ENGINEER NOLL CONSULTANTS INC.

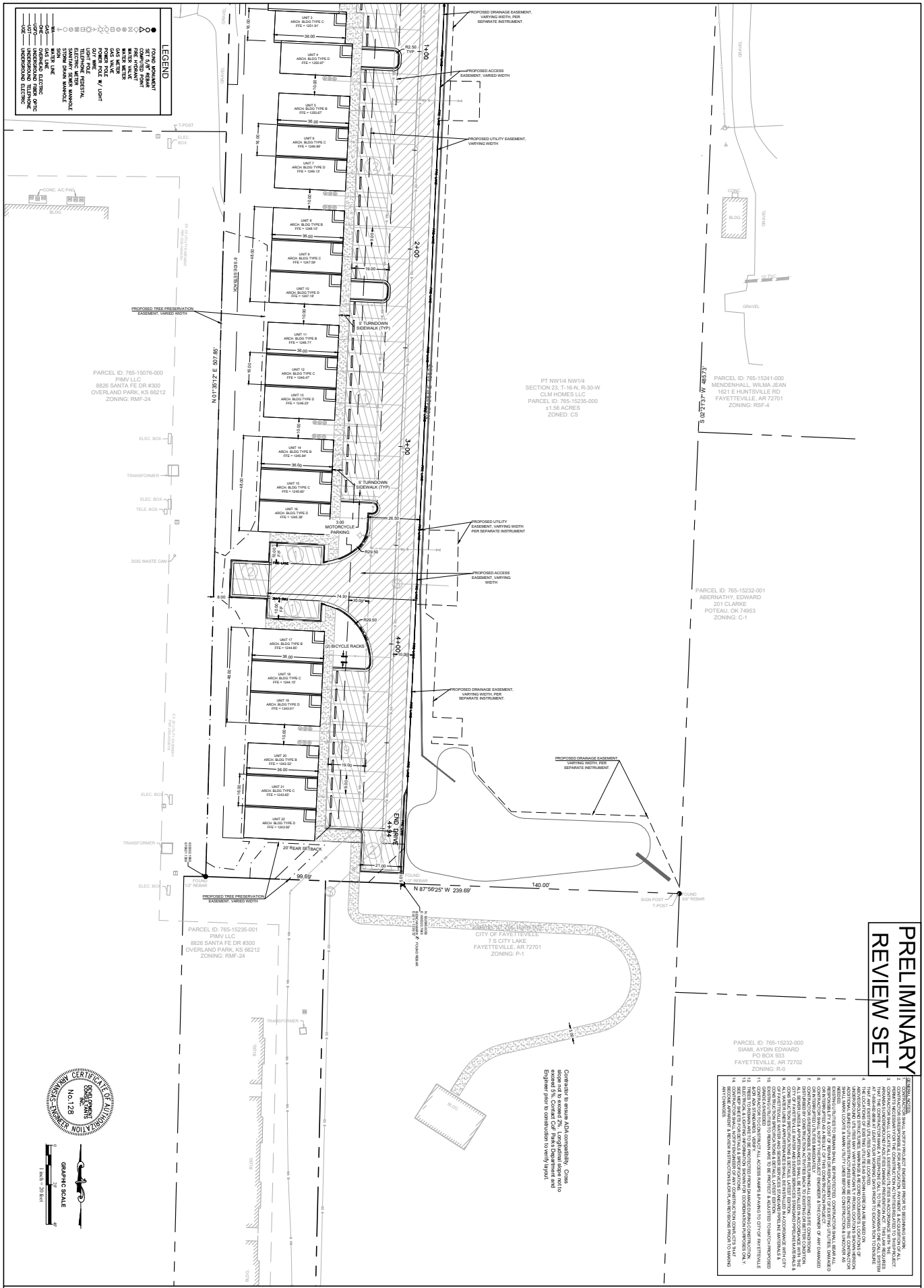
GRAPHIC SCALE 0 10 20 1 inch = 20 feet

DEVELOPMENT CONSULTANTS INCORPORATED

PROJECT TITLE	E. HUNTSVILLE RD. MULTI-FAMILY WEST LSD-2022-0039
SHEET TITLE	SITE PLAN
REVISIONS	
DRAWING NO.	22-128
SHEET NO.	C2.01
SCALE	1" = 20'
DATE	12/21/2022
COPYRIGHT	2022

LDG DEVELOPMENT CONSULTANTS INCORPORATED

G:\2022\22-128 WEST\SITE\22-128 SITE WEST.DWG

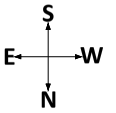


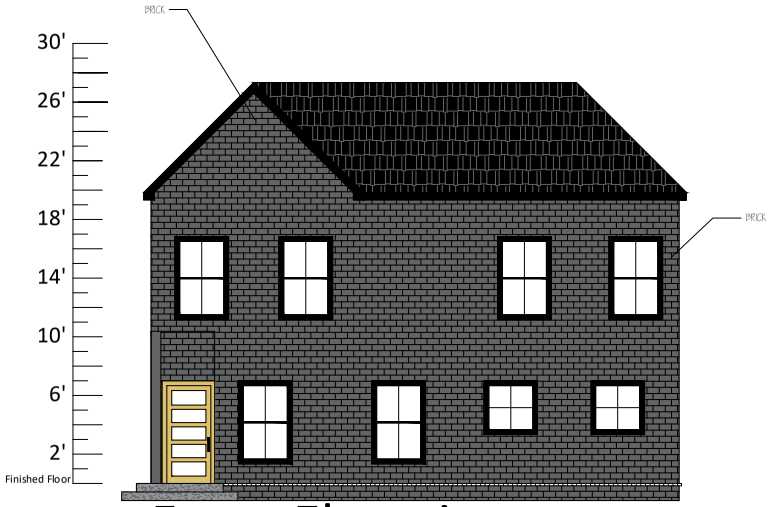
DEVELOPMENT CONSULTANTS INCORPORATED

SHEET NO.	C2.02
PROJECT NO.	22-128
PROJECT TITLE	E. HUNTSVILLE RD. MULTI-FAMILY WEST LSD-2022-0039
SHEET TITLE	SITE PLAN
REVISIONS	
DATE	12/21/2022
SCALE	1" = 20'
COPYRIGHT	2022

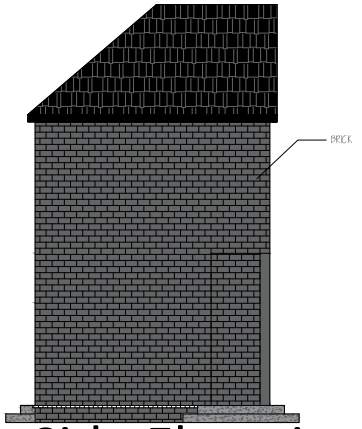
Arch. Bldg Type A

Single Family Unit

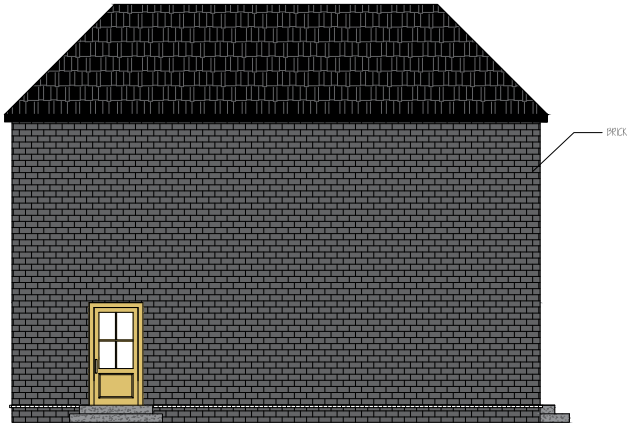




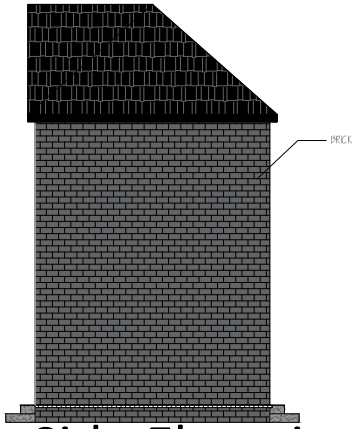
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

GENERAL NOTES:

1) 2X4 FRAME WALLS THROUGHOUT, UNLESS NOTED OTHERWISE.
2) 9'-1" PLATE HEIGHT, UNLESS NOTED OTHERWISE.
3) ALL WINDOW HEADS SHALL BE AT 6'-8" AFF, UNLESS NOTED OTHERWISE.
4) ALL WINDOWS SHALL BE OPERABLE, UNLESS NOTED OTHERWISE.
5) ALL WINDOWS SHALL BE FRAMED INDIVIDUALLY, UNLESS NOTED OTHERWISE.

Scale: $\frac{1}{4}$" = 1'-0

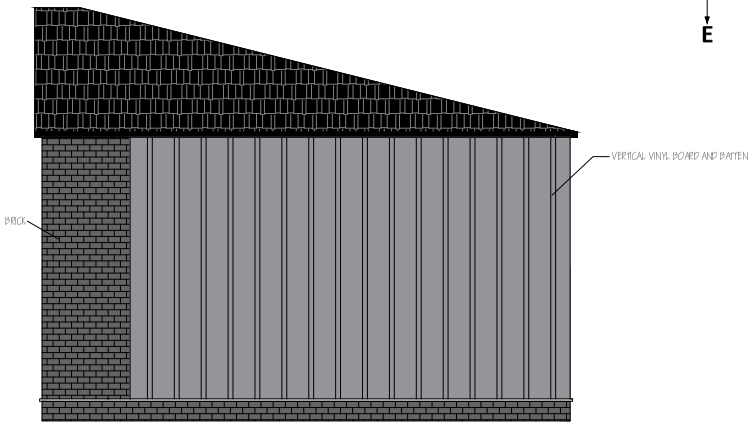
Katey Howard
Bentonville, AR
501-580-3672

Development Property for Nick Corter

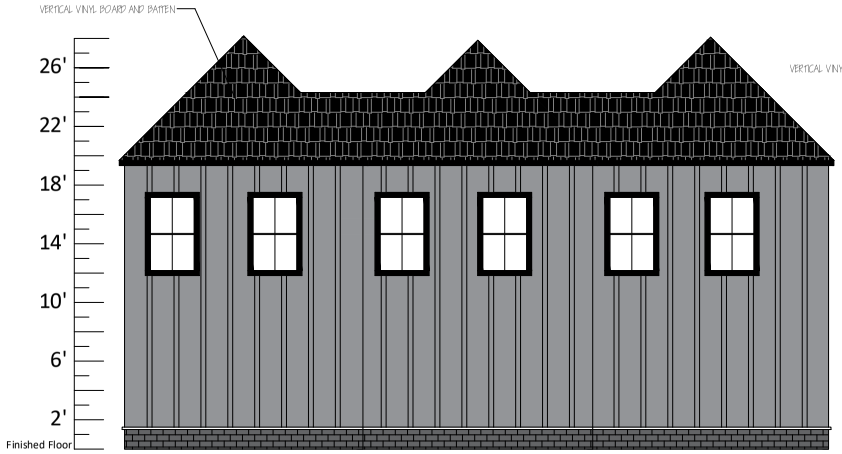
Arch. Bldg. Type B

W
S N
E

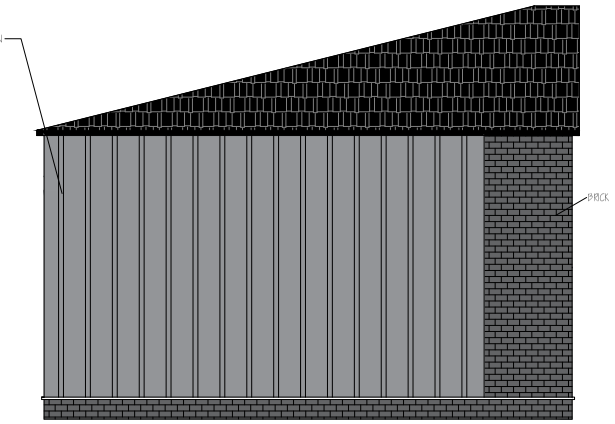
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

Scale: $\frac{1}{4}$" = 1'-0

Triplex

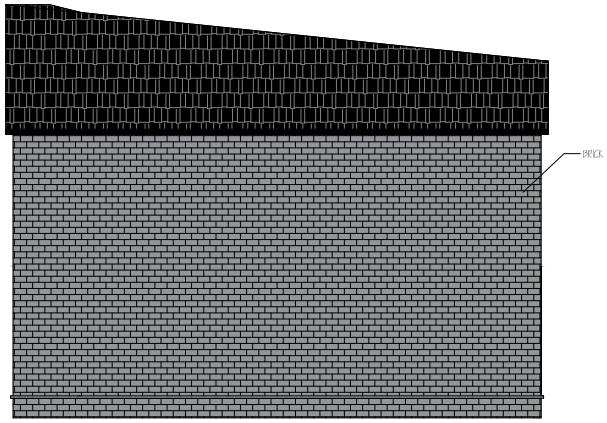
Katey Howard
Bentonville, AR
501-580-3672

V1.1

Arch. Bldg. Type C

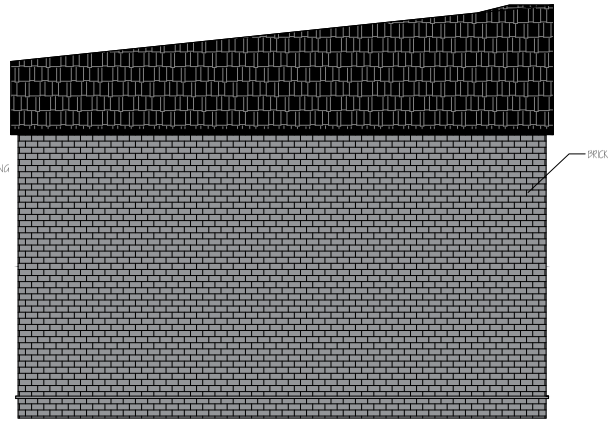
W
S N
E

Front Elevation



Side Elevation

Rear Elevation



Side Elevation

Scale: $\frac{1}{4}$" = 1'-0

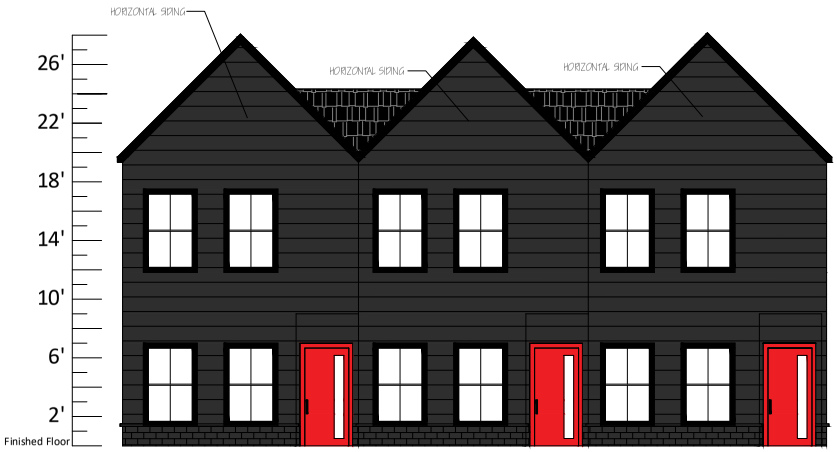
Triplex

Katey Howard
Bentonville, AR
501-580-3672

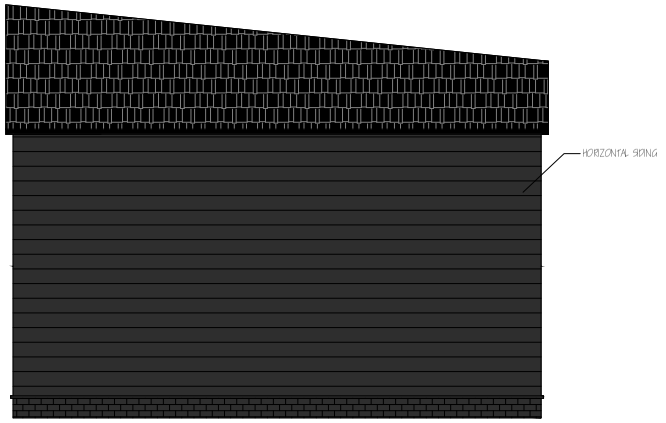
V1.2

Arch. Bldg. Type D

W
S N
E

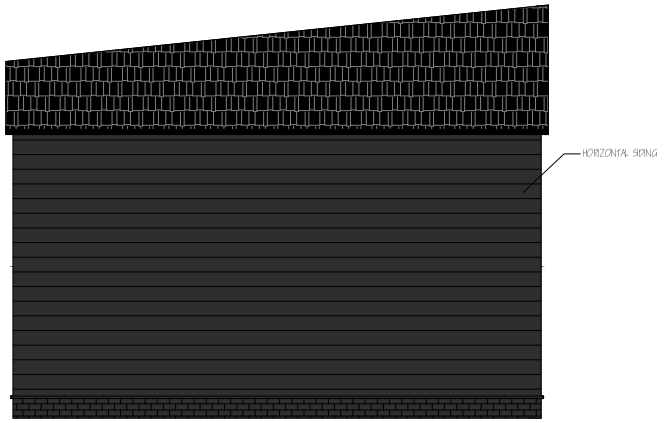


Front Elevation



Side Elevation

Rear Elevation



Side Elevation

Scale: $\frac{1}{4}$" = 1'-0

Triplex

Katey Howard
Bentonville, AR
501-580-3672

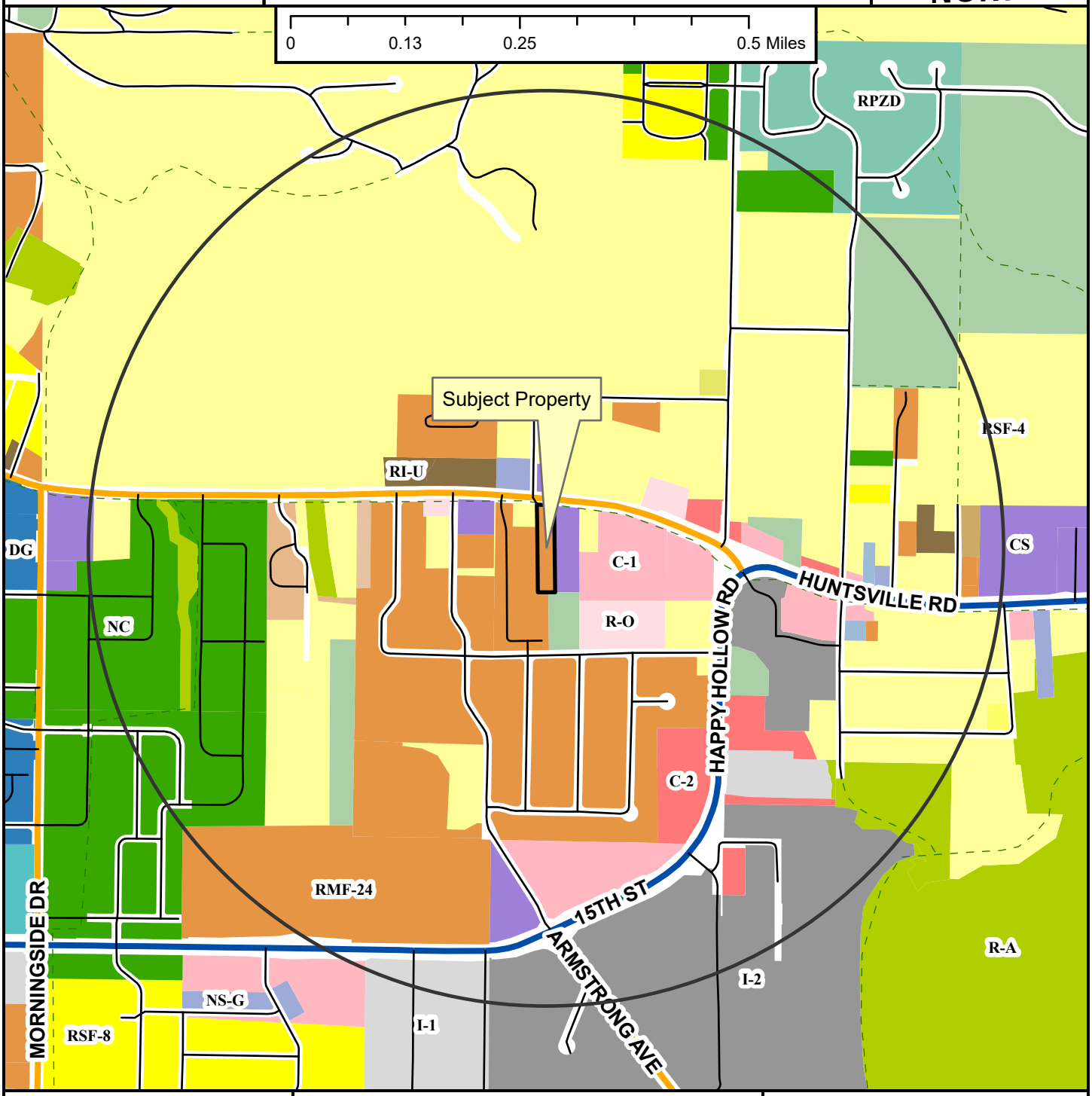
V1.3

LSD-2022-0039

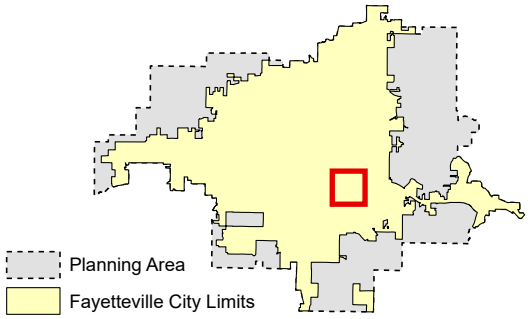
One Mile View

788 S. SHERMAN AVE

NORTH



- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Fayetteville City Limits
- Planning Area



Zoning

RESIDENTIAL SINGLE-FAMILY
NS-G
RI-U
RI-12
NS-L
Residential-Agricultural
RSF-.5
RSF-1
RSF-2
RSF-4
RSF-7
RSF-8
RSF-18

RESIDENTIAL MULTI-FAMILY
RMF-6
RMF-12
RMF-18
RMF-24
RMF-40

INDUSTRIAL
I-1 Heavy Commercial and Light Industrial
I-2 General Industrial

EXTRACTION
E-1

COMMERCIAL
Residential-Office
C-1
C-2
C-3

FORM BASED DISTRICTS
Downtown Core
Urban Thoroughfare
Main Street Center
Downtown General
Community Services
Neighborhood Services
Neighborhood Conservation

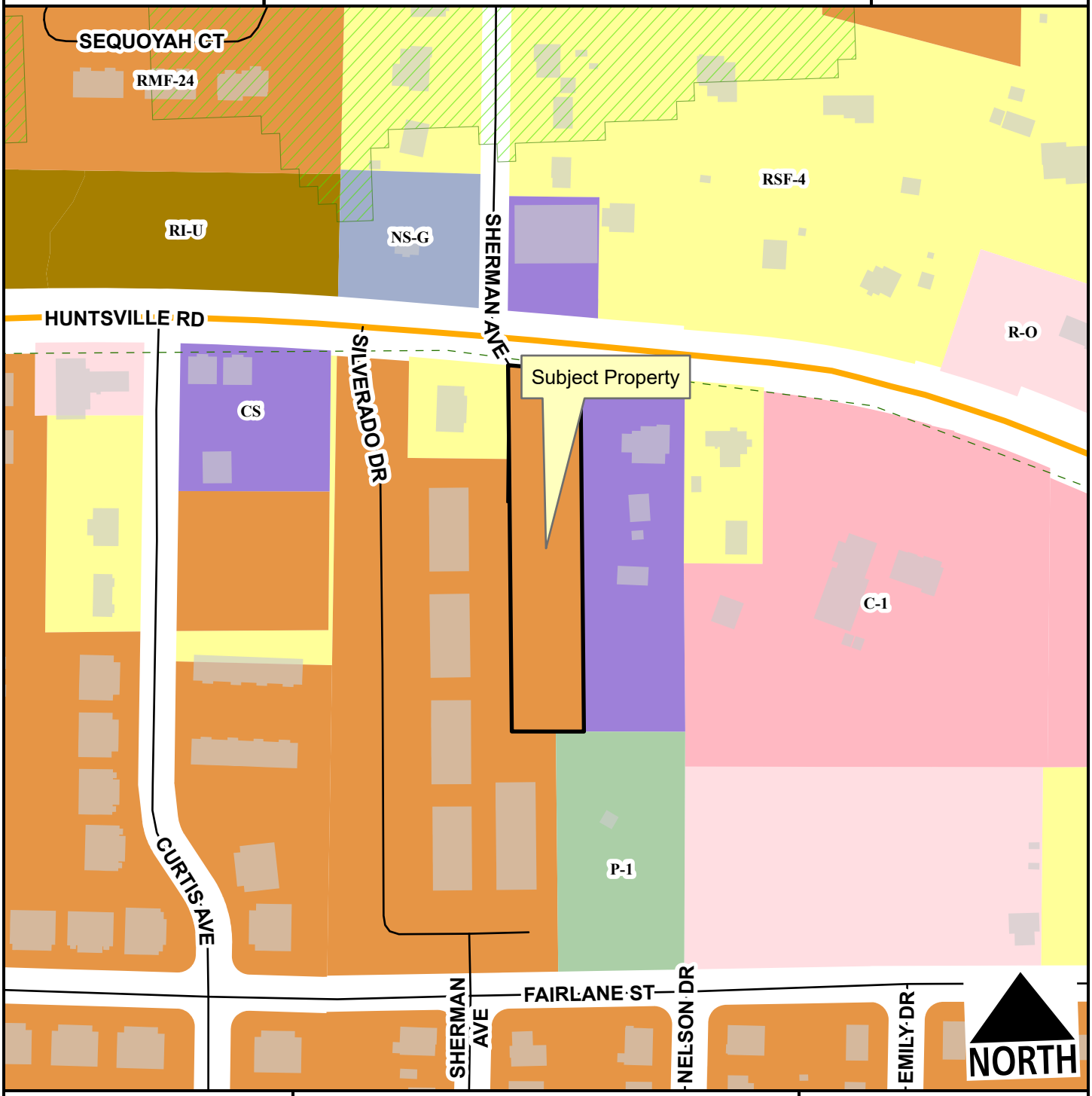
PLANNED ZONING DISTRICTS
Commercial, Industrial, Residential

INSTITUTIONAL
P-1

LSD-2022-0039

Close Up View

788 S. SHERMAN AVE



- Neighborhood Link
- Unclassified
- Residential Link
- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)

Feet

0 75 150 300 450 600

1:2,400

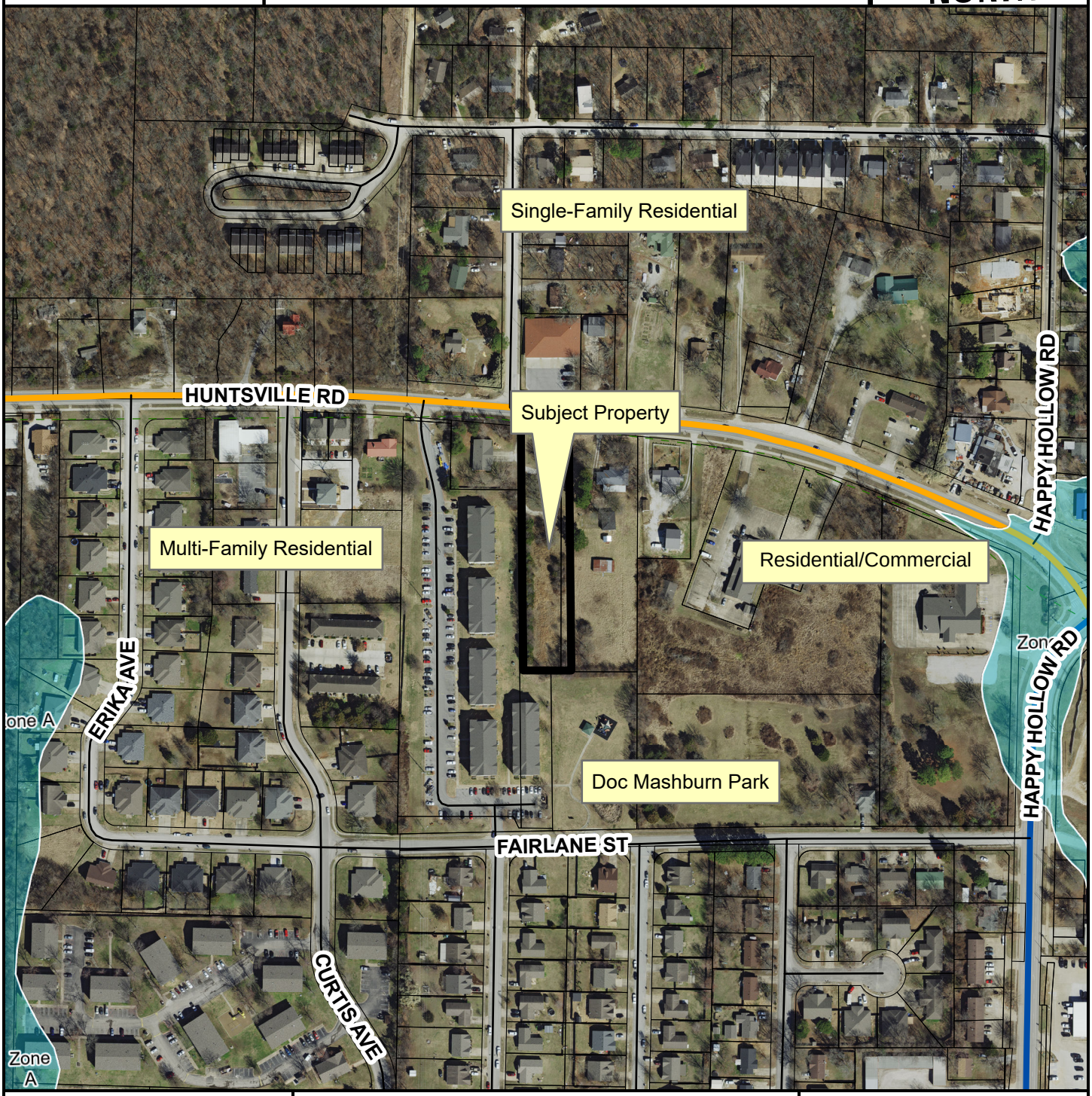
- RSF-4
- RI-U
- RMF-24
- Residential-Office
- C-1
- Community Services
- Neighborhood Services - Gen.
- P-1

LSD-2022-0039

Current Land Use

788 S. SHERMAN AVE

NORTH



- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-401

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Jessica Masters, Development Review Manager
Jonathan Curth, Development Services Director
Susan Norton, Chief of Staff

FROM: Ryan Umberger, Senior Planner

DATE: February 2, 2023

SUBJECT: **Appeal: CUP-2022-0129: Conditional Use Permit (215 W. LAFAYETTE ST/BAXTER, 484): Submitted by JAMES BAXTER, for property located at 215 W. LAFAYETTE ST in WARD 2. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.09 acres. The request is to use the residence as a short-term rental.**

RECOMMENDATION:
City staff recommends approval and the Planning Commission recommends denial of a request for a conditional use permit for a short-term rental as described and shown below.

BACKGROUND:
The subject property is on the south side of W. Lafayette Street, at the southeast corner of its intersection with N. Rollston Avenue. The property contains one parcel totaling 0.09 acres and is currently developed with a two-bedroom, single-family dwelling which was built in 1941. The property is in the Downtown Design Overlay district and the Downtown Master Plan area. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 20, 2022, City Council amended the ordinance to enact new requirements for short-term rentals. This report reflects those new changes for consideration.

Request: The applicant requests conditional use permit approval to use the property as a Type 2 short-term rental, which are those not occupied by a permanent resident. Type 2 short-term rentals are subject to density limitations, including a 2% citywide cap, and restrictions on the number of units that may be used as a short-term rental in multi-family dwelling complexes.

Findings: Staff finds that granting the requested conditional use is unlikely to negatively impact the public interest. Minimal disruptions are expected for neighbors due to applicable business licensing requirements including a required building safety inspection, and applicable density caps limiting the maximum number of guests to six. Two off-street spaces are available in the existing driveway. On-street parking is also available along both N. Rollston Avenue and W. Lafayette Avenue. Tags can be purchased through the Parking Management Department. The property is located in downtown Fayetteville where on-street parking is common with many residential and commercial properties in the vicinity lacking driveways or parking lots. Within ¼ mile of the property city business license records indicate there are 22 Type 2 rental business licenses. Given the relatively dense development pattern staff finds that the abundance of Type 2 short-term rentals in the area can largely be attributed to the property's proximity to downtown and does not constitute a

risk towards disrupting the character of the neighborhood. There are no active or prior zoning code violations at the subject address.

Public Comment: Staff received no public comment on the request.

DISCUSSION:
At the January 23, 2023, Planning Commission meeting a vote to approve this request failed with a vote of 4-4-0. Conditional use permits require five affirmative votes to pass. Commissioner Brink made the motion with a second from Commissioner Sparkman. Commissioner Madden suggested there is an excess of Type 2 short-term rentals nearby which represents a compatibility issue. She also expressed concerns about vehicle maneuvering onto W. Lafayette Street. Commissioner McGetrick was also worried about the number of short-term rentals in the vicinity. Commissioner Garlock feared approval of the conditional use permit may turn the neighborhood into a short-term rental, party neighborhood and felt the on-site parking was not adequate. Commissioners Holcomb, Brink, Winston, and Sparkman voted to approve the conditional use permit; Garlock, Madden, McGetrick, and Johnson voted to deny. No members of the public spoke at the meeting.

BUDGET/STAFF IMPACT:
N/A

ATTACHMENTS: Baxter Appeal Letter with Council Member Sponsors, Exhibit A, Planning Commission Staff Report

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-401

Appeal: CUP-2022-0129: Conditional Use Permit (215 W. LAFAYETTE ST/BAXTER, 484): Submitted by JAMES BAXTER, for property located at 215 W. LAFAYETTE ST in WARD 2. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.09 acres. The request is to use the residence as a short-term rental.

A RESOLUTION TO GRANT THE APPEAL OF COUNCIL MEMBERS D'ANDRE JONES, HOLLY HERTZBERG, AND SCOTT BERNA AND APPROVE CONDITIONAL USE PERMIT CUP 2022-0129 FOR A SHORT-TERM RENTAL AT 215 WEST LAFAYETTE STREET

WHEREAS, on January 23, 2023, the Planning Commission denied the application for Conditional Use Permit CUP 2022-0129, to allow a Short-Term Rental at 215 West Lafayette Street; and

WHEREAS, Council Members D'Andre Jones, Holly Hertzberg, and Scott Berna have properly appealed the decision of the Planning Commission pursuant to §155.05(A)(3) of the Unified Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby grants the appeal of Council Members D'Andre Jones, Holly Hertzberg and Scott Berna and approves Conditional Use Permit CUP 2022-0129 for a Short-Term Rental at 215 West Lafayette Street.

Section 2: Approval of the conditional use permit is subject to the following conditions, which must be accomplished by the owner/applicant/developer prior to receiving any certificate of occupation. The City Council has determined the compatibility of the conditional use permit for the proposed project based upon the owner/applicant's satisfactory accomplishment of all of the following requirements:

1. Pursuant to §166.20 **Expiration of Approved Plans and Permits** of the Unified Development Code, a business license must be obtained within 1 year of conditional use permit approval.
2. The number of occupants is limited to a maximum of two people per bedroom, plus two, for the entire unit when the property is operated as a short-term rental.
3. Special events including, but not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars are prohibited from occurring in the short-term rental.
4. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.
5. All trash receptacles shall be screened from view of the right-of-way.
6. All outdoor lighting shall meet requirements as outlined in Chapter 176 **Outdoor Lighting** of the

Unified Development Code.

7. Any signage shall meet the requirements as outlined in Chapter 174 **Signage** of the Unified Development Code.

Umberger, Ryan

To: Hertzberg, Holly; CityClerk; Berna, Scott; Bolinger, Bonnie; Pennington, Blake; Brown, Chris; Bunch, Sarah; Curth, Jonathan; Harvey, Sonia; Batker, Jodi; Jones, D'Andre; Johnson, Kimberly; Rogers, Kristin; Williams, Kit; Jordan, Lioneld; Mathis, Jeana; Moore, Sarah; Paxton, Kara; Mulford, Patti; Ramirez, Jonathan; Rea, Christine; Norton, Susan; Spohn, Courtney; Thurber, Lisa; Turk, Teresa; Wiederkehr, Mike
Cc: james.baxter@baxterlawpllc.com; Masters, Jessica
Subject: RE: Appeal of Denial of Conditional Use Permit

From: James Baxter <james.baxter@baxterlawpllc.com>
Sent: Wednesday, January 25, 2023 7:56 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Appeal of Denial of Conditional Use Permit

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Paxton,

I'm writing to ask that three city council members appeal the Planning Commission's tie vote decision that rejected our conditional use permit (CUP-2022-0129) to the full City Council pursuant to Section 155.05 of the Unified Development Code. In sum, the Planning Commission vote was against the recommendation of City staff, against the standards that are supposed to be evaluated, and importantly, it was made without any public opposition to the request. Under Section 155.05 of the Unified Development Code, three council members may appeal the denial to the full City Council.

However, there are a couple of things that are not detailed in Mr. Umberger's report that are also highly relevant. Our property, 215 W. Lafayette St., was used as a short-term rental for numerous years by the previous owners, Gary and Denise Anderson. In fact, it was operated as a short-term rental until December 2, 2022, when we purchased the home. And as detailed in Mr. Umberger's report, there have never been any issues with the home. This is the best evidence possible that the home is compatible to be a short-term rental. And, since we purchased the home, we have actually taken steps to make the home even more compatible by installing a six-foot privacy fence in the backyard.

Again, our request was rejected in a tie vote and there was no public opposition. The four members of the Planning Commission who voted against our application voiced concerns that there simply were too many short-term rentals in the downtown Fayetteville area. However, this concern misses the mark for numerous reasons. First, and most importantly, the Council has set a density cap for the City relating to short-term rentals. Hence, the number of short-term rentals is not a valid concern of the Planning Commission as that issue has been addressed by the Council with the density cap. Even if one were to apply the current density cap to just properties in downtown Fayetteville, the current 22 Type 2 short term rentals would be less than 2% of the residences in downtown Fayetteville. Second, again, the property was operated as a short-term rental until December 2, 2022. Hence, granting a conditional use permit is not really altering any status quo—there will be the same number of short-term rentals in downtown Fayetteville as there was just one month ago. Third, as Mr. Umberger noted in his report, downtown Fayetteville is quite dense and more short-term rentals should be expected in this area. As he said "[g]iven the relatively dense development pattern staff finds that the abundance of Type 2 short-term rentals in the area can largely be attributed to the property's proximity to downtown and does not constitute a risk towards disrupting the character of the neighborhood." Certainly, the character of the neighborhood will not be affected by a short-term rental as the property abuts an apartment complex, is across the street from another short-term rental, and its direct neighbor to the East (only direct neighbor) only uses their property as a second home and

have no objection to our property being used as a short-term rental. And again, no member of the neighborhood or community objected to our request.

Another thing that is not mentioned in Mr. Umberger's report is the fact that we currently possess two guest parking passes in addition to our two-car driveway. Hence, parking is not an issue. And as the Council knows, there are numerous short-term rentals in downtown Fayetteville without any off-street parking.

Simply put, we simply ask that the City Council follow the advice of the experts hired by the City and follow the wisdom of experience of our property causing no issue as a short-term rental for many years, and approve our request for which there has been no public opposition.

My wife and I were extremely fortunate to call Fayetteville home for 10 years. If it were not for both of us being part of family businesses, we would still live there today. Once we moved, we knew that we wanted to have a second home in Fayetteville, and we searched for one for over two years. We finally found the perfect place on Lafayette Street. We purchased this home knowing it had been used as a short-term rental without issue and hence did not expect to have any issues with us attempting to use it as a short-term rental. We very much want to still be a part of the Fayetteville community and certainly would never do anything that was a determinant to Fayetteville. We bought this house so we could be in Fayetteville more often, not to make money. We simply ask for the ability to use our home as it has been used for many years.

If anyone has any questions or concerns, I can be reached on my cell phone at 501-249-1949 or by email to james.baxter@baxterlawpllc.com.

--

James R. Baxter
Partner
The Baxter Law Firm, PLLC
126 N. Main Street
Benton, AR 72015
P: (501) 315-2971

NOTICE: This electronic mail transmission and any attachment may constitute an attorney-client communication that is privileged at law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail or by calling (501) 315-2971, so that our contact list can be corrected.

From: D"Andre Jones
To: Hertzberg, Holly
Cc: CityClerk; Berna, Scott; Bolinger, Bonnie; Pennington, Blake; Brown, Chris; Bunch, Sarah; Curth, Jonathan; Harvey, Sonia; Batker, Jodi; Jones, D"Andre; Johnson, Kimberly; Rogers, Kristin; Williams, Kit; Jordan, Lioneld; Mathis, Jeana; Moore, Sarah; Paxton, Kara; Mulford, Patti; Ramirez, Jonathan; Rea, Christine; Norton, Susan; Spohn, Courtney; Thurber, Lisa; Turk, Teresa; Wiederkehr, Mike; james.baxter@baxterlawpllc.com; Umberger, Ryan; Masters, Jessica
Subject: Re: Appeal of Denial of Conditional Use Permit
Date: Thursday, January 26, 2023 4:35:37 PM

CAUTION: This email originated from outside of the City of Fayetteville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I will support the appeal CU-2022-0129

Sent from my iPhone

> On Jan 26, 2023, at 3:44 PM, Hertzberg, Holly <holly.hertzberg@fayetteville-ar.gov> wrote:
>
> Good afternoon all,
>
> I would be happy to support the appeals process for CUP-2022-0129.
>
> Thank you,
>
> Holly Hertzberg
> City Council Member
> Ward 4 Position 2
> Fayetteville, AR 72701
> holly.hertzberg@fayetteville-ar.gov
> 479.777.1758
>
> ---
>
> **From:** CityClerk <cityclerk@fayetteville-ar.gov>
> **Sent:** Thursday, January 26, 2023 1:03 PM
> **To:** Berna, Scott <scott.berna@fayetteville-ar.gov>; Bolinger, Bonnie <bbolinger@fayetteville-ar.gov>; Pennington, Blake <bpennington@fayetteville-ar.gov>; Brown, Chris <cbrown@fayetteville-ar.gov>; Bunch, Sarah <sarah.bunch@fayetteville-ar.gov>; CityClerk <cityclerk@fayetteville-ar.gov>; Curth, Jonathan <jcurth@fayetteville-ar.gov>; Harvey, Sonia <sonia.harvey@fayetteville-ar.gov>; Hertzberg, Holly <holly.hertzberg@fayetteville-ar.gov>; Batker, Jodi <jbatker@fayetteville-ar.gov>; Jones, D'Andre <dandre.jones@fayetteville-ar.gov>; Johnson, Kimberly <kjohnson@fayetteville-ar.gov>; Rogers, Kristin <krogers@fayetteville-ar.gov>; Williams, Kit <kwilliams@fayetteville-ar.gov>; Jordan,

Lioneld <ljordan@fayetteville-ar.gov>; Mathis, Jeana <jmathis@fayetteville-ar.gov>; Moore, Sarah <sarah.moore@fayetteville-ar.gov>; Paxton, Kara <kapaxton@fayetteville-ar.gov>; Mulford, Patti <pmulford@fayetteville-ar.gov>; Ramirez, Jonathan <jramirez@fayetteville-ar.gov>; Rea, Christine <crea@fayetteville-ar.gov>; Norton, Susan <snorton@fayetteville-ar.gov>; Spohn, Courtney <ckelley@fayetteville-ar.gov>; Thurber, Lisa <lthurber@fayetteville-ar.gov>; Turk, Teresa <teresa.turk@fayetteville-ar.gov>; Wiederkehr, Mike <mike.wiederkehr@fayetteville-ar.gov>
Cc: james.baxter@baxterlawpllc.com <james.baxter@baxterlawpllc.com>; Umberger, Ryan <rumberger@fayetteville-ar.gov>; Masters, Jessica <jmasters@fayetteville-ar.gov>
Subject: FW: Appeal of Denial of Conditional Use Permit

Hi All,

Please see the email below and attachment from Mr. James R. Baxter.

Thank you and have a nice day.

Kim Johnson, BSE, CMC, CAMC
Senior Deputy City Clerk
Office of the City Clerk Treasurer
City of Fayetteville, Arkansas
kjohnson@fayetteville-ar.gov
479.575.8310
<image001.png>

From: James Baxter <james.baxter@baxterlawpllc.com>
Sent: Wednesday, January 25, 2023 7:56 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Appeal of Denial of Conditional Use Permit

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If anyone has any questions or concerns, I can be reached on my cell phone at 501-249-1949 or by email to james.baxter@baxterlawpllc.com.

--

James R. Baxter
Partner

The Baxter Law Firm, PLLC
126 N. Main Street
Benton, AR 72015
P: (501) 315-2971

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From:	Hertzberg, Holly
To:	CityClerk; Berna, Scott; Bolinger, Bonnie; Pennington, Blake; Brown, Chris; Bunch, Sarah; Curth, Jonathan; Harvey, Sonia; Batker, Jodi; Jones, D"Andre; Johnson, Kimberly; Rogers, Kristin; Williams, Kit; Jordan, Lioneld; Mathis, Jeana; Moore, Sarah; Paxton, Kara; Mulford, Patti; Ramirez, Jonathan; Rea, Christine; Norton, Susan; Spohn, Courtney; Thurber, Lisa; Turk, Teresa; Wiederkehr, Mike
Cc:	james.baxter@baxterlawpllc.com; Umberger, Ryan; Masters, Jessica
Subject:	Re: Appeal of Denial of Conditional Use Permit
Date:	Thursday, January 26, 2023 3:44:10 PM
Attachments:	image001.png

Good afternoon all,

I would be happy to support the appeals process for CUP-2022-0129.

Thank you,

Holly Hertzberg
City Council Member
Ward 4 Position 2
Fayetteville, AR 72701
holly.hertzberg@fayetteville-ar.gov
479.777.1758

From: CityClerk <cityclerk@fayetteville-ar.gov>
Sent: Thursday, January 26, 2023 1:03 PM
To: Berna, Scott <scott.berna@fayetteville-ar.gov>; Bolinger, Bonnie <bbolinger@fayetteville-ar.gov>; Pennington, Blake <bpennington@fayetteville-ar.gov>; Brown, Chris <cbrown@fayetteville-ar.gov>; Bunch, Sarah <sarah.bunch@fayetteville-ar.gov>; CityClerk <cityclerk@fayetteville-ar.gov>; Curth, Jonathan <jcurth@fayetteville-ar.gov>; Harvey, Sonia <sonia.harvey@fayetteville-ar.gov>; Hertzberg, Holly <holly.hertzberg@fayetteville-ar.gov>; Batker, Jodi <jbatker@fayetteville-ar.gov>; Jones, D'Andre <dandre.jones@fayetteville-ar.gov>; Johnson, Kimberly <kjohnson@fayetteville-ar.gov>; Rogers, Kristin <krogers@fayetteville-ar.gov>; Williams, Kit <kwilliams@fayetteville-ar.gov>; Jordan, Lioneld <ljordan@fayetteville-ar.gov>; Mathis, Jeana <jmathis@fayetteville-ar.gov>; Moore, Sarah <sarah.moore@fayetteville-ar.gov>; Paxton, Kara <kapaxton@fayetteville-ar.gov>; Mulford, Patti <pmulford@fayetteville-ar.gov>; Ramirez, Jonathan <jramirez@fayetteville-ar.gov>; Rea, Christine <crea@fayetteville-ar.gov>; Norton, Susan <snorton@fayetteville-ar.gov>; Spohn, Courtney <ckelley@fayetteville-ar.gov>; Thurber, Lisa <lthurber@fayetteville-ar.gov>; Turk, Teresa <teresa.turk@fayetteville-ar.gov>; Wiederkehr, Mike <mike.wiederkehr@fayetteville-ar.gov>
Cc: james.baxter@baxterlawpllc.com <james.baxter@baxterlawpllc.com>; Umberger, Ryan <rumberger@fayetteville-ar.gov>; Masters, Jessica <jmasters@fayetteville-ar.gov>
Subject: FW: Appeal of Denial of Conditional Use Permit

Hi All,

Please see the email below and attachment from Mr. James R. Baxter.

Thank you and have a nice day.

Kim Johnson, BSE, CMC, CAMC
Senior Deputy City Clerk
Office of the City Clerk Treasurer
City of Fayetteville, Arkansas
kjohnson@fayetteville-ar.gov
479.575.8310

CITY OF FAYETTEVILLE ARKANSAS

From: James Baxter <james.baxter@baxterlawpllc.com>
Sent: Wednesday, January 25, 2023 7:56 AM
To: CityClerk <cityclerk@fayetteville-ar.gov>
Subject: Appeal of Denial of Conditional Use Permit

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Subject:	Re: Appeal of Denial of Conditional Use Permit
Date:	Thursday, January 26, 2023 5:05:56 PM
Attachments:	image001.png

I would support allowing the appeal.

Scott Berna

> On Jan 26, 2023, at 3:44 PM, Hertzberg, Holly <holly.hertzberg@fayetteville-ar.gov> wrote:
>
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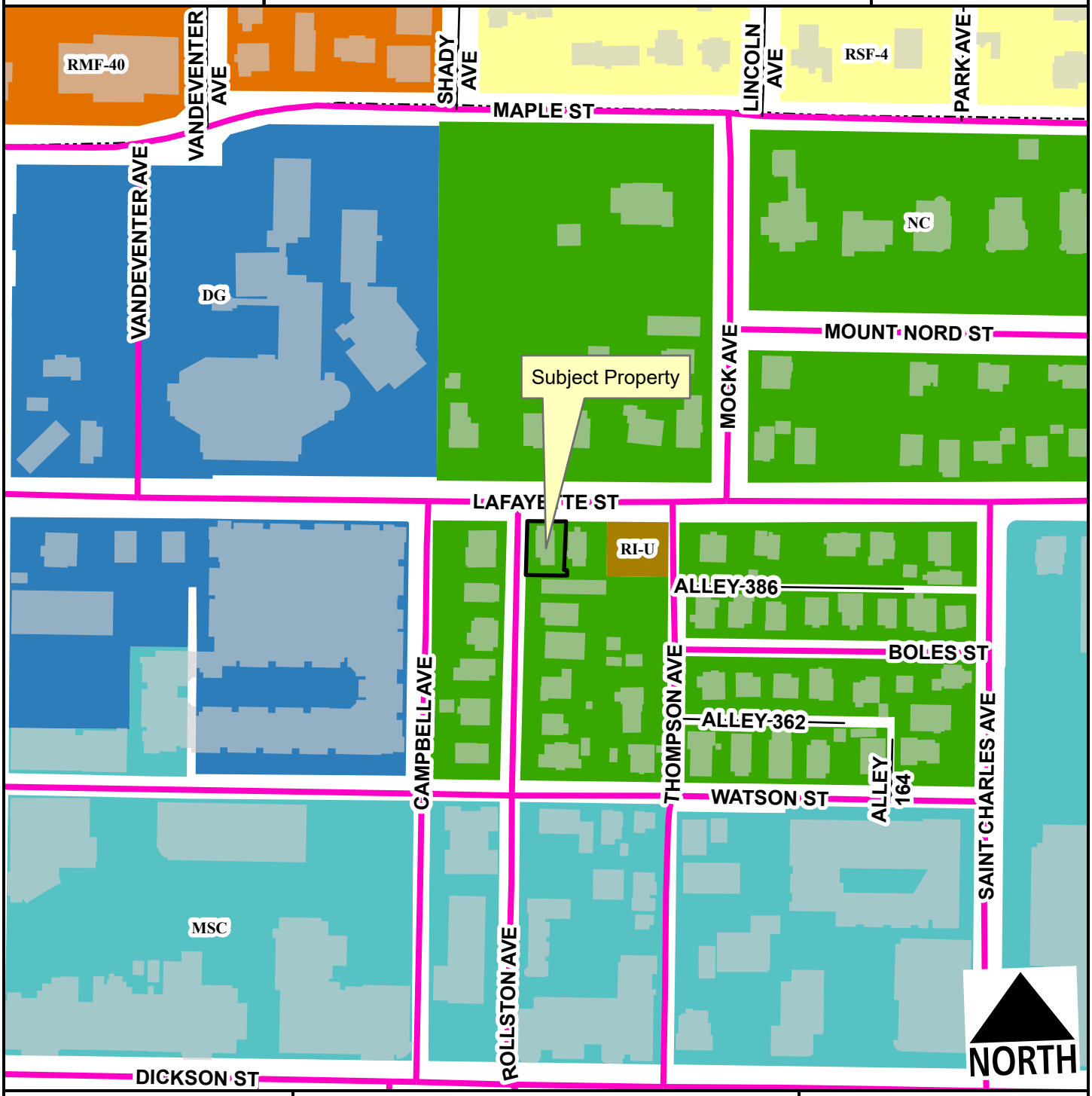
CUP-2022-0129

Close Up View

215 W. LAFAYETTE ST

EXHIBIT 'A'



Urban Center
Alley
Residential Link
Planning Area
Fayetteville City Limits
Design Overlay District

Feet

0 75 150 300 450 600

1:2,400

RSF-4
RI-U
RMF-40
Main Street Center
Downtown General
Neighborhood Conservation

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Ryan Umberger, Senior Planner

MEETING DATE: January 23, 2023 (Updated with Planning Commission Results)

SUBJECT: **CUP-2022-0129: Conditional Use Permit (215 W. LAFAYETTE ST/BAXTER, 484):** Submitted by JAMES BAXTER, for property located at 215 W. LAFAYETTE ST. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 0.09 acres. The request is to use the residence as a short-term rental.

RECOMMENDATION:
Staff recommends approval of **CUP-2022-0129** with conditions as outlined by staff.

RECOMMENDED MOTION:
*"I move to approve **CUP-2022-0129**, determining:*

- *In favor of compatibility with adjacent properties, and*
- *In favor of all other conditions as recommended by staff."*

BACKGROUND:
The subject property is on the south side of W. Lafayette Street, at the southeast corner of its intersection with N. Rollston Avenue. The property contains one parcel totaling 0.09 acres and is currently developed with a two-bedroom, single-family dwelling which was built in 1941. The property is in the Downtown Design Overlay district and the Downtown Master Plan area. On April 20, 2021, City Council adopted an ordinance to regulate short-term rentals operating within its limits. On December 20, 2022, City Council amended the ordinance to enact new requirements for short-term rentals. This report reflects those new changes for consideration. Surrounding land use and zoning are depicted in *Table 1.*

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-Family Residential	NC, Neighborhood Conservation
South	Single-Family Residential	NC, Neighborhood Conservation
East	Single-Family Residential	NC, Neighborhood Conservation
West	Single-Family Residential	NC, Neighborhood Conservation

City Plan 2040 Future Land Use Designation: **Residential Neighborhood Area**.

Proposal: The applicant requests conditional use permit approval to use the property as a Type 2 short-term rental, which are those not occupied by a permanent resident. Type 2 short-term

rentals are subject to density limitations, including a 2% citywide cap, and restrictions on the number of units that may be used as a short-term rental in multi-family dwelling complexes.

Public Comment: Staff has not received any public comment regarding this request.

RECOMMENDATION: Staff recommends approval of **CUP-2022-0129,** with the following conditions;

Conditions of Approval:

1. **Planning Commission determination of compatibility.** *Staff finds the proposed short-term rental to be compatible with the neighborhood based on the findings in this report;*

2. Approval of the conditional use permit does not ensure approval of a business license application. The applicant must still be able to comply with all other applicable requirements in the development code.

3. Per §166.20, Expiration of Approved Plans and Permits, a business license must be obtained within 1 year of conditional use permit approval.

4. Per ordinance, the number of occupants is limited to a maximum of two people per bedroom, plus two, for the entire unit when the property is operated as a short-term rental.

5. Special events including, but not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars are prohibited from occurring in the short-term rental.

6. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

7. All trash receptacles shall be screened from view of the right-of-way.

8. All outdoor lighting shall meet requirements as outlined in §176, Outdoor Lighting.

9. Any signage shall meet the requirements as outlined in §174, Signage.

PLANNING COMMISSION ACTION: **Required** **YES**

Date: **January 23, 2023** ❒ **Tabled** ❒ **Approved** ☒ **Denied**

Motion: Brink

Second: Sparkman

Motion to approve failed.

Vote: 4-4-0

FINDINGS OF THE STAFF

§163.02. AUTHORITY; CONDITIONS; PROCEDURES.

B. Authority; Conditions. The Planning Commission shall:

1. Hear and decide only such special exemptions as it is specifically authorized to pass on by the terms of this chapter.

2. Decide such questions as are involved in determining whether a conditional use should be granted; and,

3. Grant a conditional use with such conditions and safeguards as are appropriate under this chapter; or

4. Deny a conditional use when not in harmony with the purpose and intent of this chapter.

C. A conditional use shall not be granted by the Planning Commission unless and until:

1. A written application for a conditional use is submitted indicating the section of this chapter under which the conditional use is sought and stating the grounds on which it is requested.

Finding: **The applicant has submitted a written application requesting a conditional use permit for a Type 2 short-term rental in the NC zoning district.**

2. The applicant shall pay a filing fee as required under Chapter 159 to cover the cost of expenses incurred in connection with processing such application.

Finding: **The applicant has paid the required filing fee.**

3. The Planning Commission shall make the following written findings before a conditional use shall be issued:

(a.) That it is empowered under the section of this chapter described in the application to grant the conditional use; and

Finding: **The Planning Commission is empowered under Unified Development Code §118.01(E)(2) to grant the requested conditional use permit.**

(b.) That the granting of the conditional use will not adversely affect the public interest.

Finding: **Staff finds that granting the requested conditional use is unlikely to negatively affect the public interest, given the applicable business license requirements including a required building safety inspection, and applicable density caps on Type 2 short-term rentals.**

(c.) The Planning Commission shall certify:

(1.) Compliance with the specific rules governing individual conditional uses; and

Finding: There are specific rules governing Short-Term Rentals, as follows:

§163.18 - SHORT-TERM RENTALS

A. General Standards.

(1) Residential Zoning Districts. Residential Zoning Districts. Type 2 short-term rentals may be permitted as a conditional use in the following residential zoning districts: R-A, RSF-.5, RSF-1, RSF-2, RSF-4, RSF-7, RSF-8, RSF-18, RI-12, RI-U, RMF-6, RMF-12, RMF-18, RMF-24, RMF-40, NC. Short term rentals may be permitted by right or by conditional use in planned zoning districts subject to the zoning regulations enacted by the City Council for each district. Short-term rentals in non-residential zoning districts, mixed use zoning districts, or other zoning districts not listed above are not required to apply for a conditional use permit.

Finding: The request is to operate a Type 2 short-term rental in NC zoning, which requires a conditional use permit.

(2) Occupancy. Maximum of two (2) people per bedroom, plus two (2), for the entire unit when operated as a short-term rental.

Finding: Occupancy is limited as described in UDC §163.18(A)(3). Occupancy limitations are confirmed by the applicant during licensing. Since the dwelling has two bedrooms, the short-term rental would be limited to six guests.

(3) Parking. Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.

Finding: Staff recommends parking is limited as described in UDC §163.18(A)(4). Single-family homes are required to provide parking at a rate of two per dwelling. According to the applicant the property has access to two off-street parking spots in addition to on-street parking available along W. Lafayette Street and N. Rollston Avenue.

(4) Special events are not permitted in a short-term rental. Example of special events include, but are not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars.

Finding: The application letter suggests the property will comply with the City's regulations for a short-term rental. As a condition of approval, staff recommends a prohibition on special events.

(5) Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer,

other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

Finding: **The application is for use of the property at 215 W. Lafayette Street. Staff recommends a condition confirming that no recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.**

(6) Exceptions. Exceptions to the short-term rental standards, except proposals that would exceed the city-wide density maximum, may be granted by the Planning Commission as a conditional use permit.

Finding: **Type 2 short-term rentals are subject to a citywide density cap at 2% of total dwelling units, as determined by United States Census Bureau data. Recently released 5-year American Community Survey data from 2021 lists total housing units in Fayetteville at 44,706, which puts the cap at 894 total Type 2 short-term rentals. To date, the City has issued 301 Type 2 short-term rental licenses that are subject to this cap. Hotel and motel uses are not permitted by right in NC zoning, so this short-term rental would contribute to the city-wide density cap.**

(7) Short-term rentals must comply with all applicable codes under City Code §118.01 and successfully obtain a business license prior to operation.

Finding: **This short-term rental would be subject to all regulations in City Code §118.01 that apply to Type 2 short-term rentals in residential zoning districts. Applicable business licensing requirements will be reviewed by staff and confirmed by the applicant at the time of licensing.**

(8) Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:

1) Adequate parking infrastructure;
2) Adequate adjoining or nearby streets for on-street parking;
3) Frequency or concentration of nearby licensed Type 2 short-term rentals; and
4} Prior zoning or code violations.

Finding: **There appears to be adequate parking available to support the use of the property as a short-term rental based on the applicant's submittal. A total of two off-street spaces are available in the existing driveway. The property is located in downtown Fayetteville where on-street parking is a typical, urban condition with many residential and commercial properties in the vicinity lacking driveways or parking lots. Within ¼ mile of the property city business license records indicate there are 22 Type 2 rental business licenses. Given the relatively dense development pattern staff finds that the abundance of Type 2 short-term rentals in the area can largely be attributed to the property's proximity to downtown and does not constitute a risk towards disrupting the character of the neighborhood. There are no active or prior zoning code violations at the subject address.**

§163.02, AUTHORITY; CONDITIONS; PROCEDURES. (continued)

(2.) That satisfactory provisions and arrangements have been made concerning the following, where applicable:

(a.) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

Finding: The subject property has frontage along W. Lafayette Street and N. Rollston Avenue; both of which are classified as Urban Center streets. Staff finds that the proposal will not adversely affect traffic flows considering the use of the property would be limited to a maximum of six guests, which would not be out of character with use of the property for residential purposes. Sidewalk is present at the back of curb along both street frontages.

(b.) Off-street parking and loading areas where required, with particular attention to ingress and egress, economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

Finding: The applicant has indicated that there are two guest vehicle parking spaces available in the driveway. The short-term rental ordinance limits the number of guest vehicles to the maximum number of vehicles as allowed by the underlying zoning district.

(c.) Refuse and service areas, with particular reference to ingress and egress, and off-street parking and loading,

Finding: The applicant proposes to utilize existing residential trash cart service. Staff recommends that the containers should be screened from public view when not at the curb for residential pick-up.

(d.) Utilities, with reference to locations, availability, and compatibility;

Finding: Utilities are currently available to the site and the use as a short-term rental is not anticipated to impact the provision of utilities.

(e.) Screening and buffering with reference to type, dimensions, and character;

Finding: Staff recommends that residential carts be screened so that they are not visible from the public right-of-way.

(f.) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

Finding: **Any proposed signage will be subject to Unified Development Code section 174 – Signs, and all the regulations therein.**

(g.) Required yards and other open space; and

Finding: **Based on the applicant's submittal, the structure appears to be meeting relevant setbacks.**

(h.) General compatibility with adjacent properties and other property in the district.

Finding: **Staff finds the use to be compatible with surrounding properties. The property appears to have adequate parking to accommodate overnight guests, trash containers are screened, and minimal disruptions are expected for neighbors.**

BUDGET/STAFF IMPACT:
None

Attachments:

- Business Regulations
  - §118.01 Applicability
- Unified Development Code
  - §163.18 Type 2 Short-Term Rentals in Residential Zoning Districts
  - §161.29 District NC, Neighborhood Conservation
- Applicant Request Letter
- Building Floor Plan
- Elevations
- One Mile Map
- Close-Up Map
- Current Land Use Map

118.01 Applicability

(E) *Short-Term Rentals.* A residential dwelling unit, portion of a dwelling unit, or bedroom within a residential dwelling unit, leased and/or rented to a guest(s), for a period of less than thirty consecutive (30) days.

(1) *Short-Term Rental, Type 1.* A short-term rental where the principal use of the property remains as a full-time residence. The occupants or owner rent their primary residence as a short-term rental. A copy of the Homestead Tax Credit or long-term lease agreement for the subject property is required to be classified as a Type 1 rental. The occupant or owner must occupy the residence for nine (9) months of the year. Accessory dwelling units (ADUs) as defined in Unified Development Code Chapter 151 shall be considered a Type 1 short-term rental.

(2) *Short-Term Rental, Type 2.* A short-term rental that is not occupied by a permanent resident. The owner lists this property full-time as a short-term rental and has no intention of having permanent residents living in the property. A conditional use permit is required for a Type 2 short-term rental in a residential zoning district prior to the city issuing a business license.

(3) *License Required.* No dwelling unit in the city shall be used as a short-term rental unless:

(a) The owner of the dwelling unit or operator of the short-term rental possess a valid and current business license for the dwelling unit, and fully complies with all legal requirements and duties imposed herein with respect to each and every short-term rental; and
(b) The owner has designated an agent, where said agent fully complies with all legal requirements and duties imposed herein with respect to every short-term rental. The owner may serve as their own agent.
(c) The owner of the dwelling unit or operator of the short-term rental provides proof of a valid and current homeowners insurance rider policy which fully covers each unit when operated as short-term rental unit.

(4) A separate business license shall be required for each dwelling unit used as a short-term rental.

(5) Any change in ownership requires a new or amended business license.

(6) If any required contact information changes for the associated business license, the person to whom the license was issued shall immediately notify the Development Services Department in writing.

(7) *License Application.* The application for a business license shall include at minimum, the following information from applicants:

(a) The property owner's information including legal name, mailing address, immediate contact phone number, and immediate contact E-mail address.
(b) Information for the dwelling unit subject to the application, inclusive of the physical street address assigned by the city.
(c) The type and total number of dwelling units located on the lot of record containing the dwelling unit subject to the application.
(d) If the owner is not their own agent, the owner designated agent's information including legal name, mailing address, immediate contact phone number and immediate contact E-mail address.
(e) Documentation of approval of a life safety and egress inspection by the City Building Safety Division for the dwelling unit subject to the application.
(f) Proof of application for remittance of hotel, motel and restaurant tax to the City of Fayetteville, and verification that all sales, use, and hotel, motel and restaurant taxes are current.
(g) Any additional data as deemed necessary or desirable for permit approval by the Development Services Director.

(8) *License Renewals.* Business licenses for short-term rentals shall be renewed in accordance with Chapter 118 of the Business Regulations (Business Registry and Licenses).

(11) *Legal Duties of License Holders.* An owner possessing a short-term rental license shall comply at all times with the following requirements:

(a) *Occupancy.* Short-term rentals shall be subject to, and may not exceed, the occupancy limits approved with the business license.
(b) *Advertisements.* A short-term rental shall not be advertised if it violates occupancy, density, safety, and any of the other provisions of the Fayetteville Code. No short-term rental unit shall be advertised prior to having obtained a business license and the business license number shall be included in the advertisement listing.
(c) *Information and Posting.* Business licensees shall provide to guests and post conspicuously in the common area of the short-term rental unit the city phone number to report a safety complaint.

(10) *Owner or Agent Accessibility.* The property owner shall ensure that they or a designated agent are available at all times during guest occupancy, including nights and weekends, in order to facilitate

compliance with this section. For the purposes of these regulations, 'availability' means that the owner or agent is accessible by telephone, and, able to be physically present at the short-term rental within three (3) hours of being contacted.

(11) *Guest Records.* The owner shall maintain summary guest registration records, which shall contain the actual dates of occupancy, total number of guests per party per stay, and the rate(s) charged, but shall not contain any personally identifiable information about guests. Such records shall be maintained for three (3) years and shall be provided to the City upon request.

(12) *Health and Safety.* The owner shall ensure that each dwelling unit governed by this section complies with the applicable provisions of the Unified Development Code Chapter 173, Building Regulations.

(13) *Criminal Activity.* The owner shall timely report any known or reasonably suspected criminal activity by a guest to the Fayetteville Police Department within twelve (12) hours maximum.

(14) *Taxes and Fees.* Except for those instances in which a hosting platform bears the responsibility for collecting and remitting taxes and fees applicable to short-term rentals, the property owner shall timely remit in full Fayetteville Hotel, Motel and Restaurant tax and other applicable local, state, and federal taxes and city fees owed in connection with any short-term rental. The failure of a hosting platform to collect and remit taxes and fees shall not relieve an owner of the obligation to pay taxes and fees owed pursuant to this section.

(15) *Authorization to Occupy, Use, and Operate.* Authorization to operate a short-term rental may be granted by the Development Services Director through the issuance of a City of Fayetteville Business Registry and License (Business License).

(16) *Density For Type 2 Short-Term Rentals.* A city-wide density cap of 2% of all dwelling units in the Fayetteville city limits may be utilized as Type 2 rentals. Total dwelling units are determined from current United States Census Bureau and/or American Community Survey numbers, whichever number is higher. A conditional use permit may not permit:

(a) More Type 2 short-term rentals than what is allowed by the city-wide density cap. Type 2 short-term rentals in commercial and mixed-use zoning districts where hotel/motels are permitted by right shall not contribute to the city-wide density cap.
(b) More than 10% or a single unit whichever is greater; of total dwelling units as Type 2 rentals within a multi-family dwelling complex.
(c) Individual 2-, 3- and 4-family buildings that are owned by the same person or entity and are not a part of a multi-family complex shall have no more than one (1) Type 2 short-term rental unit per building complex.
(d) Where attached residential units are held separately through condominium association, horizontal property regime, fee simple, or similar ownership structure, no cap shall be applied to buildings with attached residential dwellings. Structures of attached residential dwellings where applicants seek more than 10% of total units for licensing as Type 2 rentals shall be evaluated by the Building Safety Director and/or Fire Marshal for adequate fire protection as defined by the adopted Arkansas Fire Prevention Code. Where inadequate fire protection is identified, improvements may be required prior to issuance of a business license.

(17) *Suspension and Revocation.* If the Development Services Director has reason to believe that any of the grounds specified in §118.03(A) of the Fayetteville Code exist, or that any rental unit was rented for less than one (1) full night, or to more than one (1) part of guests for the same period of time, or otherwise failed to comply with all terms and conditions of this section, the Development Services Director may suspend or revoke the short-term rental's business license pursuant to the procedures detailed in §118.03 and in §118.04 of the Fayetteville Code.

(20) Short-term rentals must comply with all applicable codes under Unified Development Code §163.18 and § 164.26 successfully obtain a business license prior to operation.

(Ord. No. 6427 , §§1(Exh. A), 2, 4-20-21; Ord. No. 6505 , §1(Exh. A), 11-16-21; Ord. No. 6521 , §§1, 2, 1-18-22; Ord. No. 6537 , §1(Exh. A), 2-15-22)

163.18 Type 2 Short-Term Rentals in Residential Zoning Districts

(A) *Residential Zoning Districts.* Type 2 short-term rentals may be permitted as a conditional use in the following residential zoning districts:

1) R-A
2) RSF-.5
3) RSF-1
4) RSF-2
5) RSF-4
6) RSF-7
7) RSF-8
8) RSF-18
9) RI-12
10) RI-U
11) RMF-6
12) RMF-12
13) RMF-18
14) RMF-24
15) RMF-40
16) NC

Short term rentals may be permitted by right or by conditional use in planned zoning districts subject to the zoning regulations enacted by the City Council for each district.

Short-term rentals in non-residential zoning districts, mixed use zoning districts, or other zoning districts not listed above are not required to apply for a conditional use permit.

(B) *Occupancy.* Maximum of two (2) people per bedroom, plus two (2), for the entire unit when operated as a short-term rental.

(C) *Parking.* Parking is limited to the maximum number of vehicles as allowed by the underlying zoning district for the residential building on the property.

(D) Special events are not permitted in a short-term rental. Example of special events include, but are not limited to, weddings, receptions, anniversaries, private parties, fundraisers and business seminars.

(E) Short-term rental units are allowed in any structure established as a permanent residential dwelling including an accessory dwelling unit. No recreational vehicle, trailer, other vehicle or structure not classified as a permanent residential dwelling may be used as a short-term rental.

(F) *Exceptions.* Exceptions to the short-term rental standards, except proposals that would exceed the city-wide density maximum, may be granted by the Planning Commission as a conditional use permit.

(G) Short-term rentals must comply with all applicable codes under City Code §118.01 and successfully obtain a business license prior to operation.

(H) Short-term rentals in residential zoning districts may be subject to denial or additional conditions based upon the Planning Commission's findings on the following factors:

1) Adequate parking infrastructure;

2) Adequate adjoining or nearby streets for on-street parking;

3) Frequency or concentration of nearby licensed Type 2 short-term rentals; and

4) Prior zoning or code violations

(Ord. No. 6427 , §§1(Exh. E), 2, 4-20-21; Ord. No. 6505 , §2(Exh. B), 11-16-21; Ord. No. 6537 , §2(Exh. B), 2-15-22)

161.29 Neighborhood Conservation

(A) *Purpose.* The Neighborhood Conservation zone has the least activity and a lower density than the other zones. Although Neighborhood Conservation is the most purely residential zone, it can have some mix of uses, such as civic buildings. Neighborhood Conservation serves to promote and protect neighborhood character. For the purposes of Chapter 96: Noise Control, the Neighborhood Conservation district is a residential zone.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 12a	Limited business*
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cluster Housing Development

(C) *Density.* Ten (10) Units Per Acre.

(D) *Bulk and Area Regulations*.

(1) *Lot Width Minimum.*

All dwelling types	40 feet

(2) *Lot Area Minimum.* 4,000 square feet

(E) *Setback Regulations*.

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
Side	5 feet
Rear	5 feet
Rear, from center line of an alley	12 feet

(F) *Building Height Regulations*.

Building Height Maximum	3 stories

(Ord. No. 5128, 4-15-08; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800 , §1(Exh. A), 10-6-15>; Ord. No. 5921 , §1, 11-1-16; Ord. No. 5945 , §§5, 7—9, 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6211 , §1, 8-6-19; Ord. No. 6427 , §§1(Exh. C), 2, 4-20-21)

Ord. No. 6427 , § 2, adopted April 20, 2021, "determines that this ordinance and all amendments to Code sections ordained or enacted by this ordinance shall automatically sunset, be repealed, terminated, and become void twenty (20) months after the passage and approval of this ordinance, unless prior to that date, the City Council amends this ordinance to repeal this sunset, repeal and termination section."

BAXTER LAW
EXPERIENCE. COMPASSION. RESULTS.

December 28, 2022

Fayetteville Planning Commission
Via Online Upload

RE: Request letter for Conditional Use Permit Application for 215 W. Lafayette St.

To Whom It May Concern,

On behalf of myself and my wife, Jordan Honey, please accept this as our request letter for a conditional use permit for 215 W. Lafayette St. to enable us to continue to use the home for a short-term rental.

Our home is 1004 square feet. There is a driveway which offers two off-street parking spots in addition to the on-street parking offered on Lafayette in the front and Rollston Avenue to the side.

The color elevation of the building is red cedar on all four sides of the property. I'm including photographs below.

Again, we are requesting a conditional use permit to enable us to apply for a short-term rental license. The house is only two bedrooms and sleeps a maximum of five. Thus, while the anticipated number of guests will vary, it would be a maximum of five people for overnight guests.

As far as outdoor lighting, we have solar lights in the front, back, and side yards. There are also front and back yard porch lights from the home.

For noise purposes, provided we are approved, our short-term rental rules would prohibit excessive noise and obey all noise ordinances of the City of Fayetteville. Thus, excessive noise is not expected and only the noise from ordinary residential use would be expected. This property was used as a short-term rental for several years without issue by the previous owners.

As to buffering from adjacent properties, there is currently a semi-private fence in the backyard. I.e. a four foot fence. We are currently having a full privacy fence (six foot) installed with a completion date expected by mid-January.

Trash refuse is handled by the City of Fayetteville. The trash ben is currently located in the back of the driveway. However, once the full privacy fence is installed, we will move same to the back yard, right behind the driveway.

126 N. Main Street • Benton, AR 72015 • (501) 315-2971 • james.baxter@baxterlawpllc.com

Traffic should not be impacted as short-term rentals should be in harmony with regular residential use.

Short term use is very compatible with the use of the adjacent properties and other properties in the neighborhood as several nearby properties are currently used for a short-term rental. And importantly, this home was used as a short-term rental for numerous years without issue until we recently purchased the same on December 2, 2022. And we believe we are making the property even more conducive for short term rental use with the installation of the full privacy fence in the back yard.

Below are pictures of the home. For a video of the interior of the home, please follow this link:
https://share.icloud.com/photos/0b57w_LPJ4ckDl4sOJejOLMmA[1]

Sincerely,
James R. Baxter

[1] The interior was recently painted. Hence, in the video, there are some things off of the walls, etc. They have already been replaced. The video is simply being provided to help provide an idea of the floor plan of the home.

CUP-2022-0129 Exhibit

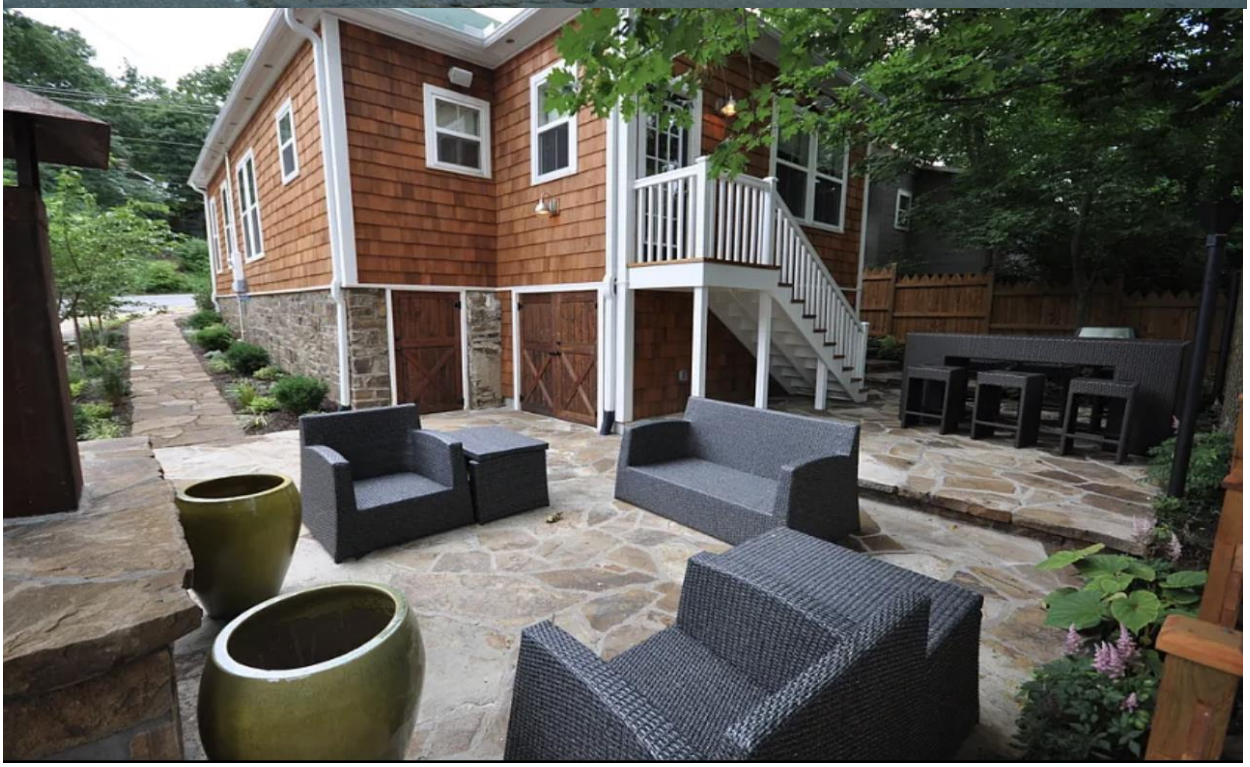
Fayetteville, AR

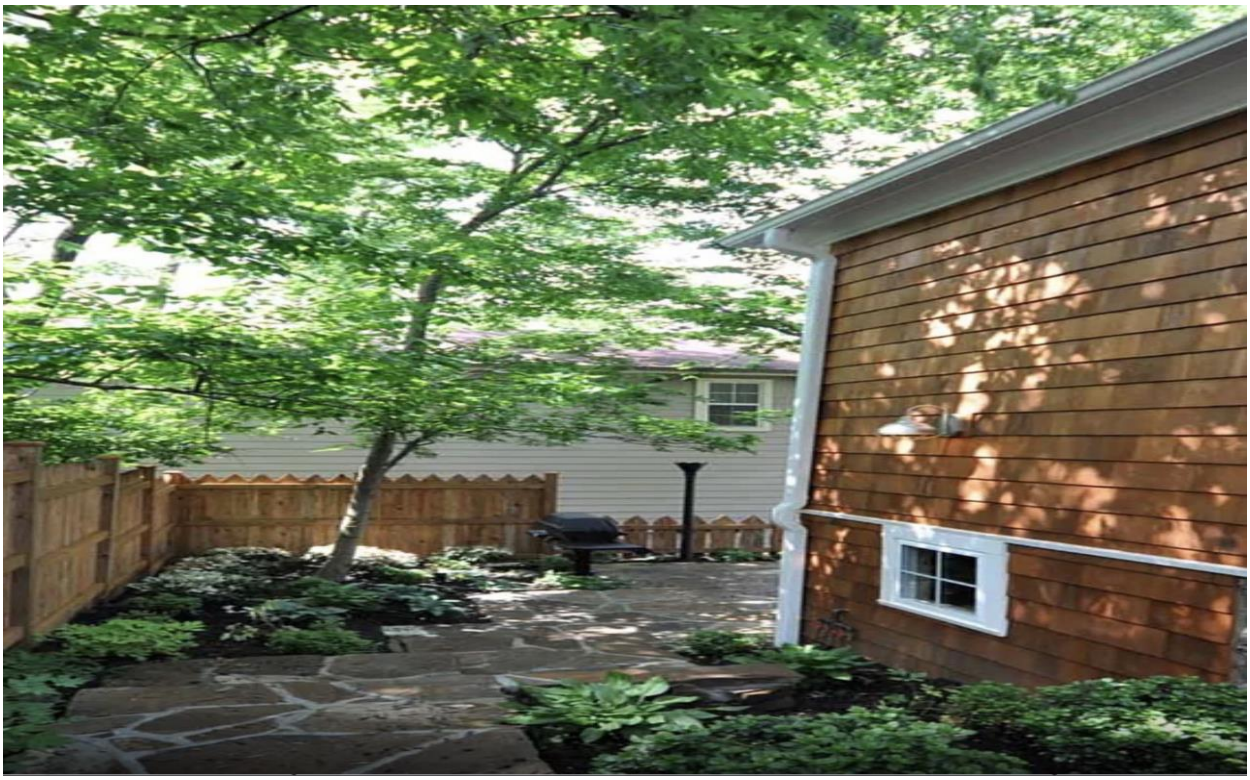
The data contained herein was compiled from various sources for the sole use and benefit of the City of Fayetteville Geographic Information System and the public agencies it serves. Any use of the data by anyone other than the City of Fayetteville is at the sole risk of the user; and by acceptance of this data, the user does hereby agree to indemnify the City of Fayetteville and hold the City of Fayetteville harmless from and without liability for any claims, actions, cost for damages of any nature, including the city's cost of defense, asserted by user or by another arising from the use of this data. The City of Fayetteville makes no express or implied warrantees with reference to the data. No word, phrase, or clause found herein shall be construed to waive that tort immunity set forth under Arkansas law.

Created: 1/18/2023
Credits: City of Fayetteville, AR, 2022 Imagery | EagleView Technologies | Surdex Corporation
Map Author:

Lafayette

ROLLSTON
LAFAYETTE ST





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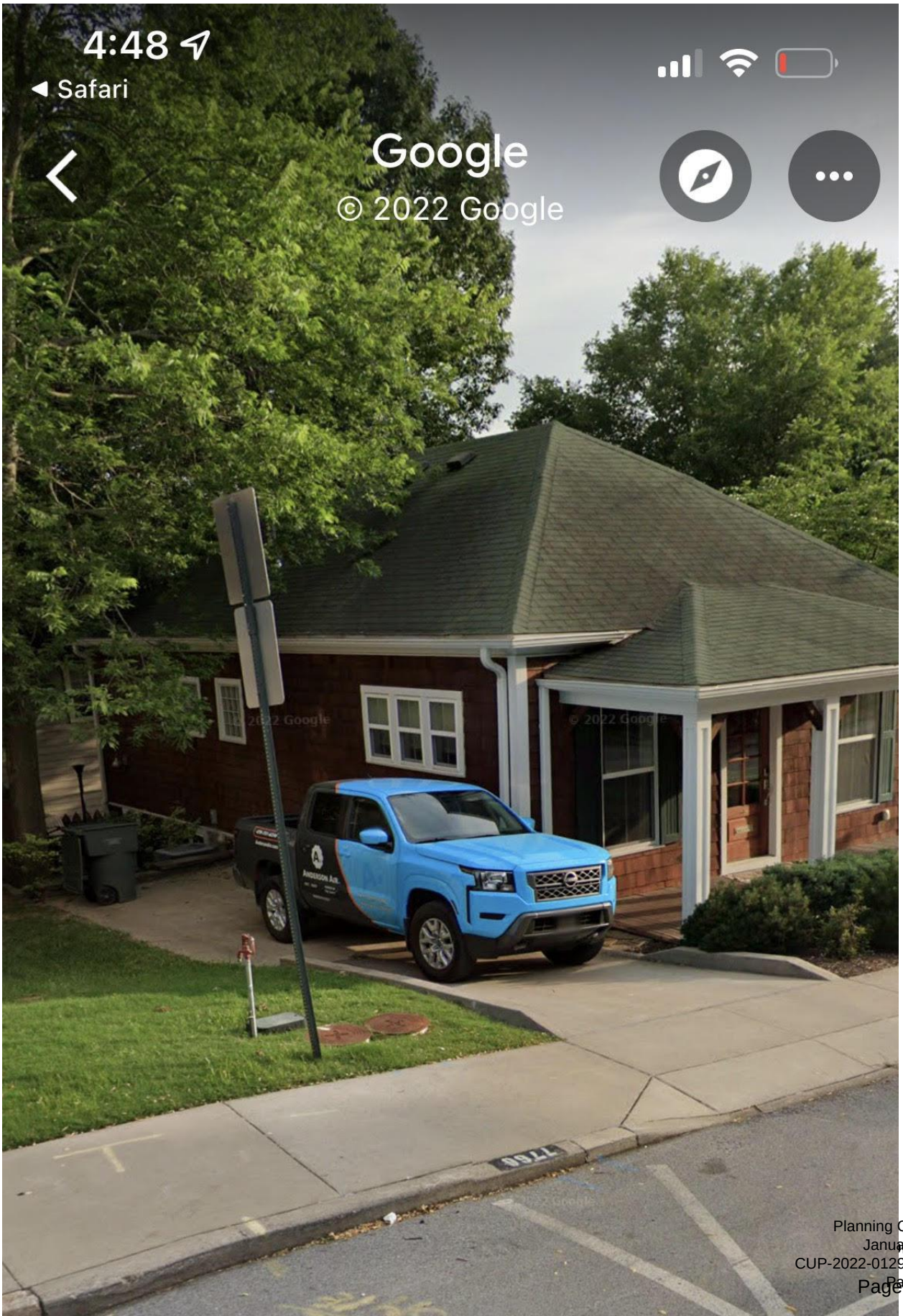
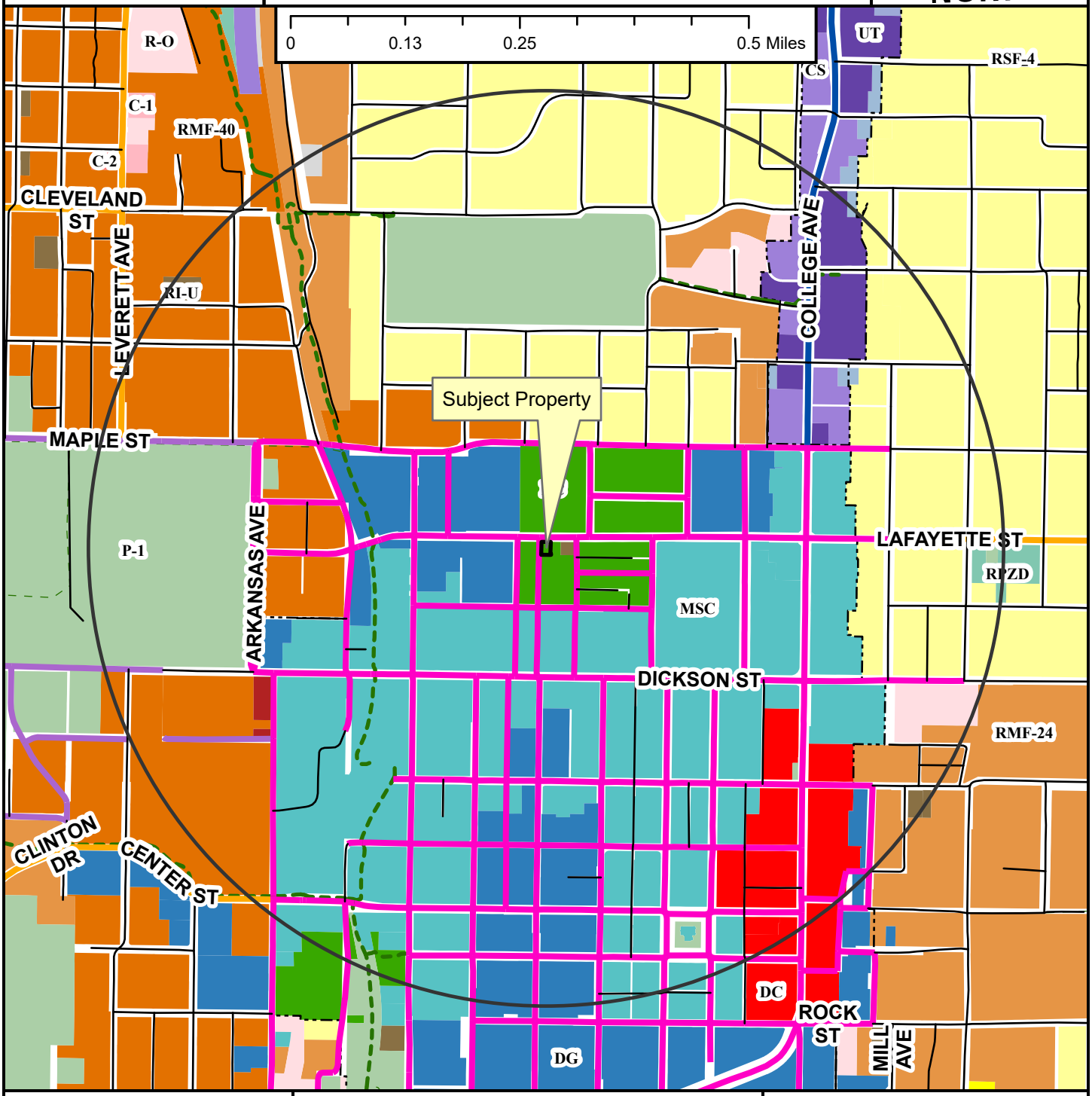


CUP-2022-0129

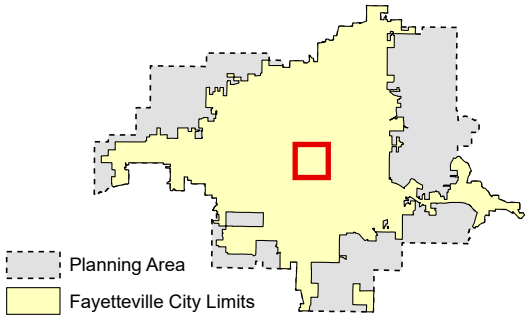
One Mile View

215 W. LAFAYETTE ST

NORTH



Neighborhood Link
Institutional Master Plan
Regional Link - High Activity
Urban Center
Unclassified
Alley
Residential Link
Shared-Use Paved Trail
Trail (Proposed)
Design Overlay District
Fayetteville City Limits
Planning Area



Zoning

RESIDENTIAL SINGLE-FAMILY
NS-G
RI-U
RI-12
NS-L
Residential-Agricultural
RSF-.5
RSF-1
RSF-2
RSF-4
RSF-7
RSF-8
RSF-18

RESIDENTIAL MULTI-FAMILY
RMF-6
RMF-12
RMF-18
RMF-24
RMF-40

INDUSTRIAL
I-1 Heavy Commercial and Light Industrial
I-2 General Industrial

EXTRACTION
E-1

COMMERCIAL
Residential-Office
C-1
C-2
C-3

FORM BASED DISTRICTS
Downtown Core
Urban Thoroughfare
Main Street Center
Downtown General
Community Services
Neighborhood Services
Neighborhood Conservation

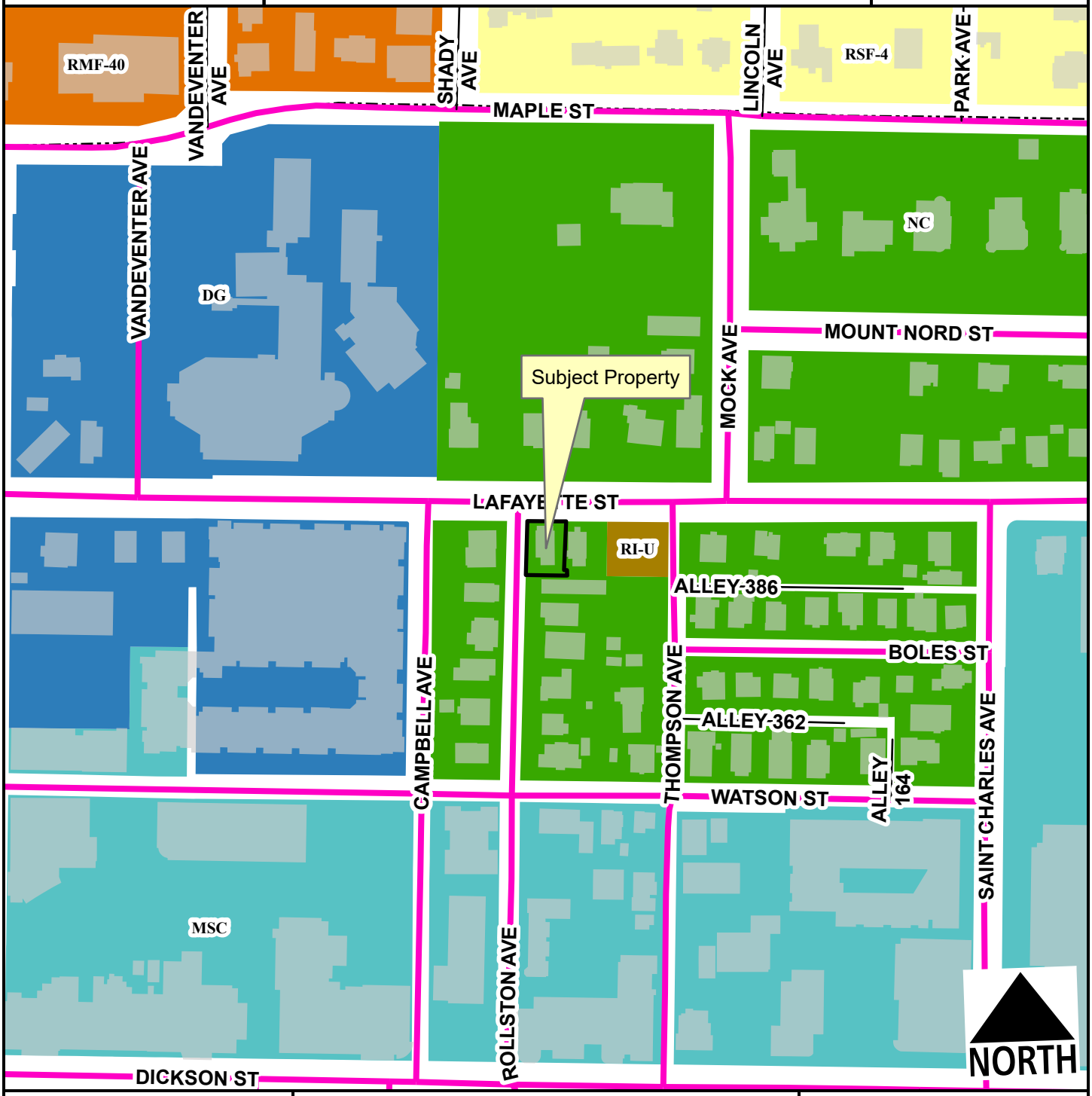
PLANNED ZONING DISTRICTS
Commercial, Industrial, Residential

INSTITUTIONAL
P-1

CUP-2022-0129

Close Up View

215 W. LAFAYETTE ST



Urban Center
Alley
Residential Link
Planning Area
Fayetteville City Limits
Design Overlay District

Feet
0 75 150 300 450 600
1:2,400

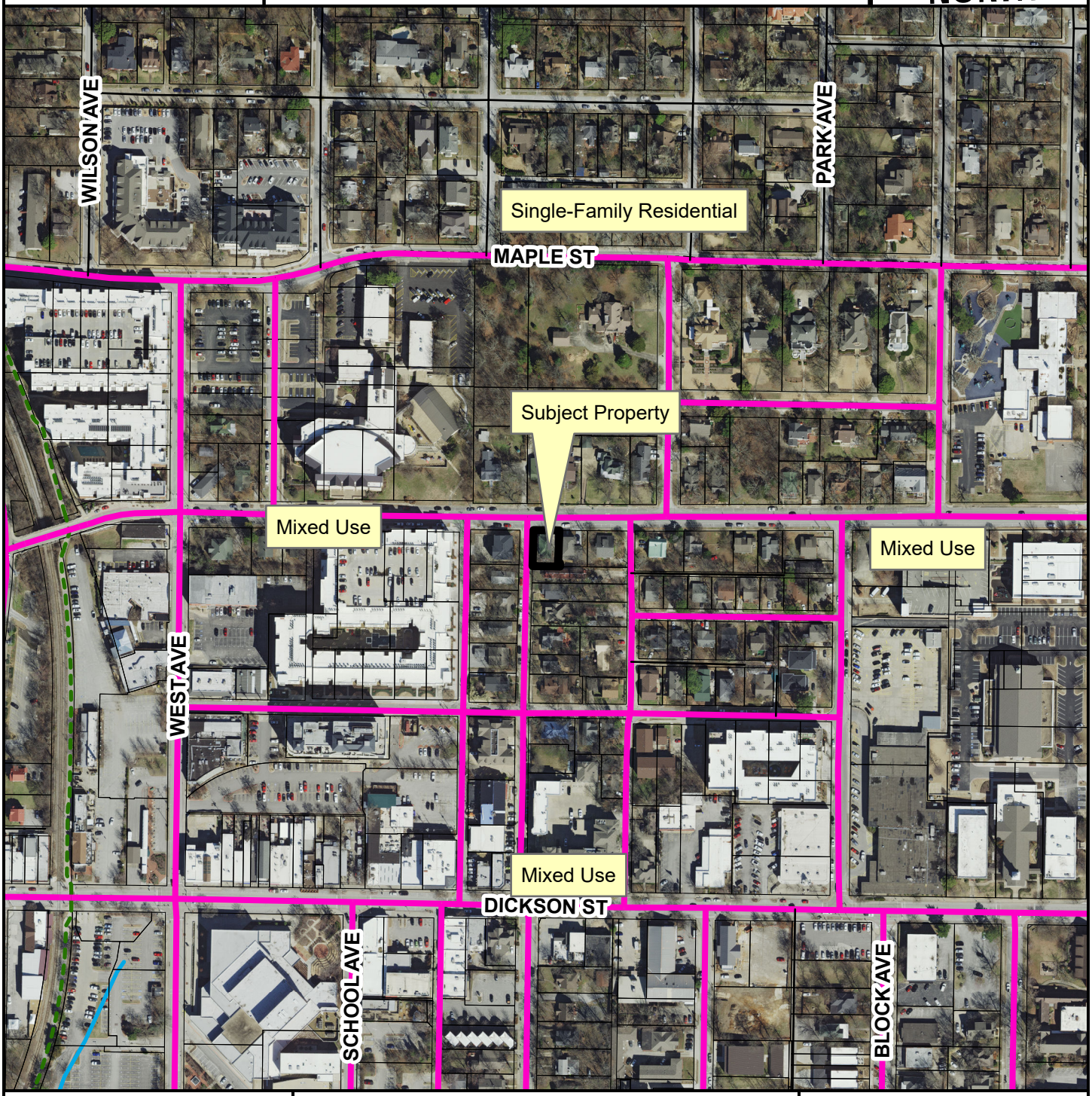
RSF-4
RI-U
RMF-40
Main Street Center
Downtown General
Neighborhood Conservation

CUP-2022-0129

Current Land Use

215 W. LAFAYETTE ST

NORTH



- Urban Center
- Unclassified
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Design Overlay District

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

- 100-Year Floodplain
- Floodway

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-400

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Jessica Masters, Development Review Manager
Jonathan Curth, Development Services Director
Susan Norton, Chief of Staff

FROM: Ryan Umberger, Senior Planner

DATE: February 3, 2023

SUBJECT: **RZN-2022-0053: Rezone (3017 W.OLD FARMINGTON RD./ARNOLD, 557): Submitted by JORGENSEN & ASSOCIATES. for property located at 3017 W. OLD FARMINGTON RD in WARD 1. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.50 acres. The request is to rezone the properties to RSF-18, RESIDENTIAL SINGLE-FAMILY, 18 UNITS PER ACRE.**

RECOMMENDATION:
City Planning staff and the Planning Commission recommend approval of a request to rezone the subject property as described and shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:
The subject property is located at the southwest corner of the intersection of S. One Mile Road and W. Old Farmington Road. To the north is Millsap Mountain, the site of Centennial Park. The subject property is zoned RSF-4, Residential Single-Family, 4 Units per Acre and it is approximately ½ acre in area. There are no apparent sensitive ecological features on site and the property is fairly flat. A duplex, built in 1977, occupies the site.

Request: The request is to rezone the property from RSF-4, Residential Single-family, Four Units per Acre to RSF-18, Residential Single-family, 18 Units per Acre.

Public Comment: Staff has not received any public comment on this item.

Land Use Compatibility: The proposed zoning is compatible with the surrounding land use pattern of the area. Zoning regulations for the existing RSF-4 and proposed RSF-18 district are identical in terms of permitted uses and conditional uses. RSF-18, however, allows density up to eighteen units per acre, with lots that are 30 feet-wide and a minimum width of 1,250 square feet for townhomes. RSF-4, on the other hand, allows lots at a minimum width of 70 feet and 8,000 square feet in area at this location. Setbacks under RSF-18 are also less restrictive. RSF-18 prescribes a build-to zone between 0-25 feet from the front property line, allows zero lot-line development for townhomes, and has a five foot rear setback. RSF-4 setbacks are 15 feet in the front and rear and 5 feet along side property lines. In RSF-18 the area occupied by structures is limited to 60% of the lot area where in RSF-4 structures may only occupy 40%. The height of structures in both districts is limited to three stories. In the near vicinity,

properties have a patchwork of zoning designations. The property is situated among moderate to high single-family zoning designations and also districts typically associated with rural or agricultural uses. It is just over 500 feet north of the W. Martin Luther King Jr. Boulevard corridor. In the vicinity are many grocery stores, retail goods and services, and a Department of Motor Vehicles tag office. Lastly, staff finds the setbacks of the proposed RSF-18 zoning will create efficiencies in the development pattern of the site that will allow the property to be more appropriately utilized, especially considering its location. Staff finds the request to rezone to RSF-18 is appropriate given the associated zoning requirements and surrounding context.

Land Use Plan Analysis: Staff finds that the request is generally consistent with adopted land use policies, the Future Land Use Map designation, and goals of City Plan 2040. The subject area is designated as a Residential Neighborhood Area, which calls for a mix of housing types in appropriate areas. While the single-use nature of the district may not be consistent with the aims of the future land use designation, the single-family zoning district will help to ensure that development of the site is of an appropriate scale and context with the adjoining properties. The infill score of the site is moderate, but it is located between two Tier 2 Centers, as designated by City Plan 2040's Growth Concept Map; approximately a half-mile to the east at I-49 and W. Martin Luther King Jr. Boulevard and approximately one mile to the west at S. Rupple Road and W. Martin Luther King Jr. Boulevard. The Growth Concept Map is a tool included in City Plan 2040 which depicts, in board terms, how growth should occur based on activity centers and corridors.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040’s Infill Matrix indicates 7 attributes for this site that may contribute to appropriate infill. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station #6, 990 S. Hollywood Avenue)
- Near Sewer Main (6-inch main north of W. Old Farmington Road, 6-inch main center of S. One Mile Road)
- Near Water Main (8-inch main north of W. Old Farmington Road, 6-inch main center of S. One Mile Road)
- Near Grocery Store (Walmart, ALDI, W. Martin Luther King Jr. Boulevard)
- Near City Park (Centennial Park)
- Near Paved Trail (Mount Millsap Lane Marked Shared Roadway, W. Old Farmington Road Side-Path Trail)
- Razorback Transit Stop (Route 44 Peak, W. Martin Luther King Jr. Boulevard)

DISCUSSION:
At the January 23, 2023, Planning Commission meeting, a vote of 8-0-0 forwarded the request to City Council with a recommendation of approval. Commissioner Garlock made the motion and Commissioner Brink seconded. Commissioner McGetrick voiced support for the rezoning, stating that the request was warranted and compatible. Based on previous public comment regarding drainage, Commissioner Johnson asked Engineering staff for an explanation of stormwater requirements before offering support for the request. Engineering staff described the varying stormwater treatments required based on the intensity of a given development. No other members of the Commission spoke on the item. No members of the public spoke during the meeting.

BUDGET/STAFF IMPACT:
N/A

ATTACHMENTS: SRF, Exhibit A, Exhibit B, Planning Commission Staff Report

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-400

RZN-2022-0053: Rezone (3017 W.OLD FARMINGTON RD./ARNOLD, 557): Submitted by JORGENSEN & ASSOCIATES. for property located at 3017 W. OLD FARMINGTON RD in WARD 1. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.50 acres. The request is to rezone the properties to RSF-18, RESIDENTIAL SINGLE-FAMILY, 18 UNITS PER ACRE.

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-053 LOCATED AT 3017 WEST OLD FARMINGTON ROAD IN WARD 1 FOR APPROXIMATELY 0.50 ACRES FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE TO RSF-18, RESIDENTIAL SINGLE-FAMILY, 18 UNITS PER ACRE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo from RSF-4, Residential Single Family, 4 Units Per Acre to RSF-18, Residential Single Family, 18 Units Per Acre.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

City of Fayetteville Staff Review Form

2023-400

Legistar File ID

2/21/2022

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jonathan Curth	2/3/2022	DEVELOPMENT REVIEW (630)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

RZN-2022-0053: Rezone (3017 W.OLD FARMINGTON RD./ARNOLD, 557): Submitted by JORGENSEN & ASSOCIATES. for property located at 3017 W. OLD FARMINGTON RD in WARD 1. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.50 acres. The request is to rezone the properties to RSF-18, RESIDENTIAL SINGLE-FAMILY, 18 UNITS PER ACRE.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	No	Current Budget	$ -
		Funds Obligated	$ -
		Current Balance	$ -
Does item have a cost?	No	Item Cost	$ -
Budget Adjustment Attached?	No	Budget Adjustment	$ -
		Remaining Budget	$ -

V20210527

Purchase Order Number:

Previous Ordinance or Resolution #

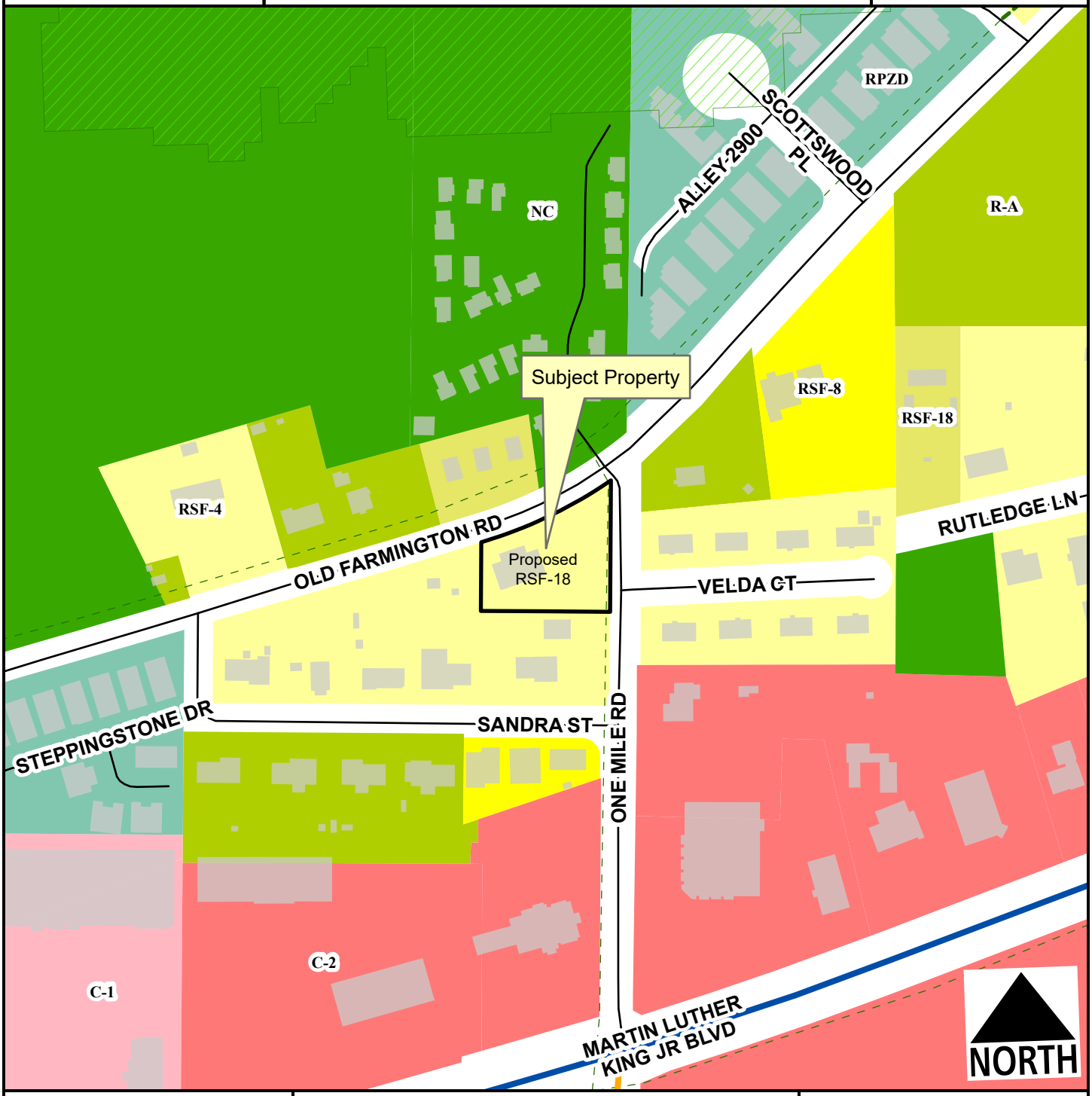
Change Order Number:

Approval Date:

Original Contract Number:

Comments:

RZN-2022-0053	3017 W. OLD FARMINGTON RD	RZN-2022-0053 EXHIBIT 'A'
Close Up View		



- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Hillside-Hilltop Overlay District
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits

Feet

0 75 150 300 450 600

1:2,400

Zone	Current	Proposed
RSF-18	0.0	0.5
RSF-4	0.5	0.0

Total 0.5 ac

Legal Description:
Lot Numbered Five (5) in Block Numbered One (I) in Stapleton's Subdivision Number One (I) to the City of Fayetteville, Arkansas, as shown upon the recorded plat thereof, on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, and being part of the East Half (E 1/2) of the Northwest Quarter (NW I /4) of Section Nineteen (19),Township Sixteen (16) North, Range Thirty (30) West.

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Ryan Umberger, Senior Planner

MEETING DATE: January 23, 2023 (Updated with Planning Commission Results)

SUBJECT: **RZN-2022-0053: Rezone (3017 W.OLD FARMINGTON RD./ARNOLD, 557):** Submitted by JORGENSEN & ASSOCIATES. for property located at 3017 W. OLD FARMINGTON RD. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 0.50 acres. The request is to rezone the properties to RSF-18, RESIDENTIAL SINGLE-FAMILY, 18 UNITS PER ACRE.

RECOMMENDATION:
Staff recommends forwarding **RZN-2022-0053** to the City Council with a recommendation of approval, based on the findings herein.

RECOMMENDED MOTION:
"I move to forward **RZN-2022-0053** to City Council with a recommendation for approval."

BACKGROUND:
The subject property is located at the southwest corner of the intersection of S. One Mile Road and W. Old Farmington Road. To the north is Millsap Mountain, the site of Centennial Park. The subject property is zoned RSF-4, Residential Single-Family, 4 Units per Acre and it is approximately ½ acre in area. There are no apparent sensitive ecological features on site and the property is fairly flat. A duplex, built in 1977, occupies the site. Surrounding land use and zoning is depicted in *Table 1*.

Table 1 - Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Single-family Residential	RSF-18, Residential Single-family, 18 Units per Acre; NC Neighborhood Conservation
South	Single-family Residential	RSF-4, Residential Single-family, 4 Units per Acre
West	Undeveloped	RSF-4, Residential Single-family, 4 Units per Acre
East	Single-family Residential	R-A, Residential-Agricultural; RSF-4, Residential Single-family, 4 Units per Acre

Request: The request is to rezone the property from RSF-4, Residential Single-family, Four Units per Acre to RSF-18, Residential Single-family, Eighteen Units per Acre. In their request letter the applicant suggests the request is compatible due to the variety of zoning classifications and densities in the area, existing infrastructure, and aligned with infill goals in City Plan 2040. They assert the rezoning will allow an underutilized lot to be more efficiently developed to its potential.

Public Comment: Staff has not received any public comment about the request.

INFRASTRUCTURE AND ENVIRONMENTAL REVIEW

Streets: The subject area has frontage along W. Old Farmington Road and S. One Mile Road. W. Old Farmington Road is a partially improved Residential Link Street with asphalt paving and open ditches. S. One Mile Road is a fully improved Residential Link Street with paved streets, curb and gutter, and sidewalks. Any street improvements required in these areas would be determined at the time of development proposal.

Water: Public water is available to the subject area. An existing 6-inch water main is present on the north side of W. Old Farmington Road and another 6-inch water main is present in the center of S. One Mile Road.

Sewer: Sanitary sewer is available to the subject area. An existing 8-inch sewer main is present on the north side of W. Old Farmington Road and another 6-inch sewer main is present in the center of S. One Mile Road.

Fire: Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development. Station 6, located at 990 S. Hollywood Avenue, protects this site. The property is located approximately 1.1 miles from the fire station with an anticipated drive time of approximately four minutes using existing streets. The anticipated response time would be approximately 6.2 minutes. Fire Department response time is calculated based on the drive time plus 1 minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of 6 minutes for an engine and 8 minutes for a ladder truck.

Police: The Police Department expressed no concerns with this request.

Drainage: No portion of the subject property lies within the Hillside-Hilltop Overlay District or a streamside protection zone, and no FEMA-designated floodplains are present. Any additional improvements or requirements for drainage would be determined at the time of development.

Hydric soils are present on the subject property. They are a known indicator of wetlands. However, for an area to be classified as wetlands, it may also need other characteristics such as hydrophytes (plants that grow in water), and shallow water during parts of the year. Hydric Soils can be found across many areas of Fayetteville, including valleys, floodplains, and open prairies. It is important to identify these natural resources during development, so when these soils are identified on a property, further environmental studies will be required at the time of development. Before permits will be issued for the property a statement/report from an environmental professional must be provided summarizing the existence of wetlands on the property. If this statement/report indicates that wetlands may be present on site, a USACE Determination of Jurisdictional Wetlands will be required at the time of development submittal. Hydric soils are present throughout the entirety of the subject property.

Tree Preservation:

The proposed zoning district of RSF-18, Residential Single-family, 18 Units per Acre requires **20% minimum canopy preservation.** The current zoning district, RSF-4, Residential Single-family, Four Units per Acre, requires **25% minimum canopy preservation**.

CITY PLAN 2040 FUTURE LAND USE PLAN: City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **Residential Neighborhood Area.**

Residential Neighborhood Areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context: single-family, duplexes, rowhouses, multifamily and accessory dwelling units. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhoods, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score of 7 for this site, with a weighted score of 8. The following elements of the matrix contribute to the score:

- Adequate Fire Response (Station #6, 990 S. Hollywood Avenue)
- Near Sewer Main (6-inch main north of W. Old Farmington Road, 6-inch main center of S. One Mile Road)
- Near Water Main (8-inch main north of W. Old Farmington Road, 6-inch main center of S. One Mile Road)
- Near Grocery Store (Walmart, ALDI, W. Martin Luther King Jr. Boulevard)
- Near City Park (Centennial Park)
- Near Paved Trail (Mount Millsap Lane Marked Shared Roadway, W. Old Farmington Road Side-Path Trail)
- Razorback Transit Stop (Route 44 Peak, W. Martin Luther King Jr. Boulevard)

FINDINGS OF THE STAFF

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: ***Land Use Compatibility:*** **The proposed zoning is compatible with the surrounding land use pattern of the area. Zoning regulations for the existing RSF-4 and proposed RSF-18 district are identical in terms of permitted uses and conditional uses. RSF-18, however, allows density up to eighteen units per acre, with lots that are 30 feet-wide and a minimum width of 1,250 square feet for townhomes. RSF-4, on the other hand, allows lots at a minimum width of 70 feet and 8,000 square feet in area at this location. Setbacks under RSF-18 are also less restrictive. RSF-18 prescribes a build-to zone between 0-25 feet from the front property line, allows zero lot-line development for townhomes, and has a five foot rear setback. RSF-4 setbacks are 15 feet in the front and rear and 5 feet along side property lines. In RSF-18 the area occupied by structures is limited to 60% of the lot area where in RSF-4**

structures may only occupy 40%. The height of structures in both districts is limited to three stories. In the near vicinity, properties have a patchwork of zoning designations. The property is situated among moderate to high single-family zoning designations and also districts typically associated with rural or agricultural uses. It is just over 500 feet north of the W. Martin Luther King Jr. Boulvard corridor. In the vicinity are many grocery stores, retail goods and services, a Department of Motor Vehicles tag office, and a Tier 2 Center at the intersection of W. Martin Luther King Jr. Boulevard and I-49. Staff finds the request to rezone to RSF-18 is appropriate given the associated zoning requirements and surrounding context.

Land Use Plan Analysis: **Staff finds that the request is generally consistent with adopted land use policies, the Future Land Use Map designation, and goals of City Plan 2040. The subject area is designated as a Residential Neighborhood Area, which calls for a mix of housing types in appropriate areas. While the single-use nature of the district may not be consistent with the aims of the future land use designation, the single-family zoning district will help to ensure that development of the site is of an appropriate scale and context with the adjoining properties. The infill score of the site is moderate but it is located between two Tier 2 Centers; approximately a half-mile to the east at I-49 and W. Martin Luther King Jr. Boulevard and approximately one mile to the west at S. Rupple Road and W. Martin Luther King Jr. Boulevard. Lastly, staff finds the setbacks of the proposed RSF-18 zoning will create efficiencies in the development pattern of the site that will allow the property to be more appropriately utilized, given its location.**

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: **Staff finds a rezone from RSF-4 to RSF-18 is appropriate and justified for the property. Rezoning to RSF-18 allows an increase in residential density to an area that is currently experiencing both growth and development pressure and situated with convenient access to goods, services, and amenities. Rezoning contributes to Goals 1, 2, and 4 of City Plan 2040.**

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: **Rezoning the property to RSF-18 is likely to increase traffic at this location. Staff finds, though, that the increase would not be beyond what is appropriate. Vehicle traffic can access W. Martin Luther King Jr. Boulevard at its intersection with S. One Mile Road, which is a signalized intersection, or less than ½ mile to the west at its intersection with W. Old Farmington Road. Vehicle traffic can also be dispersed onto S. Shiloh Drive to the east. W. Martin Luther King Jr. Boulevard is a Regional High-Activity Link Street which has a designed service volume of 17,600 vehicles per day and sees roughly 44,000 vehicle trips near I-49. The property's location near retail services, recreational facilities, and a Razorback Transit stop offers future residents reasonable alternatives to automobile transportation.**

4. A determination as to whether the proposed zoning would alter the population density and

thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: **Rezoning the property to RSF-18 is likely to increase the population density at this location but is unlikely to increase the burden on public services. The property currently has direct access to city water, sanitary sewer, and an improved street network. Fayetteville Public Schools did not comment on the request.**

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:

    a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;

    b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: **N/A**

RECOMMENDATION: Planning staff recommends forwarding RZN-2022-0053 to the City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: January 23, 2023	❒ **Tabled**	☒ **Forwarded**	❒ **Denied**
Motion: Garlock	Recommending approval.		
Second: Brink			
Vote: 8-0-0			

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code:
    - §161.07 RSF-4, Residential Single-family, Four Units per Acre
    - §161.10 RSF-18, Residential Single-family, Eighteen Units per Acre
- Applicant Request Letter
- One Mile Map
- Close-up Map
- Current Land Use Map
- Future Land Use Map

161.07 District RSF-4, Residential Single-Family - Four (4) Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted Uses*.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses*.

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

	Single-family dwellings	Two (2) family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and Area Regulations.*

	Single-family dwellings	Two (2) family dwellings
Lot minimum width	70 feet	80 feet
Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet
Hillside Overlay District Lot minimum width	60 feet	70 feet
Hillside Overlay District Lot area minimum	8,000 square feet	12,000 square feet
Land area per dwelling unit	8,000 square feet	6,000 square feet

(E) *Setback Requirements.*

Front	Side	Rear
15 feet	5 feet	15 feet

(F) *Building Height Regulations*.

Building Height Maximum	3 stories

(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4858, 4-18-06; Ord. No. 5028, 6-19-07; Ord. No. 5128, 4-15-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5921 , §1, 11-1-16; Ord. No. 5945 , §8, 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6245 , §2, 10-15-19; Ord. No. 6427 , §§1(Exh. C), 2, 4-20-21)

Ord. No. 6427 , § 2, adopted April 20, 2021, "determines that this ordinance and all amendments to Code sections ordained or enacted by this ordinance shall automatically sunset, be repealed, terminated, and become void twenty (20) months after the passage and approval of this ordinance, unless prior to that date, the City Council amends this ordinance to repeal this sunset, repeal and termination section."

161.10 District RSF-18, Residential Single-Family - Eighteen (18) Units Per Acre

(A) *Purpose.* The RSF-18 Single-family Residential District is designed to promote and encourage the efficient development of single-family detached residences in a variety of densities.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cluster Housing Development

(C) *Density.*

Units per acre	Eighteen (18) or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Single-family	30 feet
Two (2) family	30 feet

(2) *Lot Area Minimum.*

Townhouses: individual lot	1,250 square feet
Single-family	2,500 square feet
Two-family	2,000 square feet

(E) *Setback Requirements.*

Front	Side	Side-Zero Lot Line*	Rear
A build-to zone that is located between the front property line and a line 25 ft. from the front property line.	5 feet on both sides	A setback of less than five feet (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side setback(s) shall be 10 feet.	5 feet

* A zero lot line is an alternative to the 5 foot building setback. Applicants should consult the International Building Code when locating a structure in close proximity to property lines and/or adjacent structures.

** At least 5 feet of maintenance area shall be provided along a structure that is within 5 feet of a property line. This may be provided through a perpetual maintenance easement on the adjacent property, or through a combination of a maintenance easement and private property. Walls, fences and customary yard accessories are permitted in the maintenance area.

(F) *Building Height Regulations*.

Building Height Maximum	3 stories

(G) *Building Area.* The area occupied by all buildings shall not exceed 60% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) *Minimum Buildable Street Frontage.* 50% of the lot width for two-family dwellings.

(Ord. No. 5800 , §2(Exh. B), 10-6-15; Ord. No. 5824 , §2, 11-17-15; Ord. No. 5921 , §1, 11-1-16; Ord. No. 5945 , §8, 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6245 , §2, 10-15-19; Ord. No. 6427 , §§1(Exh. C), 2, 4-20-21)

Ord. No. 6427 , § 2, adopted April 20, 2021, "determines that this ordinance and all amendments to Code sections ordained or enacted by this ordinance shall automatically sunset, be repealed, terminated, and become void twenty (20) months after the passage and approval of this ordinance, unless prior to that date, the City Council amends this ordinance to repeal this sunset, repeal and termination section."

JORGENSEN
+ASSOCIATES
Civil Engineering · Surveying

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
www.jorgensenassoc.com
Established 1985

December 15, 2022

City of Fayetteville
Development Services
113 West Mountain Street
Fayetteville, AR 72701

Re: Rezoning at 3017 W Old Farmington

Dear City Staff;

A. The current owner of this site is as follows: Jane &Vance Arnold Holding Comany
B. Currently this property is zoned RSF-4. We are kindly seeking a rezone to: RSF-18.
C. This property is surrounded by R-A, RSF-8, RPZD, RSF-18, and NC Zoning
D. Existing adequate water and sewer are already at this site along both streets.
E. We feel the requested rezoning is in line with the goals of the City Plan 2040 for rezoning and development and that this type of in-fill is desired.
F. This rezoning is needed at this time to allow this underutilized lot to be developed.
G. This development will not adversely affect the existing or proposed streets in the area, especially considering the small size of the parent tract.
H. The potential to increase the population density in this area as a result of this rezoning would aid in supplying a demand to existing commercial uses in the area and the proximity to the existing transit further support this rezoning request.
I. The current zoning does not allow this lot to be fully developed in a manner which would maximize its development potential.

Thank you and if you need any additional information, please don't hesitate to contact us.

Sincerely,

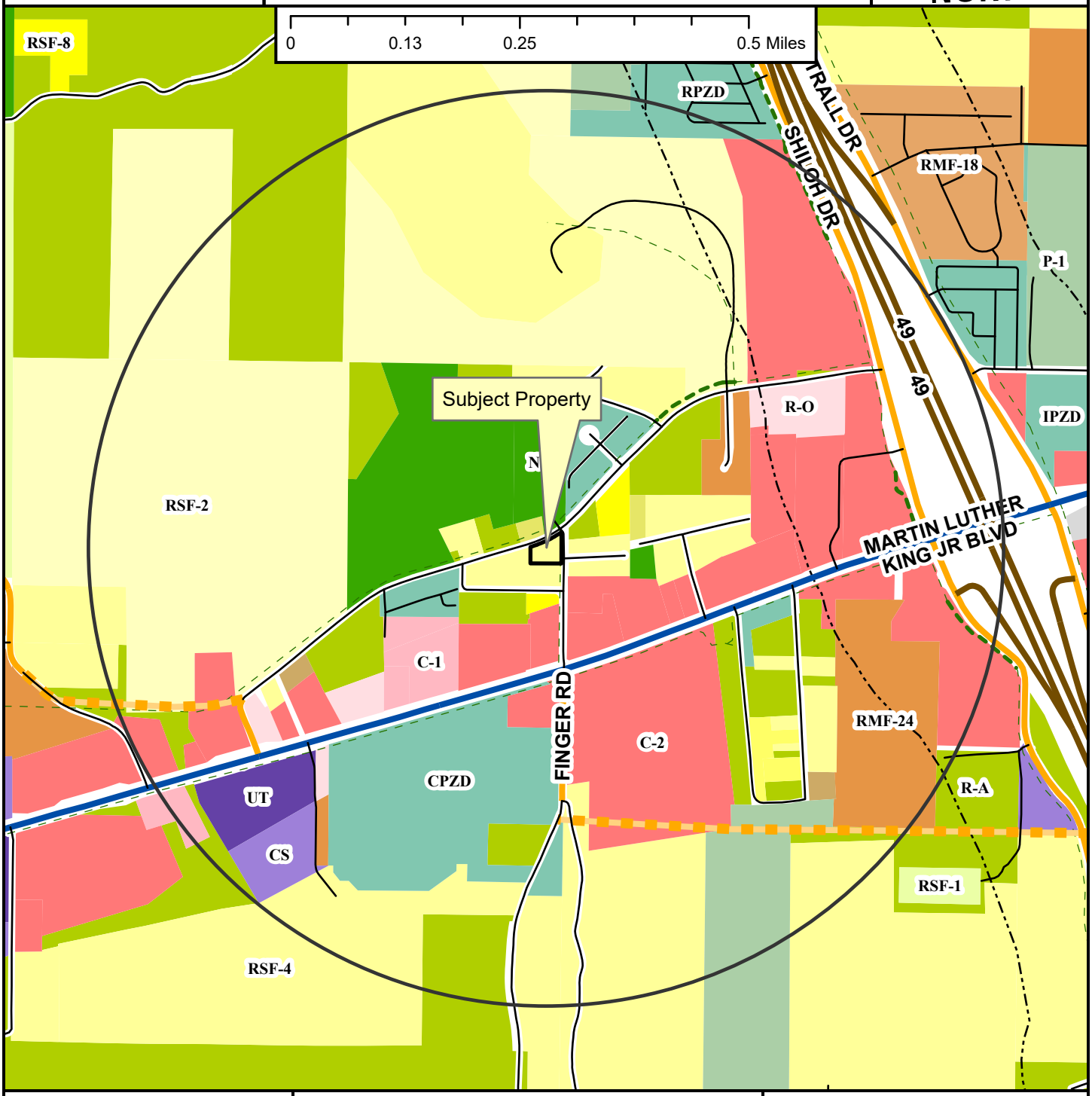
Blake Jorgensen, PE

RZN-2022-0053

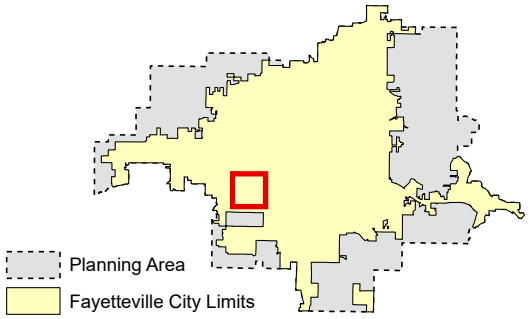
One Mile View

3017 W. OLD FARMINGTON RD

NORTH



- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

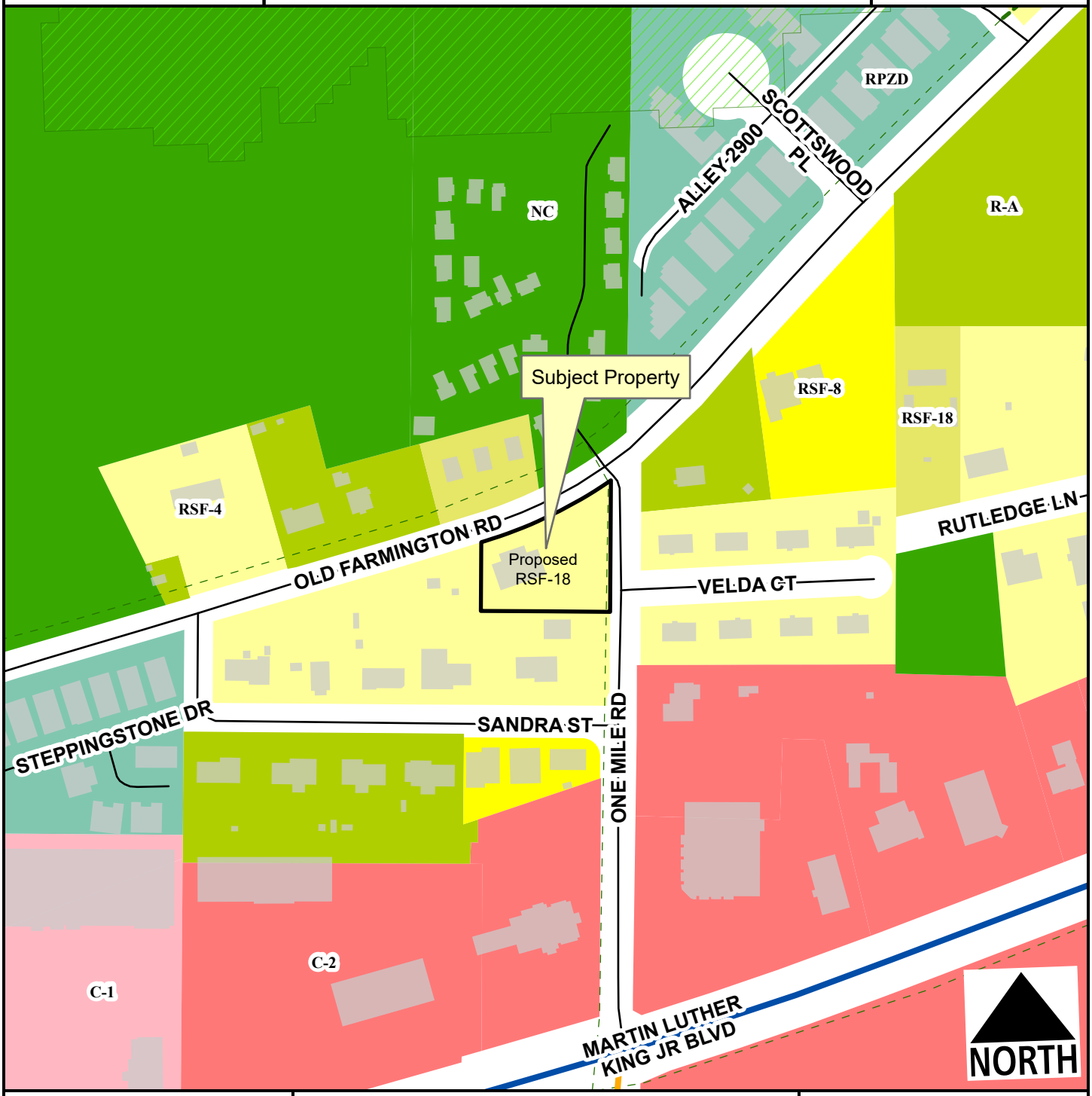
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

RZN-2022-0053

Close Up View

3017 W. OLD FARMINGTON RD



- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Hillside-Hilltop Overlay District
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits

Feet

0 75 150 300 450 600

1:2,400

Zone	Current	Proposed
RSF-18	0.0	0.5
RSF-4	0.5	0.0

Total 0.5 ac

RZN-2022-0053

Current Land Use

3017 W. OLD FARMINGTON RD

NORTH

- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

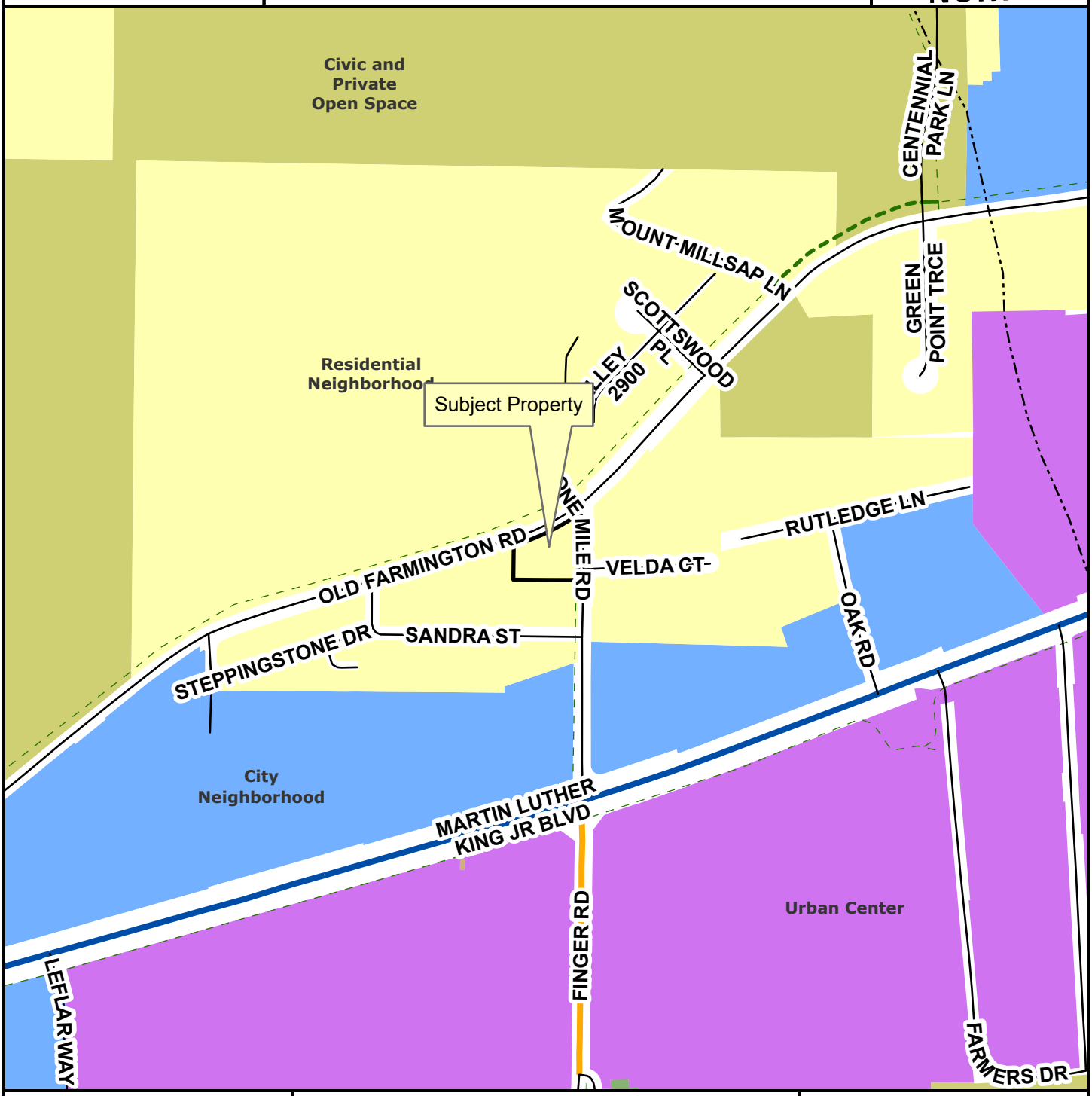
- 100-Year Floodplain
- Floodway

RZN-2022-0053

Future Land Use

3017 W. OLD FARMINGTON RD

NORTH



- Neighborhood Link
- Regional Link - High Activity
- Unclassified
- Alley
- Residential Link
- Planned Neighborhood Link
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)
- Design Overlay District

Feet

0 145 290 580 870 1,160

1:4,800

- City Neighborhood
- Civic Institutional
- Civic and Private Open Space
- Industrial
- Natural
- Non-Municipal Government
- Residential Neighborhood
- Rural Residential
- Urban Center

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-371

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director
Jessica Masters, Development Review Manager

FROM: Gretchen Harrison, Planner

DATE: February 2, 2023

SUBJECT: **RZN-2022-0055: Rezone (N. BOB YOUNKIN DR. & W. BISHOP DR./LEGACY VENTURES NWA, 251): Submitted by LEGACY VENTURES NWA INC. for property located at N. BOB YOUNKIN DR. & W. BISHOP DR. in WARD 3. The property is zoned R-O, RESIDENTIAL-OFFICE and contains approximately 7.76 acres. The request is to rezone the property to CS, COMMUNITY SERVICES and RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE.**

RECOMMENDATION:
City Planning staff and the Planning Commission recommend approval of a request to rezone the subject property as described and shown in the attached Exhibits 'A' and 'B'.

BACKGROUND:
The subject property contains approximately 7.76 acres in the Appleby Landing Subdivision located on either side of the south end of Bob Younkin Drive. The property is currently undeveloped, though it is surrounded by established single- and two-family neighborhoods to the east and west, a multi-family development to the south, and medical offices to the north. No environmentally sensitive areas are present on site, and the property is not located within any zoning overlays.

Request: The request is to rezone the property from R-O, Residential Office (7.76 acres) to CS, Community Services (4.36) and RMF-24, Residential Multi-Family, 24 Units per Acre (3.40). The applicant has not shared any specific development plans, though they have stated that the rezoning would allow for a mix of residential and commercial uses to cater to senior living.

Public Comment: Prior to Planning Commission, staff received one phone call inquiry about this request, though no support for or opposition to the proposed rezoning was offered. Six members of the public spoke at the Planning Commission meeting, expressing concerns about the scale of future development and potential traffic impacts.

Land Use Compatibility: Staff finds the requested rezoning to be generally compatible with surrounding land uses. As proposed, three lots on the east side of Bob Younkin Drive would be rezoned to RMF-24, Residential Multi-Family, 24 Units per Acre, and four lots on the west side of the street would be rezoned to CS, Community Services. The property is currently surrounded by single- and two-family residential

neighborhoods and a multi-family residential complex. Since RMF-24 would allow for a variety of residential uses from single- to multi-family dwellings and most properties to the south and east are currently zoned RMF-24, staff finds that rezoning a portion of the property to RMF-24 would be directly compatible with adjacent properties.

The intent of the existing zoning district, R-O, Residential-Office, is to provide an area for offices without limitation to the nature or size of the office, together with community facilities, restaurants, and compatible residential uses. Staff finds that rezoning the remainder of the property to CS would be aligned with the property's current zoning designation and adjacent commercial and residential uses. The Community Services zoning district is primarily designed to provide goods and services for persons living in surrounding residential areas and is intended to provide for adaptable mixed use centers along commercial corridors. Multi-family dwellings, restaurants, retail, and cultural and recreational facilities are all conditional uses in the existing R-O zoning district which would be allowed by right in CS zoning. The R-O zoning district allows for conventional and urban form setbacks, while both RMF-24 and CS require urban form setbacks with buildings located closer to public streets and sidewalks. RMF-24 requires a build-to zone between 0 and 25 feet from the property line, and CS requires a build-to zone between 10 and 25 feet from the front property line. The applicant indicated in their request letter that they are pursuing RMF-24 for a portion of this property so that they can place buildings closer to the street.

Land Use Plan Analysis: Staff finds the proposed rezoning to be generally consistent with the City's future land use plan. The City Plan 2040 Future Land Use Map designates the subject property as Residential Neighborhood Area, and staff finds that a rezoning to RMF-24 and CS could support that designation by allowing for a greater variety of land uses, housing types, and densities near a nonresidential center. Further, Bob Younkin Drive is the most complete, uninterrupted through-street between College and Gregg Avenue, which staff believes is supportive of a wider spectrum of uses than may normally be appropriate in a Residential Neighborhood Area. Staff also finds that rezoning to RMF-24 and CS may be consistent with Goals 4 and 6 of City Plan 2040 by encouraging mixed-use development near the Razorback Greenway and public transit stops, and since it could provide more opportunities for housing beyond what would be permitted in the existing R-O zoning district.

City Plan 2040 Infill Matrix: City Plan 2040's Infill Matrix indicates a score range of **6-7** for this site. The following elements of the matrix contribute to the score:

- 4 Minute Fire Response (Station #4, 3385 N. Plainview Ave.)
- Near Sewer Main (8" mains, Bob Younkin Drive and Bishop Drive)
- Near Water Main (8" mains, Bob Younkin Drive, Bishop Drive, and Drake Street)
- Near City Park (Gordon Long Park)
- Near Paved Trail (Appleby Road, Razorback Greenway)
- Near ORT Bus Stop (Route 10)
- Near Razorback Bus Stop (Route 26)

DISCUSSION:

At the January 23, 2023 Planning Commission meeting, a vote of 8-0-0 forwarded the request to City Council with a recommendation of approval. Commissioner Brink made the motion and Commissioner Winston seconded. Commissioners found the requested rezoning to be appropriate at this location, noting that it would allow for some commercial uses in a largely residential area and allow for residential uses that are compatible with adjacent neighborhoods. Six members of the public spoke at the meeting, expressing concerns about the scale of future development and potential traffic impacts.

BUDGET/STAFF IMPACT:
N/A

ATTACHMENTS: SRF, Exhibit A, Exhibit B, Planning Commission Staff Report

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-371

RZN-2022-0055: Rezone (N. BOB YOUNKIN DR. & W. BISHOP DR./LEGACY VENTURES NWA, 251): Submitted by LEGACY VENTURES NWA INC. for property located at N. BOB YOUNKIN DR. & W. BISHOP DR. in WARD 3. The property is zoned R-O, RESIDENTIAL-OFFICE and contains approximately 7.76 acres. The request is to rezone the property to CS, COMMUNITY SERVICES and RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE.

AN ORDINANCE TO REZONE THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 22-055 LOCATED AT NORTH BOB YOUNKIN DRIVE AND WEST BISHOP DRIVE IN WARD 3 FOR APPROXIMATELY 7.76 ACRES FROM R-O, RESIDENTIAL-OFFICE TO CS, COMMUNITY SERVICES AND RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the property shown on the map (Exhibit A) and the legal description (Exhibit B) both attached to the Planning Department's Agenda Memo from R-O, Residential-Office to CS, Community Services and RMF-24, Residential Multi-Family, 24 Units Per Acre.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

City of Fayetteville Staff Review Form

2023-371

Item ID

2/21/2023

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jonathan Curth	2/3/2022	DEVELOPMENT REVIEW (630)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

RZN-2022-0055: Rezone (N. BOB YOUNKIN DR. & W. BISHOP DR./LEGACY VENTURES NWA, 251): Submitted by LEGACY VENTURES NWA INC. for property located at N. BOB YOUNKIN DR. & W. BISHOP DR. in WARD 3. The property is zoned R-O, RESIDENTIAL-OFFICE and contains approximately 7.76 acres. The request is to rezone the property to CS, COMMUNITY SERVICES and RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	No	Total Amended Budget	$ -
		Expenses (Actual+Encum)	$ -
		Available Budget	$ -
Does item have a direct cost?	No	Item Cost	$ -
Is a Budget Adjustment attached?	No	Budget Adjustment	$ -
#		Remaining Budget	$ -

V20221130

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

Original Contract Number:

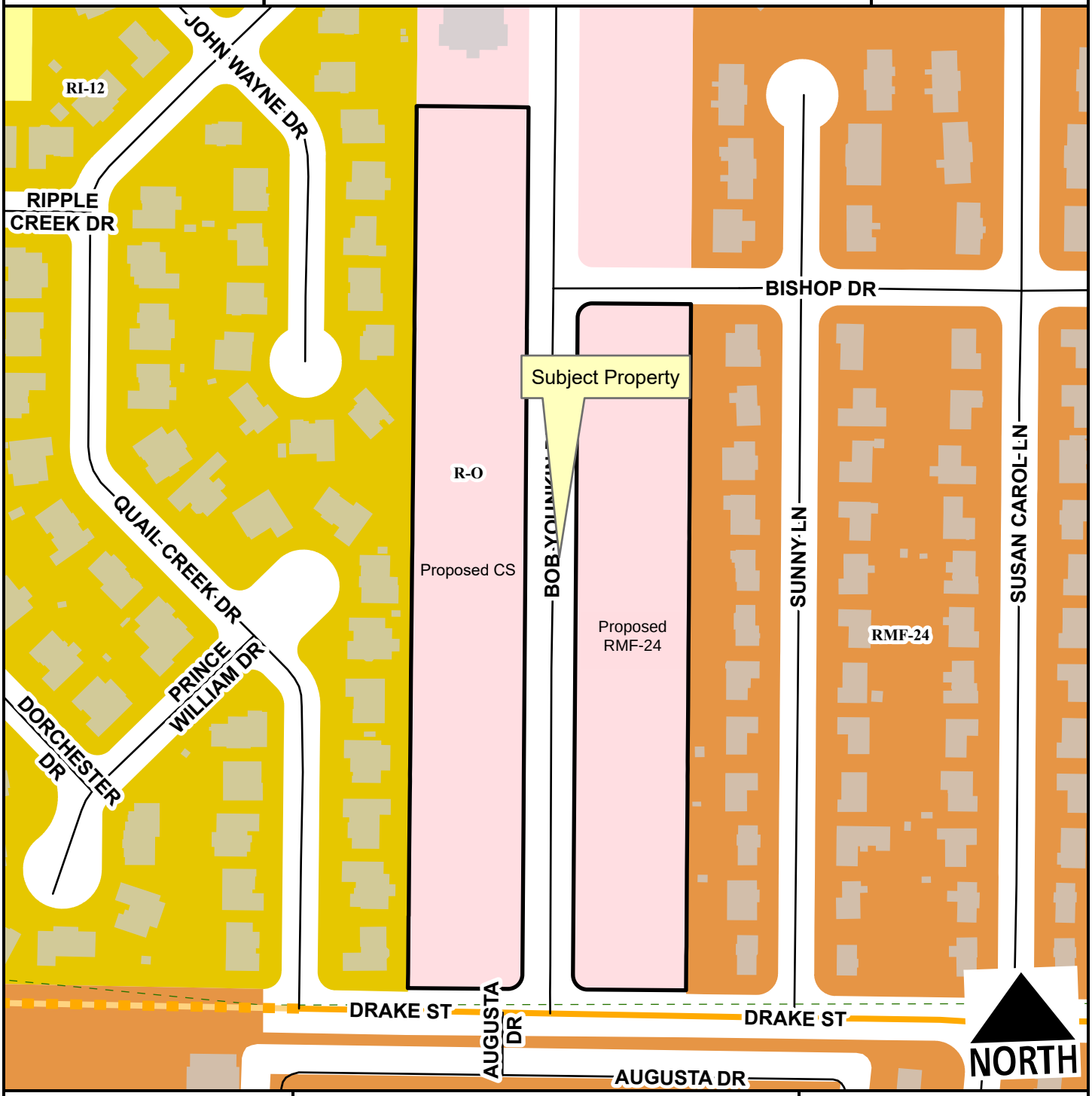
Comments:

RZN-2022-0055

Close Up View

N. BOB YOUNKIN DR & W. BISHOP DR

RZN-2022-0055 EXHIBIT 'A'



- Neighborhood Link
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits

Feet

0 75 150 300 450 600

1:2,400

Zone	Current	Proposed
CS	0.0	4.4
RMF-24	0.0	3.4
R-O	7.8	0.0

Total 7.8 ac

RZN-2022-0055
EXHIBIT 'B'

Full Description:
Lots Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), and Nine (9) of Appleby Landing, a Subdivision to the City of Fayetteville, Arkansas, as shown on plat of record in plat book 23A, at page 195, plat records of Washington County, Arkansas.

Area to be rezoned to CS:
Lots Three (3), Four (4), Five (5), and Six (6) of Appleby Landing, a Subdivision to the City of Fayetteville, Arkansas, as shown on plat of record in plat book 23A, at page 195, plat records of Washington County, Arkansas.

Area to be rezoned to RMF-24:
Lots Seven (7), Eight (8), and Nine (9) of Appleby Landing, a Subdivision to the City of Fayetteville, Arkansas, as shown on plat of record in plat book 23A, at page 195, plat records of Washington County, Arkansas.

CITY OF FAYETTEVILLE ARKANSAS

PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Jessie Masters, Development Review Manager

FROM: Gretchen Harrison, Planner

MEETING DATE: January 23, 2023 (Updated with results from PC hearing)

SUBJECT: **RZN-2022-0055: Rezone (N. BOB YOUNKIN DR. & W. BISHOP DR./LEGACY VENTURES NWA, 251):** Submitted by LEGACY VENTURES NWA INC. for property located at N. BOB YOUNKIN DR. & W. BISHOP DR. The property is zoned R-O, RESIDENTIAL OFFICE and contains approximately 7.76 acres. The request is to rezone the property to CS, COMMUNITY SERVICES and RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE.

RECOMMENDATION:
Staff recommends forwarding **RZN-2022-0055** to City Council with a recommendation of approval, based on the findings herein.

RECOMMENDED MOTION:
*"I move to forward **RZN-2022-0055** to City Council with a recommendation of approval."*

BACKGROUND:
The subject property contains approximately 7.76 acres in the Appleby Landing Subdivision located on either side of the south end of Bob Younkin Drive. The property is currently undeveloped, though it is surrounded by established single- and two-family neighborhoods to the east and west, a multi-family development to the south, and medical offices to the north. No environmentally sensitive areas are present on site and the property is not located within any zoning overlays. Surrounding land use and zoning are shown in *Table 1*.

Table 1:
Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Medical Offices	R-O, Residential-Office
South	Multi-Family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
East	Single- and Multi-Family Residential	RMF-24, Residential Multi-Family, 24 Units per Acre
West	Single-Family Residential	RI-12, Residential Intermediate, 12 Units per Acre

Request: The request is to rezone the property from R-O, Residential Office (7.76 acres) to CS, Community Services (4.36) and RMF-24, Residential Multi-Family, 24 Units per Acre (3.40). The applicant has not shared any specific development plans, though they have stated that the rezoning would allow for a mix of residential and commercial uses to cater to senior living.

Public Comment: Staff received no public comment on this item, though we did receive one phone call from a neighbor who inquired about the applicant's request.

INFRASTRUCTURE:

Streets: The subject property has frontage along Bob Younkin Drive, Bishop Drive, and Drake Street. Bob Younkin Drive and Bishop Drive are partially-improved Residential Link streets with asphalt paving and curb and gutter. Drake Street is a fully-improved Neighborhood Link street with asphalt paving, curb and gutter, and sidewalk. Any street improvements required in these areas would be determined at the time of development proposal.

Water: Public water is available to the subject property. Eight-inch water mains are present along the west side of Bob Younkin Drive and the north side of Bishop Drive and Drake Street.

Sewer: Sanitary sewer is available to the subject property. Eight-inch sewer mains are present on the west side of Bob Younkin Drive and the south side of Bishop Drive.

Drainage: No portion of the subject property lies within a streamside protection zone or the Hillside/Hilltop Overlay District, and no FEMA-designated floodplains or hydric soils are present. Any improvements or requirements for drainage will be determined at time of development.

Fire: Station 4, located at 3385 N. Plainview Ave., protects this site. The property is located approximately 1.3 miles from the fire station with an anticipated drive time of approximately four minutes using existing streets. The anticipated response time would be approximately 6.2 minutes. Fire Department response time is calculated based on the drive time plus one minute for dispatch and 1.2 minutes for turn-out time. Within the City Limits, the Fayetteville Fire Department has a response time goal of six minutes for an engine and eight minutes for a ladder truck. Fire apparatus access and fire protection water supplies will be reviewed for compliance with the Arkansas Fire Prevention Code at the time of development.

Police: The Police Department did not comment on this request.

Tree Preservation:

Existing Zoning:

- R-O, Residential-Office requires **20% minimum canopy preservation**.

Proposed Zoning:

- CS, Community Services requires **20% minimum canopy preservation**.
- RMF-24, Residential Multi-Family, 24 Units per Acre requires **20% minimum canopy preservation**.

CITY PLAN 2040 FUTURE LAND USE PLAN: The City Plan 2040 Future Land Use Plan designates the property within the proposed rezone as **Residential Neighborhood** area.

Residential Neighborhood areas are primarily residential in nature and support a wide variety of housing types of appropriate scale and context: single-family, duplexes, rowhouses, multi-family, and accessory dwelling units. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced building setbacks. It also encourages traditional neighborhood development that incorporates low-intensity nonresidential uses intended to serve the surrounding neighborhoods, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision

developments which may have large blocks with conventional setbacks and development patterns that respond to features of the natural environment. Building setbacks may vary depending on the context of the existing neighborhood.

CITY PLAN 2040 INFILL MATRIX: City Plan 2040's Infill Matrix indicates a score range of **6-7** for this site with a weighted score of **7.5** at the highest level. The following elements of the matrix contribute to the score:

- 4 Minute Fire Response (Station #4, 3385 N. Plainview Ave.)
- Near Sewer Main (8" mains, Bob Younkin Drive and Bishop Drive)
- Near Water Main (8" mains, Bob Younkin Drive, Bishop Drive, and Drake Street)
- Near City Park (Gordon Long Park)
- Near Paved Trail (Appleby Road, Razorback Greenway)
- Near ORT Bus Stop (Route 10)
- Near Razorback Bus Stop (Route 26)

FINDINGS OF THE STAFF:

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: ***Land Use Compatibility:*** **Staff finds the requested rezoning to be generally compatible with surrounding land uses. As proposed, three lots on the east side of Bob Younkin Drive would be rezoned to RMF-24, Residential Multi-Family, 24 Units per Acre, and four lots on the west side of the street would be rezoned to CS, Community Services. The property is currently surrounded by single- and two-family residential neighborhoods and a multi-family residential complex. Since RMF-24 would allow for a variety of residential uses from single- to multi-family dwellings and most properties to the south and east are currently zoned RMF-24, staff finds that rezoning a portion of the property to RMF-24 would be directly compatible with adjacent properties.**

The intent of the existing zoning district, R-O, Residential-Office, is to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants, and compatible residential uses. Staff finds that rezoning the remainder of the property to CS would be aligned with property's current zoning designation and adjacent commercial and residential uses. The Community Services zoning district is primarily designed to provide goods and services for persons living in surrounding residential areas and is intended to provide for adaptable mixed use centers along commercial corridors. Multi-family dwellings, restaurants, retail, and cultural and recreational facilities are all conditional uses in the existing R-O zoning district which would be allowed by right in CS zoning. The R-O zoning district allows for conventional and urban form setbacks while both RMF-24 and CS require urban form setbacks. RMF-24 requires a build-to zone between 0 and 25 feet from the line property line, and CS requires a build-to zone between 10 and 25 feet from the front property line. The applicant indicated in their request letter that they are pursuing RMF-24 for a portion of this property so that they can place buildings closer to the street.

Land Use Plan Analysis: **Staff finds the proposed rezoning to be generally consistent with the City's future land use plan. The City Plan 2040 Future Land Use Map designates the subject property as Residential Neighborhood area, and staff finds that a rezoning to RMF-24 and CS could support that designation by allowing for a greater variety of land uses, housing types, and densities near a nonresidential center. Staff also finds that rezoning to RMF-24 and CS may be consistent with Goals 4 and 6 of City Plan 2040 by encouraging mixed-use development near the Razorback Greenway and public transit stops, and since it could provide more opportunities for housing beyond what would be permitted in the existing R-O zoning district.**

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: **Staff finds that the proposed rezoning is justified at this time. The request is generally aligned with several goals of City Plan 2040 and consistent with the development and zoning pattern in the surrounding area.**

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: **Rezoning the property from R-O to RMF-24 and CS has the potential to create or appreciably increase traffic danger and congestion. However, the subject property has access to public trails and transit stops, and frontage along three public streets, which suggests that an increased number of vehicle trips could be accommodated without adversely impacting traffic in the neighborhood. Further, the applicant has indicated that they would like to construct a senior living center with limited commercial uses, which could reduce the number of new vehicle trips. Any significant traffic impacts would be fully evaluated and mitigated at the time of development review.**

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: **Rezoning the property from R-O to RMF-24 and CS has the potential to alter the population density and increase the load on public services, though not to an undesirable degree. The size of the property and the City's parking, tree preservation, and stormwater ordinances, will limit the scale of any future development to reduce impacts on natural resources and public services. Fayetteville Public Schools did not comment on this request.**

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:

    a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;

    b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: **N/A**

RECOMMENDATION: Planning staff recommends forwarding RZN-2022-0055 to City Council with a recommendation of approval.

PLANNING COMMISSION ACTION:	**Required**	**YES**	
Date: January 23, 2023	❒ **Tabled**	☒ **Forwarded** with a recommendation of approval	❒ **Denied**
Motion: Brink			
Second: Winston			
Vote: 8-0-0			

BUDGET/STAFF IMPACT:
None

ATTACHMENTS:

- Unified Development Code:
  - §161.16 – District RMF-24, Residential Multi-Family – Twenty-Four (24) Units Per Acre
  - §161.20 – District R-O, Residential Office
  - §161.22 – Community Services
- Request Letter
- Staff Exhibit
- One Mile Map
- Close-Up Map
- Current Land Use Map
- Future Land Use Map

161.16 District RMF-24, Residential Multi-Family - Twenty-Four (24) Units Per Acre

(A) *Purpose.* The RMF-24 Multi-family Residential District is designed to permit and encourage the developing of a variety of dwelling types in suitable environments in a variety of densities.

(B) *Uses.*

(1) Permitted Uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12a	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	24 or less

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a Manufactured home park	50 feet
Single-family	35 feet
Two-family	35 feet
Three or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 square feet
Townhouses: Individual lot	2,000 square feet
Single-family	3,000 square feet
Two (2) family	4,000 square feet
Three (3) or more	7,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acres

(3) *Land Area Per Dwelling Unit*.

Manufactured Home	3,000 square feet

(E) *Setback Requirements.*

Front	Side Other Uses	Side Single & Two (2) Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 feet	5 feet	20 feet	5 feet

(F) *Building Height Regulations.*

Building Height Maximum	2 stories/3 stories/5 stories*

* A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of two (2) stories, between 10—20 feet from the master street plan right-of-way a maximum height of three (3) stories and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 5 stories.

If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* The area occupied by all buildings shall not exceed 50% of the total lot area. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) Minimum Buildable Street Frontage. 50% of the lot width.

(Code 1965, App. A., Art. 5(III); Ord. No. 2320, 4-6-77; Ord. No. 2700, 2-2-81; Code 1991, §160.033; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 5028, 6-19-07; Ord. No. 5079, 11-20-07; Ord. No. 5224, 3-3-09; Ord. No. 5262, 8-4-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5495, 4-17-12; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5800 , §1(Exh. A), 10-6-15; Ord. No. 5921 , §1, 11-1-16; Ord. No. 5945 , §§5, 8, 9, 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6245 , §2, 10-15-19; Ord. No. 6427 , §§1(Exh. C), 2, 4-20-21)

Ord. No. 6427 , § 2, adopted April 20, 2021, "determines that this ordinance and all amendments to Code sections ordained or enacted by this ordinance shall automatically sunset, be repealed, terminated, and become void twenty (20) months after the passage and approval of this ordinance, unless prior to that date, the City Council amends this ordinance to repeal this sunset, repeal and termination section."

161.20 District R-O, Residential Office

(A) *Purpose.* The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses. The intent of this district is to allow administrative approval if the developer decides to use urban form, in compliance with the build-to zone and minimum buildable street frontage as specified herein.

(B) *Uses.*

(1) *Permitted uses*.

Unit 1	City-wide uses by right
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 12a	Limited business
Unit 25	Offices, studios, and related services
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(2) *Conditional Uses*.

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 11	Manufactured home park*
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities*
Unit 42	Clean technologies
Unit 45	Small scale production

(C) *Density*.

Units per acre	24 or less

(D) *Bulk and Area Regulations.* (Per dwelling unit for residential structures)

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single-family	60 feet
Two (2) family	60 feet
Three (3) or more	90 feet

(2) *Lot Area Minimum*.

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 square feet
Townhouses:	
Development	10,000 square feet
Individual lot	2,500 square feet
Single-family	6,000 square feet
Two (2) family	6,500 square feet
Three (3) or more	8,000 square feet
Fraternity or Sorority	1 acre

(3) *Land Area Per Dwelling Unit.*

Manufactured home	3,000 square feet
Townhouses & apartments:	
No bedroom	1,000 square feet
One bedroom	1,000 square feet
Two (2) or more bedrooms	1,200 square feet
Fraternity or Sorority	500 square feet per resident

(E) *Setback Regulations.*

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Front, in the Hillside Overlay District	15 feet
Side	10 feet
Side, when contiguous to a residential district	15 feet
Side, in the Hillside Overlay District	8 feet
Rear, without easement or alley	25 feet
Rear, from center line of public alley	10 feet
Rear, in the Hillside Overlay District	15 feet

Urban Form Setback Regulations:

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line
Side	5 feet
Side-zero lot line*	A setback of less than 5 feet (zero lot line) is permitted on one (1) interior side, provided a maintenance agreement is filed.** The remaining side setback(s) shall be 10 feet
Rear	None
Rear when contiguous to a single family residential district	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	5 stories

If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot. Accessory ground mounted solar energy systems shall not be considered buildings.

(H) Urban form minimum buildable street frontage: 50% of the lot width.

(Code No. 1965, App. A., Art. 5(x); Ord. No. 2414, 2-7-78; Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.041; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. No. 4726, 7-19-05; Ord. No. 4943, 11-07-06; Ord. No. 5079, 11-20-07; Ord. No. 5195, 11-6-08; Ord. No. 5224, 3-3-09; Ord. No. 5312, 4-20-10; Ord. No. 5462, 12-6-11; Ord. No. 5735 1-20-15; Ord. No. 5800 , §1(Exh. A), 10-6-15; Ord. No. 5921 , §1, 11-1-16; Ord. No. 5945 , §§5, 7—9, 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6164 , §§1, 2, 3, 4-2-19; Ord. No. 6245 , §2, 10-15-19; Ord. No. 6427 , §§1(Exh. C), 2, 4-20-21)

Ord. No. 6427 , § 2, adopted April 20, 2021, "determines that this ordinance and all amendments to Code sections ordained or enacted by this ordinance shall automatically sunset, be repealed, terminated, and become void twenty (20) months after the passage and approval of this ordinance, unless prior to that date, the City Council amends this ordinance to repeal this sunset, repeal and termination section."

161.22 Community Services

(A) *Purpose.* The Community Services District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas and is intended to provide for adaptable mixed use centers located along commercial corridors that connect denser development nodes. There is a mixture of residential and commercial uses in a traditional urban form with buildings addressing the street. For the purposes of Chapter 96: Noise Control, the Community Services district is a commercial zone. The intent of this zoning district is to provide standards that enable development to be approved administratively.

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 13	Eating places
Unit 15	Neighborhood Shopping goods
Unit 24	Home occupations
Unit 25	Offices, studios and related services
Unit 26	Multi-family dwellings
Unit 40	Sidewalk Cafes
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 45	Small scale production
Unit 46	Short-term rentals

Note: Any combination of above uses is permitted upon any lot within this zone. Conditional uses shall need approval when combined with pre-approved uses.

(2) *Conditional Uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 14	Hotel, motel and amusement services
Unit 16	Shopping goods
Unit 17	Transportation, trades and services
Unit 18	Gasoline service stations and drive-in/drive-through restaurants
Unit 19	Commercial recreation, small sites
Unit 28	Center for collecting recyclable materials
Unit 34	Liquor stores
Unit 35	Outdoor music establishments
Unit 36	Wireless communication facilities*
Unit 42	Clean technologies

(C) *Density.* None.

(D) *Bulk and Area Regulations*.

(1) *Lot Width Minimum.*

Dwelling	18 feet
All others	None

(2) *Lot Area Minimum.* None.

(E) *Setback regulations*.

Front:	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.
Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	5 stories

(G) *Minimum Buildable Street Frontage.*50% of the lot width.

(Ord. No. 5312, 4-20-10; Ord. No. 5339, 8-3-10; Ord. No. 5462, 12-6-11; Ord. No. 5592, 6-18-13; Ord. No. 5664, 2-18-14; Ord. No. 5735, 1-20-15; Ord. No. 5800 , §1(Exh. A), 10-6-15; Ord. No. 5921 , §1, 11-1-16; Ord. No. 5945 , §§5, 7—9, 1-17-17; Ord. No. 6015 , §1(Exh. A), 11-21-17; Ord. No. 6223 , §1, 9-3-19; Ord. No. 6409 §1, 2-2-21; Ord. No. 6427 , §§1(Exh. C), 2, 4-20-21; Ord. No. 6497 , §1, 10-19-21)

Ord. No. 6427 , § 2, adopted April 20, 2021, "determines that this ordinance and all amendments to Code sections ordained or enacted by this ordinance shall automatically sunset, be repealed, terminated, and become void twenty (20) months after the passage and approval of this ordinance, unless prior to that date, the City Council amends this ordinance to repeal this sunset, repeal and termination section."

LEGACY VENTURES, LLC P.O. BOX 8216 FAYETEVILLE, AR 72703

December 29, 2022

City of Fayetteville Planning Division
125 West Mountain Street
Fayetteville, AR 72701

RE: Appleby Landing

Dear Planning Division,

Please accept this written request to rezone lots three (3), four (4), five (5), six (6), seven (7), eight (8) and nine (9) of Appleby Landing a subdivision to the City of Fayetteville, Arkansas as shown on plat or record in plat book 23A at page 195.

The subject property is currently zoned Residential Office (RO), and our desire is to rezone lots three (3), four (4), five (5), and six (6) to Community Services (CS). Additionally, we would like to rezone lots seven (7), eight (8) and nine (9) to RMF-24. Both zoning designations seem to align more closely with the long-term planning objectives of the City of Fayetteville as well as our development plans for the property. The reason we are revising the request previously submitted and pursuing the RMF-24 designation is to allow for placement of our townhome buildings closer to the street on those three lots.

Our plan is to build a diverse, slightly dense mix of high quality multifamily residential units while not ruling out the possibility of light commercial use where it makes sense. The master planned community will cater to the over 55 demographic with units ranging in both size and bedroom count as well as one and two story units.

This mid-town location with proximity to the medical core and main transportation corridors make it an excellent location for this type of underserved multifamily product.

This rezoning request is in line with the City of Fayetteville long term plans as well as compatible with adjoining property/zoning districts. Please see the following for a list of adjoining zoning districts and current use.

North	Medical Facilities with current zoning designation of Residential Office (RO)
South	Apartments with current zoning designation of Residential Multifamily (24) Units Per Acre (RMF-24)
East	Residential with current zoning designation of Residential Multifamily (24) Units Per Acre (RMF-24)
West	Residential with current zoning designation of Residential Intermediate (12) Units Per Acre (RI-12)

Our rezoning request to Community Services, as well as, planned development is compatible with all adjoining properties.

We are looking forward to developing a community that delivers high quality housing catering to our aging population. And in doing so create a community that exemplifies urban planning and together leaving our ***Legacy*** one ***Venture*** at a time.

Sincerely,

Tim Brisiel

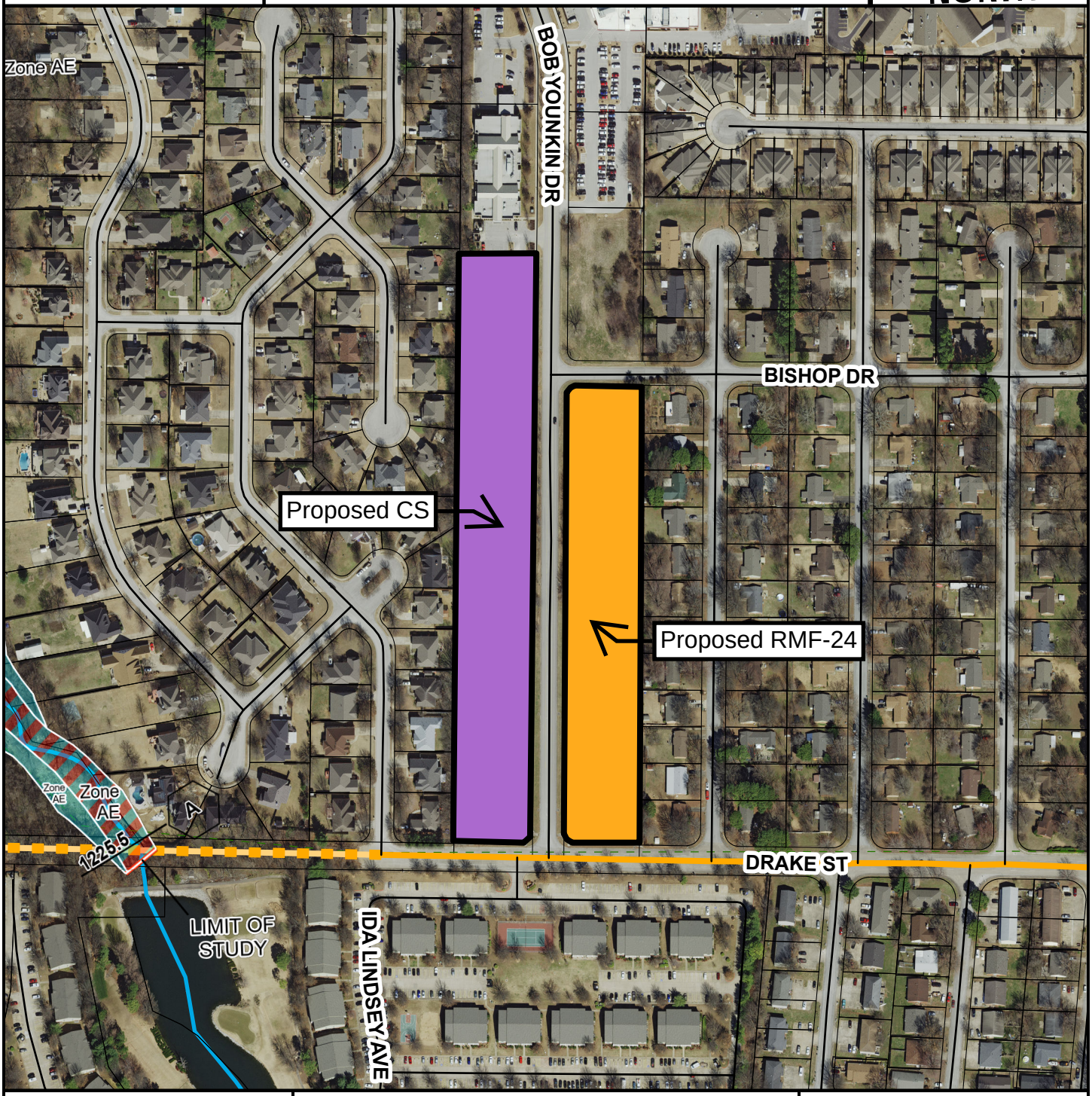
LEGACY VENTURES

RZN-2022-0055

Staff Exhibit

N. BOB YOUNKIN DR & W. BISHOP DR

NORTH



- Neighborhood Link
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

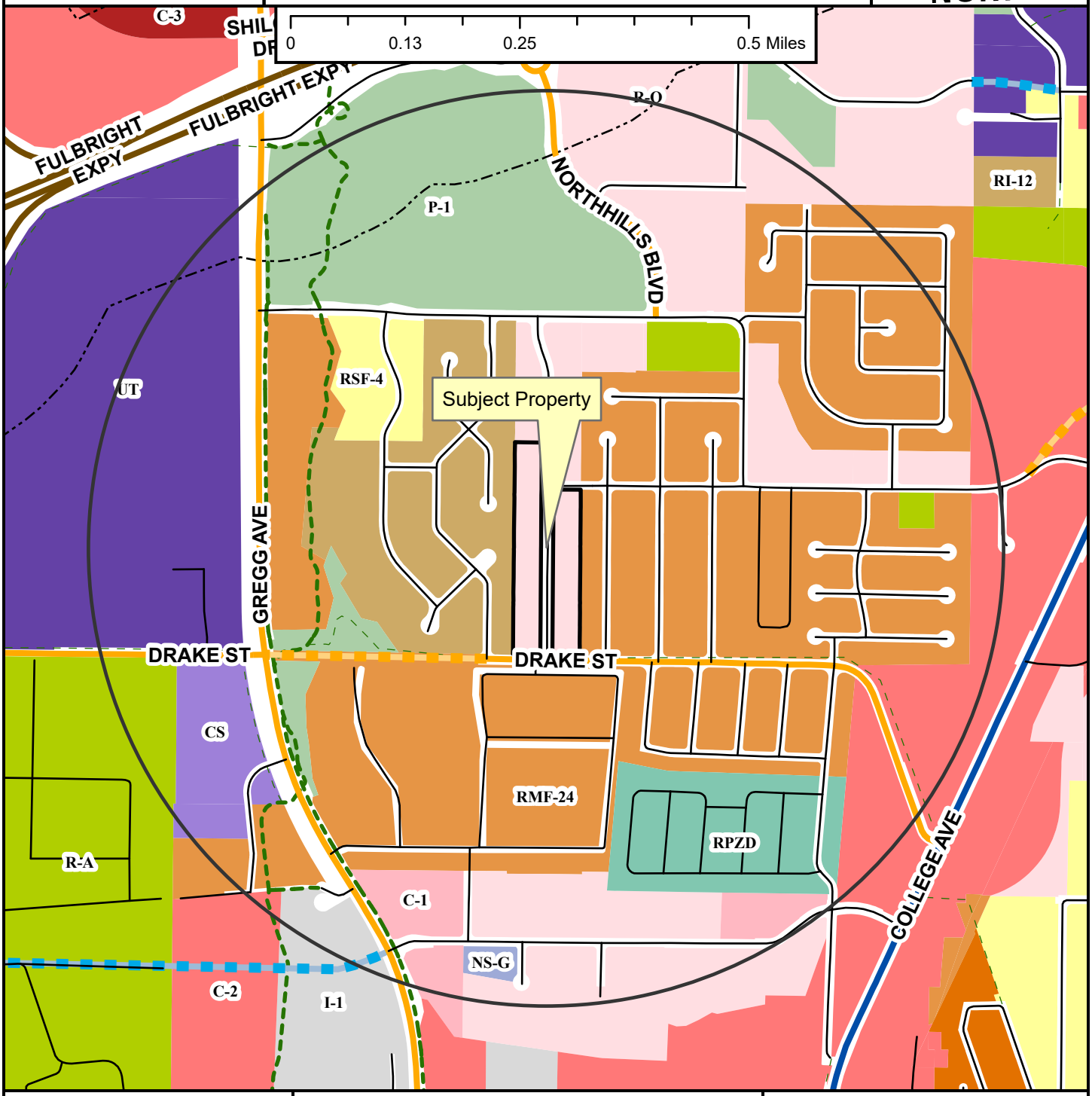
- 100-Year Floodplain
- Floodway

RZN-2022-0055

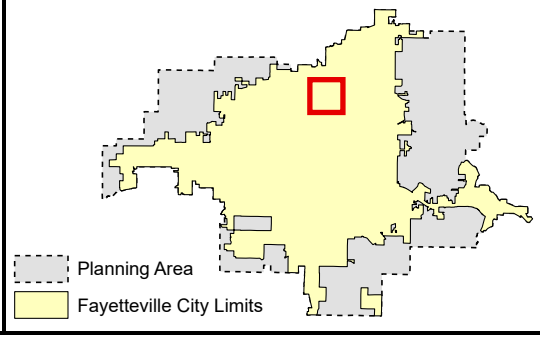
One Mile View

N. BOB YOUNKIN DR & W. BISHOP DR

NORTH



- Neighborhood Link
- Regional Link - High Activity
- Freeway/Expressway
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District
- Fayetteville City Limits
- Planning Area



Zoning

RESIDENTIAL SINGLE-FAMILY
- NS-G
- RI-U
- RI-12
- NS-L
- Residential-Agricultural
- RSF-.5
- RSF-1
- RSF-2
- RSF-4
- RSF-7
- RSF-8
- RSF-18

RESIDENTIAL MULTI-FAMILY
- RMF-6
- RMF-12
- RMF-18
- RMF-24
- RMF-40

INDUSTRIAL
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial

EXTRACTION
- E-1

COMMERCIAL
- Residential-Office
- C-1
- C-2
- C-3

FORM BASED DISTRICTS
- Downtown Core
- Urban Thoroughfare
- Main Street Center
- Downtown General
- Community Services
- Neighborhood Services
- Neighborhood Conservation

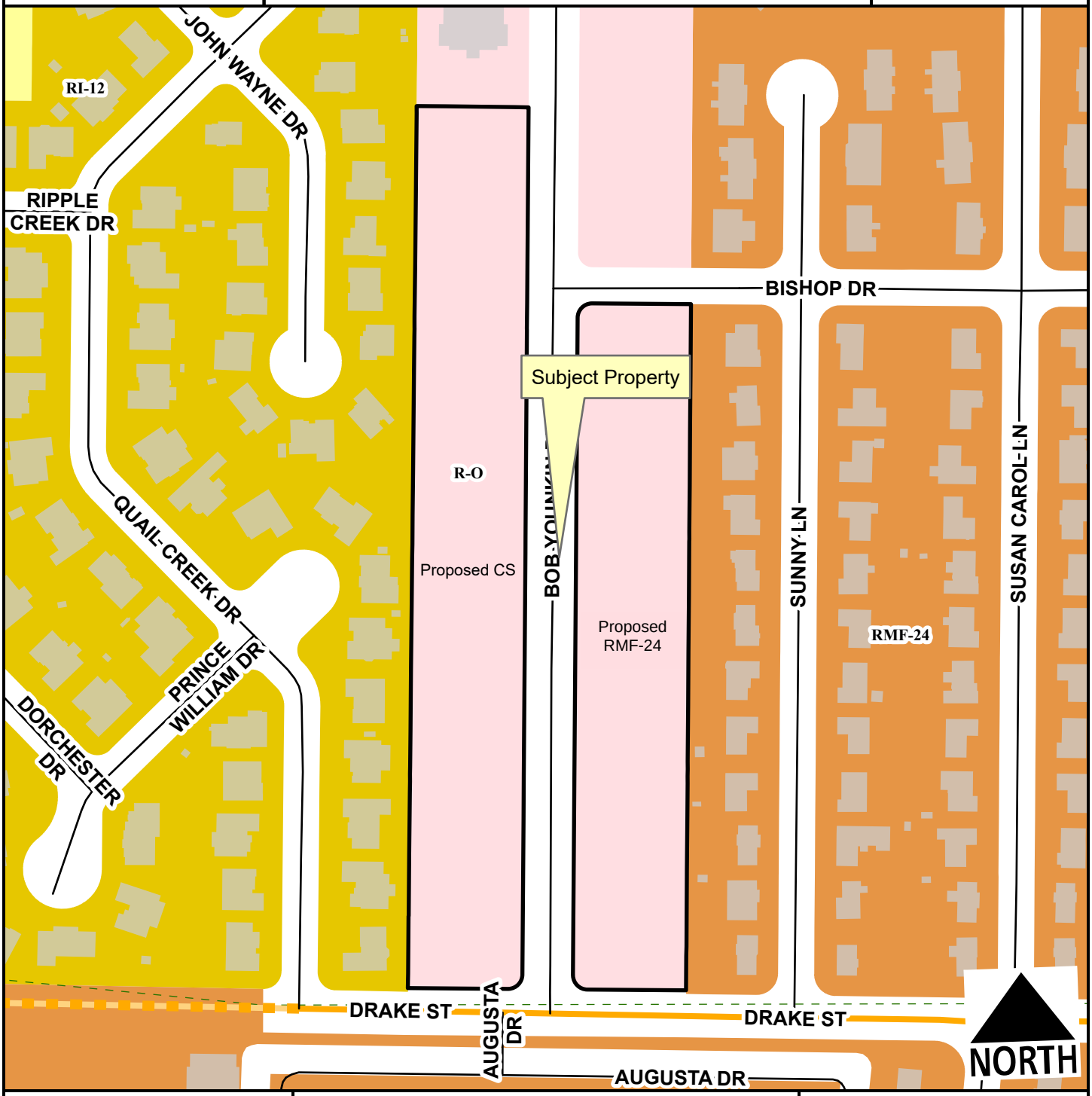
PLANNED ZONING DISTRICTS
- Commercial, Industrial, Residential

INSTITUTIONAL
- P-1

RZN-2022-0055

Close Up View

N. BOB YOUNKIN DR & W. BISHOP DR



- Neighborhood Link
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits

Feet

0 75 150 300 450 600

1:2,400

Zone	Current	Proposed
CS	0.0	4.4
RMF-24	0.0	3.4
R-O	7.8	0.0

Total 7.8 ac

RZN-2022-0055

Current Land Use

N. BOB YOUNKIN DR & W. BISHOP DR

NORTH

- Neighborhood Link
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Trail (Proposed)
- Planning Area
- Fayetteville City Limits

Feet

0 112.5 225 450 675 900

1:3,600

FEMA Flood Hazard Data

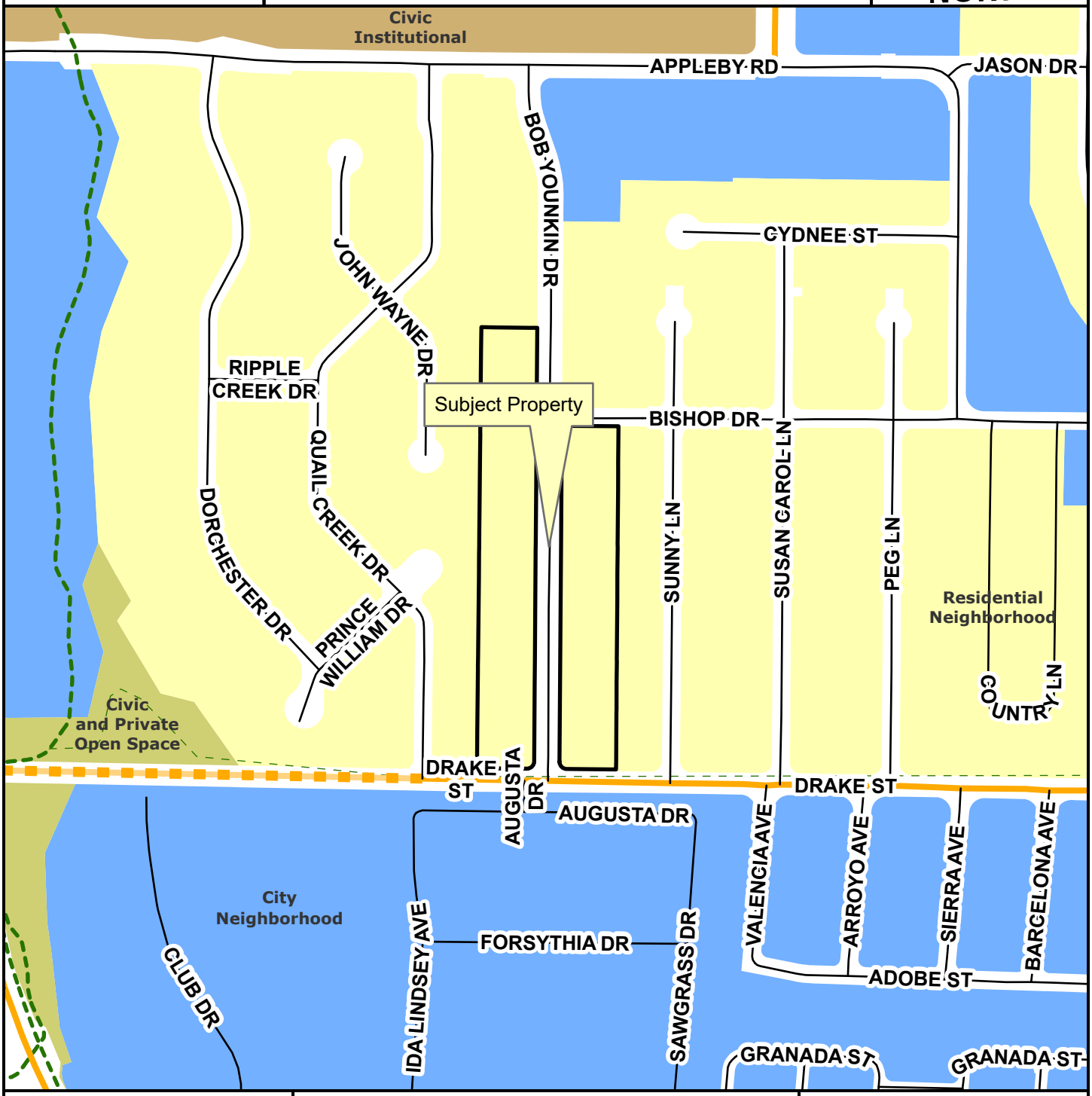
- 100-Year Floodplain
- Floodway

RZN-2022-0055

Future Land Use

N. BOB YOUNKIN DR & W. BISHOP DR

NORTH



Neighborhood Link
Unclassified
Residential Link
Planned Neighborhood Link
Planning Area
Fayetteville City Limits
Trail (Proposed)

Feet

0 145 290 580 870 1,160

1:4,800

City Neighborhood
Civic Institutional
Civic and Private Open Space
Industrial
Natural
Non-Municipal Government
Residential Neighborhood
Rural Residential
Urban Center

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-399

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Jessica Masters, Development Review Manager
Jonathan Curth, Development Services Director
Susan Norton, Chief of Staff

FROM: Ryan Umberger, Senior Planner

DATE: February 1, 2023

SUBJECT: **VAC-2022-0019: Vacation (2231 W. MARKHAM RD/MARKHAM HOSPITALITY, 481): Submitted by DCI for property located at 2231 W. MARKHAM RD in WARD 4. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 72.60 acres. The request is to vacate approximately 0.26 acres of a utility easement.**

RECOMMENDATION:
Staff recommends approval of VAC-2022-0019 as shown in the attached Exhibits 'A' and 'B' and with the following conditions of approval:

1. Any damage to or relocation of existing facilities will be at the applicant's expense; and
2. An active water line, fire hydrant, and meters exist in the easement proposed to be vacated. The newly proposed waterline and associated easements must be dedicated, constructed, fully accepted and in service prior to the vacation of the subject easement.

BACKGROUND:
The subject property is located at the west end of Markham Road. The specific property is within the 72.60-acre Pratt Place Inn Commercial Planned Zoning District (CPZD 18-6318) and totals approximately 16.34 acres. Current development on the site includes the historic Pratt home, several cottages, a barn used for events, and accessory structures. In 2021 a large scale development (LSD-2020-000015) and associated modification (ADM-2022-0031) were approved for the development of cabins, commercial and event space, and 76 hotel rooms on the subject property. Most recently, in August of this year a large scale development (LSD-2022-0026) was approved for the construction of a private drive and public improvements associated with development of Lots 20-26 in Phase 1B of the preliminary plat (PPL 19-6861) associated with the CPZD. The property has areas with steep slopes exceeding a 15% grade and largely covered by mature tree canopy. Consequently, the subject property falls almost entirely within the Hillside Hilltop Overlay District (HHOD).

Request: The applicant proposes to vacate a portion of an existing utility easement as indicated in the attached exhibits and totaling approximately 0.26 acres.

DISCUSSION:
The applicant submitted the required approvals from the public utility and service providers with conditions as noted above. With submittal of the required vacation forms and utility consent, staff recommends approval.

BUDGET/STAFF IMPACT:
N/A

ATTACHMENTS: SRF, Exhibit A, Exhibit B, Letter of Intent, Petition to Vacate, Survey

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-399

VAC-2022-0019: Vacation (2231 W. MARKHAM RD/MARKHAM HOSPITALITY, 481): Submitted by DCI for property located at 2231 W. MARKHAM RD in WARD 4. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 72.60 acres. The request is to vacate approximately 0.26 acres of a utility easement.

AN ORDINANCE TO APPROVE VAC 22-019 FOR PROPERTY LOCATED AT 2231 WEST MARKHAM ROAD IN WARD 4 TO VACATE A PORTION OF A UTILITY EASEMENT

WHEREAS, the City Council has the authority under A.C.A. § 14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes; and

WHEREAS, the City Council has determined that the following described portion of a utility easement is not required for corporate purposes.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby vacates the portion of a utility easement as described in Exhibit B attached to the Planning Department's memo.

Section 2: A copy of this Ordinance duly certified by the City Clerk along with the map attached as Exhibit A to the Planning Department's memo shall be filed in the office of the Washington County Circuit Clerk.

Section 3: This vacation approval is subject to the following conditions:

1. The easement to be vacated contains an active water line, fire hydrant, and meters. The new water line, fire hydrants, and meters shall be installed, accepted by the City, and placed into service within new easements that shall be dedicated before this vacation takes effect; and
2. Any damage to or relocation of existing facilities will be at the applicant's expense.

City of Fayetteville Staff Review Form

2023-399

Legistar File ID

2/21/2022

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jonathan Curth	2/3/2023	DEVELOPMENT REVIEW (630)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

VAC-2022-0019: Vacation (2231 W. MARKHAM RD/MARKHAM HOSPITALITY, 481): Submitted by DCI for property located at 2231 W. MARKHAM RD. The property is zoned CPZD, COMMERCIAL PLANNED ZONING DISTRICT and contains approximately 72.60 acres. The request is to vacate approximately 0.26 acres of a utility easement.

Budget Impact:

Account Number			Fund	
Project Number			Project Title	
Budgeted Item?	No	Current Budget	$	-
		Funds Obligated	$	-
		Current Balance	$	-
Does item have a cost?	No	Item Cost	$	-
Budget Adjustment Attached?	No	Budget Adjustment	$	-
		Remaining Budget	$	-

V20210527

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

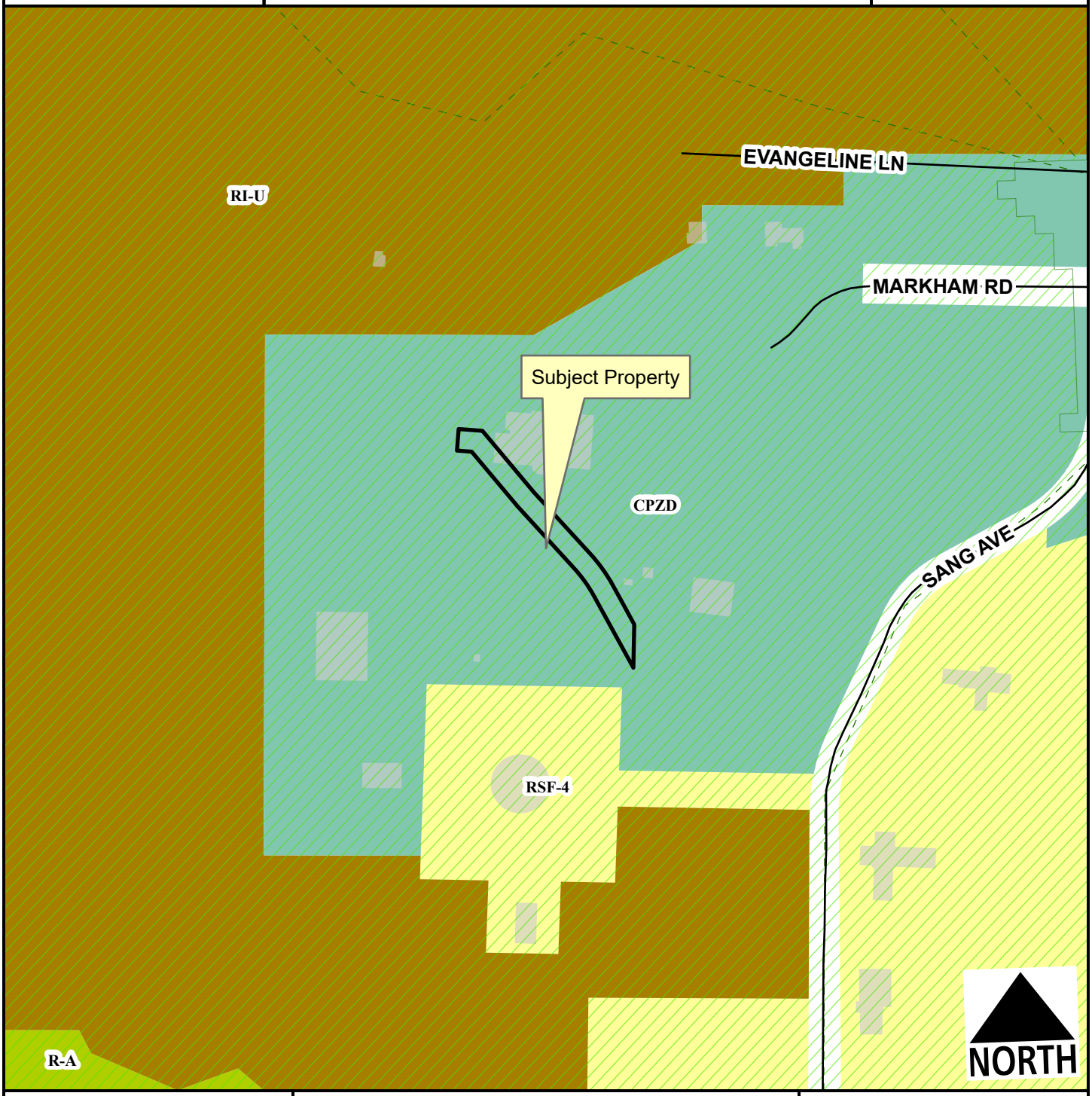
Original Contract Number:

Comments:

VAC-2022-0019

Close Up View

2231 W. MARKHAM RD



Unclassified
Residential Link
Hillside-Hilltop Overlay District
Planning Area
Fayetteville City Limits
Trail (Proposed)

Feet

0 75 150 300 450 600

1:2,400

Residential-Agricultural
RSF-4
RI-U
Commercial, Industrial, Residential

A 30 feet wide General Utility Easement shown on the Easement Dedication Plat filed at #23-00000282, lying in part of the SW1/4 of the NW1/4 of Section 17, Township 16 North, Range 30 West, City of Fayetteville, Washington County, Arkansas, being more particularly described as follows:

Commencing at the Southwest corner of the NW1/4 of said Section 17; Thence N 02°41'48" E along the West line of the NW1/4 of said Section 17, a distance of 1075.19 feet; Thence S 87°18'12" E, a distance of 820.24 feet to the Point of Beginning; Thence N 06°35'00" E, a distance of 30.00 feet; Thence S 83°25'31" E, a distance of 32.98 feet; Thence S 38°00'36" E, a distance of 110.28 feet; Thence S 40°27'03" E, a distance of 116.08 feet to the point of curvature for a circular curve to the right; Thence Southeasterly along a 225.00 feet radius curve to the right, thru a central angle of 13°40'44" for a distance of 53.72 feet, said curve having a chord bearing of S 33°36'41" E, and distance of 53.59 feet to the point of tangency; Thence S 26°46'19" E, a distance of 61.65 feet; Thence S 03°14'26" W, a distance of 59.98 feet; Thence N 26°46'19" W, a distance of 113.59 feet to the point of curvature for a circular curve to the left; Thence Northwesterly along a 195.00 feet radius curve to the left, thru a central angle of 13°40'44" for a distance of 46.55 feet, said curve having a chord bearing of N 33°36'41" W, and distance of 46.44 feet to the point of tangency; Thence N 40°27'03" W, a distance of 116.72 feet; Thence N 38°00'36" W, a distance of 98.36 feet; Thence N 83°25'31" W, a distance of 20.43 feet to the Point of Beginning

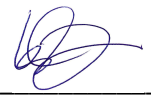
August 19, 2022

City of Fayetteville
113 West Mountain Street Fayetteville, AR 72701

RE: Markham Hill Hospitality Easement Vacation

In the matter of the Markham Hill Easement Vacation, for the property located at 2231 W Markham Rd in Fayetteville, AR; please accept the enclosed submittal package to adjust the site for development. An active waterline, fire hydrant, and meters exist in the easement proposed to be vacated. As a part of the LSD, a new waterline, associated fire hydrants, and meters will be installed and dedicated per specifications and requirements of the City of Fayetteville.
If you have any questions or need additional information, please contact DCI at 479-444-7880.

Thank you,



Leslie Tabor
DCI

PETITION TO VACATE

PETITION TO VACATE A 30' General Utility Easement as recorded at Plat#23-00000282 located in part of the SW1/4 of the NW1/4 of Section 17, Township 16 North, Range 30 West, City of Fayetteville, Washington County, Arkansas

TO: The Fayetteville City Planning Commission and
The Fayetteville City Council

We, the undersigned, being all the owners of the real estate abutting the 30' General Utility Easement as recorded at Plat#23-00000282 hereinafter sought to be abandoned and vacated, lying in part of the SW1/4 of the NW1/4 of Section 17, Township 16 North, Range 30 West, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate the said 30' General Utility Easement which is described as follows:

A 30 feet wide General Utility Easement shown on the Easement Dedication Plat filed at #23-00000282, lying in part of the SW1/4 of the NW1/4 of Section 17, Township 16 North, Range 30 West, City of Fayetteville, Washington County, Arkansas, being more particularly described as follows:

Commencing at the Southwest corner of the NW1/4 of said Section 17; Thence N 02°41'48" E along the West line of the NW1/4 of said Section 17, a distance of 1075.19 feet; Thence S 87°18'12" E, a distance of 820.24 feet to the Point of Beginning; Thence N 06°35'00" E, a distance of 30.00 feet; Thence S 83°25'31" E, a distance of 32.98 feet; Thence S 38°00'36" E, a distance of 110.28 feet; Thence S 40°27'03" E, a distance of 116.08 feet to the point of curvature for a circular curve to the right; Thence Southeasterly along a 225.00 feet radius curve to the right, thru a central angle of 13°40'44" for a distance of 53.72 feet, said curve having a chord bearing of S 33°36'41" E, and distance of 53.59 feet to the point of tangency; Thence S 26°46'19" E, a distance of 61.65 feet; Thence S 03°14'26" W, a distance of 59.98 feet; Thence N 26°46'19" W, a distance of 113.59 feet to the point of curvature for a circular curve to the left; Thence Northwesterly along a 195.00 feet radius curve to the left, thru a central angle of 13°40'44" for a distance of 46.55 feet, said curve having a chord bearing of N 33°36'41" W, and distance of 46.44 feet to the point of tangency; Thence N 40°27'03" W, a distance of 116.72 feet; Thence N 38°00'36" W, a distance of 98.36 feet; Thence N 83°25'31" W, a distance of 20.43 feet to the Point of Beginning.

That the abutting real estate affected by said abandonment of the easement is part of the SW1/4 of the NW1/4 of Section 17, Township 16 North, Range 30 West, City of Fayetteville is all owned by a single entity, the petitioner, and that the public interest and welfare would not be adversely affected by the abandonment of the above described 30' General Utility Easement as recorded at Plat#23-00000282.

The petitioners pray that the City of Fayetteville, Arkansas, abandon and vacate the above-described easement, and that the above-described real estate be used for their respective benefit and purpose as now approved by law.

The petitioners further pray that the above-described real estate be vested in the abutting property owners as provided by law.

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above-described easement, and that title to said real estate sought to be abandoned be vested in the abutting property owners as provided by law, and as to that particular land the owners be free from the easements of the public for the use of said easement.

Dated this 13 day of January, 20 23.

Ben Kuddes

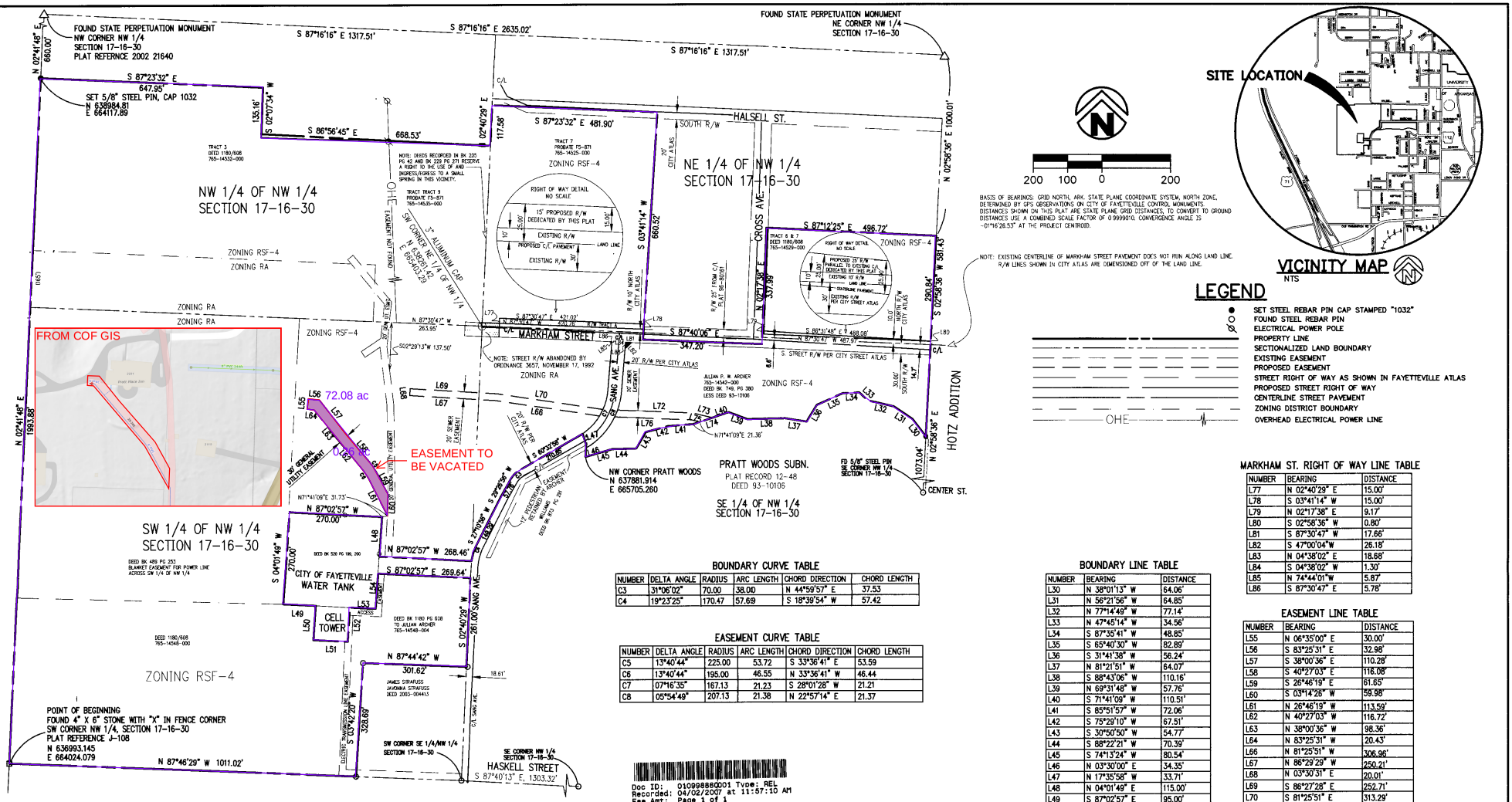
Printed Name

For Cory Amos

Signature

Printed Name

Signature



BOUNDARY CURVE TABLE

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C3	31°06'02"	70.00	38.00	N 44°59'57" E	37.53
C4	19°23'25"	170.47	57.69	S 18°39'54" W	57.42

EASEMENT CURVE TABLE

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C5	13°40'44"	225.00	53.72	S 33°36'41" E	53.59
C6	13°40'44"	195.00	46.55	N 33°36'41" W	46.44
C7	07°16'35"	167.13	21.23	S 28°01'28" W	21.21
C8	05°54'49"	207.13	21.38	N 22°57'14" E	21.37

BOUNDARY LINE TABLE

NUMBER	BEARING	DISTANCE
L30	N 38°01'13" W	64.06'
L31	N 56°21'56" W	64.85'
L32	N 77°14'49" W	77.14'
L33	N 47°45'14" W	34.56'
L34	S 87°35'41" W	48.85'
L35	S 65°40'30" W	82.89'
L36	S 31°41'38" W	56.24'
L37	N 81°21'51" W	64.07'
L38	S 88°43'06" W	110.16'
L39	N 69°31'48" W	57.76'
L40	S 71°41'09" W	110.51'
L41	S 85°51'57" W	72.06'
L42	S 75°29'10" W	67.51'
L43	S 30°50'50" W	54.77'
L44	S 88°22'21" W	70.39'
L45	S 74°13'24" W	80.54'
L46	N 03°30'00" E	34.35'
L47	N 17°35'58" W	33.71'
L48	N 04°01'49" E	115.00'
L49	S 87°02'57" E	95.00'
L50	S 04°01'49" W	100.00'
L51	S 87°02'57" E	100.00'
L52	N 04°01'49" E	100.00'
L53	S 87°02'57" E	75.00'
L54	N 04°01'49" E	105.00'

MARKHAM ST. RIGHT OF WAY LINE TABLE

NUMBER	BEARING	DISTANCE
L77	N 02°40'29" E	15.00'
L78	S 03°41'14" W	15.00'
L79	N 02°17'38" E	9.17'
L80	S 02°58'36" W	0.80'
L81	S 87°30'47" W	17.66'
L82	S 47°00'04"W	26.18'
L83	N 04°38'02" E	18.68'
L84	S 04°38'02" W	1.30'
L85	N 74°44'01"W	5.87'
L86	S 87°30'47" E	5.78'

EASEMENT LINE TABLE

NUMBER	BEARING	DISTANCE
L55	N 06°35'00" E	30.00'
L56	S 83°25'31" E	32.98'
L57	S 38°00'36" E	110.28'
L58	S 40°27'03" E	116.08'
L59	S 26°46'19" E	61.65'
L60	S 03°14'26" W	59.98'
L61	N 26°46'19" W	113.59'
L62	N 40°27'03" W	116.72'
L63	N 38°00'36" W	98.36'
L64	N 83°25'31" W	20.43'
L66	N 81°25'51" W	306.96'
L67	N 86°29'29" W	250.21'
L68	N 03°30'31" E	20.01'
L69	S 86°27'28" E	252.71'
L70	S 81°25'51" E	313.29'
L72	S 87°40'02" E	218.08'
L73	S 76°52'55" E	60.19'
L74	S 71°41'09" W	38.35'
L75	N 76°52'55" W	25.58'
L76	N 87°40'02" W	223.72'

Doc ID: 010998880001 Type: REL
Recorded: 04/02/2007 at 11:57:10 AM
Fee Amt: Page 1 of 1
Washington County, AR
Bette Stamps Circuit Clerk
File 0023-00000282

SURVEY BOUNDARY DESCRIPTION:

Part of the Northwest Quarter (NW ¼) of Section Seventeen (17), Township Sixteen North (Twp. 16 N.), Range Thirty West (Rng. 30 W.), City of Fayetteville, Washington County, Arkansas, being more particularly described as follows:

Beginning at the stone that marks the southwest corner of the Northwest Quarter (NW ¼) of Section Seventeen (17), Township Sixteen North (Twp. 16 N.), Range Thirty West (Rng. 30 W.), City of Fayetteville, Washington County, Arkansas and run thence N02°41'48"E 1993.88 feet along the west line of said NW ¼ to a steel rebar pin; thence S87°23'32"E 647.95 feet to a steel rebar pin; thence S02°07'34"W 135.16 feet to a steel rebar pin; thence S86°56'45"E 668.53 feet to a steel rebar pin set in a fence corner; thence N02°40'29"E 117.58 feet to a steel rebar pin; thence S87°23'32"E 481.90 feet to a steel rebar pin; thence S03°41'14"W 660.52 feet; thence S87°40'06"E 347.20 feet; thence N02°17'38"E 337.99 feet to a steel rebar pin; thence S87°12'25"E 496.72 feet to a steel rebar pin on the east line of said NW ¼; thence S02°58'36"W 581.43 feet along said east line of the NW ¼ to the north line of Pratt Woods Subdivision to the City of Fayetteville as shown in plat record 12-48 of the records of the Circuit Clerk and ex-officio recorder of Washington County, Arkansas; thence along the north line of said Pratt Woods Subdivision the following sixteen courses: N38°01'13"W 64.06 feet; N56°21'56"W 64.85 feet; N77°14'49"W 77.14 feet; N47°45'14"W 34.56 feet; S87°35'41"W 48.85 feet; S65°40'30"W 82.89 feet; S31°41'38"W 56.24 feet; N81°21'51"W 64.07 feet; S88°43'06"W 110.16 feet; N69°31'48"W 57.76 feet; S71°41'09"W 110.51 feet; S85°51'57"W 72.06 feet; S75°29'10"W 67.51 feet; S30°50'50"W 54.77 feet; S88°22'21"W 70.39 feet; S74°13'24"W 80.54 feet to the steel rebar pin that marks the northwest corner of said Pratt Place Subdivision; thence N03°30'00"E 34.35 feet to a steel rebar pin; thence N17°35'58"W 33.71 feet to a steel rebar pin on the north right of way line of Sang Street; thence S86°32'58"W 210.85 feet along said right of way line to a steel rebar pin; thence continuing with said right of way line 38.00 feet along a curve to the left said curve having a radius of 70.00 feet and a long chord of S44°59'57"W 37.53 feet to a steel rebar pin; thence S29°26'56"W 57.76 feet along said right of way line to a steel rebar pin; thence along said right of way line 57.69 feet along a curve to the left said curve having a radius of 170.47 feet and a long chord of S18°39'54"W 57.42 feet to a steel rebar pin; thence departing said right of way line N87°02'57"W 268.46 feet to a steel rebar pin; thence N04°01'49"E 115.00 feet; thence N87°02'57"W 270.00 feet; thence S04°01'49"W 270.00 feet; thence S87°02'57"E 95.00 feet; thence S04°01'49"W 100.00 feet; thence S87°02'57"E 100.00 feet; thence N04°01'49"E 100.00 feet; thence S87°02'57"E 75.00 feet to a steel rebar pin; thence N04°01'49"E 105.00 feet to a steel rebar pin; thence S87°02'57"E 269.64 feet to a steel rebar pin; thence S02°40'29"E 261.00 feet; thence N87°44'42"W 301.62 feet to a steel rebar pin; thence S03°42'20"W 328.69 feet to a steel rebar pin on the south line of said NW ¼/4; thence N87°46'29"W 1011.02 feet along said south line to the Point of Beginning, containing approximately 3162241.41 sq. ft. or 72.60 acres, more or less, subject to public rights of way including the rights of way of Sang Avenue, Halsell Street, and Markham Street and subject to all easements of record and fact.

CERTIFICATE OF APPROVAL OF UTILITY EASEMENTS:

WE HEREBY CERTIFY THAT ALL UTILITY EASEMENTS PLATTED IN THIS DEVELOPMENT ARE SHOWN AS REQUESTED AND WERE APPROVED BY THE UNDERSIGNED UTILITIES OF THE CITY OF FAYETTEVILLE, ARKANSAS.

3/2/07 DATE — ELECTRIC
3/22/07 DATE — GAS SERVICE
3/28/07 DATE — TELEPHONE
3-21-07 DATE — CABLE TELEPHONE
3-29-07 DATE — CITY OF FAYETTEVILLE

CERTIFICATE OF OWNERSHIP & DEDICATION:

WE THE UNDERSIGNED OWNERS, REPRESENTING ONE HUNDRED PERCENT (100%) OWNERSHIP OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN DO HEREBY DEDICATE FOR PUBLIC OWNERSHIP ALL STREETS AND ALLEYS AS SHOWN ON THIS PLAT FOR PUBLIC BENEFIT AS PRESCRIBED BY LAW. THE OWNERS ALSO DEDICATED TO THE CITY OF FAYETTEVILLE AND TO THE PUBLIC UTILITY COMPANIES (INCLUDING ANY CABLE TELEVISION COMPANY HOLDING A FRANCHISE GRANTED BY THE CITY OF FAYETTEVILLE) THE EASEMENT AS SHOWN ON THIS PLAT FOR THE PURPOSE OF INSTALLATION OF NEW FACILITIES AND THE REPAIR OF EXISTING FACILITIES. ALSO ESTABLISHED HEREBY IS THE RIGHT OF INGRESS AND EGRESS TO SAID EASEMENT, THE RIGHT TO PROHIBIT THE ERECTION OF BUILDINGS, STRUCTURES, OR FENCES WITHIN SAID EASEMENTS, AND THE RIGHT TO REMOVE OR TRIM TREES WITHIN SAID EASEMENTS.

3-28-07 DATE — OWNER
3/28/07 DATE — OWNER

TREE PRESERVATION AREA

THE TREE PRESERVATION AREAS AS INDICATED ON THIS EASEMENT PLAT CONSTITUTE A COVENANT RUNNING WITH THE TITLE OF THE SUBJECT PROPERTY AND ARE DEDICATED FOR THE PROPERTY OWNERS AND THEIR FUTURE SUCCESSORS, ASSIGNEES OR TRANSFEREES TO PRESERVE, PROTECT AND MAINTAIN EXISTING TREE CANOPY. NO TREE REMOVAL OR LAND DISTURBANCE AS DEFINED WITHIN THE CITY OF FAYETTEVILLE UNIFIED DEVELOPMENT ORDINANCE MAY OCCUR WITHIN THE TREE PRESERVATION AREA UNLESS APPROVED BY THE CITY OF FAYETTEVILLE. PERSONS SEEKING REMOVAL OF SUCH TREE PRESERVATION AREA, OR REQUESTING TO MODIFY THE PROPERTY IN SUCH A WAY AS TO AFFECT THE CANOPY WITHIN, MUST SEEK APPROVAL FROM THE CITY COUNCIL THROUGH A REQUEST MADE BY THE LANDSCAPE ADMINISTRATOR OF THE CITY OF FAYETTEVILLE.

3/30/07 DATE — CITY OF FAYETTEVILLE LANDSCAPE ADMINISTRATOR

CERTIFICATE OF APPROVAL FOR RECORDING:

I HEREBY CERTIFY THAT THE LARGE SCALE DEVELOPMENT PLAN FOR THIS PROJECT WAS APPROVED BY THE FAYETTEVILLE PLANNING COMMISSION AT THE MEETING HELD ON September 11 2006

4.5.07 DATE — ZONING AND DEVELOPMENT ADMINISTRATOR

LAND SURVEYORS DECLARATION:
I HEREBY DECLARE THAT ON THE 24TH DAY OF OCTOBER, 2006 THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION AND THE STEEL REBAR PINS AND OTHER MONUMENTATION WERE FOUND OR SET AS SHOWN, TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE MONUMENTS HAVE BEEN PLACED AS REQUIRED BY THE SUBDIVISION REQUIREMENTS OF THE CITY OF FAYETTEVILLE.

CRAFTON, TULL, & ASSOCIATES, INC.
901 N. 47TH STREET, SUITE 200
ROGERS, ARKANSAS 72756
(479) 878-2441

BY THOMPSON B. WEBB (AGENT)

THOMPSON B. WEBB PLS 1032

ALL COPIES THAT DO NOT BEAR AN ORIGINAL SEAL IMPRESSION AND SIGNATURE MAY HAVE BEEN ALTERED AND THE ABOVE DECLARATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL IMPRESSED SEAL AND SIGNATURE.

CERTIFICATE OF AUTHORIZATION — CRAFTON, TULL & ASSOCIATES, INC. No. 109

REGISTERED PROFESSIONAL LAND SURVEYOR — STATE OF ARKANSAS NO. 1032 — THOMPSON B. WEBB — SIGNATURE

EASEMENT DEDICATION PLAT

DATE	BY	DESCRIPTION
03/30/07	T.W.	Change 20' Water Line Easement to 30' Gen Utility
11/29/06	T.W.	REVISED PER PLANNING COMMENTS, ~~ADD SANG AVE. R/W DEDICATION~~

REVISIONS

EASEMENT DEDICATION PLAT
PART OF NW 1/4 OF SECTION 17, TWP 16 N., RNG 30 W.
Prepared For
JULIAN ARCHER

Crafton, Tull & Associates, Inc.
901 N. 47th Street, Suite 200, Rogers, AR 72756
479.636.4838 FAX: 479.631.0224 www.craftontull.com
Architects, Engineers & Surveyors 93-388

DRAWN:	DATE:	PROJECT NO.
TWEBB	08/21/06	051094-00
CHECKED: AH	SHEET NO.:	

DRAWING FILE NAME AND LOCATION: G:\05\1094-00\surdep\EASEMENT DEDICATION PLAT.dwg, LAYOUT TAB: PLAT
PLOTTED: 04/02/2007 08:27 AM
PLOTTED BY TOM WEBB (ONLY VALID ON HARD COPY)
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CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-405

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director

FROM: Jessica Masters, Development Review Manager

DATE: February 3, 2023

SUBJECT: **VAC-2022-0028: Vacation (EAST SAIN STREET./TRAILS AT THE CREEK, 174): Submitted by BLEW AND ASSOCIATES for property located at 1074 E. SAIN ST. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 10.55 acres. The request is to vacate a 0.11-acre portion of a utility easement and a 0.57-acre grading easement.**

RECOMMENDATION:
City staff recommend approval of VAC-2022-0028 as shown in the attached Exhibits 'A' and 'B' and with the following conditions of approval:

1. Any damage or relocation of existing facilities will be at the developer's expense.
2. Any new utility easements to serve LSD-2022-000006 must be coordinated when the Master Street Plan right-of-way is established.
3. A 20-foot wide easement must be retained for any existing sanitary sewer.
4. Utility vacation subject to approval and issuance of grading permit in association with LSD-2022-000006.
5. The City of Fayetteville will be reimbursed $127,500.00 for the original cost paid for the grading easements requested to be vacated.
6. The reimbursement must be paid prior to the grading easements being vacated.

BACKGROUND:
The subject property is in north Fayetteville, south of Mud Creek, and west of Butterfield Trail Village. The eastern and southern portions of the main site are characterized by steep slopes down to Mud Creek and its floodplain to the north, and up to Brookhaven Estates and Christian Life Cathedral to the south. A relatively level area is found between these two grades and across the remainder of the property. Despite the terrain, no portion of the property falls within the Hillside-Hilltop Overlay district. The property received its current zoning designation of RPZD on November 5, 2020 with the passage of Ordinance 6377 by City Council. An associated large-scale development of multi-family housing was approved by the Planning Commission on November 28, 2022 (LSD-2022-000006).

Request: The applicant proposes to vacate a 0.11-acre portion of a utility easement and a 0.57-acre grading easement.

Public Comment: No public comment was offered on this item.

DISCUSSION:
The easement vacation request is associated with an approved large-scale development for multi-family housing that was approved by Planning Commission on November 28, 2022. The vacation request comes on the heels of the completion of the Sain Street connection, and it has been determined that the easements are no longer needed to serve the public interest or the street's associated construction. All franchise utility companies have consented to this vacation, and all associated conditions of approval have been incorporated above.

BUDGET/STAFF IMPACT:
N/A

ATTACHMENTS: SRF, EXHIBIT A, EXHIBIT B, ENGINEERING MEMO, LETTER OF INTENT, UTILITY EASEMENT PETITION TO VACATE, GRADING EASEMENT PETITION TO VACATE, UTILITY EASEMENT SURVEY, GRADING EASEMENT SURVEY

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-405

VAC-2022-0028: Vacation (EAST SAIN STREET./TRAILS AT THE CREEK, 174): Submitted by BLEW AND ASSOCIATES for property located at 1074 E. SAIN ST. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 10.55 acres. The request is to vacate a 0.11-acre portion of a utility easement and a 0.57-acre grading easement.

AN ORDINANCE TO APPROVE VAC 22-028 FOR PROPERTY LOCATED AT 1074 EAST SAIN STREET IN WARD 3 TO VACATE A PORTION OF UTILITY EASEMENT AND A PORTION OF A GRADING EASEMENT

WHEREAS, the City Council has the authority under A.C.A. § 14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes; and

WHEREAS, the City Council has determined that the following described portions of utility easement and grading easement are not required for corporate purposes.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby vacates the portion of utility easement and a portion of grading easement as described in Exhibit B attached to the Planning Department's memo.

Section 2: A copy of this Ordinance duly certified by the City Clerk along with the map attached as Exhibit A to the Planning Department's memo shall be filed in the office of the Washington County Circuit Clerk.

Section 3: This vacation approval is subject to the following conditions:

1. Any damage to or relocation of existing facilities will be at the developer's expense.
2. Any new utility easements to serve LSD-2022-0006 must be coordinated when the Master Street Plan right-of-way is established.
3. A 20-foot wide easement must be retained and approved by the Utilities Department for any existing sanitary sewer.
4. Approval and issuance of a grading permit in association with LSD-2022-0006.
5. The amount of $127,500.00 shall be paid to the City of Fayetteville as reimbursement for the

original cost paid for the grading easements being vacated.

City of Fayetteville Staff Review Form

2023-405

Legistar File ID

2/21/2023

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jonathan Curth	2/3/2023	DEVELOPMENT REVIEW (630)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

VAC-2022-0028: Vacation (EAST SAIN STREET./TRAILS AT THE CREEK, 174): Submitted by BLEW AND ASSOCIATES for property located at 1074 E. SAIN ST in WARD 3. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 10.55 acres. The request is to vacate a 0.11-acre portion of a utility easement and a 0.57-acre grading easement.

Budget Impact:

Account Number			Fund	
Project Number			Project Title	
Budgeted Item?	No	Current Budget	$	-
		Funds Obligated	$	-
		Current Balance	$	-
Does item have a cost?	No	Item Cost	$	-
Budget Adjustment Attached?	No	Budget Adjustment	$	-
		Remaining Budget	$	-

V20210527

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

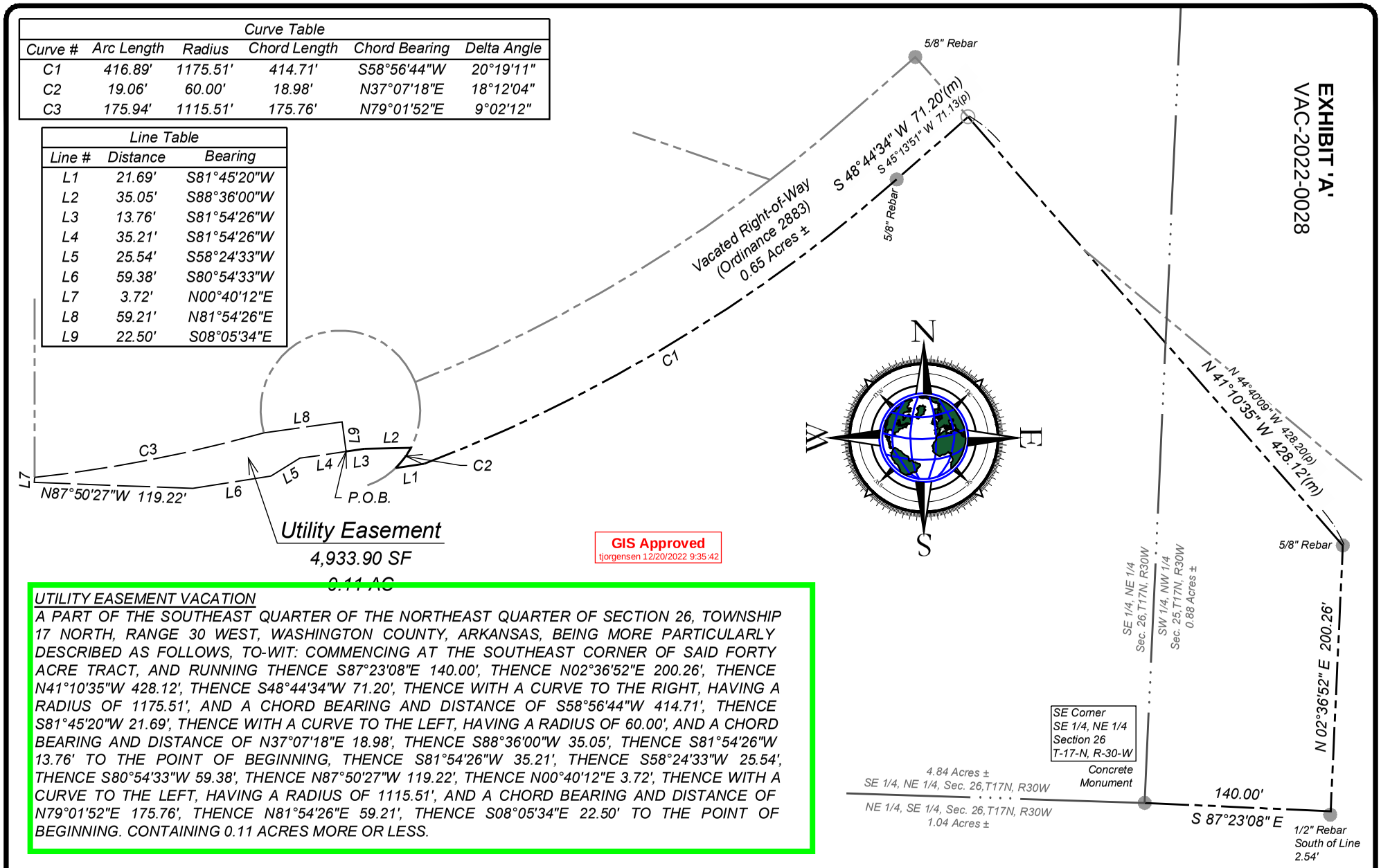
Original Contract Number:

Comments:

EXHIBIT 'A'
VAC-2022-0028

Curve Table					
Curve #	Arc Length	Radius	Chord Length	Chord Bearing	Delta Angle
C1	416.89'	1175.51'	414.71'	S58°56'44"W	20°19'11"
C2	19.06'	60.00'	18.98'	N37°07'18"E	18°12'04"
C3	175.94'	1115.51'	175.76'	N79°01'52"E	9°02'12"

Line Table		
Line #	Distance	Bearing
L1	21.69'	S81°45'20"W
L2	35.05'	S88°36'00"W
L3	13.76'	S81°54'26"W
L4	35.21'	S81°54'26"W
L5	25.54'	S58°24'33"W
L6	59.38'	S80°54'33"W
L7	3.72'	N00°40'12"E
L8	59.21'	N81°54'26"E
L9	22.50'	S08°05'34"E



GIS Approved
tjorgensen 12/20/2022 9:35:42

UTILITY EASEMENT VACATION

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE S87°23'08"E 140.00', THENCE N02°36'52"E 200.26', THENCE N41°10'35"W 428.12', THENCE S48°44'34"W 71.20', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 1175.51', AND A CHORD BEARING AND DISTANCE OF S58°56'44"W 414.71', THENCE S81°45'20"W 21.69', THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 60.00', AND A CHORD BEARING AND DISTANCE OF N37°07'18"E 18.98', THENCE S88°36'00"W 35.05', THENCE S81°54'26"W 13.76' TO THE POINT OF BEGINNING, THENCE S81°54'26"W 35.21', THENCE S58°24'33"W 25.54', THENCE S80°54'33"W 59.38', THENCE N87°50'27"W 119.22', THENCE N00°40'12"E 3.72', THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 1115.51', AND A CHORD BEARING AND DISTANCE OF N79°01'52"E 175.76', THENCE N81°54'26"E 59.21', THENCE S08°05'34"E 22.50' TO THE POINT OF BEGINNING. CONTAINING 0.11 ACRES MORE OR LESS.

Utility Easement Vacation

5102 S. Pinnacle Hills Pkwy.
Rogers, Arkansas 72758
BLEW & ASSOCIATES, P.A.
Office: 479.443.4506
www.BLEWINC.com
Surveying
Engineering
Mapping

100' 0 50' 100' 200'

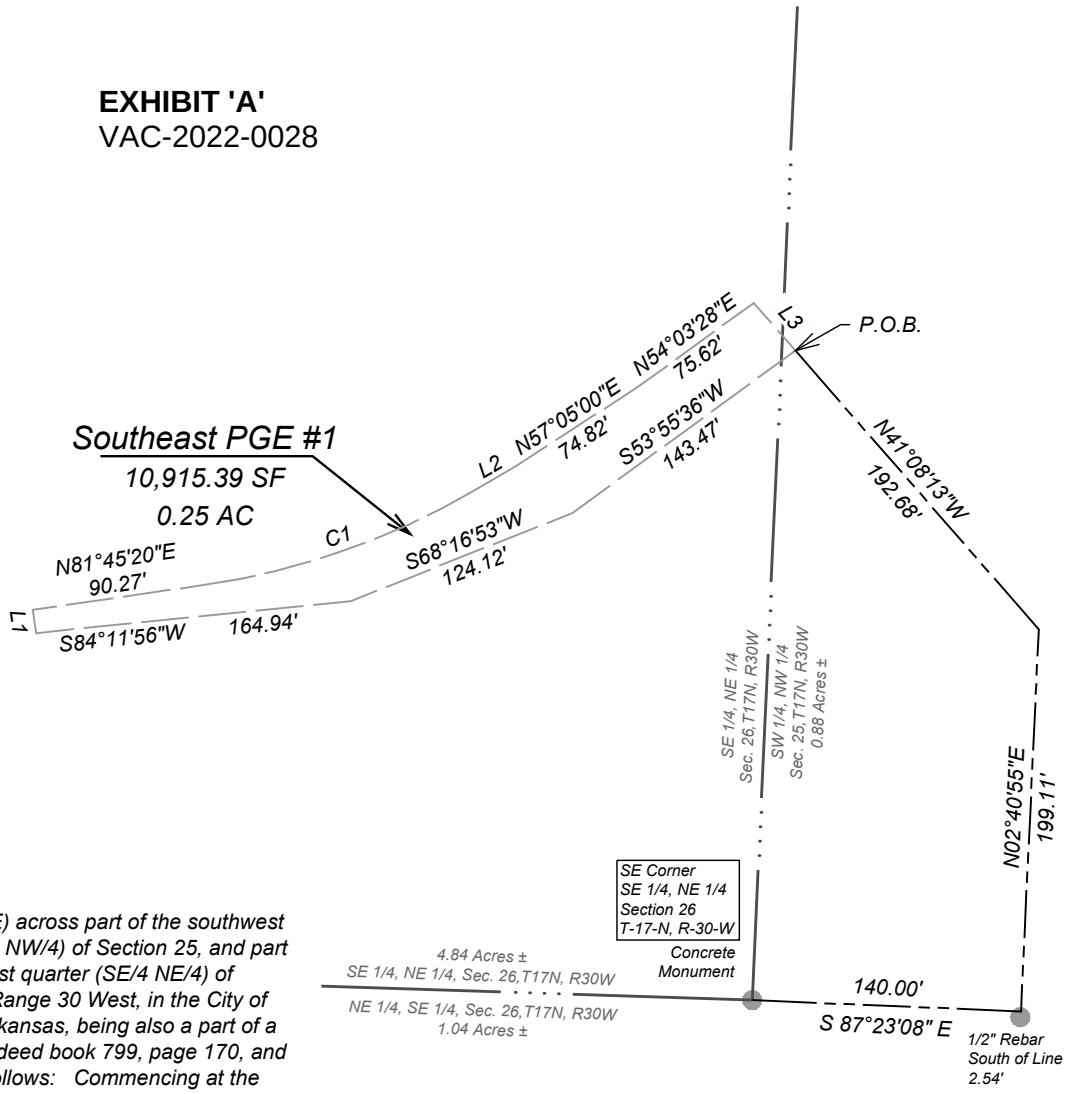
1 inch = 100 ft

Project Number: 20-4434 Trails on the Creek

Certificate of Authorization № 1534

Date: 09/30/2022

EXHIBIT 'A'
VAC-2022-0028



SOUTHEAST PGE #1 VACATION

A Permanent Grading Easement (PGE) across part of the southwest quarter of the northwest quarter (SW/4 NW/4) of Section 25, and part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, all in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washington County deed book 799, page 170, and being more particularly described as follows: Commencing at the southwest corner of the said SW/4 NW/4 of Section 25; thence, along the south line of the SW/4 NW/4, S87°37'28"E 140.00 feet; thence leaving the south line N02°40'55"E 199.11 feet; thence N41°08'13"W 192.68 feet to the PGE Point of Beginning; thence S53°55'36"W 143.47 feet; thence S68°16'53"W 124.12 feet; thence S84°11'56"W 164.94 feet; thence N08°18'32"W 12.25 feet to the new south line of Sain Street; thence along the new south line of Sain Street for the following courses: N81°45'20"E 90.27 feet to the point of curvature of a curve to the left with a radius of 388.00 feet; thence 149.16 feet along the curve for a chord of N70°44'31"E 148.25 feet to the point of tangency; thence N59°43'42"E 25.61 feet; thence N57°05'00"E 74.82 feet; thence N54°03'28"E 75.62 feet; thence leaving the new south line of Sain Street S41°08'13"E 32.99 feet to the PGE Point of Beginning, enclosing 10,918 square feet, or 0.251 acres.

Line Table		
Line #	Distance	Bearing
L1	12.25'	N08°18'32"W
L2	25.61'	N59°43'42"E
L3	32.99'	S41°08'13"E

Curve Table				
Curve #	Arc Length	Radius	Chord Length	Chord Bearing
C1	149.16'	388.00'	148.25'	N70°44'31"E

Southeast PGE #1 Easement Exhibit

100 0 50 100

(in feet) 1 inch = 100 ft.

BLEW & ASSOCIATES, P.A. Surveying Engineering Mapping

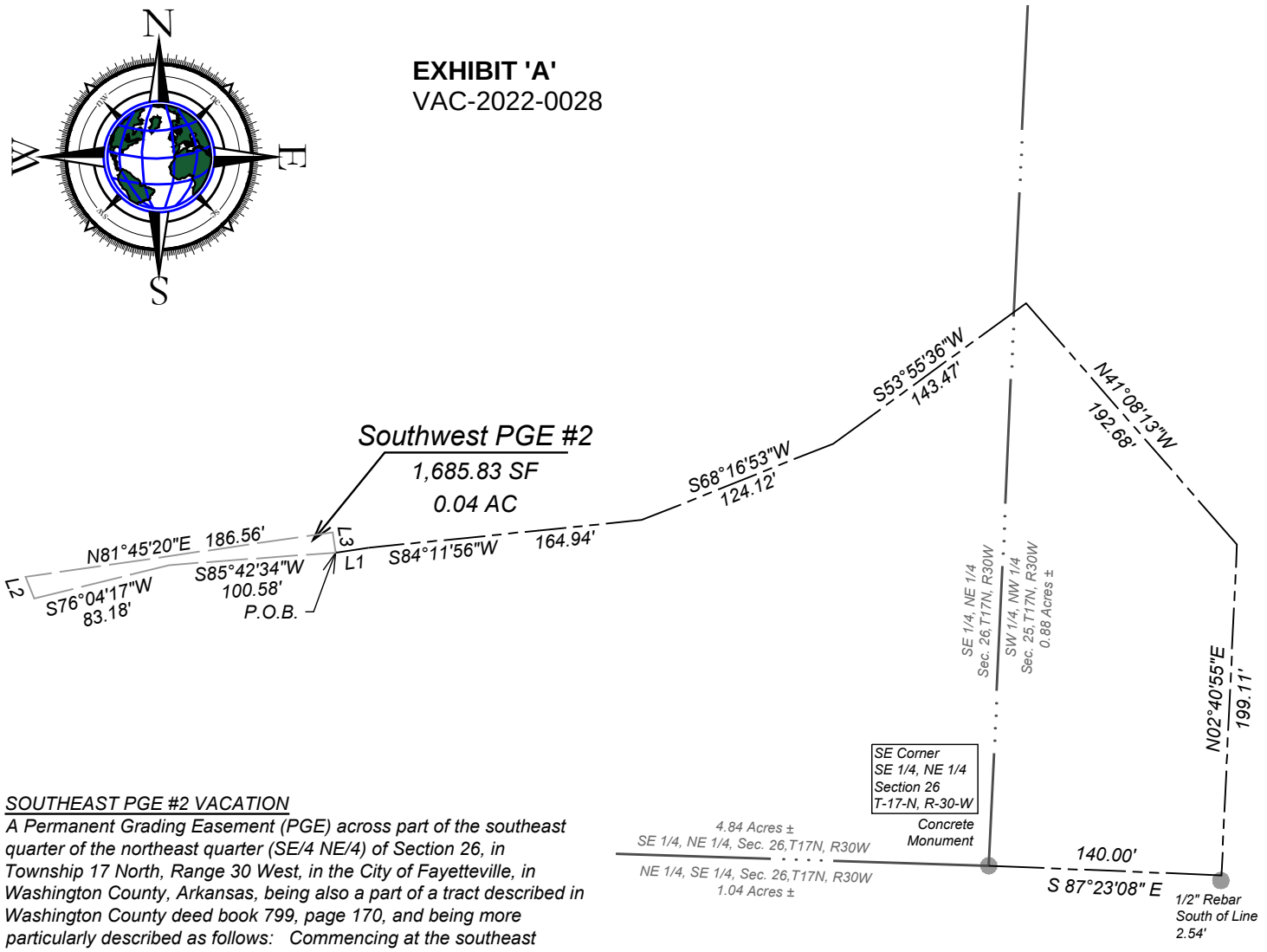
Project Number:
20-4434 Trails on the Creek

Certificate of Authorization № 1534

Date: 02/02/2023

5104 S. Pinnacle Hills Pkwy ♦ Rogers, Arkansas 72758 ♦ 479.443.4506 Office ♦ 479.582.1883 Fax

EXHIBIT 'A'
VAC-2022-0028



SOUTHEAST PGE #2 VACATION

A Permanent Grading Easement (PGE) across part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washington County deed book 799, page 170, and being more particularly described as follows: Commencing at the southeast corner of the said SE/4 NE/4 of Section 26; thence, along the south line of the adjacent southwest quarter of the northwest quarter of Section 25, S87°37'28"E 140.00 feet; thence leaving the south line N02°40'55" 199.11 feet; thence N41°08'13"W 192.68 feet; thence S53°55'36"W 143.47 feet; thence S68°16'53"W 124.12 feet; thence S84°11'56"W 164.94 feet; thence S81°45'20"W 20.00 feet to the PGE Point of Beginning; thence S85°42'34"W 100.58 feet; thence S76°04'17"W 83.18 feet; thence N22°34'00"W 13.99 feet to the new south line of Sain Street; thence along the new south line of Sain Street N81°45'20"E 186.56 feet; thence leaving the new south line of Sain Street S08°18'32"E 12.25 feet to the PGE Point of Beginning, enclosing 1,686 square feet, or 0.039 acres.

Line Table		
Line #	Distance	Bearing
L1	20.00'	S81°45'20"W
L2	13.99'	N22°34'00"W
L3	12.25'	S08°18'32"E

Southwest PGE #2 Easement Exhibit

BLEW & ASSOCIATES, P.A. — Surveying, Engineering, Mapping

100 0 50 100

(in feet) 1 inch = 100 ft.

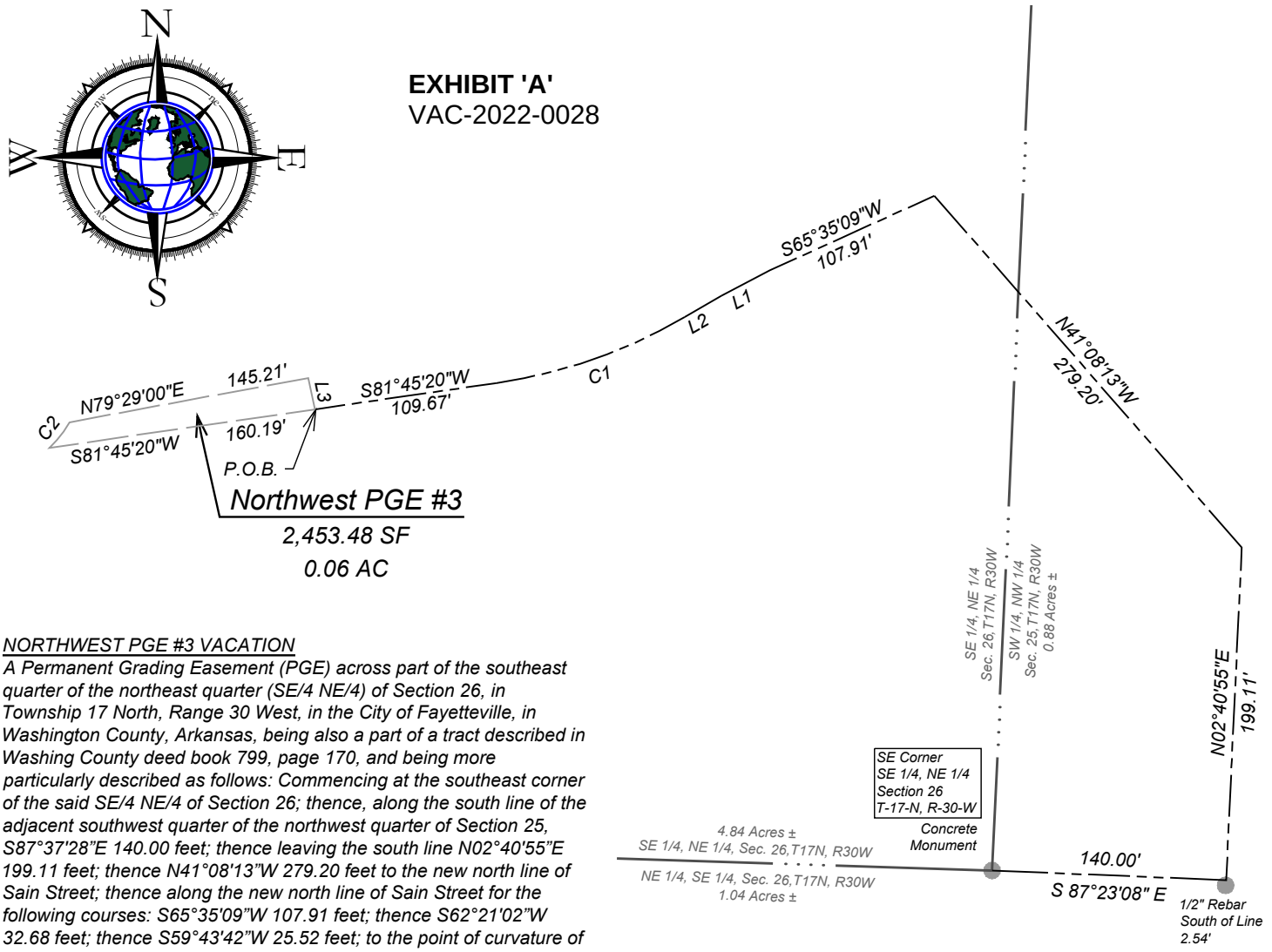
Project Number:
20-4434 Trails on the Creek

Certificate of Authorization № 1534

Date: 02/02/2023

5104 S. Pinnacle Hills Pkwy ♦ Rogers, Arkansas 72758 ♦ 479.443.4506 Office ♦ 479.582.1883 Fax

EXHIBIT 'A'
VAC-2022-0028



NORTHWEST PGE #3 VACATION

A Permanent Grading Easement (PGE) across part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washing County deed book 799, page 170, and being more particularly described as follows: Commencing at the southeast corner of the said SE/4 NE/4 of Section 26; thence, along the south line of the adjacent southwest quarter of the northwest quarter of Section 25, S87°37'28"E 140.00 feet; thence leaving the south line N02°40'55"E 199.11 feet; thence N41°08'13"W 279.20 feet to the new north line of Sain Street; thence along the new north line of Sain Street for the following courses: S65°35'09"W 107.91 feet; thence S62°21'02"W 32.68 feet; thence S59°43'42"W 25.52 feet; to the point of curvature of a curve to the right with a radius of 312.00 feet; thence 119.95 feet along the curve for a chord of S70°44'31"W 119.21 feet to the point of tangency; thence S81°45'20"W 109.67 feet to the PGE Point of Beginning; thence continuing S81°45'20"W 160.19 feet to the existing south line of Sain Street; thence leaving the new north line of Sain Street, along the existing south line of Sain Street, along a non-tangent curve to the northeast, concave to the northwest, with a radius of 60.00 feet and arc length of 19.39 feet, for a chord of N37°51'50"E 19.30 feet; thence leaving the curve and the existing south line of Sain Street N79°29'00"E 145.21 feet; thence along a non-tangent curve to the south, concave to the east, with a radius of 167.00 feet and arc length of 19.19 feet, for a chord of S11°47'26"E 19.17 feet to the PGE Point of Beginning, enclosing 2,450 square feet, or 0.056 acres.

Line Table		
Line #	Distance	Bearing
L1	32.68'	S62°21'02"W
L2	25.52'	S59°43'42"W
L3	19.17'	S11°47'26"E

Curve Table				
Curve #	Arc Length	Radius	Chord Length	Chord Bearing
C1	119.95'	312.00'	119.21'	S70°44'31"W
C2	19.39'	60.00'	19.30'	N37°51'50"E

Northwest PGE #3 Easement Exhibit

100 0 50 100

(in feet) 1 inch = 100 ft.

BLEW & ASSOCIATES, P.A. Surveying Engineering Mapping

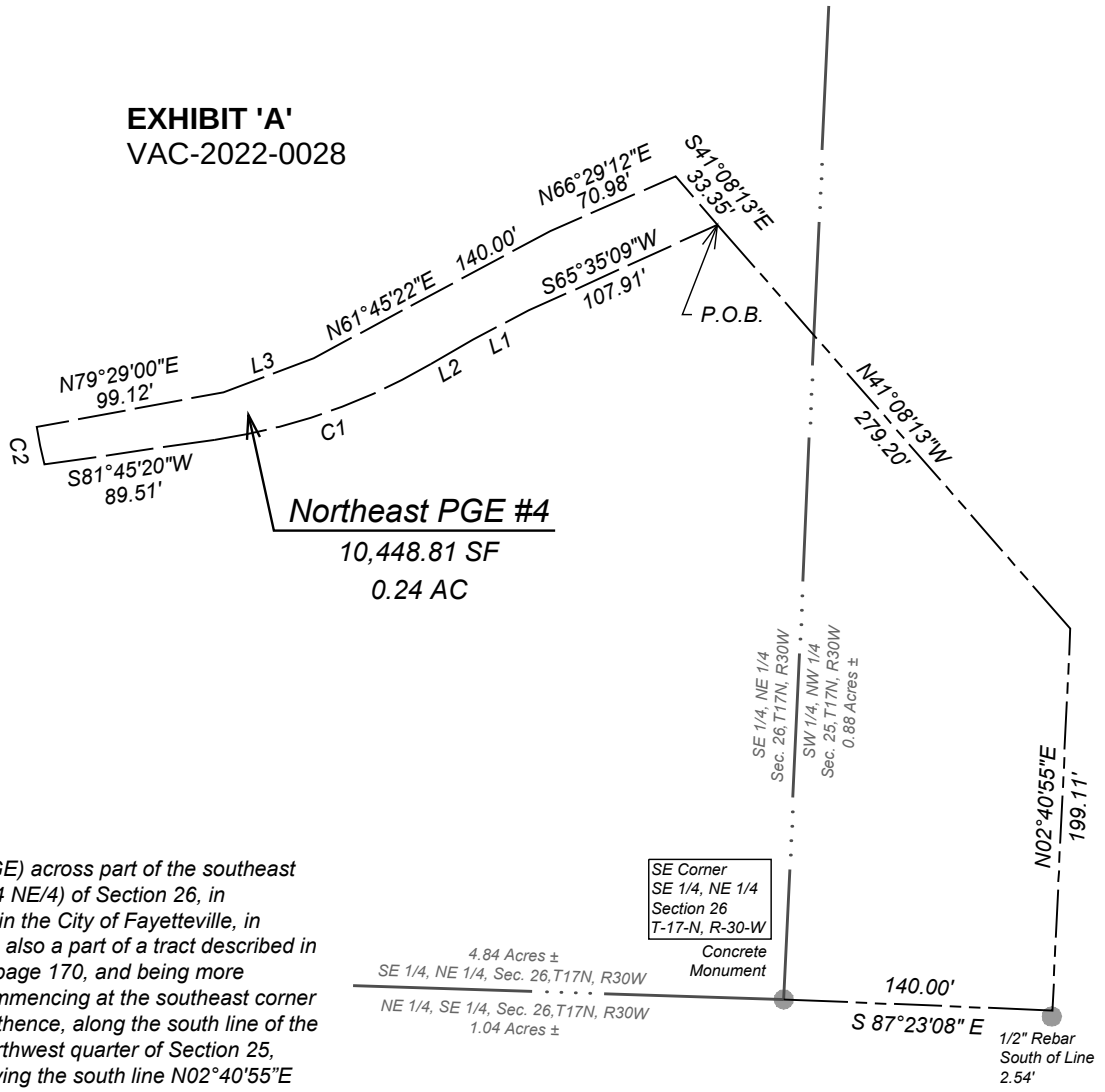
Project Number:
20-4434 Trails on the Creek

Certificate of Authorization № 1534

Date: 02/02/2023

5104 S. Pinnacle Hills Pkwy ♦ Rogers, Arkansas 72758 ♦ 479.443.4506 Office ♦ 479.582.1883 Fax

EXHIBIT 'A'
VAC-2022-0028



NORTHEAST PGE #4 VACATION

A Permanent Grading Easement (PGE) across part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washington County deed book 799, page 170, and being more particularly described as follows: Commencing at the southeast corner of the said SE/4 NE/4 of Section 26; thence, along the south line of the adjacent southwest quarter of the northwest quarter of Section 25, S87°37'28"E 140.00 feet; thence leaving the south line N02°40'55"E 199.11 feet; thence N41°08'13"W 279.20 feet to the PGE Point of Beginning at the new north line of Sain Street; thence along the new north line of Sain Street to the following courses: S65°35'09"W 107.91 feet; thence S62°21'02"W 32.68 feet; thence S59°43'42"W 25.52 feet to the point of curvature of a curve to the right with a radius of 312.00 feet; thence 119.95 feet along the curve for a chord of S70°44'31"W 119.21 feet to the point of tangency; thence S81°45'20"W 89.51 feet; thence leaving the new north line of Sain Street, along a non-tangent curve to the north, concave to the east, with a radius of 147.00 feet and arc length of 19.99 feet, for a chord of N12°07'16"W 19.98 feet; thence leaving the curve N79°29'00"E 99.12 feet; thence N69°15'34"E 50.00 feet; thence N61°45'22"E 140.00 feet; thence N66°29'12"E 70.98 feet; thence S41°08'13"E 33.35 feet to the PGE Point of Beginning, enclosing 10,448 square feet, or 0.240 acres.

Line Table		
Line #	Distance	Bearing
L1	32.68'	S62°21'02"W
L2	25.52'	S59°43'42"W
L3	50.00'	N69°15'34"E

Curve Table				
Curve #	Arc Length	Radius	Chord Length	Chord Bearing
C1	119.95'	312.00'	119.21'	S70°44'31"W
C2	19.99'	147.00'	19.98'	N12°07'16"W

Northeast PGE #4 Easement Exhibit

BLEW & ASSOCIATES, P.A.
Surveying
Engineering
Mapping

100 0 50 100
(in feet) 1 inch = 100 ft.

Project Number:
20-4434 Trails on the Creek

Certificate of Authorization № 1534

Date: 02/02/2023

5104 S. Pinnacle Hills Pkwy ♦ Rogers, Arkansas 72758 ♦ 479.443.4506 Office ♦ 479.582.1883 Fax

UTILITY EASEMENT VACATION

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE S87°23'08"E 140.00', THENCE N02°36'52"E 200.26', THENCE N41°10'35"W 428.12', THENCE S48°44'34"W 71.20', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 1175.51', AND A CHORD BEARING AND DISTANCE OF S58°56'44"W 414.71', THENCE S81°45'20"W 21.69', THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 60.00', AND A CHORD BEARING AND DISTANCE OF N37°07'18"E 18.98', THENCE S88°36'00"W 35.05', THENCE S81°54'26"W 13.76' TO THE POINT OF BEGINNING, THENCE S81°54'26"W 35.21', THENCE S58°24'33"W 25.54', THENCE S80°54'33"W 59.38', THENCE N87°50'27"W 119.22', THENCE N00°40'12"E 3.72', THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 1115.51', AND A CHORD BEARING AND DISTANCE OF N79°01'52"E 175.76', THENCE N81°54'26"E 59.21', THENCE S08°05'34"E 22.50' TO THE POINT OF BEGINNING. CONTAINING 0.11 ACRES MORE OR LESS.

EXHIBIT 'B'
VAC-2022-0028

Southeast PGE#1

A Permanent Grading Easement (PGE) across part of the southwest quarter of the northwest quarter (SW/4 NW/4) of Section 25, and part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, all in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washington County deed book 799, page 170, and being more particularly described as follows: Commencing at the southwest corner of the said SW/4 NW/4 of Section 25; thence, along the south line of the SW/4 NW/4, S87°37'28"E 140.00 feet; thence leaving the south line N02°40'55"E 199.11 feet; thence N41°08'13"W 192.68 feet to the PGE Point of Beginning; thence S53°55'36"W 143.47 feet; thence S68°16'53"W 124.12 feet; thence S84°11'56"W 164.94 feet; thence N08°18'32"W 12.25 feet to the new south line of Sain Street; thence along the new south line of Sain Street for the following courses: N81°45'20"E 90.27 feet to the point of curvature of a curve to the left with a radius of 388.00 feet; thence 149.16 feet along the curve for a chord of N70°44'31"E 148.25 feet to the point of tangency; thence N59°43'42"E 25.61 feet; thence N57°05'00"E 74.82 feet; thence N54°03'28"E 75.62 feet; thence leaving the new south line of Sain Street S41°08'13"E 32.99 feet to the PGE Point of Beginning, enclosing 10,918 square feet, or 0.251 acres.

Southwest PGE #2

A Permanent Grading Easement (PGE) across part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washington County deed book 799, page 170, and being more particularly described as follows: Commencing at the southeast corner of the said SE/4 NE/4 of Section 26; thence, along the south line of the adjacent southwest quarter of the northwest quarter of Section 25, S87°37'28"E 140.00 feet; thence leaving the south line N02°40'55" 199.11 feet; thence N41°08'13"W 192.68 feet; thence S53°55'36"W 143.47 feet; thence S68°16'53"W 124.12 feet; thence S84°11'56"W 164.94 feet; thence S81°45'20"W 20.00 feet to the PGE Point of Beginning; thence S85°42'34"W 100.58 feet; thence S76°04'17"W 83.18 feet; thence N22°34'00"W 13.99 feet to the new south line of Sain Street; thence along the new south line of Sain Street N81°45'20"E 186.56 feet; thence leaving the new south line of Sain Street S08°18'32"E 12.25 feet to the PGE Point of Beginning, enclosing 1,686 square feet, or 0.039 acres.

Northwest PGE #3

A Permanent Grading Easement (PGE) across part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washing County deed book 799, page 170, and being more particularly described as follows: Commencing at the southeast corner of the said SE/4 NE/4 of Section 26; thence, along the south line of the adjacent southwest quarter of the northwest quarter of Section 25, S87°37'28"E 140.00 feet; thence leaving the south line N02°40'55"E 199.11 feet; thence N41°08'13"W 279.20 feet to the new north line of Sain Street; thence along the new north line of Sain Street for the following courses: S65°35'09"W 107.91 feet; thence S62°21'02"W 32.68 feet; thence S59°43'42"W 25.52 feet; to the point of curvature of a curve to the right with a radius of 312.00 feet; thence 119.95 feet along the curve for a chord of S70°44'31"W 119.21 feet to the point of tangency; thence S81°45'20"W 109.67 feet to the PGE Point of Beginning; thence continuing S81°45'20"W 160.19 feet to the existing south line of Sain Street; thence leaving the new north line of Sain Street, along the existing south line of Sain Street, along a non-tangent curve to the northeast,

concave to the northwest, with a radius of 60.00 feet and arc length of 19.39 feet, for a chord of N37°51’50”E 19.30 feet; thence leaving the curve and the existing south line of Sain Street N79°29’00”E 145.21 feet; thence along a non-tangent curve to the south, concave to the east, with a radius of 167.00 feet and arc length of 19.19 feet, for a chord of S11°47’26”E 19.17 feet to the PGE Point of Beginning, enclosing 2,450 square feet, or 0.056 acres.

Northeast PGE#4

A Permanent Grading Easement (PGE) across part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washington County deed book 799, page 170, and being more particularly described as follows: Commencing at the southeast corner of the said SE/4 NE/4 of Section 26; thence, along the south line of the adjacent southwest quarter of the northwest quarter of Section 25, S87°37’28”E 140.00 feet; thence leaving the south line N02°40’55”E 199.11 feet; thence N41°08’13”W 279.20 feet to the PGE Point of Beginning at the new north line of Sain Street; thence along the new north line of Sain Street to the following courses: S65°35’09”W 107.91 feet; thence S62°21’02”W 32.68 feet; thence S59°43’42”W 25.52 feet to the point of curvature of a curve to the right with a radius of 312.00 feet; thence 119.95 feet along the curve for a chord of S70°44’31”W 119.21 feet to the point of tangency; thence S81°45’20”W 89.51 feet; thence leaving the new north line of Sain Street, along a non-tangent curve to the north, concave to the east, with a radius of 147.00 feet and arc length of 19.99 feet, for a chord of N12°07’16”W 19.98 feet; thence leaving the curve N79°29’00”E 99.12 feet; thence N69°15’34”E 50.00 feet; thence N61°45’22”E 140.00 feet; thence N66°29’12”E 70.98 feet; thence S41°08’13”E 33.35 feet to the PGE Point of Beginning, enclosing 10,448 square feet, or 0.240 acres.

CITY OF FAYETTEVILLE ARKANSAS

STAFF MEMO

TO: Fayetteville City Council

THRU: Chris Brown, Public Works Director
Jessie Masters, Development Review Manager

FROM: Josh Boccaccio, Engineering Development Review Manager

DATE: February 2, 2023

SUBJECT: **Engineering Comments for VAC-2022-0028**

Discussion:
Grading Easement Vacation: The City acquired the subject permanent grading easement along the right of way of the Sain St extension where the Trails at the Creek development is located at a cost of $127,500.00 on December 19, 2019. This acquisition was part of the federally funded Sain Street Extension project that was recently completed by the City. The permanent grading easement was intended to allow the tieback slopes for the roadway extension to be maintained, as required by the Arkansas Department of Transportation as the administrator of the federal aid funds. Typically, these slopes would have to be encumbered entirely by right-of-way, but the City of Fayetteville and ArDOT came to an agreement to allow the easement.

The proposed Trails at the Creek development has buildings placed near the street, in accordance with the approved PZD and as a result will be filling in the grading easements; eliminating the need for the easements. Therefore, Engineering Staff is supportive of this grading easement vacation request, provided that the City is reimbursed for amounts paid for the grading easements.

Recommended Conditions of Approval:
1. The City of Fayetteville be reimbursed $127,500.00 for the original cost paid for the grading easements requested to be vacated.
2. The reimbursement must be paid prior to the grading easements being vacated.

BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS

November 29, 2022

City of Fayetteville City Council
125 W. Mountain Street
Fayetteville, AR 72701

SUBJECT: Easement Vacation

Dear Council Members:

We are requesting vacating the Utility Easement just north of the right-of-way of Sain Street. This utility easement followed the previous alignment of Sain Street which was vacated and is no longer needed as the utility will be relocated. Please see the attached exhibit.

Sincerely,

Jorge Du Quesne
Blew & Associates, PA

5102 SOUTH PINNACLE HILLS PKWY • ROGERS / ARKANSAS • 72758
PHONE: 479-443-4506 • FAX: 479-582-1883

BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS

December 16, 2022

125 W. Mountain Street
Fayetteville, AR 72701
Planning Commission and City Council

SUBJECT: Permanent Grading Easement Vacation for Trails on the Creek

Dear Council Members:

We are requesting to vacate the Permanent Grading Easement north and south of the new right-of-way of Sain Street. This permanent grading easement was required by Arkansas Department of Transportation (ArDOT) to the bottom of the 3 to 1 slope adjacent to the new road construction. With the construction of the Trails on the Creek, we will be filling the land adjacent to Sain Street thereby removing the 3 to 1 slope which in turn removes the ArDOT requirement for the easement.

Sincerely,

Jorge Du Quesne
Blew & Associates, PA

5102 SOUTH PINNACLE HILLS PKWY • ROGERS / ARKANSAS • 72758
PHONE: 479-443-4506 • FAX: 479-582-1883

PETITION

PETITION TO VACATE A GENERAL UTILITY/WATER & SEWER EASEMENT LOCATED IN PART OF LOT 11, VANTAGE SQUARE, UNIT II, CITY OF FAYETTEVILLE, ARKANSAS.

TO: The Fayetteville City Planning Commission and
The Fayetteville City Council

We, the undersigned, being all the owners of the real estate abutting the easement hereinafter sought to be abandoned and vacated, lying in Lot 11, Vantage Square, Unit II,, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate an easement which is described as follows:

UTILITY EASEMENT VACATION
A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE S87°23'08"E 140.00', THENCE N02°36'52"E 200.26', THENCE N41°10'35"W 428.12', THENCE S48°44'34"W 71.20',THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 1175.51', AND A CHORD BEARING AND DISTANCE OF S58°56'44"W 414.71', THENCE S81°45'20"W 21.69',THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 60.00', AND A CHORD BEARING AND DISTANCE OF N37°07'18"E 18.98', THENCE S88°36'00"W 35.05',THENCE S81°54'26"W 13.76' TO THE POINT OF BEGINNING, THENCE S81°54'26"W 35.21',THENCE S58°24'33"W 25.54', THENCE S80°54'33"W 59.38', THENCE N87°50'27"W 119.22',THENCE N00°40'12"E 3.72', THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 1115.51', AND A CHORD BEARING AND DISTANCE OF N79°01'52"E 175.76', THENCE N81°54'26"E 59.21', THENCE S08°05'34"E 22.50' TO THE POINT OF BEGINNING.
CONTAINING 0.11 ACRES MORE OR LESS.

That the abutting real estate affected by said abandonment of the alley are Lot 11, Vantage Square, Unit II,, City of Fayetteville used by the public for a period of many years, and that the public interest and welfare would not be adversely affected by the abandonment of the portion of the above described easement.

The petitioners pray that the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject, however, to the existing utility easements and sewer easements as required, and that the above described real estate be used for their respective benefit and purpose as now approved by law.

The petitioners further pray that the above described real estate be vested in the abutting property owners as provided by law.

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject to said utility and sewer easements, and that title to said real estate sought to be abandoned be vested in the abutting property owners as provided by law, and as to that particular land the owners be free from the easements of the public for the use of said alley.

Dated this 2 day of FEBRUARY, 20 23.

TRAILS ON THE CREEK APARTMENTS, ALP
Printed Name

ATTORNEY FOR APPLICANT
Signature

PETITION

PETITION TO VACATE A PERMANENT GRADING EASEMENT LOCATED IN PART OF LOT 11, VANTAGE SQUARE, UNIT II,, CITY OF FAYETTEVILLE, ARKANSAS.

TO: The Fayetteville City Planning Commission and
The Fayetteville City Council

We, the undersigned, being all the owners of the real estate abutting the easement hereinafter sought to be abandoned and vacated, lying in Lot 11, Vantage Square, Unit II,, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate an easement which is described as follows:

A PERMANENT GRADING EASEMENT (PGE) ACROSS PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW/4 NW/4) OF SECTION 25, AND PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4) OF SECTION 26, ALL IN TOWNSHIP 17 NORTH, RANGE 30 WEST, IN THE CITY OF FAYETTEVILLE, IN WASHINGTON COUNTY, ARKANSAS, BEING ALSO A PART OF A TRACT DESCRIBED IN WASHINGTON COUNTY DEED BOOK 799, PAGE 170, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SAID SW/4 NW/4 OF SECTION 25; THENCE, ALONG THE SOUTH LINE OF THE SW/4 NW/4, S87°37'28"E 140.00 FEET; THENCE LEAVING THE SOUTH LINE N02°40'55"E 199.11 FEET; THENCE N41°08'13"W 192.68 FEET TO THE PGE POINT OF BEGINNING; THENCE S53°55'36"W 143.47 FEET; THENCE S68°16'53"W 124.12 FEET; THENCE S84°11'56"W 164.94 FEET; THENCE N08°18'32"W 12.25 FEET TO THE NEW SOUTH LINE OF SAIN STREET; THENCE ALONG THE NEW SOUTH LINE OF SAIN STREET FOR THE FOLLOWING COURSES: N81°45'20"E 90.27 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT WITH A RADIUS OF 388.00 FEET; THENCE 149.16 FEET ALONG THE CURVE FOR A CHORD OF N70°44'31"E 148.25 FEET TO THE POINT OF TANGENCY; THENCE N59°43'42"E 25.61 FEET; THENCE N57°05'00"E 74.82 FEET; THENCE N54°03'28"E 75.62 FEET; THENCE LEAVING THE NEW SOUTH LINE OF SAIN STREET S41°08'13"E 32.99 FEET TO THE PGE POINT OF BEGINNING, ENCLOSING 10,918 SQUARE FEET, OR 0.251 ACRES.

AND

A PERMANENT GRADING EASEMENT (PGE) ACROSS PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4) OF SECTION 26, IN TOWNSHIP 17 NORTH, RANGE 30 WEST, IN THE CITY OF FAYETTEVILLE, IN WASHINGTON COUNTY, ARKANSAS, BEING ALSO A PART OF A TRACT DESCRIBED IN WASHINGTON COUNTY DEED BOOK 799, PAGE 170, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SAID SE/4 NE/4 OF SECTION 26; THENCE, ALONG THE SOUTH LINE OF THE ADJACENT SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, S87°37'28"E 140.00 FEET; THENCE LEAVING THE SOUTH LINE N02°40'55" 199.11 FEET; THENCE N41°08'13"W 192.68 FEET; THENCE S53°55'36"W 143.47 FEET; THENCE S68°16'53"W 124.12 FEET; THENCE S84°11'56"W 164.94 FEET; THENCE S81°45'20"W 20.00 FEET TO THE PGE POINT OF BEGINNING; THENCE S85°42'34"W 100.58 FEET; THENCE S76°04'17"W 83.18 FEET; THENCE N22°34'00"W 13.99 FEET TO THE NEW SOUTH LINE OF SAIN STREET; THENCE ALONG THE NEW SOUTH LINE OF SAIN STREET N81°45'20"E 186.56 FEET; THENCE LEAVING THE NEW SOUTH LINE OF SAIN STREET S08°18'32"E 12.25 FEET TO THE PGE POINT OF BEGINNING, ENCLOSING 1,686 SQUARE FEET, OR 0.039 ACRES.

AND

A PERMANENT GRADING EASEMENT (PGE) ACROSS PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4) OF SECTION 26, IN TOWNSHIP 17 NORTH, RANGE 30 WEST, IN THE CITY OF FAYETTEVILLE, IN WASHINGTON COUNTY, ARKANSAS, BEING ALSO A PART OF A TRACT DESCRIBED IN WASHING COUNTY DEED BOOK 799, PAGE 170, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SAID SE/4 NE/4 OF SECTION 26; THENCE, ALONG THE SOUTH LINE OF THE ADJACENT SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, S87°37'28"E 140.00 FEET; THENCE LEAVING THE SOUTH LINE N02°40'55"E 199.11 FEET; THENCE N41°08'13"W 279.20 FEET TO THE NEW NORTH LINE OF SAIN

STREET; THENCE ALONG THE NEW NORTH LINE OF SAIN STREET FOR THE FOLLOWING COURSES: S65°35'09"W 107.91 FEET; THENCE S62°21'02"W 32.68 FEET; THENCE S59°43'42"W 25.52 FEET; TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT WITH A RADIUS OF 312.00 FEET; THENCE 119.95 FEET ALONG THE CURVE FOR A CHORD OF S70°44'31"W 119.21 FEET TO THE POINT OF TANGENCY; THENCE S81°45'20"W 109.67 FEET TO THE PGE POINT OF BEGINNING; THENCE CONTINUING S81°45'20"W 160.19 FEET TO THE EXISTING SOUTH LINE OF SAIN STREET; THENCE LEAVING THE NEW NORTH LINE OF SAIN STREET, ALONG THE EXISTING SOUTH LINE OF SAIN STREET, ALONG A NON-TANGENT CURVE TO THE NORTHEAST, CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 60.00 FEET AND ARC LENGTH OF 19.39 FEET, FOR A CHORD OF N37°51'50"E 19.30 FEET; THENCE LEAVING THE CURVE AND THE EXISTING SOUTH LINE OF SAIN STREET N79°29'00"E 145.21 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE SOUTH, CONCAVE TO THE EAST, WITH A RADIUS OF 167.00 FEET AND ARC LENGTH OF 19.19 FEET, FOR A CHORD OF S11°47'26"E 19.17 FEET TO THE PGE POINT OF BEGINNING, ENCLOSING 2,450 SQUARE FEET, OR 0.056 ACRES.

AND

A PERMANENT GRADING EASEMENT (PGE) ACROSS PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 NE/4) OF SECTION 26, IN TOWNSHIP 17 NORTH, RANGE 30 WEST, IN THE CITY OF FAYETTEVILLE, IN WASHINGTON COUNTY, ARKANSAS, BEING ALSO A PART OF A TRACT DESCRIBED IN WASHINGTON COUNTY DEED BOOK 799, PAGE 170, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SAID SE/4 NE/4 OF SECTION 26; THENCE, ALONG THE SOUTH LINE OF THE ADJACENT SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, S87°37'28"E 140.00 FEET; THENCE LEAVING THE SOUTH LINE N02°40'55"E 199.11 FEET; THENCE N41°08'13"W 279.20 FEET TO THE PGE POINT OF BEGINNING AT THE NEW NORTH LINE OF SAIN STREET; THENCE ALONG THE NEW NORTH LINE OF SAIN STREET TO THE FOLLOWING COURSES: S65°35'09"W 107.91 FEET; THENCE S62°21'02"W 32.68 FEET; THENCE S59°43'42"W 25.52 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT WITH A RADIUS OF 312.00 FEET; THENCE 119.95 FEET ALONG THE CURVE FOR A CHORD OF S70°44'31"W 119.21 FEET TO THE POINT OF TANGENCY; THENCE S81°45'20"W 89.51 FEET; THENCE LEAVING THE NEW NORTH LINE OF SAIN STREET, ALONG A NON-TANGENT CURVE TO THE NORTH, CONCAVE TO THE EAST, WITH A RADIUS OF 147.00 FEET AND ARC LENGTH OF 19.99 FEET, FOR A CHORD OF N12°07'16"W 19.98 FEET; THENCE LEAVING THE CURVE N79°29'00"E 99.12 FEET; THENCE N69°15'34"E 50.00 FEET; THENCE N61°45'22"E 140.00 FEET; THENCE N66°29'12"E 70.98 FEET; THENCE S41°08'13"E 33.35 FEET TO THE PGE POINT OF BEGINNING, ENCLOSING 10,448 SQUARE FEET, OR 0.240 ACRES.

That the abutting real estate affected by said abandonment of the alley are Lot 11, Vantage Square, Unit II,, City of Fayetteville used by the public for a period of many years, and that the public interest and welfare would not be adversely affected by the abandonment of the portion of the above described easement.

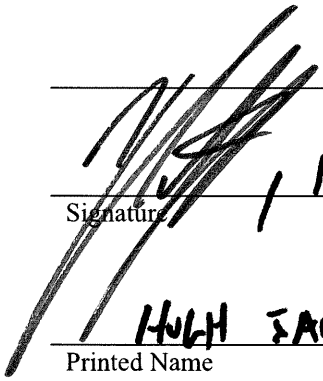
The petitioners pray that the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject, however, to the existing utility easements and sewer easements as required, and that the above described real estate be used for their respective benefit and purpose as now approved by law.

The petitioners further pray that the above described real estate be vested in the abutting property owners as provided by law.

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject to said utility and sewer easements, and that title to said real estate sought to be abandoned be vested in the abutting property owners as provided by law, and as to that particular land the owners be free from the easements of the public for the use of said alley.

Dated this 3rd day of FEBRUARY, 2023.

TRAILS ON THE CREEK APARTMENTS, LLC
Printed Name



ATTORNEY AT LAW

Signature

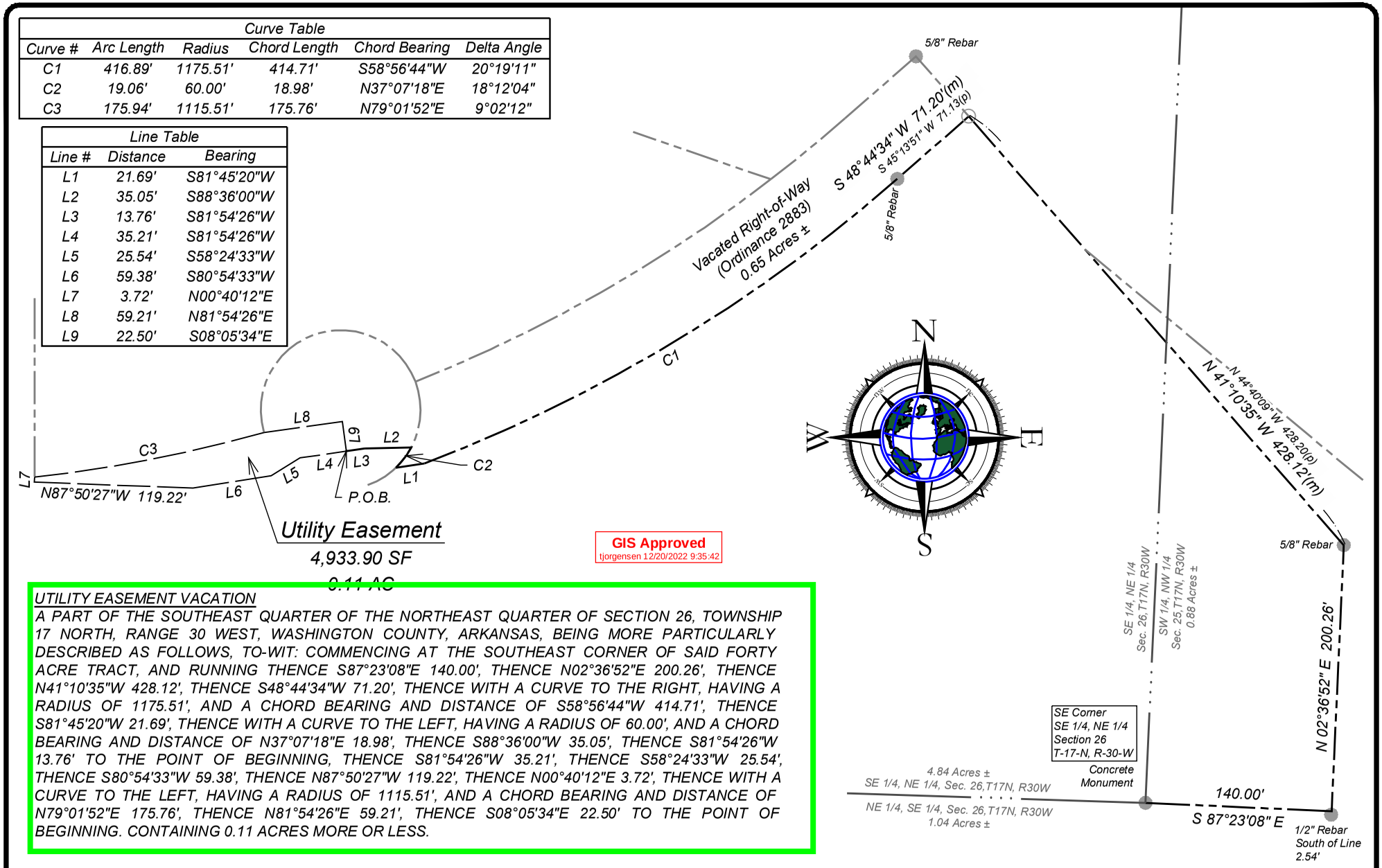
HUGH JARRATT, ATTORNEY FOR APPLICANT

Printed Name

Signature

Curve Table					
Curve #	Arc Length	Radius	Chord Length	Chord Bearing	Delta Angle
C1	416.89'	1175.51'	414.71'	S58°56'44"W	20°19'11"
C2	19.06'	60.00'	18.98'	N37°07'18"E	18°12'04"
C3	175.94'	1115.51'	175.76'	N79°01'52"E	9°02'12"

Line Table		
Line #	Distance	Bearing
L1	21.69'	S81°45'20"W
L2	35.05'	S88°36'00"W
L3	13.76'	S81°54'26"W
L4	35.21'	S81°54'26"W
L5	25.54'	S58°24'33"W
L6	59.38'	S80°54'33"W
L7	3.72'	N00°40'12"E
L8	59.21'	N81°54'26"E
L9	22.50'	S08°05'34"E



GIS Approved
tjorgensen 12/20/2022 9:35:42

UTILITY EASEMENT VACATION

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE S87°23'08"E 140.00', THENCE N02°36'52"E 200.26', THENCE N41°10'35"W 428.12', THENCE S48°44'34"W 71.20', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 1175.51', AND A CHORD BEARING AND DISTANCE OF S58°56'44"W 414.71', THENCE S81°45'20"W 21.69', THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 60.00', AND A CHORD BEARING AND DISTANCE OF N37°07'18"E 18.98', THENCE S88°36'00"W 35.05', THENCE S81°54'26"W 13.76' TO THE POINT OF BEGINNING, THENCE S81°54'26"W 35.21', THENCE S58°24'33"W 25.54', THENCE S80°54'33"W 59.38', THENCE N87°50'27"W 119.22', THENCE N00°40'12"E 3.72', THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 1115.51', AND A CHORD BEARING AND DISTANCE OF N79°01'52"E 175.76', THENCE N81°54'26"E 59.21', THENCE S08°05'34"E 22.50' TO THE POINT OF BEGINNING. CONTAINING 0.11 ACRES MORE OR LESS.

Utility Easement Vacation

5102 S. Pinnacle Hills Pkwy.
Rogers, Arkansas 72758
BLEW & ASSOCIATES, P.A.
Office: 479.443.4506
www.BLEWINC.com
Surveying
Engineering
Mapping

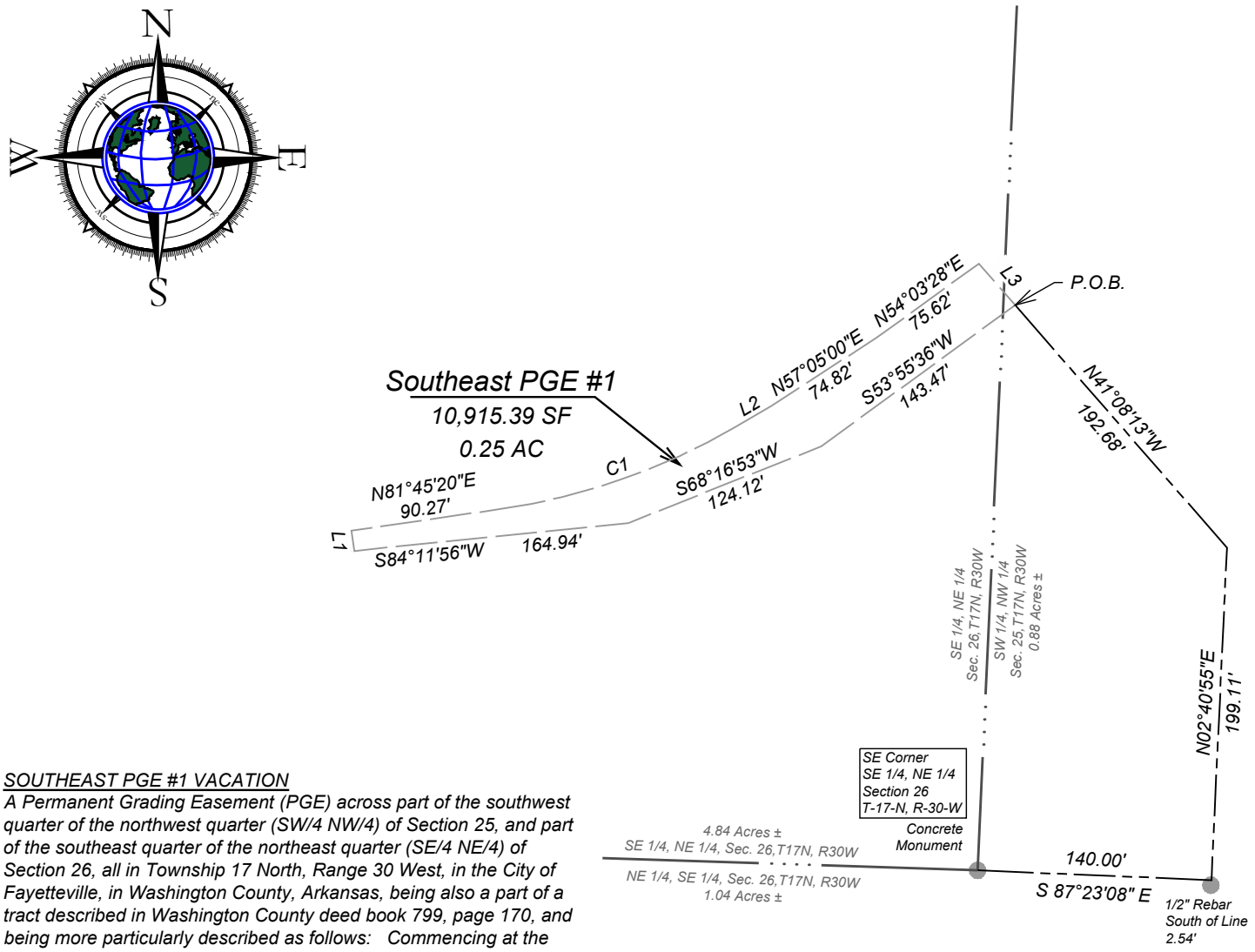
100' 0 50' 100' 200'

1 inch = 100 ft

Project Number: 20-4434 Trails on the Creek

Certificate of Authorization № 1534

Date: 09/30/2022



SOUTHEAST PGE #1 VACATION

A Permanent Grading Easement (PGE) across part of the southwest quarter of the northwest quarter (SW/4 NW/4) of Section 25, and part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, all in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washington County deed book 799, page 170, and being more particularly described as follows: Commencing at the southwest corner of the said SW/4 NW/4 of Section 25; thence, along the south line of the SW/4 NW/4, S87°37'28"E 140.00 feet; thence leaving the south line N02°40'55"E 199.11 feet; thence N41°08'13"W 192.68 feet to the PGE Point of Beginning; thence S53°55'36"W 143.47 feet; thence S68°16'53"W 124.12 feet; thence S84°11'56"W 164.94 feet; thence N08°18'32"W 12.25 feet to the new south line of Sain Street; thence along the new south line of Sain Street for the following courses: N81°45'20"E 90.27 feet to the point of curvature of a curve to the left with a radius of 388.00 feet; thence 149.16 feet along the curve for a chord of N70°44'31"E 148.25 feet to the point of tangency; thence N59°43'42"E 25.61 feet; thence N57°05'00"E 74.82 feet; thence N54°03'28"E 75.62 feet; thence leaving the new south line of Sain Street S41°08'13"E 32.99 feet to the PGE Point of Beginning, enclosing 10,918 square feet, or 0.251 acres.

Line Table		
Line #	Distance	Bearing
L1	12.25'	N08°18'32"W
L2	25.61'	N59°43'42"E
L3	32.99'	S41°08'13"E

Curve Table				
Curve #	Arc Length	Radius	Chord Length	Chord Bearing
C1	149.16'	388.00'	148.25'	N70°44'31"E

Southeast PGE #1 Easement Exhibit

100 0 50 100

(in feet) 1 inch = 100 ft.

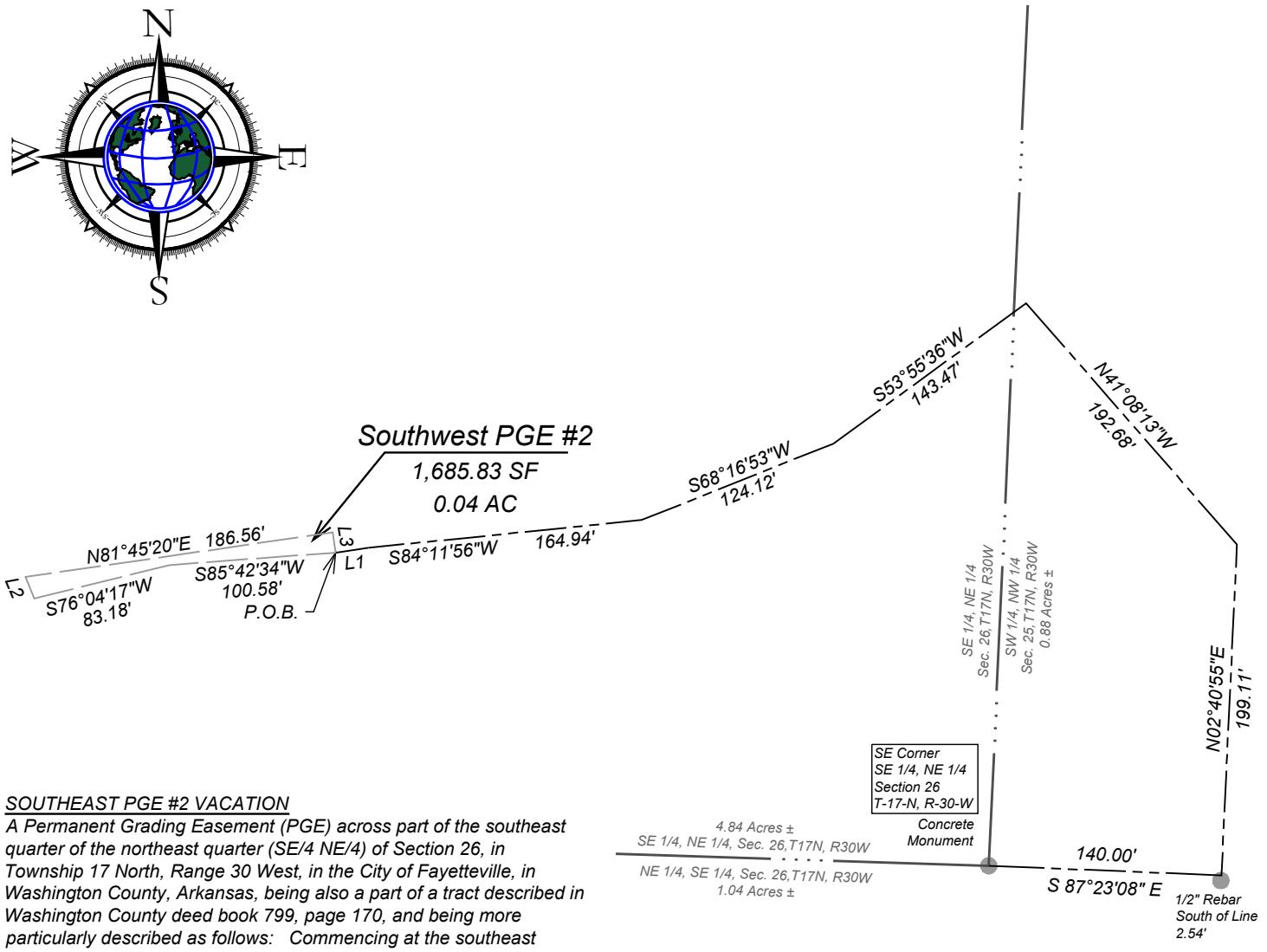
BLEW & ASSOCIATES, P.A. Surveying Engineering Mapping

Project Number:
20-4434 Trails on the Creek

Certificate of Authorization № 1534

Date: 02/02/2023

5104 S. Pinnacle Hills Pkwy ♦ Rogers, Arkansas 72758 ♦ 479.443.4506 Office ♦ 479.582.1883 Fax



SOUTHEAST PGE #2 VACATION

A Permanent Grading Easement (PGE) across part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washington County deed book 799, page 170, and being more particularly described as follows: Commencing at the southeast corner of the said SE/4 NE/4 of Section 26; thence, along the south line of the adjacent southwest quarter of the northwest quarter of Section 25, S87°37'28"E 140.00 feet; thence leaving the south line N02°40'55" 199.11 feet; thence N41°08'13"W 192.68 feet; thence S53°55'36"W 143.47 feet; thence S68°16'53"W 124.12 feet; thence S84°11'56"W 164.94 feet; thence S81°45'20"W 20.00 feet to the PGE Point of Beginning; thence S85°42'34"W 100.58 feet; thence S76°04'17"W 83.18 feet; thence N22°34'00"W 13.99 feet to the new south line of Sain Street; thence along the new south line of Sain Street N81°45'20"E 186.56 feet; thence leaving the new south line of Sain Street S08°18'32"E 12.25 feet to the PGE Point of Beginning, enclosing 1,686 square feet, or 0.039 acres.

Line Table		
Line #	Distance	Bearing
L1	20.00'	S81°45'20"W
L2	13.99'	N22°34'00"W
L3	12.25'	S08°18'32"E

Southwest PGE #2 Easement Exhibit

BLEW & ASSOCIATES, P.A. Surveying Engineering Mapping

100 0 50 100

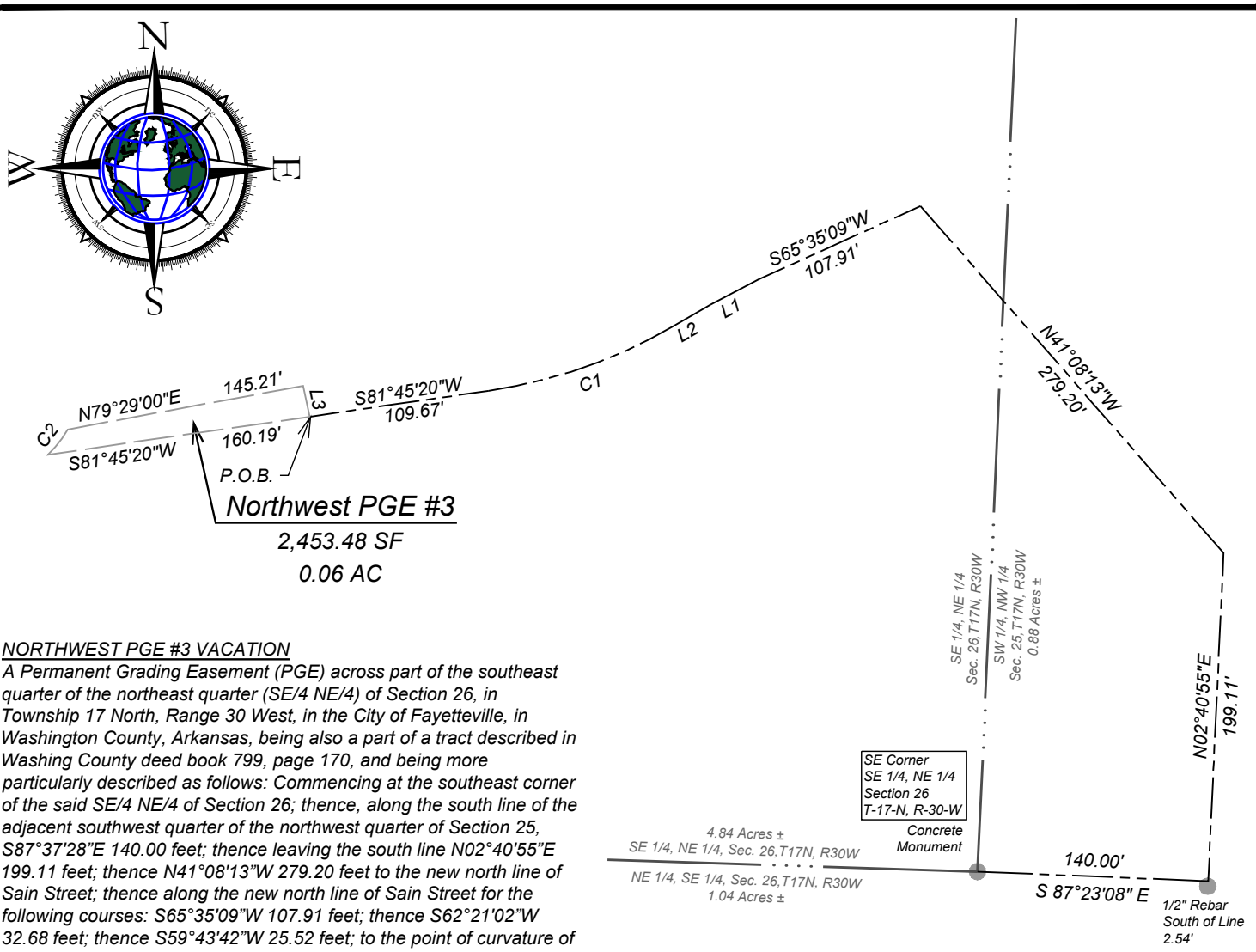
(in feet) 1 inch = 100 ft.

Project Number:
20-4434 Trails on the Creek

Certificate of Authorization № 1534

Date: 02/02/2023

5104 S. Pinnacle Hills Pkwy ♦ Rogers, Arkansas 72758 ♦ 479.443.4506 Office ♦ 479.582.1883 Fax



NORTHWEST PGE #3 VACATION

A Permanent Grading Easement (PGE) across part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washing County deed book 799, page 170, and being more particularly described as follows: Commencing at the southeast corner of the said SE/4 NE/4 of Section 26; thence, along the south line of the adjacent southwest quarter of the northwest quarter of Section 25, S87°37'28"E 140.00 feet; thence leaving the south line N02°40'55"E 199.11 feet; thence N41°08'13"W 279.20 feet to the new north line of Sain Street; thence along the new north line of Sain Street for the following courses: S65°35'09"W 107.91 feet; thence S62°21'02"W 32.68 feet; thence S59°43'42"W 25.52 feet; to the point of curvature of a curve to the right with a radius of 312.00 feet; thence 119.95 feet along the curve for a chord of S70°44'31"W 119.21 feet to the point of tangency; thence S81°45'20"W 109.67 feet to the PGE Point of Beginning; thence continuing S81°45'20"W 160.19 feet to the existing south line of Sain Street; thence leaving the new north line of Sain Street, along the existing south line of Sain Street, along a non-tangent curve to the northeast, concave to the northwest, with a radius of 60.00 feet and arc length of 19.39 feet, for a chord of N37°51'50"E 19.30 feet; thence leaving the curve and the existing south line of Sain Street N79°29'00"E 145.21 feet; thence along a non-tangent curve to the south, concave to the east, with a radius of 167.00 feet and arc length of 19.19 feet, for a chord of S11°47'26"E 19.17 feet to the PGE Point of Beginning, enclosing 2,450 square feet, or 0.056 acres.

Line Table		
Line #	Distance	Bearing
L1	32.68'	S62°21'02"W
L2	25.52'	S59°43'42"W
L3	19.17'	S11°47'26"E

Curve Table				
Curve #	Arc Length	Radius	Chord Length	Chord Bearing
C1	119.95'	312.00'	119.21'	S70°44'31"W
C2	19.39'	60.00'	19.30'	N37°51'50"E

Northwest PGE #3 Easement Exhibit

100 0 50 100

(in feet) 1 inch = 100 ft.

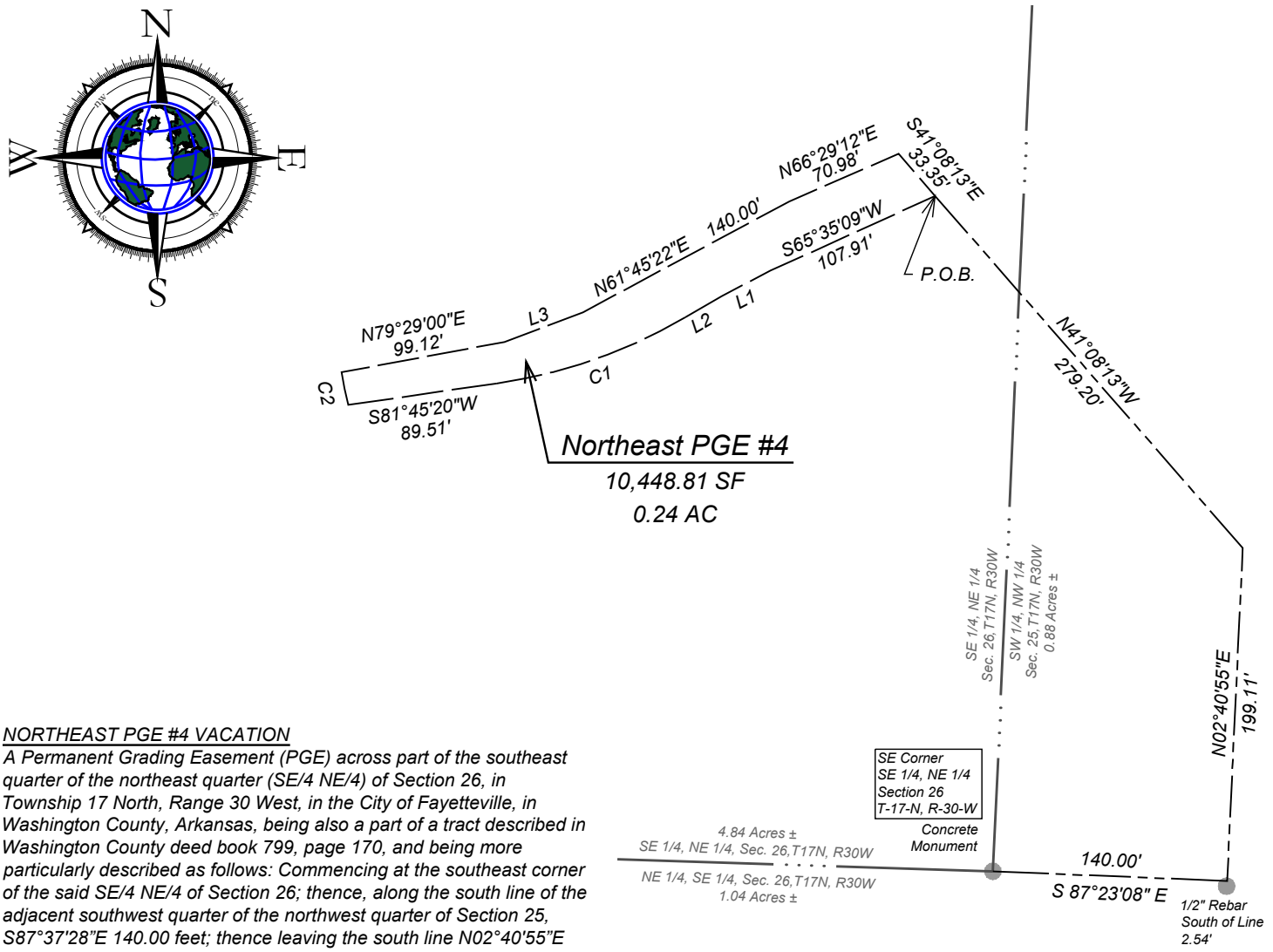
BLEW & ASSOCIATES, P.A. Surveying Engineering Mapping

Project Number:
20-4434 Trails on the Creek

Certificate of Authorization № 1534

Date: 02/02/2023

5104 S. Pinnacle Hills Pkwy ♦ Rogers, Arkansas 72758 ♦ 479.443.4506 Office ♦ 479.582.1883 Fax



NORTHEAST PGE #4 VACATION

A Permanent Grading Easement (PGE) across part of the southeast quarter of the northeast quarter (SE/4 NE/4) of Section 26, in Township 17 North, Range 30 West, in the City of Fayetteville, in Washington County, Arkansas, being also a part of a tract described in Washington County deed book 799, page 170, and being more particularly described as follows: Commencing at the southeast corner of the said SE/4 NE/4 of Section 26; thence, along the south line of the adjacent southwest quarter of the northwest quarter of Section 25, S87°37'28"E 140.00 feet; thence leaving the south line N02°40'55"E 199.11 feet; thence N41°08'13"W 279.20 feet to the PGE Point of Beginning at the new north line of Sain Street; thence along the new north line of Sain Street to the following courses: S65°35'09"W 107.91 feet; thence S62°21'02"W 32.68 feet; thence S59°43'42"W 25.52 feet to the point of curvature of a curve to the right with a radius of 312.00 feet; thence 119.95 feet along the curve for a chord of S70°44'31"W 119.21 feet to the point of tangency; thence S81°45'20"W 89.51 feet; thence leaving the new north line of Sain Street, along a non-tangent curve to the north, concave to the east, with a radius of 147.00 feet and arc length of 19.99 feet, for a chord of N12°07'16"W 19.98 feet; thence leaving the curve N79°29'00"E 99.12 feet; thence N69°15'34"E 50.00 feet; thence N61°45'22"E 140.00 feet; thence N66°29'12"E 70.98 feet; thence S41°08'13"E 33.35 feet to the PGE Point of Beginning, enclosing 10,448 square feet, or 0.240 acres.

Line Table		
Line #	Distance	Bearing
L1	32.68'	S62°21'02"W
L2	25.52'	S59°43'42"W
L3	50.00'	N69°15'34"E

Curve Table				
Curve #	Arc Length	Radius	Chord Length	Chord Bearing
C1	119.95'	312.00'	119.21'	S70°44'31"W
C2	19.99'	147.00'	19.98'	N12°07'16"W

Northeast PGE #4 Easement Exhibit

BLEW & ASSOCIATES, P.A. Surveying Engineering Mapping

100 0 50 100

(in feet) 1 inch = 100 ft.

Project Number:
20-4434 Trails on the Creek

Certificate of Authorization № 1534

Date: 02/02/2023

5104 S. Pinnacle Hills Pkwy ♦ Rogers, Arkansas 72758 ♦ 479.443.4506 Office ♦ 479.582.1883 Fax

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-403

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU: Jonathan Curth, Development Services Director
Susan Norton, Chief of Staff

FROM: Jessica Masters, Development Review Manager

DATE: February 3, 2023

SUBJECT: **VAC-2022-0029: Vacation (1074 E. SAIN ST/ THE TRAILS ON THE CREEK, 174): Submitted by BLEW AND ASSOCIATES for property located at 1074 E SAIN STREET in WARD 3. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 10.55 acres. The request is to vacate a 0.10-acre portion of right-of-way.**

RECOMMENDATION:
Staff and Planning Commission recommend approval of VAC-2022-0029 as shown in the attached Exhibits 'A' and 'B' and with the following conditions of approval:

1. Any damage or relocation of existing facilities will be at the developer's expense.
2. Any new utility easements to serve LSD-2022-000006 must be coordinated when the Master Street Plan right-of-way is established.
3. A 20-foot wide easement must be retained for any existing sanitary sewer.
4. Right-of-way vacation subject to approval and issuance of grading permit in association with LSD-2022-000006.

In the intervening time between Planning Commission's recommendation and the City Council meeting, the Engineering Division identified additional conditions for the Council's consideration. They are included in the attached staff memo, and listed here.

1. LSD-2022-000006 procure and install 2 bus shelters per the City's and University of Arkansas' standard on the already installed bus stop concrete/paver pads.
2. LSD-2022-000006 shall provide an executed deed to the City transferring property at the SE corner of the roundabout (see exhibit) at no cost to the City.

BACKGROUND:
The subject property is in north Fayetteville, south of Mud Creek, and west of Butterfield Trail Village. The eastern and southern portions of the main site are characterized by steep slopes down to Mud Creek and its floodplain to the north, and up to Brookhaven Estates and Christian Life Cathedral to the south. A relatively level area is found between these two grades and across the remainder of the property. Despite the terrain, no portion of the property falls within the Hillside-Hilltop Overlay district. The property received its current zoning designation of Residential Planned Zoning District on November 5, 2020 with the passage of Ordinance 6377

by City Council. An associated large-scale development of multi-family housing was approved by the Planning Commission on November 28, 2022.

Request: The applicant proposes to vacate 0.10 acres of right-of-way following the construction of the recently completed E. Sain Street connection and associated bridge.

Public Comment: No public comment was offered on this item.

DISCUSSION:
The right-of-way vacation request is associated with an approved large-scale development for multi-family housing that was approved by Planning Commission on November 28, 2022. The vacation request comes on the heels of the completion of the Sain Street connection, and it has been determined that the right-of-way is no longer needed to serve the public interest.

At the January 23, 2023 Planning Commission meeting, this item was forwarded to City Council with a recommendation of approval by a vote of 8-0-0, on the consent agenda. Commissioner Brink made the motion and Commissioner Johnson seconded. No comment was offered by the Commission. No public comment was received on the item.

BUDGET/STAFF IMPACT:
N/A

ATTACHMENTS: SRF, EXHIBIT A, EXHIBIT B, ENGINEERING MEMO, APPLICANT REQUEST LETTER, PETITION TO VACATE, SURVEY

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-403

VAC-2022-0029: Vacation (1074 E. SAIN ST/ THE TRAILS ON THE CREEK, 174): Submitted by BLEW AND ASSOCIATES for property located at 1074 E SAIN STREET in WARD 3. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 10.55 acres. The request is to vacate a 0.10-acre portion of right-of-way.

AN ORDINANCE TO APPROVE VAC 22-029 FOR PROPERTY LOCATED AT 1074 EAST SAIN STREET IN WARD 3 TO VACATE A PORTION OF STREET RIGHT-OF-WAY

WHEREAS, the City Council has the authority under A.C.A. § 14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes; and

WHEREAS, the City Council has determined that the following described portion of street right-of-way is not required for corporate purposes.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby vacates the portion of street right-of-way as described in Exhibit B attached to the Planning Department's memo.

Section 2: A copy of this Ordinance duly certified by the City Clerk along with the map attached as Exhibit A to the Planning Department's memo shall be filed in the office of the Washington County Circuit Clerk.

Section 3: This vacation approval is subject to the following conditions:

1. Any damage to or relocation of existing facilities will be at the developer's expense.
2. Any new utility easements to serve LSD-2022-0006 must be coordinated when the Master Street Plan right-of-way is established.
3. A 20-foot wide easement must be retained and approved by the Utilities Department for any existing sanitary sewer.
4. This vacation shall be subject to approval and issuance of a grading permit in association with LSD-2022-0006.

City of Fayetteville Staff Review Form

2023-403

Legistar File ID

2/21/2023

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Jonathan Curth	2/3/2023	DEVELOPMENT REVIEW (630)
Submitted By	**Submitted Date**	**Division / Department**

Action Recommendation:

VAC-2022-0029: Vacation (1074 E. SAIN ST/ THE TRAILS ON THE CREEK, 174): Submitted by BLEW AND ASSOCIATES for property located at 1074 E SAIN STREET in WARD 3. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 10.55 acres. The request is to vacate a 0.10-acre portion of right-of-way.

Budget Impact:

Account Number			Fund	
Project Number			Project Title	
Budgeted Item?	No	Current Budget	$	-
		Funds Obligated	$	-
		Current Balance	$	-
Does item have a cost?	No	Item Cost	$	-
Budget Adjustment Attached?	No	Budget Adjustment	$	-
		Remaining Budget	$	-

V20210527

Purchase Order Number:

Previous Ordinance or Resolution #

Change Order Number:

Approval Date:

Original Contract Number:

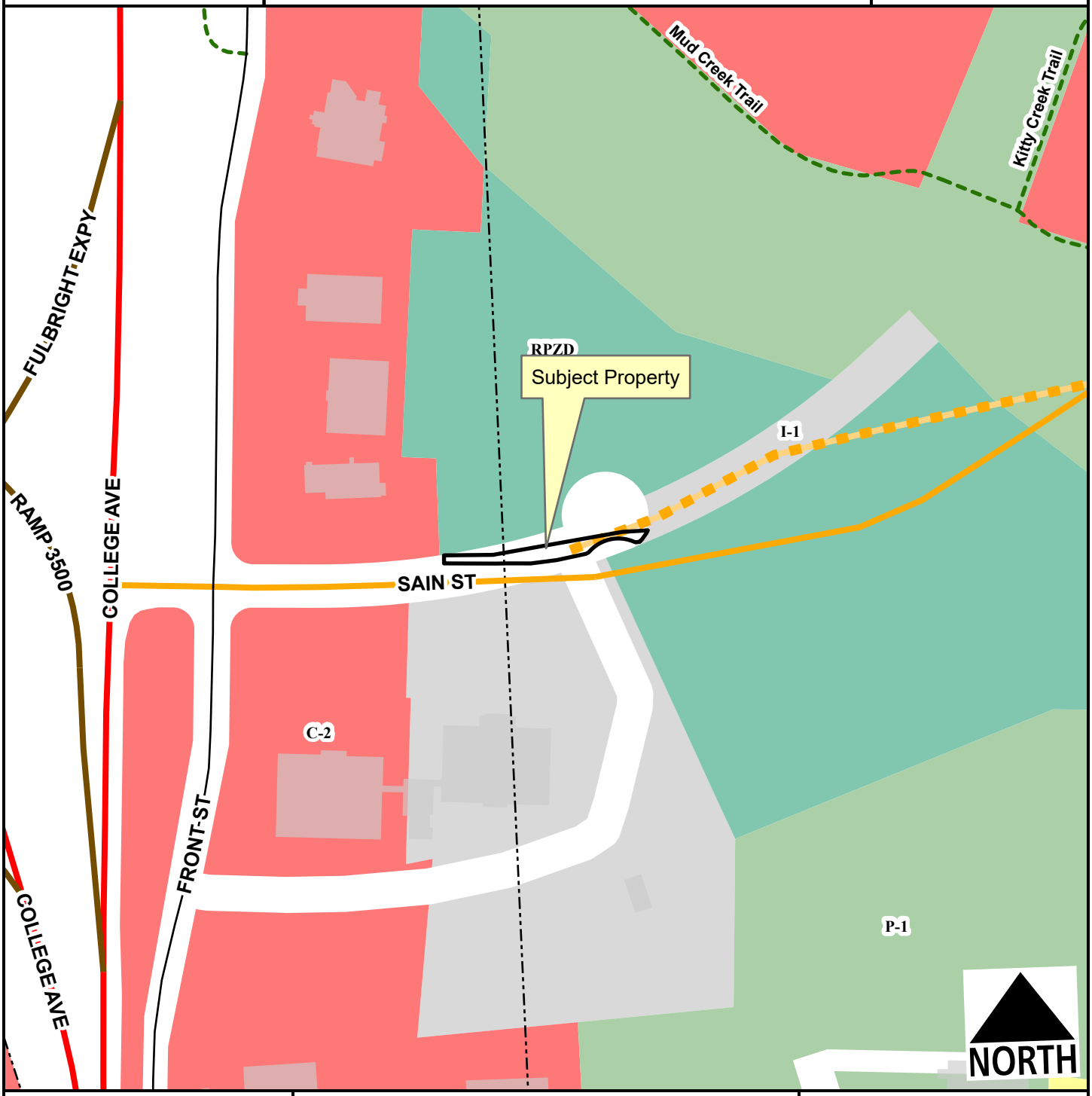
Comments:

VAC-2022-0029

Close Up View

1074 E. Sain St

EXHIBIT 'A'
VAC-2022-0029



- Regional Link
- Neighborhood Link
- Freeway/Expressway
- Residential Link
- Planned Neighborhood Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail
- Design Overlay District

Feet

0 75 150 300 450 600

1:2,400

- RSF-4
- RMF-24
- I-1 Heavy Commercial and Light Industrial
- C-2
- Commercial, Industrial, Residential
- P-1

BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS

RIGHT-OF-WAY VACATION

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE S87°23'08"E 140.00', THENCE N02°36'52"E 200.26', THENCE N41°10'35"W 428.12', THENCE S48°44'34"W 71.20', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 1175.51', AND A CHORD BEARING AND DISTANCE OF S58°56'44"W 414.71', THENCE S81°45'20"W 21.69' TO THE POINT OF BEGINNING, THENCE S81°45'20"W 6.01', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 13.00', AND A CHORD BEARING AND DISTANCE OF N69°16'30"W 2.31', THENCE WITH A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 53.50', AND A CHORD BEARING AND DISTANCE OF S79°59'08"W 62.66', THENCE WITH A REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 13.00', AND A CHORD BEARING AND DISTANCE OF S62°02'24"W 7.99', THENCE S79°56'16"W 35.55', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 70.64', AND A CHORD BEARING AND DISTANCE OF S81°46'38"W 7.14', THENCE S84°40'30"W 31.64', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 22.33', AND A CHORD BEARING AND DISTANCE OF S88°17'01"W 3.03', THENCE N87°49'10"W 29.99', THENCE N89°17'12"W 16.33', THENCE N87°50'27"W 72.08', THENCE N01°13'38"E 11.31', THENCE S88°30'57"E 67.90', THENCE N81°54'26"E 181.92', THENCE N88°36'00"E 35.05', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00', AND A CHORD BEARING AND DISTANCE OF S37°07'18"W 18.98' TO THE POINT OF BEGINNING. CONTAINING 0.10 ACRES MORE OR LESS.

3825 N. SHILOH DR • FAYETTEVILLE / ARKANSAS • 72703
PHONE: 479-443-4506 • FAX: 479-582-1883

CITY OF FAYETTEVILLE ARKANSAS

STAFF MEMO

TO: Fayetteville City Council

THRU: Chris Brown, Public Works Director
Jessie Masters, Development Review Manager

FROM: Josh Boccaccio, Engineering Development Review Manager

DATE: February 2, 2023

SUBJECT: **Engineering Comments for VAC-2022-0029**

Discussion

Right-of-Way Vacation: Staff recommends in favor of the proposed right-of-way vacation with the condition that the Trails at the Creek development procure and install 2 bus shelters associated with previous negotiations between the developer, the City, and the University of Arkansas. The City of Fayetteville has worked with the developer and the University of Arkansas on the Sain St extension. During discussions concerning the Hemlock connection to Sain St and its layout, the University of Arkansas requested bus shelters be installed near the roundabout in exchange for right-of-way. This right-of-way provided a connection for the southern portion of the Trails at the Creek's driveway.

Recommended Conditions of Approval:

1. The Trails at the Creek Development procure and install 2 bus shelters per the City's and University of Arkansas' standard on the already installed bus stop concrete/paver pads.
2. The Trails at the Creek shall provide an executed deed to the City transferring property at the SE corner of the roundabout (see exhibit) at no cost to the City.

Sain Street Extension
Part of Parcel No. 765-02504-000
Tract 20

WARRANTY DEED

BE IT KNOWN BY THESE PRESENTS:

THAT WE, **The Trails on the Creek Apartments, an Arkansas limited partnership**, hereinafter called GRANTOR, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the **City of Fayetteville, Arkansas, a municipal corporation**, hereinafter called GRANTEE, and unto Grantee's successors and assigns, the following described land situated in the County of Washington, State of Arkansas, to-wit:

A variable width RIGHT OF WAY (ROW), said ROW being a part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 26, Township 17 North, Range 30 West of the 5th Principal Meridian, Washington County, Arkansas and said ROW being more particularly described as follows: Commencing at a 4" PVC Monument at the East 1/4 Corner of said Section 26; Thence N 87° 17' 42" W for 518.38 feet to a point on the shared property line of Parcels 765-02503-001 and 765-02504-000; Thence, along said shared property line, N 22° 42' 44" W for 109.91 feet to the POINT OF BEGINNING; Thence, from said POINT OF BEGINNING and along said shared property line, N 22° 42' 05" W for 50.96 feet to a point on the southern ROW line of Sain Street; Thence, leaving said shared property line and along said ROW line, N 81° 45' 20" E for 53.62 feet, Thence Leaving said ROW line and along a curve turning to the left, an arc distance of 50.38 feet, said curve having a radius of 51.98 feet, and whose long chord bears S 48° 00' 40" W for 48.43 feet; Thence, S 85° 09' 39" E for 8.29 feet; Thence, S 05° 49' 21" W for 22.04 feet; thence N 84° 36' 41" W 3.44 feet to the POINT OF BEGINNING; to the POINT OF BEGINNING OF ROW 1, containing 813 square feet, or 0.02 acres.

TO HAVE AND TO HOLD the said lands and appurtenances hereunto belonging unto the said Grantee and Grantee's successors and assigns, forever. And the said Grantors, hereby covenant that they are lawfully seized of said lands and premises; that the same is unencumbered, and that the Grantors will forever warrant and defend the title to the said lands against all legal claims whatever.

WITNESS the execution hereof on this the _____ day of _____, 2022.

The Trails on the Creek Apartments, an Arkansas limited partnership

By: **The Trails on the Creek Apartments Management Company, Inc., General Partner**

_____
BY: James Earl "Lyndy" Lindsey, President

[SEAL]

REVENUE STAMPS AFFIDAVIT
The foregoing deed has the correct amount of Revenue Stamps affixed to it or is **exempt** from such stamps.

City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

ACKNOWLEDGMENT

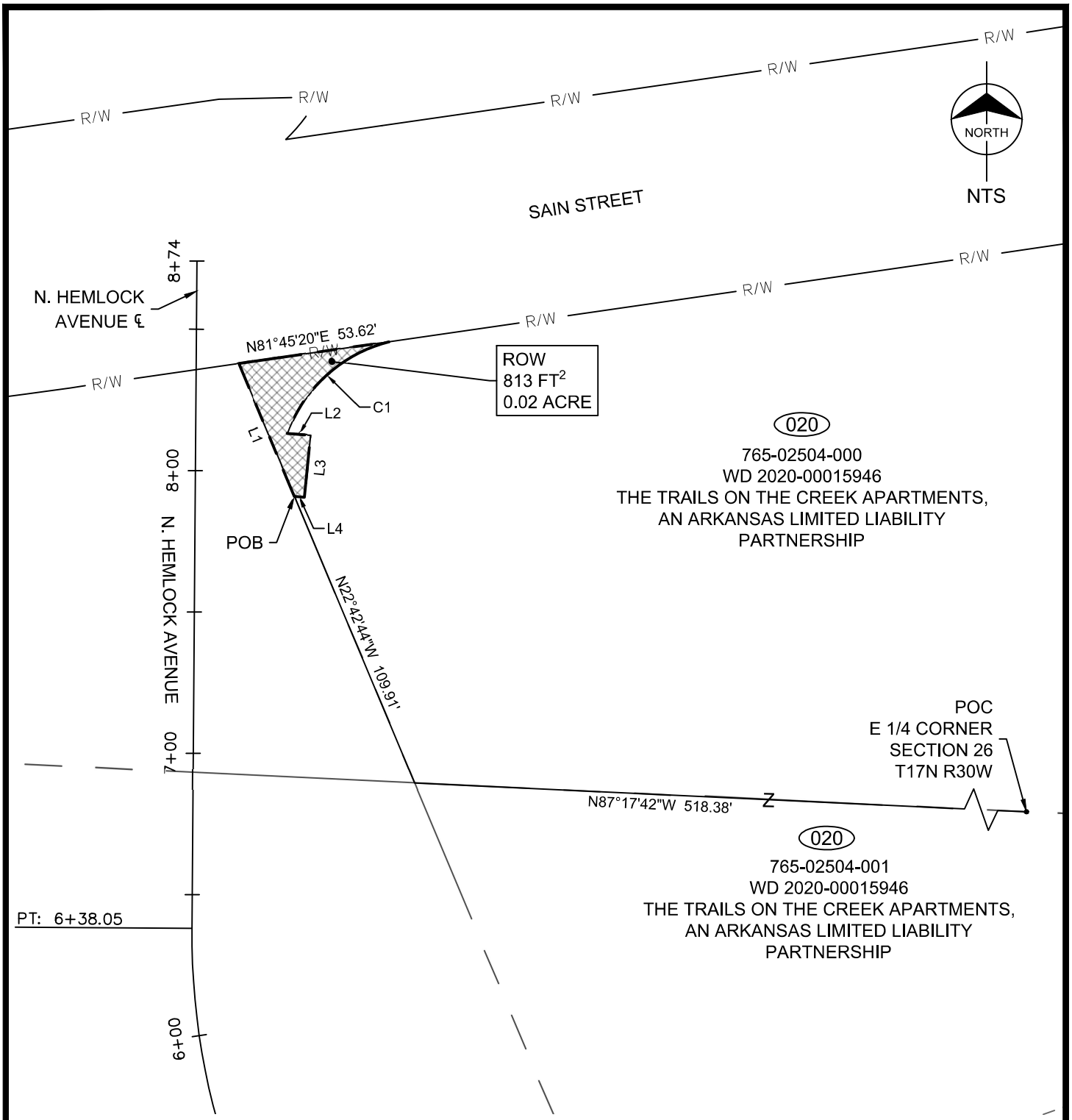
STATE OF ARKANSAS)
) ss.
COUNTY OF WASHINGTON)

BE IT REMEMBERED, that on this date, before the undersigned, a duly commissioned and acting Notary Public within and for said County and State, personally appeared **James Earl "Lyndy" Lindsey** to me well known as the person who executed the foregoing document, and who stated and acknowledged that he is the **President** of **The Trails on the Creek Apartments Management Company, Inc, General Partner of the Trails on the Creek Apartments, an Arkansas limited partnership,** and duly authorized in his capacity to execute the foregoing instrument for and in the name and on behalf of said corporation, and further stated and acknowledged that he had so signed, executed and delivered said instrument for the consideration, uses and purposes therein mentioned and set forth.

WITNESS my hand and seal on this _____ day of _____, 2022.

MY COMMISSION EXPIRES: _____

_____
Notary Public



Parcel Line Table		
LINE #	DISTANCE	BEARING
L1	50.96'	N22°42'05"W
L2	8.29'	S85°09'39"E
L3	22.04'	S5°49'21"W
L4	3.44'	N84°36'41"W

Curve Table					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C3	50.38'	51.98'	55.53	S48°00'40"W	48.43'

Exhibit

Tract No.: 020
Parcel No.: 765-02504-000
Parcel Owner: THE TRAILS ON THE CREEK APARTMENTS, AN ARKANSAS LIMITED LIABILITY PARTNERSHIP

BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS

November 29, 2022

City of Fayetteville
Planning Commission and City Council
125 W. Mountain Street
Fayetteville, AR 72701

SUBJECT: Right of Way Vacation

Dear Board Members:

We are requesting vacating the Right of Way along Sain Street that is in excess of the Master Street Plan and in excess of what is required for the Sain Street Development per the attached exhibit.

Sincerely,

Jorge Du Quesne
Blew & Associates, PA

5102 SOUTH PINNACLE HILLS PKWY • ROGERS / ARKANSAS • 72758
PHONE: 479-443-4506 • FAX: 479-582-1883

PETITION

PETITION TO VACATE A street right-of-way **LOCATED IN** part of Lot 11, Vantage Square, Unit II, **CITY OF FAYETTEVILLE, ARKANSAS.**

TO: The Fayetteville City Planning Commission and
The Fayetteville City Council

We, the undersigned, being all the owners of the real estate abutting the street right-of-way hereinafter sought to be abandoned and vacated, lying in part of Lot 11, Vantage Square, Unit II, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate a street right-of-way which is described as follows:

RIGHT-OF-WAY VACATION

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID FORTY ACRE TRACT, AND RUNNING THENCE S87°23'08"E 140.00', THENCE N02°36'52"E 200.26', THENCE N41°10'35"W 428.12', THENCE S48°44'34"W 71.20', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 1175.51', AND A CHORD BEARING AND DISTANCE OF S58°56'44"W 414.71', THENCE S81°45'20"W 21.69' TO THE POINT OF BEGINNING, THENCE S81°45'20"W 6.01', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 13.00', AND A CHORD BEARING AND DISTANCE OF N69°16'30"W 2.31', THENCE WITH A REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 53.50', AND A CHORD BEARING AND DISTANCE OF S79°59'08"W 62.66', THENCE WITH A REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 13.00', AND A CHORD BEARING AND DISTANCE OF S62°02'24"W 7.99', THENCE S79°56'16"W 35.55', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 70.64', AND A CHORD BEARING AND DISTANCE OF S81°46'38"W 7.14', THENCE S84°40'30"W 31.64', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 22.33', AND A CHORD BEARING AND DISTANCE OF S88°17'01"W 3.03', THENCE N87°49'10"W 29.99', THENCE N89°17'12"W 16.33', THENCE N87°50'27"W 72.08', THENCE N01°13'38"E 11.31', THENCE S88°30'57"E 67.90', THENCE N81°54'26"E 181.92', THENCE N88°36'00"E 35.05', THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00', AND A CHORD BEARING AND DISTANCE OF S37°07'18"W 18.98' TO THE POINT OF BEGINNING. CONTAINING 0.10 ACRES MORE OR LESS.

That the abutting real estate affected by said abandonment of the alley are part of part of Lot 11, Vantage Square, Unit II, of each adjoining lot to the area requested to be vacated, City of Fayetteville used by the public for a period of many years, and that the public interest and welfare would not be adversely affected by the abandonment of the portion of the above-described street right-of-way.

The petitioners pray that the City of Fayetteville, Arkansas, abandon and vacate the above-described real estate, subject, however, to the existing utility easements and sewer easements as required, and that the above-described real estate be used for their respective benefit and purpose as now approved by law.

The petitioners further pray that the above-described real estate be vested in the abutting property owners as provided by law.

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above described real estate, subject to said utility and sewer easements, and that title to said real estate sought to be abandoned be vested in the abutting property owners as provided by law, and as to that particular land the owners be free from the easements of the public for the use of said alley.

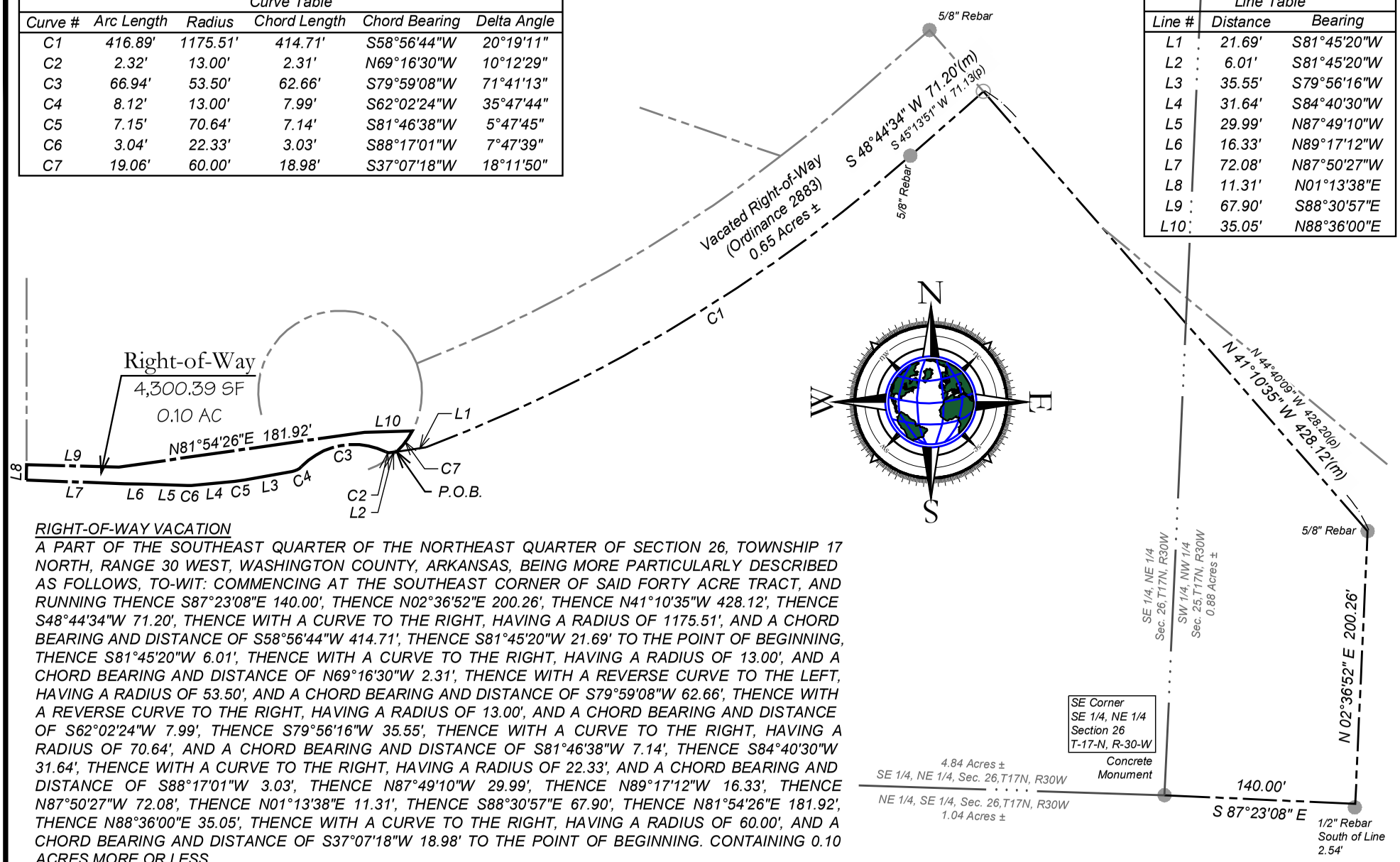
Dated this 18TH day of JANUARY, 20 23.

TRAILS ON THE CREEK APARTMENTS A LIMITED PARTNERSHIP
Printed Name
BY: TRAILS ON THE CREEK APARTMENTS MANAGEMENT COMPANY, INC., ITS GENERAL PARTNER

By: _____
Signature
JAMES EDELL "LYNDY" LINDSEY, PRESIDENT

Curve Table					
Curve #	Arc Length	Radius	Chord Length	Chord Bearing	Delta Angle
C1	416.89'	1175.51'	414.71'	S58°56'44"W	20°19'11"
C2	2.32'	13.00'	2.31'	N69°16'30"W	10°12'29"
C3	66.94'	53.50'	62.66'	S79°59'08"W	71°41'13"
C4	8.12'	13.00'	7.99'	S62°02'24"W	35°47'44"
C5	7.15'	70.64'	7.14'	S81°46'38"W	5°47'45"
C6	3.04'	22.33'	3.03'	S88°17'01"W	7°47'39"
C7	19.06'	60.00'	18.98'	S37°07'18"W	18°11'50"

Line Table		
Line #	Distance	Bearing
L1	21.69'	S81°45'20"W
L2	6.01'	S81°45'20"W
L3	35.55'	S79°56'16"W
L4	31.64'	S84°40'30"W
L5	29.99'	N87°49'10"W
L6	16.33'	N89°17'12"W
L7	72.08'	N87°50'27"W
L8	11.31'	N01°13'38"E
L9	67.90'	S88°30'57"E
L10	35.05'	N88°36'00"E



RIGHT-OF-WAY VACATION

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Right-of-Way Vacation

5102 S. Pinnacle Hills Pkwy.
Rogers, Arkansas 72758
BLEW & ASSOCIATES, P.A.
Office: 479.443.4506
www.BLEWINC.com
Surveying
Engineering
Mapping

100' 0 50' 100' 200'

1 inch = 100 ft

Project Number: 20-4434 Trails on the Creek

Certificate of Authorization № 1534

Date: 09/30/2022

3825 N. Shiloh Drive ♦ Fayetteville, Arkansas 72703 ♦ 479.443.4506 Office ♦ 479.582.1883 Fax

CITY OF FAYETTEVILLE ARKANSAS

CITY COUNCIL MEMO
2023-420

MEETING OF FEBRUARY 14, 2023

TO: Mayor Jordan and City Council

THRU:

FROM:

DATE: February 7, 2023

SUBJECT:

RECOMMENDATION:

BACKGROUND:

DISCUSSION:

BUDGET/STAFF IMPACT:

ATTACHMENTS: Agenda Request - Amend and Study Goal 2

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

File #: 2023-420

A RESOLUTION TO STUDY, POSSIBLY AMEND, AND AFFIRM SUPPORT OF THE AMENDED CITY PLAN 2040

WHEREAS, on January 21, 2020, the City Council approved Resolution 35-20 approving and adopting the City Plan 2040 as the comprehensive land use plan for the City of Fayetteville; and

WHEREAS, a majority of current City Council Members have been elected to the City Council after that approval; and

WHEREAS, the City Council should study and possibly amend the 2040 Long Range Plan; and

WHEREAS, the City Council should then reaffirm its support of the Amended City Plan 2040.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby expresses its desire to further study and possibly amend City Plan 2040 and then affirm its support for the Amended 2040 Plan and recommend City Staff's continued utilization of the plan to guide transportation, utility, and economic development efforts.

Civic Clerk Item No.: 2023-

AGENDA REQUEST FORM

FOR: Council Meeting of February 21, 2023

FROM: Council Member Sarah Moore

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

A RESOLUTION TO STUDY, POSSIBLY AMEND, AND AFFIRM SUPPORT OF THE AMENDED CITY PLAN 2040

APPROVED FOR AGENDA:

Approved by email

City Council Member
Sarah Moore

February 6, 2023
Date

City Attorney Kit Williams
Approved as to form

February 6, 2023
Date

Williams, Kit

From: Moore, Sarah
Sent: Monday, February 06, 2023 3:47 PM
To: Williams, Kit
Subject: Re: Language start for Master plan recommittment

This works Kit. Thank you for putting it together.

--
Sarah Moore
Fayetteville City Council, Ward 2
sarah.moore@fayetteville-ar.gov
479.263.6629

From: Williams, Kit <kwilliams@fayetteville-ar.gov>
Date: Monday, February 6, 2023 at 1:58 PM
To: Moore, Sarah <sarah.moore@fayetteville-ar.gov>
Subject: RE: Language start for Master plan recommittment

Sarah,

Please review and determine if this proposed Resolution is satisfactory or if any changes are needed. If it is okay, please email me that it is fine, and I can get it going for the Feb 21st meeting agenda.

Kit

From: Moore, Sarah <sarah.moore@fayetteville-ar.gov>
Sent: Wednesday, February 01, 2023 11:32 AM
To: Williams, Kit <kwilliams@fayetteville-ar.gov>
Subject: Re: Language start for Master plan recommittment

Kit

Thanks for the conversation on this resolution.

For this resolution, I would like to strike all the goal 2 changes and just stick to the recommit to the master plan for this one.

Striking:

WHEREAS, the City Council should better define its opposition to "sprawl" in Goal 2 of the 2040 Plan; and

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby amends Goal 2 of the City Plan 2040 by deleting its current wording and amending it to read as follows:

"We will discourage environmentally and economically unsustainable development practices by resisting infrastructure expansion around the undeveloped natural edges of Fayetteville."

And to change Section 2 to now be Section 1. I would like to have this for the agenda session on 02/14 please. Can you please let me know if you foresee any issues with doing so?