

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

**FINAL
AGENDA
FAYETTEVILLE CITY COUNCIL MEETING
JANUARY 19, 1999**

A meeting of the Fayetteville City Council will be held on January 19, 1999 at 6:30 p.m. in the City Administration Building, 113 West Mountain Street, Room 219, Fayetteville, Arkansas.

The following items will be considered:

I. CONSENT

APPROVAL OF MINUTES: Approval of minutes from January 5, 1999 meeting.

- A. WATER & SEWER STUDY:** A resolution awarding a contract to Black and Veatch Consulting Engineering for the purpose of conducting a water and sewer study.
- B. STATE OF ARKANSAS CONTRACT:** A resolution accepting the State of Arkansas Contract award ST-99-0157, item # 9, 1999 Ford Crown Victoria police pursuit sedan including option "IO" and modifications to "ee" for fourteen units.
- C. DRUG LAW ENFORCEMENT PROGRAM:** A resolution renewing the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant for the Drug Law Enforcement Program.

II. OLD BUSINESS

III. NEW BUSINESS

- A. HWY 16 WIDENING:** A resolution awarding a bid to Mobley Construction, Inc. for \$2,880,042.40 in connection with the widening of Highway 16 West. Also approval of the necessary budget adjustment.
- B. RIGHT-OF-WAY ENCROACHMENT:** A resolution allowing Tom Terminella to construct a metal canopy 18 inches over the right-of-way at 24 E. Meadow Street (there will be no ground supports to the canopy).
- C. TRAILS COMMITTEE REPORT:** A report from the Trails Committee.
- D. STREET NAME CHANGE:** An ordinance changing the name of Errol Street to Farr Street.

Only items presented by the City Council or City Staff may be discussed during the meeting. If you have an item you wish to discuss, please contact your have it presented at the next City Council Agenda Session. For further assistance, alderman to please contact Heather Woodruff, City Clerk, at 575-8323.

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THE CITY OF FAYETTEVILLE, ARKANSAS

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- C. **TRAILS COMMITTEE REPORT:** A report from the Trails Committee.
- D. **STREET NAME CHANGE:** An ordinance changing the name of Raven Street to Farr Street. *NO INFO*

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FINAL AGENDA

JANUARY 19, 1999

ATTACHED HERE:

CONSENT AGENDA:
MINUTES:

AGENDA SESSION:

CONSENT AGENDA

STATE OF ARKANSAS CONTRACT:

Additional information. Number this I.B.1

NEW BUSINESS

HWY 16 WIDENING:

New item. Number this III.A.1-8

TRAIL COMMITTEE REPORT

New item. Number this III.B.1-42

STREET NAME CHANGE

New Item. No information given.

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5-99 *approved*
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6-99 *approved*
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7-99
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II. OLD BUSINESS

III. NEW BUSINESS

8-99 *approved*
HWY 16 WIDENING: A resolution awarding a bid to Mobley Construction, Inc. for \$2,880,042.40 in connection with the widening of Highway 16 West. Also approval of the necessary budget adjustment.

9-99 *approved*
B. **RIGHT-OF-WAY ENCROACHMENT:** A resolution allowing Tom Terminella to construct a metal canopy 18 inches over the right-of-way at 24 E. Meadow Street (there will be no ground supports to the canopy).

4134 *approved*
C. **TRAILS COMMITTEE REPORT:** A report from the Trails Committee.

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JAN 19, 99

①

	Roll				
AUSTIN	✓			✓	
DAVIS	✓			✓	
TRUMBO	✓			✓	
DANIEL	✓			✓	
SANTOS	✓			✓	
YOUNG	✓			✓	
RUSSELL	✓			✓	
REYNOLDS	✓			✓	
MAYOR HANNA	✓				
	Hcy. Consent			8-0-0-	
AUSTIN	✓				
DAVIS	✓				
TRUMBO	✓				
DANIEL	✓				
SANTOS	✓				
YOUNG	✓				
RUSSELL	✓				
REYNOLDS	✓				
MAYOR HANNA					
	8-0-0. HD BP. Hwy 16 *				
AUSTIN	✓				
DAVIS	✓				
TRUMBO	✓				
DANIEL	✓				
SANTOS	✓				
YOUNG	✓				
RUSSELL	✓				
REYNOLDS	✓				
MAYOR HANNA					
	8-0-0.				

	KR HD.				
	Row				
AUSTIN	✓				
DAVIS	✓				
TRIMBO	✓				
DANIEL	✓				
SANTOS	✓				
YOUNG	✓				
RUSSELL	✓				
REYNOLDS	✓				
MAYOR HANNA					
	8-0-0.				
	TRAILS report				
AUSTIN					
DAVIS					
TRIMBO					
DANIEL					
SANTOS					
YOUNG					
RUSSELL					
REYNOLDS					
MAYOR HANNA					
	KR HD. 32P	BD HD. 32P	BD.		
	ST NAME CHANGE *				
AUSTIN	✓	✓	✓		
DAVIS	✓	✓	✓		
TRIMBO	✓	✓	✓		
DANIEL	✓	✓	✓		
SANTOS	✓	✓	✓		
YOUNG	✓	✓	✓		
RUSSELL	✓	✓	✓		
REYNOLDS	✓	✓	✓		
MAYOR HANNA					
	8-0-0.	8-0-0.	8-0-0		

HANDOUT
3 MAPS.

adj. 7:10 pm

A MEETING OF THE FAYETTEVILLE CITY COUNCIL

January 5, 1999

A meeting of the Fayetteville City Council was held on January 5, 1999, at 6:30 p.m. in the City Administration Building, 113 W. Mountain Street, Room 219, Fayetteville, Arkansas.

PRESENT: Mayor Fred Hanna, Alderman Robert Reynolds, Alderman Ron Austin, Alderman Bob Davis, Alderman Trent Trumbo, Alderman Heather Daniels, Alderman Kevin Santos, Alderman Cyrus Young, Alderman Kyle Russell, City Attorneys Jerry Rose and LaGayle McCarty, City Clerk/Treasurer Heather Woodruff, Staff, Press, and Audience.

ABSENT:

OATHS OF OFFICE

Municipal Judge Rudy Moore swore in Aldermen, City Clerk, and City Attorney.

NOMINATING REPORT

Alderman Daniel moved to appoint Loren Shackelford to the Planning Commission, Clarence Fry to the Housing Authority, Shelby Osburn to the Juvenile Concerns Committee, and Stephen Alexander to the Parks and Recreation Advisory Board. Alderman Trumbo seconded the motion. Upon roll call the motion carried unanimously.

CONSENT AGENDA

Mayor Hanna introduced the following items on the consent agenda

APPROVAL OF MINUTES: Approval of the minutes from the December 15, 1998 meeting.

CONSTRUCTION MATERIALS: A resolution approving bid awards for construction materials utilized in the Street Fund, In-House Pavement Improvements, In-House Sidewalk Improvements, and other divisions.

BID 98-95: A resolution awarding Bid 98-95 to Check Point Systems for the Library Book Detection System.

Alderman Trumbo moved to approve the consent agenda. Alderman Daniel seconded the motion. Upon roll call the motion carried unanimously.

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Resolution 1-99 as recorded in the City Clerk's Office.

OLD BUSINESS

SEWER CAPACITY REPORT:

A report from staff and Murray Fleming on the City's current sewer capacity.

Mr. Charles Venable, Public Works Director, introduced Don Bunn, Assistant Public Works Director.

Mr. Bunn explained the existing sewer treatment plant went into service in 1986. The plant had been designed to remove phosphorus and nitrogen. The plant had been designed to flow 11.4 million gallons a day. He discussed the maximum limits the plant had been designed to service. He also explained the affects these would have on the streams and reservoirs.

Mr. Bunn explained the city discharged in two locations. One was located upstream from Beaver Lake on the White River. The other was located north of Highway 45 which was located on a tributary of Mud Creek which would discharge into the Illinois River which ran into Lake Tenkiller. He explained the rules and regulations the plant had to operate under.

He presented the plants past performance. He noted the plants average flow had not been under 10 million gallons per day. In 1993, the average day had increased to 12.3 million gallons per day. Since that time it had dropped and leveled out. The reason the plant had leveled out was due to the sewer rehabilitation program, in spite of the ground and sewer connections. The sewer rehabilitation had matched the additional flows the plant would have seen from the additional connections. They had reduced the infiltration by the same amount that they were adding new customers.

Alderman Trumbo questioned when that net affect would not be achieved anymore.

Mr. Bunn replied the staff believed they were reaching that point now. The additional sewer rehabilitation would not be as effective. They had completed the parts of the system which would give them the greatest return. He reiterated that they would not see as great of a benefit in the future. He continued the city had projected they would reach the 12.5 million gal per day plant capacity in 2003. This projection was based on the number of sewer connection the city had in the past five to six years. The estimate was also based on the increase of water purchase from the Beaver Creek plant over the past five to six years during the winter months.

The remaining capacity of the existing plant was approximately one million gallons per day. They had projected this would take the city to the year 2003. According to the projects there was approximately four years before the plant would be over capacity. He noted the permitted plant

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capacity was 12.4 million gallons. The plant had been designed to process 11.4 million gallons. He noted as they approached the plant capacity the cost of treating the sewage would go up, particularly with phosphorus, if they had to start removing it with chemicals. The plant had been designed to remove phosphorus with chemicals. Up to now they had only had to use chemicals on rare occasions.

Alderman Trumbo asked if there had been a city wide education program which could help reduce the use of phosphorus detergents.

Mr. Bunn stated they had discussed it in the past, however, there had never been a serious proposal.

Mr. Santos asked if there was technology to get more suspended solids out.

Mr. Bunn replied not other than what the city currently had.

Alderman Daniel asked if they could trace the source of most of the phosphorus.

Mr. Bunn stated there was not a single source. It was from all the households.

Mr. Bunn noted as the plant approached capacity there would be an increased chance of violations. If there were a series of violations then the EPA would be forced to act.

Mr. Reynolds asked if the city had paid any fines for violation in 1998.

Mr. Bunn stated they had not. The plant had violations occur in only four separate months since 1990. One of the months had multiple violations which had been caused by a discharge of metals from a metal plating company. All of the violations had been in different years.

Alderman Daniel asked how the city had dealt with the metal plating plant.

Mayor Hanna replied they had been fined by the State and the City. They were not out of business.

Mr. Bunn continued they had made assumption in the estimates. They had placed into reserves half of the amount, 500,000 gallons for industry or safety factor. All calculations were based on 500,000 gal per day availability rather than one million gallons per day. He added they also based their estimates on the estimated number of sewer connections they expected to make and the associated flows from those connections. Looking at the number of permits issued, they were estimated single family and duplexes at 396 units per year. Multi-family 158 units per year. Commercial development was 538,000 square feet per year.

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He continued they had taken into account all the available lots and the apartment units had been approved. They had taken these into account before they could add any more. They had calculated 1.32 years in capacity left, which was close to the their other method of calculation which had been 1.5 to 2 years.

They were estimating the very earliest the city could have a new plant constructed and in service was 2004, which was the very best scenario.

Alderman Reynolds questioned the size plant that Fayetteville would need to last them twenty years.

Mr. Bunn replied they had planned to the year 2020, which would require approximately 25 million gallons per day, which would be a total of both plants. The city had been very successful in the elimination of sewer overflows. They had been able to reduce flow to the plant to the same amount as they had added new connections over the years. The city had spent over 20 million dollars on sewer rehabilitation, and had allocated 2 million dollars a year to continue the program. However, he thought they would see less return over the next several years.

He discussed other permitting requirements. He added if the city's permit was not reissued then they would be out of compliance that day and the entire report would be moot.

The staff had three recommendations:

1. To continue with the approval of new subdivisions and large scale developments for a period of one year. During that time the number of building permits and new lots would be monitored. They would also monitor the surrounding communities which use Fayetteville's plant.
2. The staff would review the capacity status toward the end of the year to see if they would be able to extend their time estimate.
3. Prepare and submit a permit application based on the facility plan and the stream modeling results.

Alderman Russell asked if the report had been based on the assumption the city would be granted their 12.4 million gallons per day permit and that they would not be restricted to 11.4 million gallons.

Mr. Bunn replied it was his belief the permit would not be reduced, unless the city was not trying to move forward with a new plant.

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In response to comments from Alderman Trumbo, Mayor Hanna thought an education program would be good. He noted the city had education programs for solid waste and recycling. He thought the Environmental Concerns Committee should discuss it and have a program made for the government channel.

Alderman Russell asked Mr. Fleming if it was his opinion that the city could continue with the approval of new subdivisions and large scale developments for a period of one year and not risk exceeding the permit limits.

Mr. Fleming replied they could, based on these assumptions.

The council and Mayor Hanna thanked the staff for the report and the recommendations.

RZ 98-20:00

Mayor Hanna introduced an ordinance approving a rezoning request submitted by Sharman Sturchio and Rick King for property located at 716 West Sycamore Street. The request is to rezone the property from I-1, Heavy Commercial, Light Industrial, to C-2, Thoroughfare Commercial. This request was denied by the Planning Commission and appealed to the City Council 12/1/98. The ordinance was left on the second reading at the December 15, 1998 meeting.

Alderman Daniel moved to suspend the rules and go to the third and final reading. Alderman Young seconded the motion. Upon roll call the motion carried by a vote of 7-0-1, Reynolds abstaining.

Ms. McCarty read the ordinance.

In response to questions from Alderman Trumbo, Ms. Alett Little, City Planner, explained under I-1 the applicant was permitted to have a private club. A regular bar would require C-2 zoning. A C-2 zoning was also required for the applicant to apply for a conditional use for dancing on premises.

In response to questions from Alderman Daniel, Ms. Little explained if a conditional use was denied by the Planning Commission the applicant would have to appeal to the Circuit Court.

Alderman Daniel noted this was a down zoning request, which they did not see very often. She added this might help the area. She had received several letters opposing this, however, she did not have a problem with this request.

Alderman Davis noted with C-2 zoning, people could be there until one or two in the morning.

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Alderman Russell added some of the objections he had heard had been in requirements to the late hours of the club. He noted the rezoning would not affect the hours of operations of the club.

Alderman Daniel did not believe dancing or the rezoning would contribute to the noise.

Alderman Young asked if the applicant were to apply for a conditional use if the Planning Commission would have the ability to restrict hours.

Ms. Little replied the Planning Commission would have the ability to assign hours of operation, if they granted the conditional use. She added bars were required to close at 1:00 a.m. Private clubs were required to close at 2:00 a.m. I-1 zoning would allow the club to stay open longer than the C-2 zoning.

Alderman Daniel moved to approve the rezoning. Alderman Santos seconded the motion. Upon roll call the motion carried by a vote of 6-1-1, Alderman Davis voting nay, Alderman Reynolds abstaining.

Ordinance 4131 as recorded in the City Clerk's Office.

NEW BUSINESS

POLICE POLICIES:

Mayor Hanna introduced a resolution approving the Fayetteville Police Department Policies, Procedures and Rules as required by Arkansas Code.

Mayor Hanna stated he had been asked by the Civil Service Commission to allow them time to look at the manual before the council voted on the resolution. He added there was only one section in the procedures that would affect the Civil Service Commission, which had to do with the condition of the officers. He asked if the delay would hurt the Police Department.

Mr. Tim Helder, Police Department, replied the Commission received copies of the manual three to four week ago. They department had requested their input before the council meeting, but they had not received any response from them.

Alderman Reynolds asked if the new physical policies would affect all the officers, including the Police Chief.

Mr. Helder replied the Physical Policies would affect the people required to wear a uniform. The rest of the staff work inside and are not required to meet the physical requirements.

Alderman Reynolds questioned what would happen to the Policemen that did not currently meet

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the standard, would they be given time to comply.

Mr. Helder replied the officers would have one year to comply with the regulations. He noted the Police Department had four certified fitness trainers who would be working with people.

Alderman Trumbo asked if the Civil Service had a problem with the new policies if they could make changes.

Mr. Helder replied they could make a recommendation, then they could bring the request before the council again.

Alderman Trumbo moved to approve the resolution. Alderman Davis seconded the motion. Upon roll call the motion carried unanimously.

Resolution 3-99 as recorded in the City Clerk's Office.

ALCOHOLIC BEVERAGES

Mayor Hanna introduced an ordinance amending Chapter 111: Alcoholic Beverages, Section 111.06, Prohibited Activities/ Warning Notice, of the Code of Fayetteville, to prohibit the sale of beer or light wine at retail full service grocery stores and convenience grocery stores.

Ms. McCarty read the ordinance for the first time.

Mayor Hanna explained this was mainly a housekeeping item. The city had been going by this ordinance even though it had not been spelled out in the previous changes they had made.

There was no public comment.

Alderman Trumbo moved to suspend the rules and go to the second reading. Alderman Davis seconded the motion. Upon roll call the motion carried unanimously.

Ms. McCarty read the ordinance.

Alderman Austin moved to suspend the rules and go to the third and final reading. Alderman Reynolds seconded the motion. The motion carried unanimously.

Ms. McCarty read the ordinance.

Alderman Trumbo noted this was a housekeeping item.

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Ms. Carty stated this change would make the code consistent with the previous ordinance.

Alderman Russell asked if the city had an ordinance prohibiting the sale of beer in stores.

Ms. Carty explained the city did not. They had rewritten the Alcoholic Control section this ordinance had been omitted accidentally. Wine was covered by the State Law, but beer was not. This ordinance had previously been in the code, however, it had been accidentally omitted in the revisions.

Alderman Russell stated he had been surprised when he found out it was not allowed. He noted the State Law required people handling the beer to be over twenty-one. He added if people wanted to sell beer they should be allowed to, if they could get the permit.

Alderman Daniel thought the ABC was antiquated. She added if someone was willing to challenge it she would not be opposed to it.

Mayor Hanna stated if they read the minutes from 1986 the intention of the City Board had been not to allow the sale of beer or wine in convenience stores or grocery stores. When the code had been rewritten it had been inadvertently left out. He felt the original intention was still in affect.

Alderman Trumbo stated he would prefer not to see alcohol in the grocery store.

Alderman Santos thought the restriction on not allowing the sale of beer was a restriction of free enterprise, but this was a housekeeping item. He noted Fayetteville was a college town. He stated he would be voting for the ordinance, but he thought he would support a change if someone brought it forward.

Alderman Russell stated if any one was interested in having the law changed he would support them.

Mayor Hanna stated the city had just supported First Nite which was a New Years celebration to encourage people not to drink. He did not believe voting to support the sale of beer in grocery stores was consistent with the what they had encouraged with First Nite. He added this was a college town which people entrusted their children to.

Alderman Young stated he would be voting for the ordinance because they had always done it that way. He added he personally would not like the city council to make the change. If there was going to be a change it should be a vote of the people. He added he felt this attitude toward alcohol encouraged binge drinking.

Alderman Reynolds stated if they were to allow the sale of beer in the stores to people under the

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age of twenty-one would have to be replaced, which would put a lot of people out of work.

Alderman Daniel questioned the ABC rules and questioned why a younger person could not stock beer.

Mayor Hanna noted all the other colleges in Arkansas with the exception of Little Rock which was in a wet county. All the other colleges in Arkansas were in dry counties.

Mayor Hanna called for the vote. Upon roll call the motion carried unanimously.

Ordinance 4132 as recorded in the City Clerk's Office.

RZ 98-21:00

Mayor Hanna introduced an ordinance approving a request for property located at 3061 Valerie Drive. The property is zoned A-1, Agricultural and contains approximately 2.83 acres. The request is to change the zoning to R-1, Low Density Residential.

Ms. McCarty read the ordinance for the first time.

Alderman Daniel stated she had not heard of any objections about this rezoning request. She noted the request had been approved by the Planning Commission.

There was no public comment.

Alderman Trumbo moved to suspend the rules and move to the second reading. Alderman Daniel seconded the motion. Upon roll call the motion carried unanimously.

Ms. McCarty read the ordinance for the second time.

Alderman Daniel moved to suspend the rules and go to the third and final reading. Alderman Russell seconded the motion. Upon roll call the motion carried unanimously.

Ms. McCarty read the ordinance for the third and final time.

Mayor Hanna called for the vote. Upon roll call the motion carried unanimously.

Ordinance 4133 as recorded in the City Clerk's Office.

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RULES OF ORDER

Mayor Hanna introduced a resolution amending the rules of order and procedure for the Fayetteville Mayor/City Council Section H., Citizens Committees, Subsection 1.d., Selections of Members. He explained Alderman Young had brought the resolution forward to clarify the length of time people could serve on committees.

Alderman Young explained this would define what a full term was relative to someone who was appointed to fill out a full term.

There was no public comment.

Alderman Young moved to approve the resolution. Alderman Russell seconded the motion. Upon roll call the motion carried unanimously.

Resolution 4-99 as recorded in the City Clerk's Office.

RIGHT OF WAY ENCROACHMENT

Mayor Hanna stated the last item on the agenda had been removed from the agenda and would be heard at a future meeting.

The meeting was adjourned at 8:45 p.m.

**MINUTES OF A MEETING OF THE
FAYETTEVILLE CITY COUNCIL**

A regular meeting of the Fayetteville City Council was held at 6:30 p.m. on January 5, 1999, in Room 219 of the City Administration Building, 113 W. Mountain, Fayetteville, Arkansas.

ITEM CONSIDERED

ACTION TAKEN

Approval of Minutes	Approved	
Construction Materials	Approved	Res. 1-99
Bid 98-95	Approved	Res. 2-99
Sewer Capacity Report	No action	
RZ 98-20:00	Approved	Ord. 4131
Police Policies	Approved	Res. 3-99
Alcoholic Beverages	Approved	Ord. 4132
RZ 98-21:00	Approved	Ord. 4133
Rules of Order	Approved	Res. 4-99
Right-of-way Encroachment	Withdrawn	

OATHS OF OFFICE TAKEN BY:

ALDERMEN:

Robert Reynolds,
Ron Austin
Bob Davis
Trent Trumbo
Heather Daniel
Kevin Santos
Cyrus Young
Kyle Russell

CITY ATTORNEY

Jerry Rose

CITY CLERK

Heather Woodruff

PRESENT:

Mayor Hanna
Aldermen as listed above
LaGayle McCarty, Assistant City Attorney
Heather Woodruff, City Clerk
Kevin Crosson, Admin. Director
Charles Venable, Public Works Director
Don Bunn, Assistant, Public Works Director
Alett Little, Planning Director

ABSENT

Jerry Rose, City Attorney

MEETING ADJOURNED: 8:45 p.m.

STAFF REVIEW FORM

DEC 23 1998

FINANCE DEPT.

XXXXX AGENDA REQUEST
____ CONTRACT REVIEW
____ GRANT REVIEW

For the Fayetteville City Council meeting of January 19, 1999

FROM:

Brian Swain
Name

Adm. Services Dir.
Division

Adm. Services
Department

ACTION REQUIRED: WATER & SEWER OPERATIONS STUDY: Approval of a resolution awarding a contract to Black & Veatch Consulting Engineers for the purpose of conducting a water and sewer operations study.

COST TO CITY:

\$29,655 NTE
Cost of this Request

\$ 100,000
Category/Project Budget

W/S Operations/Rate Study
Category/Project Name

5400-1820-5314.00
Account Number

\$ 0
Funds Used To Date

Meter Operations
Program Name

96088-1
Project Number

\$100,000
Remaining Balance

Water & Sewer
Fund

BUDGET REVIEW: XXXX Budgeted Item _____ Budget Adjustment Attached

Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Accounting Manager

Date ADA Coordinator

Date

City Attorney

Date Internal Auditor

Date

Purchasing Officer

Date

STAFF RECOMMENDATION: Staff recommends approval of the contract.

Division Head

Date

Cross Reference

Department Director

Date

New Item: Yes No

Administrative Services Director

Date

Prev Ord/Res #: _____

Mayor

Date

Orig Contract Date: _____

THE CITY OF FAYETTEVILLE, ARKANSAS

TO: The Fayetteville City Council

THRU: Fred B. Hanna, Mayor
Kevin D. Crosson, Administrative Services Director *KDC*

FROM: Brian Swain, Asst. to the Adm. Services Director *BTS*

DATE: December 23, 1998

RE: Award of Contract - Water & Sewer Operations Study

On December 8, 1998, the City of Fayetteville convened a professional selection committee for the purpose of reviewing a Request for Proposals (RFP) for consulting services regarding a water and sewer operations study. The committee was composed of seven voting members:

Don Bunn	Asst. Public Works Director
Kevin Crosson	Administrative Services Director
David Jurgens	Water & Sewer Maintenance Superintendent
Jim Smith	Water & Sewer Services Superintendent
Brian Swain	Asst. to the Adm. Services Director
Charles Venable	Public Works Director
Cyrus Young	City Council Member

In addition, Peggy Vice, Purchasing Manager, served on the committee as non-voting advisory member.

The City must complete a report of this nature every three years because of covenants contained in outstanding water and sewer revenue bonds. Essentially, the report attempts to confirm, for the benefit of water and sewer bondholders, that nothing is occurring in the City's water and sewer operation that would jeopardize the revenue stream pledged to provide for repayment of the bonds. The next operations report must be completed by September 1, 1999. The report also serves the purpose of having the contracted firm provide a cursory review of water and sewer management operations and water and sewer rates.

The professional selection committee reviewed and approved the RFP. The RFP was advertised in the Northwest Arkansas Times and was direct mailed to numerous firms in the state and across the country that have been known to conduct studies of this type. Three proposals were received from the following firms:

- Black & Veatch Consulting Engineers (Kansas City, MO)
- DMG Maximus (Dallas, TX)
- HDR Engineering, Inc. (Austin, TX)

After reviewing the proposals the professional selection committee voted to select Black & Veatch as the firm with which to negotiate. Black & Veatch has conducted numerous studies of this type for the City during the past 20 years. They have an international reputation as being a quality firm.

Black & Veatch was contacted and informed of the committee's selection. The process for negotiating a contract that conformed with the RFP was initiated. Based on those negotiations, the attached contract is submitted for consideration by the City Council. The proposed contract conforms to the elements of the City's RFP and is for a not-to-exceed figure of \$25,965, plus an additional not-to-exceed figure of \$3,700 if a presentation is made to the City Council regarding the results of the study. Often times, following completion of this study, a formal presentation is not made to the City Council regarding the outcome. Rather, copies are simply distributed to the City Council, staff, and to the City's trustee, which makes the information available to bondholders. However, with the fact that the 1999 City Council has so many new members, it might be beneficial to have the consultant provide a presentation on the results of the study for informational and educational purposes. A decision can be made on this matter at a later date.

The City has a 1999 project budget of \$100,000 to cover the cost of water and sewer operations and rate studies. The not-to-exceed total cost of the operations study is \$29,665, leaving a balance of \$70,335 for a water and sewer rate study, which is likely to commence in late 1999. The rate study involves a detailed financial analysis of the City's cost of providing water and sewer service and recommendations on rate adjustments by customer classification.

If you have any further questions regarding this contract, please feel free to contact me. Thank you for your consideration.

AGREEMENT FOR CONSULTING SERVICES

1. The City of Fayetteville, Arkansas (Client) and Black & Veatch Corporation (Consultant) have executed this Agreement.

2. Consultant shall perform the Services described in Attachment A, Scope of Services.

3. Client shall pay Consultant for services provided in accordance with the compensation provision set forth in Attachment B, Compensation.

4. Consultant shall exercise the same degree of care and diligence in the performance of the Services as is ordinarily exercised by a professional under similar circumstances. No other warranty, express or implied, is included in this Agreement or in any specification, report, or opinion produced pursuant to this Agreement.

5. Consultant shall not be liable to Client for any special, indirect, or consequential damages resulting in any way from the performance of the Services. Consultant's total liability under this contract shall not exceed Consultant's compensation under Paragraph 3, above.

6. Consultant and Client waive all rights against each other and their respective directors, officers, partners, commissioners, officials, agents, subcontractors, and employees for damages covered by any type of property insurance during and after the completion of the Services.

7. This Agreement may be terminated upon written notice at Client's convenience or by either party in the event of substantial failure by the other party to perform in accordance with the terms of this Agreement. In the event of termination, Client shall pay Consultant for all Services performed and termination expenses. The provisions of Paragraph 5 shall remain effective following any termination of this Agreement.

8. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than Client and Consultant.

9. Except as otherwise provided herein, documents prepared by Consultant as part of the Services shall become the property of Client, provided, however, that Consultant shall have the unrestricted right to their use. Consultant shall retain its rights in its standard data bases, computer software, and other proprietary property. Rights to intellectual property developed, utilized, or modified in the performance of the Services shall remain the property of Consultant.

10. This Agreement shall be governed by the laws in the state of Arkansas.

IN WITNESS WHEREOF, Client and Consultant have executed this Agreement, the effective date of which shall be _____.

(Client)

By _____

Date _____

Title _____

BLACK & VEATCH CORPORATION
(Consultant)

By _____

Date _____

Title _____

ATTACHMENT A SCOPE OF SERVICES

Task Series 100 - Initial Meeting and Data Collection

The initial project component includes preparation of a data request and a meeting with City representatives to identify and discuss key project objectives and major points of interest and concern, collect and discuss data pertinent to the study, and schedule interviews and on-site surveys. Specific tasks anticipated are to:

- Task 101 Prepare and submit an initial request for financial and operational data needed for the study. A summary description of field observations and operations personnel interviews required for the evaluation of system operations and maintenance will also be provided.
- Task 102 Meet with City representatives to identify major items of interest and concern and to discuss principal objectives and policies.
- Task 103 Obtain and review financial and operational data and information.
- Task 104 Identify personnel to be interviewed and facilities to be observed, and establish schedules for interviews and onsite observational tours.

Task Series 200 - Engineering Evaluation

The engineering evaluation will include interviews of key water and wastewater utility personnel, observational tours of selected major water and wastewater system facilities, review of operation and maintenance policies and procedures, and review of major capital improvement programs.

Black & Veatch recognizes that the wastewater treatment plant and major lift stations are operated under contract, and that treated water is purchased from Beaver Water District. It is anticipated that the City will elicit the cooperation of the contractor and representatives of Beaver Water District for interviews and observational tours.

Specific tasks to be performed by Black & Veatch are to:

- Task 201 Conduct interviews with key water and wastewater utility personnel, regarding policies and procedures utilized to achieve safe, efficient and economical operation.
- Task 202 Review operation and maintenance record keeping practices, records and

techniques to evaluate the impact on facility performance, maintenance, and reliability.

- Task 203 Review operation and maintenance techniques and policies regarding scheduled maintenance, emergency maintenance, adequacy of staffing and equipment, adequacy of funds, and availability of spare parts and replacement items.
- Task 204 Conduct onsite observational tours of selected above ground or observable water and wastewater facilities to determine the general condition of structures, improvements and equipment; and the adequacy of maintenance policy and procedures. Concurrent with the observational tours, interviews will be conducted with representatives of the wastewater treatment plant operations contractor, and representatives of Beaver Water District.
- Task 205 Conduct a cursory review of odor control management in the vicinity of the wastewater treatment plant. This review will include interviews of personnel responsible for odor control, a brief review of odor control improvements implemented in the past three years, and a review of complaints received regarding odors.
- Task 206 Conduct a cursory review of sanitary sewer rehabilitation improvements to evaluate the impact of improvements made since the previous study on reducing sewer system overflows. This review will include interviews of staff, review of relevant system improvements, and review of reported overflow occurrences.
- Task 207 Review system water losses to evaluate whether losses are within acceptable industry standards. The City's water losses will be compared with information in Black & Veatch's CompetitivEDGE database which contains information from more than 100 municipal water utilities and over 100 investor owned water utilities.
- Task 208 Review the major capital improvement programs for the water and wastewater utilities to evaluate the adequacy of planned future facilities to meet projected service requirements. Attention will be given to the adequacy of water transmission infrastructure expansion, replacement, and planning to meet anticipated growth in the number of customers.

Task Series 300 - Financial Analysis

The objective of this project component is to forecast revenue and revenue needs for the water and sanitary sewer utilities based upon existing rates and fee schedules. The adequacy of each

utility's forecasted revenues to meet future revenue requirements will be analyzed to determine the level of revenue adjustments and debt financing, if either is required, to meet forecasted revenue requirements on a sound utility financial basis. This study component will include the following subtasks prepared for a five year study period, separately for each utility:

- Task 301 Forecasts of water and sewer utility accounts and volumes will be made for the study period by considering historical growth trends, climatological patterns, local economic conditions, the potential for adding/losing major utility customers, and changes in customer class usage patterns over time. The volume projections will be made based on projected number of utility accounts and a usage per account analysis to differentiate the historical effects of account growth and increased (decreased) usage by existing customers.
- Task 302 Forecasts of water and sewer utility revenues under existing rates for the study period will be developed recognizing projected accounts, volumes, and usage patterns by customer class. Future revenues from miscellaneous sources such as interest earnings, service installation charges, late payment penalties, and service initiation fees will also be estimated.
- Task 303 Study period revenue requirements for the water and sewer utilities will be developed based on an analysis of historical, currently budgeted, and projected needs. The revenue requirements will be projected on a yearly basis, taking into account expected operational changes, changes in staffing or operating expenditures for new facilities, system growth by new development, anticipated extraordinary expenses, and allowances for inflation. Revenue requirements will include:
- a. Operation and maintenance expenses, including purchased water and contract operations of the wastewater treatment plant.
 - b. Outlays for routine annual capital additions and replacements.
 - c. Debt service and reserve requirements on existing and proposed bond issues
 - d. Transfers for major capital improvements financing.
 - e. Other cash requirements.
- Task 304 Forecasts of revenues and revenue requirements will be summarized into five-year cash flow analyses for determination of revenue adequacy on an annual basis. The cash flow analyses will identify annual revisions of water and sewer utility revenues necessary to comply with bond covenant requirements, good utility practice, or sound utility financing considerations recognizing current City policy and planning. The timing and magnitude of any additional debt financing required to fund proposed capital

improvements will also be identified. The cash flow statement will be designed to show the optimum combination of cash and debt financing whereby the funding of operations and capital improvements is reasonably shared between current and future customers, while placing the utilities in a sound financial position.

Task Series 400 - Bond Ordinance Compliance

Concurrent with the engineering evaluation and financial analysis, Black & Veatch will evaluate the utilities' compliance with certain provisions of the Bond Ordinance No. 3638 and No. 3829 which places certain conditions and requirements on the water and sewer utilities and which are designed to protect the interest of the bond holders. During this segment of the study, Black & Veatch proposes to:

- Task 401 Verify that the following required funds have been established and that fund balances and reserves are in compliance with bond covenants:
- a. Revenue Fund
 - b. Operation and Maintenance Fund
 - c. Bond Fund
 - d. Renewal and Replacement Fund
 - e. Debt Service Reserve Fund
 - f. Construction Fund
- Task 402 Review insurance coverage of the water and sewer utilities.
- Task 403 Verify that required debt service coverage tests are being met.
- Task 404 Review other practices and procedures for compliance with the bond covenants. Items to be reviewed will include, but will not necessarily be limited to, the following:
- a. Required levels of bond payments are made through the designated Paying Agent on a timely basis.
 - b. Systems are operated on a fiscal year beginning January 1.
 - c. Systems are maintained in good condition and operated in an efficient manner at reasonable cost.
 - d. No free water service is provided.
 - e. The City has not mortgaged or disposed of any substantial portion of the systems.
 - f. Required budgets have been prepared.
 - g. No action has been taken to cause the interest on the bonds to be subject to federal income taxes.

- h. Improvements authorized by the Bond Ordinances are being or have been constructed.

Task Series 500 - Reports and Meetings

Black & Veatch considers communication with the client to be essential during all aspects of the study. In addition to the initial meeting specified in Task Series 100 and the onsite interviews and observation tours described in Task Series 200, Black & Veatch proposes to:

- Task 501 Maintain ongoing dialogue with City representatives concerning study progress and policy issues through written and telephone communications.
- Task 502 Prepare a draft Report on Operations of the Water & Sewer Systems incorporating the findings, conclusions, and recommendations of all facets of the study and submit 12 copies of the report for review by City representatives. The report will cover studies under Task Series 100 through Task Series 400.
- Task 503 Prepare a final Report on Operations of the Water & Sewer Systems incorporating any revisions agreed upon as a result of the City's review of the draft report, and submit 30 copies of the report to the City.
- Task 504 Meet with the City Council, if requested by the City, to present the findings of the operations study.

ATTACHMENT B
COMPENSATION

Services provided by Black & Veatch at the request of City of Fayetteville representatives will be invoiced to the City monthly based upon the following fee schedule and the direct time and expense charges to the project during the preceding accounting period.

	<u>Hourly Billing Rate</u>
	\$
Project Manager	130.00
Engineer	105.00
Financial Analyst	80.00
Stenographer	45.00

Plus direct out-of-pocket expenses at cost, including but not limited to: travel and subsistence away from consultant's office; long distance telephone; computer operating time at established rates; document printing and reproduction at established rates; and other expenses directly chargeable to the project.

The maximum not-to-exceed fee for Tasks 101 through 503 of the Scope of Services (Attachment A) will be \$25,965. If requested by the City, Task 504 of the Scope of Services (Attachment A) will be provided for an additional fee not-to-exceed \$3,700.

CITY OF FAYETTEVILLE, ARKANSAS
REQUEST FOR PROPOSALS
REPORT ON OPERATIONS OF THE WATER & SEWER SYSTEM
RFP 98-7
SEPTEMBER, 1998

Background and Summary of Work

The City of Fayetteville, Arkansas is seeking the services of a qualified consulting engineering firm to provide an operational report on the City's water and sewer system. Based on bond covenants contained in City ordinances 3638 and 3829, the City must complete a report of this nature every three years. The next report is due by September 1, 1999. The last system operations report was completed August 28, 1996 by Black & Veatch of Kansas City, Missouri. The city's service area encompasses approximately 140 square miles and includes over 26,000 active water accounts.

Scope of Work - Report on Operations of the Water & Sewer System

The report should include the results of an engineering evaluation of the adequacy of system components, financial analysis of revenues under existing rates, future revenue requirements (rate adjustments), and an evaluation of compliance with the provisions of the existing bond ordinances. In addition, the consultant is expected to provide staff with periodic reports on the progress of the study and meet with City officials to discuss the results of the report.

The engineering evaluation should consist of the following:

- On-site surveys of existing above ground or observable water and wastewater facilities, including interviews with operation and maintenance personnel including representatives of Beaver Water District, which is the City's supplier of water;
- A cursory review of odor management in the vicinity of the City's wastewater treatment plant which would involve interviewing facility staff and a brief review of improvement processes put into place since the last study;
- A cursory review of the impact of sanitary sewer rehabilitation improvements during the past seven years, which would involve interviewing staff and a brief review of improvement made since the last study, and particularly focusing on whether the goal of reducing sewer overflows has been attained;
- A review of whether adequate water transmission infrastructure expansion, replacement, and planning is being performed in relation to the growth in City customers;

- A review of system water loss and whether it is within acceptable industry standards;
- A review of operation and maintenance records and techniques to analyze the effect on facility performance, maintenance and reliability; and
- A review of the major capital improvement projects contained in the City's Capital Improvements Program (CIP) for the water and sewer systems.

The financial analysis section of the report should include the following:

- A listing of historical and projected items by account classification: customer accounts, billed usage, and revenues generated.
- A listing of revenue requirements (operation and maintenance expenses and capital improvement program expenses) by expenditure category, existing and proposed debt service requirements, and any recommended adjustments detailing implementation dates and effect on revenue generation ; and
- A cash flow indicating actual water and sewer fund activity for 1997-1998 and a projected cash flow statement for a five year period covering 1999-2003 should be prepared to identify any revenue deficiencies, show the timing and magnitude of required revenue increases, and determine the optimum combination of cash and debt financing required to meet total revenue requirements, if debt financing is deemed necessary.

The bond ordinance compliance section of the report should include the following:

- An evaluation of the adequacy of projected revenues to meet required coverage tests;
- A verification that all funds (accounts) required by the ordinance have been established and that required reserves are in compliance with requirements;
- A review of system insurance requirements;
- A reasonable verification that no service is being provided without charge; and
- A review of other relevant covenants to ensure compliance with the bond ordinance (i.e. payment of principal and interest, avoidance of subjection to federal income taxes, etc.)

The following is expected in regard to meetings and reports:

- At the outset of the study period, the consultant should assist the City in identifying major points of interest and concern and assist in the identification and development of options;
- It is expected that the Consultant's representative(s) will have an ongoing dialogue with the City's representative(s) concerning the progress of the report;
- The Consultant should prepare twelve (12) copies of a draft report incorporating the findings, conclusions and recommendations of the study for review by designated City officials and other interested parties;
- Following input by the City, the Consultant will prepare a final report, which incorporates comments made by the City on the draft report. Thirty (30) copies of the final report must be provided to the City; and
- If requested by the City, the Consultant must meet with the Fayetteville City Council to present a summary of the final report.

Selection Procedure

The City will utilize the Professional Selection Policy & Procedure of the City (PUR-12) to choose the selected firm. A copy of the professional selection policy and procedure is attached for informational purposes. The following point structure will be utilized in making a selection:

1)	Specialized Experience & Technical Competence	30
2)	Capacity and Capability of the Firm	25
3)	Past Record of Performance	25
4)	Proximity and Familiarity	20

Submissions

All proposal submissions should include the following information:

- 1) Resumes of all key persons from the firm who are expected to be involved in the project as outlined in the Scope of Work section listed above, which should be included as an appendix to the submission.
- 2) A discussion of how the firm expects to address the work outlined in the Scope of Services section of this RFP as listed above.

- 3) A proposed timeline for completion of the work to be performed with special emphasis being placed on the September 1, 1999 deadline for completion of the Report on Operations of the Water & Sewer System. The timeline should indicate in weeks/months how long each aspect of the project is expected to take. It is expected that a notice to proceed will be given on or about February 1, 1999.
- 4) A client reference list for which similar work has been performed previously. This listing should include contact information (e.g. individuals and telephone numbers). It is preferred that the information on the reference list be limited to work performed during the past five (5) years. Finally, the list should provide a brief description of the type of work performed for the reference.
- 5) Include any other information you think might be helpful to assist in understanding your firm's unique qualifications to perform the requested services for the City of Fayetteville.

Other Information

The City is currently involved in the process of developing plans for expansion of the existing wastewater treatment facility and construction of an additional wastewater treatment facility.

Technical Requirements

1. Proposals are due no later than 5:00 P.M. on October 26, 1998.
2. Proposals should be sent to: Peggy Vice, Purchasing Manager, 113 West Mountain, Fayetteville, AR 72701.
3. Eight (8) copies of the proposal should be provided in the submission.
4. The proposal should be limited to twenty-five (25) total pages, not including an appendix which may contain resumes of key persons from the firm that will work on the project.
5. The proposal should not include an estimate for the cost of service. Cost is not a factor in selection of firms for this type of service. Negotiations on cost will take place following a determination made by the professional selection committee.
6. The proposal submission should be clearly labeled RFP 98-7 on the outside of the envelope.

7. Should you have any questions concerning the contents of the RFP, please address them in writing to Peggy Vice, Purchasing Manager for the City of Fayetteville. Written questions can be sent to 113 West Mountain, Fayetteville, AR 72701. Responses to questions will be mailed to all known firms seeking to submit proposals at the respective addresses furnished for such purposes. Such communications will be considered as supplemental information concerning this RFP.

STAFF REVIEW FORM

St. Arkansas Contract
I.B.1

XX AGENDA REQUEST
 _____ CONTRACT REVIEW
 _____ GRANT REVIEW

For the Fayetteville City Council meeting of January 19, 1999

FROM:

W.A. OestreichFleet OperationsAdministrative Services

Name

Division

Department

ACTION REQUIRED:

Acceptance of the State of Arkansas Contract Award ST-99-0157, Item #9, 1999 Ford Crown Victoria Police Pursuit Sedan including Options "IO" and modifications to "ee". This will be for 14 units. The Vendor for this Purchase will be Landers Ford, 4600 S. University Ave, Little Rock, AR 72204

COST TO CITY:

Cost: \$283,052.00 Trade Allowance: N/A Net Cost: \$283,052.00

\$283,052.00

Cost of this Request

\$ 286,000.00

Category/Project Budget

Rep./Ex. Police/Pass. Vehicle

Category/Project Name

9700-1920-5802.00

Account Number

\$ ---00.00---

Funds Used To Date

Vehicles & Equipment

Program Name

98066

Project Number

\$ 286,000.00

Remaining Balance

Shop

Fund

BUDGET REVIEW:

XX

Budgeted Item

Budget Adjustment Attached

[Signature]
Budget Coordinator[Signature]
Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY: _____

[Signature]
Accounting Manager12-30-98

Date

ADA Coordinator

Date

[Signature]
City Attorney12-30-98

Date

Internal Auditor

Date

[Signature]
Purchasing Officer12-30-98

Date

STAFF RECOMMENDATION:

Authorization to Purchase Item #9-Arkansas Contract Award ST-99-0157.

[Signature]
Division Head12/29/98

Date

Cross Reference

[Signature]
Department Director

Date

New Item: Yes No

[Signature]
Administrative Services Director30 DEC 98

Date

Prev Ord/Res #: _____

[Signature]
Mayor

Date

Orig Contract Date: _____

CITY OF FAYETTEVILLE

FLEET OPERATIONS

INTER-OFFICE MEMORANDUM

TO: Mayor/City Council

THRU: Kevin Crosson, Administrative Services Director *KDC*

THRU: Peggy Vice, Purchasing Manager

FROM: W. A. Oestreich, Fleet Operations Superintendent

DATE: December 29, 1998

SUBJECT: ACCEPTANCE OF STATE CONTRACT AWARD ST-99-0157

Reference the attached Agenda Request for the Acceptance of the State of Arkansas contract Award ST-99-0157, Item #9, 1999 Ford Crown Victoria Police Pursuit Vehicle including Option "IO" and upgrade of Item "ee". The Vendor for this purchase will be Landers Ford, 4600 S. University Ave., Little Rock, AR 72204. These are budgeted items for the calendar year 1999.

The Contract Award dated September 14, 1998, is included along with the Vendor information, Bid Specifications and Pricing Information.

The item listed complies with the original specifications developed by the City of Fayetteville for vehicles of this type and size. Therefore it will be to our advantage to utilize the State Bid for our pricing structure. The anticipated Manufacturer and Dealer support necessary to maintain these units in a proper and efficient manner was also considered.

Please note the upgrade on Item "ee" in the specifications for the 1999 Ford Full Size Police Pursuit Vehicle. This upgrade was completed with the assistance of Mr. Allen Penrod, Fleet Manager for Landers Ford. It consists of the upgrade from the standard unit which is an AM/FM to the next step unit of AM/FM/Cassette/Clock. The pricing is based on Dealer cost as of 10-2-98 which is \$185.00. This was done to allow these units to conform to standardization of equipment which was initiated in 1992. We have followed this practice for each model year since which includes 1993, 1994, 1995, 1996 1997 and 1998. As the officers frequently move from one year model unit to another, it is to their advantage when Instrumentation and controls remain in a relatively familiar location. As these changes from unit to unit occur at varying times of day and night, lighted instrumentation is of particular importance due to the safety factor of not needing to search for unfamiliar controls.

This recommendation has been reviewed by the Police Department, Fleet Operations Division and the Equipment Committee.

Therefore, the following is submitted for purchase approval by the Council:

ITEM 9. Full Size Police Pursuit Sedan

..

Landers Ford

1999 Ford Crown Victoria Police Interceptor - 4 Door @ \$20,218.00.
This should provide units that will be efficient, reliable and
compatible to our operations.

SUMMARY

TO BE DELIVERED AS 14 COMPLETE UNITS:

ITEM 9. Landers Ford - 14 Units at \$ 20,218.00

TOTAL BID AWARD: \$ 283,052.00

The budgeted amount for items in this Category/Project is \$286,000.00 in account 9700-1920-5802.00, Project 98066. With the purchase of these items at \$283,052.00 we will have a balance remaining of \$2,948.00 for the equipment scheduled for the expansion units in this Category/Project.

CONTRACT AWARD
STATE OF ARKANSAS
OFFICE OF STATE PURCHASING
P. O. BOX 2940
1509 West 7th, 3rd Floor
Little Rock, Arkansas 72203-2940
(501) 324-9316

THIS IS NOT AUTHORITY TO SHIP. SEPARATE PURCHASE ORDER WILL BE ISSUED.

PLEASE DIRECT INQUIRIES CONCERNING THIS CONTRACT TO:

BUYER: RANDY WRIGHT, CPPB, C.P.M. *RW* CONTRACT AND BID NO: ST-99-0157

THIS CONTRACT, ST-99-0157 CONSTITUTES ACCEPTANCE OF YOUR BID ALONG WITH ALL TERMS AND CONDITIONS THEREIN AND SIGNIFIES THE OFFERERS KNOWLEDGE AND ACCEPTANCE OF ALL TERMS AND CONDITIONS SET FORTH WITHIN THE INVITATION FOR BID.

GENERAL DESCRIPTION: VEHICLES
CONTRACT PERIOD: FROM DATE OF AWARD THROUGH JUNE 30, 1999
DELIVERY REQUIRED: AS SPECIFIED WITHIN
COMMODITY CLASS: 070 - 05, 42, 48, 90

INVOICE TO:
ALL STATE AGENCIES AND
COOPERATIVE PURCHASING
PROGRAM PARTICIPANTS

F.O.B AS SPECIFIED BELOW:
AS SPECIFIED WITHIN

All prices are F.O.B. destination, inside delivery, unless otherwise specified.

This contract is subject to the Terms and Conditions of the Invitation for Bid, some of which are included.

CONTRACTOR:
SEE PAGE 2

STATE OF ARKANSAS OFFICE OF STATE PURCHASING

BY:

9/14/98

DATE

CONTRACT NO.: ST-99-0157

PAGE 1
I.B.5AWARDED VENDORS

ITEMS 1 AND 2

LIBERTY AUTO SUPERSTORE
ATTN: DAVID SEDGWICK
2580 MT. MORIAH
MEMPHIS, TN 38115
(901) 541-8495
FED. I.D.#: 62-1003778

ITEMS 5, 6, AND 9

LANDERS FORD
ATTN: ALLEN PENROD
4600 SOUTH UNIVERSITY AVENUE
LITTLE ROCK, AR 72204
(501) 570-3722
FED. I.D.#: 71-0472936

ITEMS 3, 4, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 & 26

LITTLE ROCK DODGE
ATTN: BUTCH MARTINDILL
P.O. BOX 8904
LITTLE ROCK, AR 72204
(501) 562-7200
FED. I.D.#: 71-0415880

ITEMS 7 AND 25

SMART CHEVROLET COMPANY
ATTN: RICHARD SMART
P.O. BOX 8008
PINE BLUFF, AR 71611
(870) 534-8122
FED. I.D.#: 71-0354750

ITEM 8

BALE CHEVROLET
ATTN: DAVID BROYLES
13101 CHENAL PARKWAY
LITTLE ROCK, AR 72211
(501) 221-9191
FED. I.D.#: 71-0009370

Post-It Fax Note	7671	Date	12-29	# of pages	2
To	Bill. Hottel	From	Donna Lee		
Co./Dept.	Fayetteville	Co.	State Purchasing		
Phone #		Phone #	501-224-9316		
Fax #	501-444-3425	Fax #			

ITEMS 27 AND 28

LANDERS JEEP - EAGLE - CHRYSLER - PLYMOUTH - DODGE, INC.
ATTN: DAVID WILLS
19236 I-30
BENTON, AR 72015
(501) 315-7100
FED. I.D.#: 71-0678164

ITEM 29

LANDERS BUICK - PONTIAC - GMC, INC.
ATTN: DAVID WILLS
19236 I-30
BENTON, AR 72015
(501) 315-7100
FED. I.D.#: 71-0799357

AUTOMOBILES, VANS AND TRUCKS

I. PURPOSE AND INTENT

It is the intent of this Invitation for Bid to solicit and obtain competitive bids as a basis for establishing a contract under which the State of Arkansas and Cooperative Purchasing Program Participants may purchase its cars, vans, light trucks and one (1) ton trucks.

II. TERM OF CONTRACT

Term of this contract will be from Date of Award through June 30, 1999.

III. QUANTITIES

Actual quantities of vehicles that will be ordered are not known at this time. Last years contract, the State of Arkansas ordered approximately 612 various vehicles within the scope of this bid.

IV. SPECIFICATIONS

All vehicles shall be new and shall be the latest model of proven performance and in standard production by manufacturer at time of delivery. Bidders offering must conform to the State of Arkansas Specifications. Copies of the specifications may be obtained by contacting the Specification Specialist at the Office of State Purchasing. Specifications for these vehicles are minimum and bidders may bid more than one (1) model for each type, but they must meet or exceed the minimum specifications.

V. WARRANTY

The supplier warrants each vehicle to be of good material and workmanship and agrees to promptly replace any part or parts, when the vehicle is returned to the suppliers place of business or a pre-approved location, which by reason of defective material or workmanship shall fail under normal use, free of negligence or accident, for a minimum period of thirty-six (36) months or 36,000 miles, whichever comes first, from the date of delivery. If such failure renders the vehicle incapable of being driven, the supplier will be responsible for having the vehicle transported to his place of business. If such failure takes place outside the suppliers service area, the supplier will be responsible for reimbursing the nearest authorized dealer for services rendered under this warranty. Tires are exempted from this warranty but must be covered by the tire manufacturer's standard warranty and services by the local authorized dealer of the tire manufacturer.

This warranty applies to Police Pursuit Vehicles starting with the date the vehicle is put in service.

VI. ACKNOWLEDGEMENTS

Awarded vendors must send a order acknowledgement within 10 days after receipt of order to the ordering entity.

VII. DELIVERY

Bid prices must include delivery of all vehicles to the ordering agency regardless of location with-in the State of Arkansas. Bidder will be required to state approximate delivery in the space provided for each vehicle. If delivery time stated is considered excessive by the Office of State Purchasing your bid for that vehicle will be rejected. Failure to deliver the vehicle within the stated time will be cause to cancel the contract for that vehicle. If cancellation occurs the Office of State Purchasing may purchase the vehicles and charge the difference (if any) to the defaulting contractor.

VIII. ORDERING VEHICLES

All vehicles as defined by Arkansas Code Annotated of 1987 at section 22-8-206, will be ordered by the Department of Finance & Administration, Administrative Services. Vehicles not covered by Arkansas Code Annotated of 1987 at section 22-8-206, will be ordered by Ordering Agency after notifying the Office of State Purchasing.

IX. PRICE INCREASES

Price increases will be allowed if the manufacturer has a general price increase on any model on the contract. However, the price increase must be documented by a letter from the manufacturer and only that amount will be allowed. The effective date of the increase will be 10 days after Office of State Purchasing accepts the increase. The successful vendor(s) must guarantee that the ordering agency will receive the full general price decrease or rebate amount the manufacturer offers on any vehicle(s) within this contract.

X. SELLING TO COOPERATIVE PURCHASING PROGRAM PARTICIPANTS

Arkansas Purchasing Law provides that local public procurement units (counties, municipalities, school districts, certain not-for-profit corporations, etc.) may participate in state purchasing contracts. The contractor(s) therefore agree(s) to sell to Cooperative Purchasing Program Participants. Unless otherwise stated, all standard and special terms and conditions listed within the Invitation for Bid must be equally applied to such participants.

XI. OTHER VEHICLES

Vehicles which do not conform to the State of Arkansas Standard Specifications and have been approved for purchase will be bid on an individual basis.

XII. OPTIONS

Bidders please note that option prices bid may be a determining factor in award of this Contract (if it is in the States best interest).

XIII. AWARD

This contract will be awarded, by item, to the lowest responsive responsible bidder meeting specifications for all vehicles listed herein.

XIV. ADDITIONAL OPTIONS NOT SPECIFIED:

Agencies/Awarded Vendors can not add options to vehicle purchases from this contract unless the option is referenced within this IFB/Contract for that vehicle.

XV. ONE TON VEHICLES

Except for agencies that are exempt, it is required when agencies are ordering One (1) Ton vehicles from this contract that the original approved MV-6 form and a copy of the agency purchase order be sent to the Office of State Purchasing attention: Vehicle Buyer.

Item #9

Type LA - Four (4) Door Large Police Pursuit Sedan \$19,962.00

MFG AND MODEL FORD CROWN VIC

ENGINE SIZE 4.6 LITER

Approximate delivery 180 days A.R.O.

#40

OEM alternate fuel vehicle \$23,962.00
Multi-fuel - Gasoline/Compressed Natural Gas
(CNG)

ENGINE SIZE 4.6 LITER

Approximate delivery 180 days A.R.O.

OPTIONS:

41

IO. Roof reinforcement for light bar installation \$71.00

42

MO. Delete Spotlight: Spotlight may be deleted
for Credit (deduct) \$<136.00>

43

OO. Spotlight (additional, to be installed front
passenger side). \$156.00

44

VO. Delete ABS Brakes and Anti-Slip Rear axle (deduct) \$<550.00>

TYPE LA - ADDENDUM 9
Four (4) Door Large Police Pursuit Sedan

A. Size Classification

A.1 Vehicle shall have a minimum of 110 cubic feet of passenger interior space volume and a minimum of 20 cubic feet of trunk/cargo volume. Interior volumes are the ones shown as large sedans in the latest Fuel Economy Guide published by the Environmental Protection Agency.

B. Equipment

B.1 Standard Equipment - Every vehicle shall be equipped with the following

- a. Air conditioning: factory installed and tinted glass in all windows.
- b. Alternator: heavy duty, minimum of 100 amperes.
- c. Anti-freeze: serviced to -29°C (-20°F) or lower.
- d. Automatic speed control (may be dealer installed, but of same manufacturer as vehicle) and tilt steering wheel.
- e. Automatic Transmission: minimum of three (3) forward speeds and one (1) reverse.
- f. Battery: maintenance free, type recommended by manufacturer for vehicle as equipped.
- g. Brakes: ABS type brake system and anti-slip rear axle.
- h. Cooling system: heavy duty, including heavy duty extra capacity radiator, heavy duty temperature controlled fan, and factory installed coolant recovery system.
- i. Disconnect door courtesy light switches.
- j. Drive axle: manufacturer to select axle ratio which will provide the best overall performance and the heaviest duty available.
- k. Electric controlled door locks.
- l. Engine: suitable for police pursuit work and capable of accelerating from 0 to 60 mph in a maximum of 14.5 seconds with a minimum top speed of 105 mph as shown in the latest Michigan Police Vehicle Test. Engine shall be 210 h.p. or larger equipped with dual exhaust (or single if large enough for proper elimination of pressure) and factory installed engine oil cooler.
- m. Engine compartment light.
- n. Floor mats: individual front and rear, color to coincide with interior.
- o. Gauge package: oil pressure, ammeter, and coolant temperature (dial type only - warning lights unacceptable).
- p. Glove box light.
- q. Heater: integral fresh air heater and defroster.
- r. Horns, dual.
- s. Inside hood latch control.
- t. License plate brackets; front and rear.
- v. Locks, door: single key locking system for each car with three keys per vehicle.
- w. Mirrors: rear view with remote control both sides. Non-glare, day-night inside.
- x. Operator's manual.
- y. Paint: one (1) exterior color selected from manufacturer's list and specified by the ordering entity.

- z. Police package: including all features listed in manufacturer's printed specifications and literature part of police equipment package.
- aa. Power steering: firm feel power assisted steering gear with linkage & external oil cooler.
- bb. Power Windows.
- cc. Protective body side molding.
- dd. Quiet sound group (special noise deadening insulation).
- ee. Radio: factory installed in dash AM/FM.
- ff. Radio suppression: radio frequency interference suppression measures and devices shall be incorporated into the vehicle so that generated interference does not exceed the limits established in SAE standard J55, entitled "Measurement of Vehicle Radio Interference (30 to 40 megacycles)".
- gg. Rear Window Defrost.
- hh. Remote deck lid release, control on driver's side.
- ii. Seats: bucket front and rear bench.
- jj. Speedometer: 0 to 120 mph, certified calibrated within two (2)mph. Allowable instrument error to be $\pm$ one (1) mph at all speeds between 10 and 100 mph.
- kk. Spotlight: factory installed, left side, not less than 5 inches with aircraft or halogen bulb.
- ll. Suspension: maximum handling package designed to limit body roll, allow flat cornering, limit dive on severe braking, limit squat on fast acceleration, and to provide optimum handling. Package shall include, at a minimum, extra control front and rear shock absorbers, extra heavy duty frame or frame member reinforcement on unit frame, with front and rear stabilizer bars.
- nn. Tires: P225 60 V/R x 16 tubeless, fabric body and belts. Pursuit radial. Tires must be certified by both the tire and auto manufacturer for police use to 120 mph sustained.
- oo. Wheels: heavy duty, 16 inch diameter with metal, full wheel covers.
- pp. Windshield wipers: intermittent type.
- qq. Upholstery: cloth, police duty, color to coordinate with exterior color. Dark colors and black unacceptable due to heat build-up.

B.2 Optional equipment - Purchasers may select the following:

- IO. Roof reinforcement for light bar installation.
- MO. Delete spotlight: spotlight may be deleted for credit.
- OO. Spotlight (additional, to be installed front passenger side).
- VO. Delete ABS type brake system and anti-slip rear axle.

E-N-D O-F S-P-E-C-I-F-I-C-A-T-I-O-N

STAFF REVIEW FORM

____ AGENDA REQUEST
____ CONTRACT REVIEW
X GRANT REVIEW

For the Fayetteville City Council meeting of January 19, 1999
FROM:

Richard L. Watson
Name

Police
Division

Police
Department

ACTION REQUIRED:

Apply to renew the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant for the Drug Law Enforcement Program.

COST TO CITY:

\$ 45,550.00
Cost of this Request

\$ 45,550.00
Category/Project Budget

Transfer to Drug Enforcement
Category/Project Name

1010-2900-7602.93
Account Number

\$ 0.00
Funds Used To Date

Program Name

Project Number

\$ 45,550.00
Remaining Balance

General Fund
Fund

BUDGET REVIEW: X Budgeted Item Budget Adjustment Attached

Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Accounting Manager

Date

ADA Coordinator

Date

City Attorney

Date

Internal Auditor

Date

Purchasing Officer

Date

STAFF RECOMMENDATION:

Adopt resolution funding Fayetteville's portion of the local matching funds and approve the application.

Division Head

Date

Cross Reference

[Signature]
Department Director

1-8-99
Date

New Item: Yes No

Administrative Services Director

Date

Prev Ord/Res #:

Mayor

Date

Orig Contract Date:

DEPARTMENTAL CORRESPONDENCE

TO: Mayor Hanna and members of the Fayetteville City Council

FROM: Richard L. Watson, ^{By RLT} Chief of Police

DATE: January 7, 1999

SUBJECT: Drug Law Enforcement Grant

Attached is the application for the renewal of the Federal Drug Law Enforcement Grant which supports the Fourth Judicial District Drug Task Force. This Task Force is comprised of Fayetteville, Springdale, University of Arkansas, Johnson, Prairie Grove, Lincoln, Farmington, West Fork, Greenland, and Elm Springs Police Departments, the Washington County Sheriff's Department and the Fourth Judicial District Prosecutor. The Grant supports the salaries of one sergeant, four officers, one secretary and 30% of a financial analyst. The Grant also covers operations and maintenance, and funds for covert operations. This application includes a request to increase federal funding from \$234,362.00 in 1998 to \$250,912.00 in 1999. This increase is primarily for salary increases and confidential funds.

The Drug Task Force was formed in 1991 and has continued each year due to support from this grant. The task force is responsible for investigating drug related information within the Washington and Madison Counties.

The 1999 City budget includes \$45,550.00 to cover Fayetteville's portion of the local matching funds. Other participating agencies will provide funding for the remaining balance of \$37,901.00. The task force concept has been successful due to cooperation from all agencies involved. The sharing of information and resources has enabled officers to better investigate narcotics trafficking in northwest Arkansas. It would place too great a financial burden on any one agency to support an investigative unit of this nature.

APPLICATION FOR FEDERAL ASSISTANCE

Drug Enforcement
I.C.3

1. TYPE OF SUBMISSION: Application ☒ Construction ☐ Non-Construction Preapplication ☐ Construction ☐ Non-Construction		2. DATE SUBMITTED January 20, 1999	Applicant Identifier
3. DATE RECEIVED BY STATE		State Application Identifier	
4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier	

5. APPLICANT INFORMATION Legal Name: <u>City of Fayetteville, Arkansas</u>		Organizational Unit: <u>Fayetteville Police Department</u>	
Address (give city, county, State, and zip code): <u>113 W. Mountain St.</u> <u>Fayetteville</u> <u>Washington County, AR 72701</u>		Name and telephone number of person to be contacted on matters involving this application (give area code) <u>Judy Cohea, Fiscal Officer</u> <u>(501) 587-3510</u>	

6. EMPLOYER IDENTIFICATION NUMBER(EIN): 71-6018462	7. TYPE OF APPLICANT: (enter appropriate letter in box) <u>C</u> A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) _____
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8. TYPE OF APPLICATION: ☐ New ☒ Continuation ☐ Revision If Revision, enter appropriate letter(s) in box(es) A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other(specify): _____	9. NAME OF FEDERAL AGENCY: <u>U. S. Department of Justice</u> <u>Bureau of Justice Assistance</u>
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10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <u>Edward Byrne State and Local Law Enforcement</u> TITLE: <u>Assistance & Formula Grant</u> 16-579	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: <u>Organized Crime/Narcotics Program</u> <u>Multi-Jurisdictional Drug Task Force</u>
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12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): <u>Washington and Madison Counties, Arkansas</u>			
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13. PROPOSED PROJECT	14. CONGRESSIONAL DISTRICTS OF:		
Start Date: <u>4/01/99</u> Ending Date: <u>3/31/00</u>	a. Applicant <u>Third Congressional District</u>	b. Project <u>Third Congressional District</u>	

15. ESTIMATED FUNDING: <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%;">a. Federal</td> <td style="width:10%;">\$</td> <td style="width:10%;"></td> <td style="width:10%; text-align: right;">250,912⁰⁰</td> </tr> <tr> <td>b. Applicant</td> <td>\$</td> <td></td> <td style="text-align: right;">⁰⁰</td> </tr> <tr> <td>c. State</td> <td>\$</td> <td></td> <td style="text-align: right;">⁰⁰</td> </tr> <tr> <td>d. Local</td> <td>\$</td> <td></td> <td style="text-align: right;">83,451⁰⁰</td> </tr> <tr> <td>e. Other</td> <td>\$</td> <td></td> <td style="text-align: right;">⁰⁰</td> </tr> <tr> <td>f. Program Income</td> <td>\$</td> <td></td> <td style="text-align: right;">⁰⁰</td> </tr> <tr> <td>g. TOTAL</td> <td>\$</td> <td></td> <td style="text-align: right;">334,549⁰⁰</td> </tr> </table>	a. Federal	\$		250,912 ⁰⁰	b. Applicant	\$		⁰⁰	c. State	\$		⁰⁰	d. Local	\$		83,451 ⁰⁰	e. Other	\$		⁰⁰	f. Program Income	\$		⁰⁰	g. TOTAL	\$		334,549 ⁰⁰	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE <u>01/11/99</u> b. No. ☐ PROGRAM IS NOT COVERED BY E. O. 12372 ☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
a. Federal	\$		250,912 ⁰⁰																												
b. Applicant	\$		⁰⁰																												
c. State	\$		⁰⁰																												
d. Local	\$		83,451 ⁰⁰																												
e. Other	\$		⁰⁰																												
f. Program Income	\$		⁰⁰																												
g. TOTAL	\$		334,549 ⁰⁰																												

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? ☐ Yes If "Yes," attach an explanation. ☒ No		
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18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.		
a. Name of Authorized Representative <u>Ed Hanna</u>	b. Title <u>Mayor</u>	c. Telephone Number <u>(501) 575-8330</u>
J. Signature of Authorized Representative		d. Date Signed <u>01/19/98</u>

ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION
OFFICE OF INTERGOVERNMENTAL SERVICES

REQUEST FOR FUNDING
DRUG LAW ENFORCEMENT PROGRAM

FORM IGS 1
GENERAL PROJECT INFORMATION

1. Applicant Agency: Fayetteville Police Department
Address: P.O. Box 1988, Fayetteville, AR 72702-1988
2. Project Director: Lieutenant Tim Helder Tele # (501) 587-3502 Fax # (501) 587-3522
Address: P.O. Box 1988, Fayetteville, AR 72702-1988
3. Fiscal Officer: Judy Cohea Tele # (501) 587-3510 Fax # (501) 587-3522
Address: P.O. Box 1988, Fayetteville, AR 72702-1988
4. Project Period : From April 1, 1999 To March 31, 2000
5. Federal Purpose Number: 2 Approved Program Abstract Title Organized Crime/Narcotics (OC/N)
6. Identify Counties and/or Cities in Which Program Will Operate: Washington and Madison Counties, Arkansas
7. If the Project is Multi-County/City indicate the Contracting Applicant Agency
City of Fayetteville Police Department
Washington County Sheriff, University of Arkansas/Fayetteville,
Other Involved Agencies Cities of Fayetteville, Springdale, Prairie Grove, Johnson,
Lincoln, West Fork, Elm Springs, Greenland, Farmington & 4th Judicial Prosecutor
8. Population or Clients to be Served 153,527
9. This Program will be a New Activity, Enhancement of Existing
Activities, or X Continuation of Project # 98-11 Ending Date 03/31/99
10. Federal Funds Requested \$ 250,912.00 State Match \$ 0
Local Match \$ 83,637.00 Total \$ 334,549.00
11. Prior 12-Month Budget for the Service or Activity \$312,483.00
12. Source of Matching Funds Individual participating agencies have appropriation
documents to be included.
13. Project Summary Continue the multi-jurisdictional Task Force with a five member
Control Group representing all law enforcement agencies in Washington County.
Target major narcotics distributors with an emphasis on methamphetamine dealers
and manufacturers. Also, continue to maintain a data base of drug related
information received from all law enforcement agencies in Washington and
Madison counties, prevent duplication of investigations between agencies and
provide information to other agencies when requested. IGS 1

FORM IGS 2: EXPLANATION/JUSTIFICATION OF PROPOSED EXPENDITURES OF
FEDERAL FUNDS FOR PERSONNEL, HARDWARE AND/OR EQUIPMENT
AS NECESSARY AND INCIDENTAL TO THE PROJECT

PERSONNEL:

Salary and benefit expenses are the major use of DLEP funding. Personnel will be employed only in task force investigative projects and activities. Funds for personnel are a critical element to meet the objectives of the program. The Task Force Officers are assigned from four different local police departments. The salary and benefits are set by the home departments and meet fair labor standards requirements.

With the continuation of this grant the 4th DTF will remain intact. The four certified officers and one sergeant will continue to work together investigating narcotics cases. These officers are supported by one secretary and the financial portion of the grant is managed by funding 30% of a financial analyst.

The other expenses funded partially through the grant are Operations and Maintenance items. These items are office space, supplies, phones, pagers and vehicle expenses.

HARDWARE: N/A

EQUIPMENT: N/A

PERSONNEL

Fayetteville Police Department

		Source of Funds			
		Federal	State	Local	Total
Sergeant (12 Mos. @ 2,697 per mo.)	\$	24,273	0	8,091	32,364
Investigator (12 Mos. @ 2,371 per mo.)		21,337	0	7,112	28,449
Fiscal Officer (12 Mos. @ 30% 797 per mo.)		7,173	0	2,391	9,564
Secretary (12Mos. @ 1,392 per mo.)		12,528	0	4,176	16,704
Overtime (all FPD Personnel)		11,250	0	3,750	15,000

Springdale Police Department

Investigator (12 Mos. @ 2,143 per mo.)		19,868	0	6,623	26,491
Overtime		6,525	0	2,175	8,700
Clothing Allowance		450	0	150	600

University of Arkansas

Investigator (12 Mos. @ 2,075 per mo.)		18,675	0	6,225	24,900
Overtime		3,000	0	1,000	4,000

Rural Agencies

Investigator (12 Mos. @ 1,829 per mo.)		16,463	0	5,488	21,951
Overtime		3,750	0	1,250	5,000

Fringe Benefits

Fayetteville Police Department

Health Insurance		6,494	0	2,165	8,659
Long term disability		296	0	99	395
Life insurance		553	0	184	737
FICA		2,382	0	794	3,176
Retirement		7,727	0	2,576	10,303
Workers' Compensation		1,262	0	421	1,683

Springdale Police Department

	Source of Funds			Total
	Federal	State	Local	Total
Health insurance	2,457	0	819	3,276
FICA	1,975	0	658	2,633
Retirement	2,504	0	835	3,339
Workers' Compensation	738	0	246	984
University of Arkansas				
Benefits	4,064	0	1,355	5,419
Rural Agencies				
Health insurance	1,620	0	540	2,160
Retirement	1,755	0	585	2,340
Workers' Compensation	540	0	180	720
(Sub-total Personnel)	179,659	0	59,886	239,545

MAINTENANCE AND OPERATIONS

Fayetteville

Office supplies	4,227	0	1,409	5,636
Postage	406	0	135	541
Alarm service	1,116		372	1,488
Office rent	1,265	0	422	1,687
Telephone (office & cellular)	5,000	0	1,667	6,667
Insurance	2,345	0	782	3,127
Office machine maintenance	900	0	300	1,200
Electronic equipment repair	813	0	271	1,084
Pagers	1,833	0	611	2,444
Vehicle maintenance	3,524	0	1,175	4,699
Batteries	300	0	100	400
Gas & oil	2,750	0	917	3,667
Seizure expense (towing)	225	0	75	300

Springdale

Source of Funds			
Federal	State	Local	Total

Telephone (Office & Cellular)	1,604	0	535	2,139
Office rent	1,375	0	458	1,833
Vehicle expense	500	0	167	667
Insurance	204	0	68	272
Gas & oil	1,463	0	488	1,951

University of Arkansas

Telephone	522	0	174	696
Office supplies	200	0	67	267
Insurance	187	0	62	249
Pager rental	162	0	54	216
Gas & Oil	900	0	300	1,200
Vehicle Maintenance	300	0	100	400

Rural

Telephone (Office & Cellular)	1,502	0	501	2,003
Office rent	1,375	0	458	1,833
Vehicle expense	1,500	0	500	2,000
Insurance	179	0	60	239
Gas & oil	1,463	0	488	1,951

Sub-total Maintenance and Operations

38,140	0	12,713	50,853
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TRAVEL

Fayetteville	750	0	250	1,000
Springdale	750	0	250	1,000
University of Arkansas	563	0	188	751
Rural	300	0	100	400
Sub-total Travel	2,363	0	788	3,151

CONFIDENTIAL

Fayetteville	15,000	0	5,000	20,000
Springdale	6,000	0	2,000	8,000
University of Arkansas	3,750	0	1,250	5,000
Rural	6,000	0	2,000	8,000
Sub-total Confidential Funds	30,750	0	10,250	41,000
total	\$ 250,912	\$ 0	\$ 83,637	\$ 334,549

CER-1 Assurances

STATE OF ARKANSAS
DRUG LAW ENFORCEMENT SUBGRANTS
CERTIFIED ASSURANCES
Page 1 of 3

1. The applicant assures that federal drug law enforcement funds made available under the Anti-Drug Abuse Act will not be used to supplant state and local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for drug law enforcement activities;
2. The applicant assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Bureau of Justice Assistance and the Department of Finance and Administration shall prescribe shall be provided to assure fiscal control, proper management, and effective disbursement of funds received under the Act;
3. The applicant assures that it shall maintain such data and information and submit the prescribed reports in the prescribed formats at the prescribed times as the Bureau of Justice Assistance and the Department of Finance and Administration may require;
4. The applicant assures that at the end of each fiscal federal year that the project is in force, and at the end of the project period, it will submit a performance report to the Department of Finance and Administration in a manner to be prescribed;
5. The applicant certifies that the program contained in this application meets all the requirements, and that all the information is correct, and that the applicant will comply with all provisions of the Anti-Drug Abuse Act of 1986 and all other applicable state and federal laws;
6. The applicant assures that before any budgetary or programmatic amendment is made to an approved program, it will submit such an amendment to the Department of Finance and Administration for review;
7. The applicant assures that it will comply, and all its subgrantees and contractors will comply, with the non-discrimination requirements of the Justice Assistance Act; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973 as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; and the Department of Justice Non-Discrimination Regulations 28 CFR Part 42, Subparts C, D, E, and G;
8. The applicant assures that in the event a Federal or state court or Federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights Compliance (OCRC) of the Office of Justice Programs;
9. The applicant assures that if it is required to formulate an Equal Employment Opportunity Program (EEOP) in accordance with 28 CFR 42.301, et. seq., it should submit a certification to the state that it has a current EEOP on file which meets the requirements therein;
10. The applicant assures that it will comply with the provisions of the Department of Finance and Administration's "Drug Law Enforcement Subgrant Procedures and Financial Management Guidelines";

STATE OF ARKANSAS
DRUG LAW ENFORCEMENT SUBGRANTS
CERTIFIED ASSURANCES
Page 2 of 3

11. The applicant assures that it will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part II, Applicability of Office of Management and Budget Circulars; Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; and Part 63, Floodplain Management and Wetland Protection Procedures;
12. The applicant assures that in addition to all other audit requirements, it will allow the Division of Legislative Audit or any other independent or internal auditors of the Department of Finance and Administration to have access to the applicant's records and financial statements;
 - (A) as may be necessary for the Department of Finance and Administration to comply with the Single Audit Act of 1984, OMB Circular A-128, and other rules and/or regulations governing financial accounting and auditing guidelines, principles, and procedures; and
 - (B) as may be requested by the Department of Finance and Administration to comply with any State or local government rules and/or regulations;
13. The applicant assures that it will fully participate in the compilation of statistical information as required by state agencies, i.e., providing complete finger print arrest information;
14. The applicant assures that both federal and matching funds used for this project will be used exclusively to support defined drug law enforcement activities, and will not be used to support any general purpose law enforcement or other activity maintained by the applicant;
15. The applicant assures that if the grant funds are used to support a Drug Task Force, the Task Force Board of Directors or 'Control Group' will hold regularly scheduled meetings at least monthly, and will provide the State Drug Director with copies of the agenda and minutes of each meeting;
16. The applicant assures that if grant funds are used to support a Drug Task Force, the Task Force Administrator and the Board of Directors will develop and/or maintain a detailed policy and procedures manual for the guidance of task force operations.
17. The applicant assures that all proposals for out of state travel for conference and training will be submitted to the Arkansas Alcohol and Drug Abuse Coordinating Council for approval prior to any expense being incurred.

CER-1 Assurances

STATE OF ARKANSAS
DRUG LAW ENFORCEMENT SUBGRANTS
CERTIFIED ASSURANCES
Page 3 of 3

CERTIFICATION

I certify that the program proposed in this application meets applicable requirements of the Anti-Drug Abuse Act, that all the information presented is correct, and that the applicant will comply with the provisions of the Act and all other applicable federal laws and applicable state laws and regulations.

(Signature of Contracting Official)

01/20/99

(Date)

Fred Hanna

(Typed Name)

Mayor

(Title)

113 W. Mountain Street, Fayetteville, AR 72701

(Address)

(501) 575-8330

(Area Code/Telephone Number)

(501) 575-8257

(Area Code/Fax Number)

CERTIFICATION OF TIME AND EFFORT

As chief executive officer of the applicant government or agency for the attached Drug Law Enforcement Program subgrant, I hereby certify that:

- (1) All persons employed as regular employees of the applicant and paid from grant and/or grant matching funds will provide full services to the grant funded project in concert with their status (full-time, part-time, etc.) and the salary paid from grant and/or grant matching funds. All such employees will routinely prepare and submit to the employing agency for retention a statement of hours worked which are chargeable to the grant and/or grant matching funds. Such time statements will be signed by the employee and verified by his/her supervisor.
- (2) All persons working under contract with the subgrantee, who is paid from grant and/or grant matching funds, and who is providing services to the grant funded project will be required to execute a formal contract for services that specifies (a) the work to be performed; (b) the location(s) of such work; (c) the rate and frequency of payments to the contractor; (d) the availability of the contractor to the contracting agency; (e) the provision of workspace, equipment, supplies and assistance to the contractor; (f) a method for the routine reporting of progress and accomplishments; (g) tax liabilities and tax reporting requirements of both the contractor and the contracting agency; and (h) any other provision necessary for a clear statement of mutual contractual obligations.

(Signature of Contracting Official)

01/20 /99

(Date)

Fred Hanna

(Typed Name)

Mayor

(Title)

113 W. Mountain Street, Fayetteville, AR 72701

(Address)

(501) 575-8330

(Area Code/Telephone Number)

(501) 575-8257

(Area Code/Fax Number)

CER-3 Audit Cost

CERTIFICATION OF AUDIT COST

As the Contracting Official for a Drug Law Enforcement Program subgrant to the organization listed below, I certify that the OMB circular A-133 audit status is an accurate projection of federal fund expenditures for the fiscal year impacted by this grant, based on information presently available to me. Based on these projections, the audit status of the referenced organization will be as indicated below.

AUDIT STATUS ONE: PROJECT AUDIT COST

The applicant agency will expend less than \$300,000 from all federal sources during its fiscal year. The Department of Finance and Administration will contract for audit services applicable to the Drug law Enforcement Program subgrant. The applicant will not budget audit funds.

X AUDIT STATUS TWO: OVERALL SINGLE AUDIT COST

A single audit must be procured by the applicant agency when the applicant agency expends \$300,000 or more in federal funds from all sources during its fiscal year. Under these circumstances, the applicant agency may take one of two courses in paying for single audit costs. Check either (A) or (B) below to show your intent.

(A) X The applicant agency will pay for the cost of the single audit from its own resources.

(B) The applicant agency will develop an equitable formula for assigning single audit cost to each federal program from which grants are received.

If you checked item (B), complete the grants listing below for your most recent fiscal year, even if you must use estimated data. This information will serve to verify the need for a single audit of your finances during the fiscal year this grant will be active.

FEDERAL FUNDS EXPENDITURES

<u>Name of Federal Agency</u>	<u>Most Recent Fiscal Year</u>	<u>Federal Dollars Expended</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Use supplementary listing if needed)

ESTIMATED TOTAL COST OF SINGLE AUDIT

\$ 10,700.00

ESTIMATED SHARE OF SINGLE AUDIT COST
TO BE PAID WITH DLEP GRANT FUNDS

\$ 00.00

Note: Audit funds will not be a part of the applicant's budget, but will be reserved by DFA until the audit is completed.

Fred Hanna

Printed Name of Contracting Official

Mayor, City of Fayetteville

Title and Organization

January 20, 1999

Date

Signature

CER-4 Confidential Funds

CONFIDENTIAL FUNDS CERTIFICATION

This is to certify that I have read, understand, and agree to abide by all of the conditions for confidential funds as set forth in the "State of Arkansas Drug Law Enforcement Subgrant Procedures and Financial Management Guidelines."

Date: 1/7/99

Signature: 
Project Director

PROCEDURES – Each project agency authorized to disburse confidential funds must develop and follow internal procedures which incorporate the elements detailed in Chapter 4 of the Guidelines Manual referenced above. Prior approval is required to deviate from these elements.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
INELIGIBILITY AND VOLUNTARY EXCLUSION
LOWER TIER COVERED TRANSACTIONS
(Sub-Recipient)

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON PREVIOUS PAGE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Fred Hanna, Mayor

Name and Title of Contracting Official

Signature

01/20/99

Date

City of Fayetteville

Name of Organization

113, W. Mountain Street, Fayetteville, AR 72702

Address of Organization

CER-6 Drug-Free Workplace

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS
Grantees Other Than Individuals

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 28 CFR Part 67, Subpart F. The regulations, published in the January 31, 1989 *Federal Register*, require certification by grantees, prior to award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or governmentwide suspension or debarment (see 28 CFR Part 67, Sections 67.615 and 67.620).

The grantee certifies that it will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about -
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- (e) Notifying the agency within 10 days after receiving notice under subparagraph (d)(2), from an employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted -
 - (1) Taking appropriate personnel action against such an employee, up to and including termination; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

Certification Regarding Drug-Free Workplace Requirements
Page 2

Place(s) of Performance: The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant (street address, city, county, state, zip code):

4204 North Shiloh and 100A West Rock Street in Fayetteville, AR

City of Fayetteville Police Department/ Fourth Judicial District Drug Task Force
Organization Name

Fred Hanna, Mayor

Name and Title of Contracting Official

January 20, 1999

Date

Signature

CER-7 Lobbying

CERTIFICATION REGARDING LOBBYING

Each person shall file the most current edition of this certification and disclosure form, if applicable, with each submission that initiates agency consideration of such person for an award of a Federal contract, grant, or cooperative agreement of \$100,000 or more; or Federal loan of \$150,000 or more.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1592, title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting 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 the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
- (2) If any non-Federal funds have been paid or will be paid to any person for influencing or attempting 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 this Federal contract, grant loan, or cooperative agreement, the undersigned shall check here _____ and complete and submit Standard form # LLL "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers and that all subrecipients shall certify and disclose accordingly.

City of Fayetteville

113 W. Mountain Street

Fayetteville, AR 72701

Name and Address of Organization

Mayor

January 20, 1999

Signature, Date and Typed
Name of Contracting Official

PROGRAM JUSTIFICATION/EVALUATION

FOURTH JUDICIAL DISTRICT DRUG TASK FORCE

1991

In February 1991, the Fourth Judicial District Drug Task Force (Fourth DTF) was formed. The membership included the Washington County Sheriff, Fourth Judicial Prosecutor, University of Arkansas Police, and the municipal police departments of Fayetteville, Springdale, Johnson, Farmington, Lincoln, Prairie Grove, West Fork, and Greenland. The unit consisted of seven sworn officers, a secretary, and a fiscal officer.

During 1991, the combined unit of the Fourth DTF opened 206 cases. These cases resulted in the arrest of 130 individuals with 129 convictions and a combined total of 279 years of prison time.

1992

In February of 1992 the 4th DTF continued operations but with a reduced investigative staff. The budget cuts for the grant period forced the reduction of one officer. During the year an additional \$10,000 was added to the grant to enhance the confidential funds available to purchase evidence. The City of Johnson dropped out of the control group which left it a ten member organization.

The Fourth Judicial DTF opened 177 cases and made 155 arrests. These cases resulted in 66 convictions with a combined total of 103.5 years of prison time, 121.5 years in suspended sentences and 91 years deferred prison time.

Overall in 1992, the Fourth DTF seized directly or assisted in seizing approximately 123 pounds of marijuana, 12 ounces of cocaine, 8.5 ounces of methamphetamine and 14.6 grams of crack cocaine. Also during 1992, 654 marijuana plants were destroyed.

1993

During this grant period the Task Force worked several major cases which resulted in the disruption of inter-state narcotics trafficking organizations. Three separate investigations were conducted which involved several suspects who were trafficking in large quantities of methamphetamine. One of the cases involved a clandestine methamphetamine lab.

The Task Force investigated a major crack/cocaine distribution organization. Three separate out-of-state sources and one southern

PROGRAM JUSTIFICATION/EVALUATION

Arkansas source were identified. Five separate "crack house" locations were also identified. Approximately 23 suspects were arrested on various crack/cocaine charges. The quantity and availability of crack/cocaine in the Fayetteville area had been on the rise in our jurisdiction for the past several months. These violators were prosecuted to the fullest extent of the law beginning with bonds \$100,000 each being set for the individuals charged as suppliers.

During 1993 the 4th JDTF identified and charged numerous suspects relating to inter-state drug trafficking operations. These numbers have increased from previous years due in part to the availability of illicit narcotics in our area. The main factor, however, is the availability of trained officers devoted to narcotics investigations. The availability of trained narcotics officers would not be possible in this jurisdiction without federal grant funding. Local law enforcement agencies involved supported our efforts with additional officers on an as needed basis to complete operations.

1994

In 1994 the Task Force, working with intelligence received during a 1993 investigation of a methamphetamine bust and information from a confidential informant, ran a search warrant in the southeast part of Washington County which netted three arrests, the seizure of \$15,000 in currency, nine guns and other assets valuing \$36,250. These suspects were also being investigated by the DEA and the IRS in Sioux City, Iowa.

Another investigation involved a marijuana distribution organization which targeted high school age buyers in west Washington County. The information and undercover buys lead to a search warrant being served and the arrest of four individuals and the seizure of \$4,000 U. S. Currency, three guns, and \$3,250 in other assets.

During 1994, the Task Force opened 292 cases with several being tied to inter-state organizations. Approximately 2.5 ounces of crack/cocaine was seized.

1995

During 1995 the Task Force worked several investigations which involved interstate narcotic rings. The first major case involved

PROGRAM JUSTIFICATION/EVALUATION

marijuana which was being brought into Crawford County from Mexico in brick form. The marijuana was then being brought to the Fayetteville area and distributed. The investigation netted in excess of 120 pounds of bricked marijuana and the arrest of six suspects.

Another case was the direct result of information received from a suspect following a traffic stop. A search warrant was obtained and approximately five ounces of methamphetamine and over \$16,000 in cash was seized. Three arrests were made.

Acting on information received from an anonymous caller, the Task Force located an indoor growing operation which reportedly supplied processed marijuana to individuals in Iowa. At the time the search warrant was served two arrests were made, 193 mature plants and approximately \$4,900 was seized.

Another search warrant was executed based on narcotics charges and netted the recovery of approximately \$30,000 in stolen computers. The merchandise was stolen from a single location in Springdale. During the search warrant four arrests were made and one-half gram of methamphetamine was seized.

In 1995 the Fourth DTF opened 388 cases and arrested 312 suspects. Two hundred forty seven (247) suspects were convicted on drug charges. These convictions resulted in approximately 417 years of prison time and 303 years of probation.

1996

The 4th DTF added the ELM Springs Police Department to the Task Force in 1996. This makes a total of eleven law enforcement agencies providing information to the task force.

The task force officers worked several cases involving interstate drug trafficking. The most prevalent drug being transported into Northwest Arkansas has changed from marijuana to methamphetamine.

The drug quantities our confidential informants are able to purchase has risen from grams and 1/8 ounce to ounces and pounds. This trend clearly indicates more drugs are available in the area.

The largest methamphetamine suppliers arrested to date have been hispanic males. They transport the methamphetamine from California, Texas and Mexico on a weekly basis. The following modes of transporting drugs into our area have been:

♦ AIRPLANE - Individuals carry it on their person or in carry on

PROGRAM JUSTIFICATION/EVALUATION

luggage.

- ♦ BUSES - Packaged in their luggage.
- ♦ PERSONAL VEHICLES - Various compartments, hidden and otherwise.
- ♦ U.S. MAIL AS WELL AS OTHER DELIVERY SERVICES.

Heroin is being reintroduced into the area. There were three deaths attributed to heroin overdoses. The task force gained information on the supplier and ran a search warrant and made an arrest.

Methamphetamine is definitely being transported into the area, however, locals manufacture the substance as well. Three methamphetamine labs have been seized this past year.

1997

During 1997 the task force was able to increase staffing by the addition of an officer assigned from the University of Arkansas. This has increased the amount of information received from the officers at the University. Using this information several cases have been worked on and around campus.

While working methamphetamine cases in the hispanic community, the Fourth Judicial District, the Nineteenth Judicial District, State Police Narcotics and the DEA have pooled resources and shared officers working in an undercover capacity to make cases in Northwest Arkansas. These efforts resulted in the purchase or seizure of over eight pounds and arrested sixteen individuals capable of selling pounds of methamphetamine.

Another cooperative effort is interdiction. The Fourth Judicial Task Force provides manpower when the DEA receives information about suspicious packages or individuals coming to Fayetteville or Springdale. Also agencies in Texas and California contact our task force directly with information. The largest seizure was thirty-five pounds of marijuana found in luggage at the airport. Fayetteville Police Department assigned a full time K-9 team to the task force for part of 1997.

The Task Force works closely with all law enforcement agencies in the area including the DEA and State Police. The grant funds under which the Task Force operates allows our agency to effectively share manpower and information with other law enforcement agencies.

DELP FY '99

PROGRAM JUSTIFICATION/EVALUATION

1998

The Fourth DTF has continued to work several major cases during the grant period. The most prevalent drug our officers encounter is Methamphetamine. At this point in our grant year, over fifteen pounds of Methamphetamine has been seized. All but approximately one-half pound was seized or purchased from the Hispanic suspects.

A joint investigation between the Task Force and the DEA yielded the largest methamphetamine seizure in the Western District of Arkansas To date. Officers seized 6.5 pounds of methamphetamine from a Hispanic subject flying into the Fayetteville Aiport from California.

Another investigation in Springdale resulted in the seizure of approximately one pound of Cocaine. A Hispanic frmale was arrested and charged in the investigation.

The largest seizure of LSD in the history of our Task Force came during this grant year. Approximately 3,000 hits of LSD were seized during a search warrant and three suspects were arrested.

The 4th DTF has either seized or purchased drugs with a street value of over one million dollars during the first three quarters of this grant year. The officers have opened 291 cases and arrested 287 suspects. These statics continue to increase each year as the population increases. Considering these facts, funding of the 4th DTF is an effective use of federal grant and local funds.

CER-13 Quarterly Reporting Income & Expenditures

CERTIFICATION REGARDING QUARTERLY REPORTING
OF PROGRAM INCOME AND EXPENDITURES

By acceptance of this grant provided through the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program (Drug Law Enforcement Program) I certify the following:

- 1) I will prepare and submit information, in a form prescribed by the Law Enforcement Committee of the Arkansas Alcohol and Drug Abuse Coordinating Council and the Department of Finance and Administration, regarding program income made available to the grant funded project for its use. Program income and expenditures from program income will be shown for each source of such income and each item of expenditure. Program income reports will be transmitted to the Department of Finance and Administration by the 15th day of the month following the end of each calendar quarter.

Fred Hanna

Printed Name

Mayor

Title

Signature of Contracting Official

January 20, 1999

Date

CER-14 Employment of Qualified Personnel

CERTIFICATION OF EMPLOYMENT OF QUALIFIED PERSONNEL

By acceptance of this grant provided through the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program (Drug Law Enforcement Program) I certify the following:

- 1) All personnel employed on a salaried or contractual basis, and who function as law enforcement personnel under my authority for the purposes identified in this grant will be currently certified by the Arkansas Law Enforcement Training Academy, are in training at the Arkansas Law Enforcement Training Academy, or have applied and are awaiting admission to the Academy.

For those personnel who are not certified and who are awaiting admission to the Academy, I agree to their participation in training activities designated as mandatory pre-Academy training by the Law Enforcement Committee of the Arkansas Alcohol and Drug Abuse Coordinating Council.

- 2) All personnel other than attorneys and law enforcement officers who are employed for purposes identified in this grant and who are paid from grant or grant matching funds have been determined to be qualified for the position they hold, based on my review of their education, training and experience.

Fred Hanna

Printed Name

Mayor

Title

Signature of Contracting Official

January 20, 1999

Date

CER-15 Attending Designated Training

CERTIFICATION REGARDING MANDATORY ATTENDANCE
AT DESIGNATED TRAINING EVENTS SPONSORED BY THE
ARKANSAS ALCOHOL AND DRUG ABUSE COORDINATING COUNCIL

By acceptance of this grant provided through the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program (Drug Law Enforcement Program), I agree that Law Enforcement personnel who work under my authority for purposes identified in the grant, and who are paid in part or in full from federal grant funds or state or local grant matching funds will attend training programs which are developed and sponsored by the Law Enforcement Committee of the Arkansas Alcohol and Drug Abuse Coordinating Council. The Department of Finance and Administration will inform me of the dates, times, places and the nature of any such training designated as mandatory by the Law Enforcement Committee.

Fred Hanna

Printed Name

Mayor

Title

Signature of Contracting Official

January 20, 1999

Date

CERTIFICATION OF COMPLIANCE WITH FAIR LABOR STANDARDS ACT

As the contracting official for a grant awarded by the Arkansas Alcohol and Drug Abuse Coordinating Council through the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program (Drug Law Enforcement Program), I agree to comply with the provisions of the federal Fair Labor Standards Act regarding the preparation and retention of time and attendance records affecting persons employed through financial assistance provided by this grant.

I am aware that this grant provides only for the payment of regular salaries and fringe benefits for positions shown in Attachment 'A' of the grant award. Consequently, by acceptance of that grant award, I assume full responsibility for any compensatory time allowance or overtime pay obligations for persons employed within the project funded by this grant.

Fred Hanna

Printed Name

Mayor

Title

Signature of Contracting Official

January 20, 1999

Date

CER-17 Attorney Reporting Compliance

CERTIFICATION OF COMPLIANCE WITH ATTORNEY REPORTING REQUIREMENTS

The Fourth Judicial District Drug Task Force does not employ an attorney.

As an integral part of the operation of the _____ Task Force the services of one or more attorney is utilized in the prosecution of drug cases generated by the Task Force and other law enforcement entities within the judicial district(s) within which the Task Force operates. Such attorneys are appointed by and operate under the authority of the elected prosecuting attorney(s). Some or all of such attorneys may be paid from state or federal funds approved by the Arkansas Alcohol and Drug Abuse Coordinating Council and administered by the Department of Finance and Administration as part of the Edward Byrne Memorial Program (Drug Law Enforcement Program).

By acceptance of this grant, I agree to comply with standards established by the Law Enforcement Committee of the Arkansas Alcohol and Drug Abuse Coordinating Council and the Department of Finance and Administration for the reporting of activity conducted by a grant funded deputy prosecuting attorney. I agree that I will complete and transmit such information regarding the prosecution and disposition of all drug cases managed by each deputy prosecuting attorney employed in a salaried or contractual position and paid from state or federal funds provided through this grant, in a manner and time prescribed by the Law Enforcement Committee and the Department of Finance and Administration.

Printed Name

Title

Signature of Contracting Official

Date

CONFLICTS OF INTEREST

Personnel and other officials connected with federally-funded programs shall adhere to the following requirements:

ADVICE. No official or employee of a State or unit of local government or a non-governmental recipient/subrecipient shall participate personally through decisions, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any proceeding, application, request for a ruling or other determination, contract, award, cooperative agreement, claim, controversy, or other particular matter in which award funds (including program income or other funds generated by Federally-funded activities) are used, where to his/her knowledge, he/she or his/her immediate family, partners, organization other than a public agency in which he/she is serving as an officer, director, trustee, partner, or employee, or any person or organization with whom he/she is negotiating or has any arrangement concerning prospective employment has a financial interest or less than an arms-length transaction.

APPEARANCE. In the use of federal project funds, officials or employees of State or local units of government and non-governmental recipient/subrecipients shall avoid any action which might result in, or create the appearance of:

- Using his or her official position for private gain;
- Giving preferential treatment to any person;
- Losing complete independence or impartiality;
- Making an official decision outside official channels; or
- Affecting adversely the confidence of the public in the integrity of the government or the program.

Certification

As a potential subgrantee of federal funds through the Edward Byrne Memorial State and Local Law Enforcement Formula Grant Program, I certify that I have read, understand and agree to comply with the above provisions regarding conflicts of interest.

Fred Hanna

Typed Name

Signature of Contracting Official

City of Fayetteville

Organization

January 20, 1999

Date

AGENDA REQUEST FORM

XX AGENDA REQUEST, City Council meeting of January 19, 1999

<u>FROM:</u>	<u>Don Bunn</u>	<u>Public Works</u>	<u>Public Works</u>
	Name	Division	Department

ACTION REQUIRED: Approval of a resolution concurring in the AHTD award of bid to Mobley Construction, Inc. for \$2,880,042.40 in connection with the widening of Highway 16 West. Also approval of the necessary budget adjustment.

COST TO CITY:

<u>\$ 1,773,106.01</u>	<u>\$ 817,000.00</u>	<u>Street Improvements</u>
Cost-This Request	Category/Project Budget	Category/Project Name
<u>4470 9470 5809 00</u>	<u>\$ -0-</u>	
Account Number	Funds Used To Date	Program Name
<u>95071 20</u>	<u>\$ 817,000.00</u>	<u>Sales Tax</u>
Project Number	Funds Remaining	Fund Category

BUDGET/CONTRACT REVIEW: XX Budgeted Item XX Budget Adj. Attached

Budget Coordinator	Date	Administrative Services Director	Date
Accounting Manager	Date	ADA Coordinator	Date
City Attorney	Date	Internal Auditor	Date
Purchasing Officer	Date		

STAFF RECOMMENDATION: Staff recommends concurrence in the award of bid to Mobley Construction, Inc. in the amount of \$2,880,424.01 and approval of the budget adjustment

Donald R. Bauer 01-12-99
~~Division Head~~ Asst. PW Dir. Date

Department Director	Date
---------------------	------

Admin Services Director	Date
-------------------------	------

Mayor _____ Date _____

Cross Reference

New Item: Yes No

Prev Ord/Res #: 7

Orig Contract Date: _____

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

January 12, 1999

To: Fayetteville City Council

From: Don Bunn, Assistant Public Works Director



Thru: Charles Venable, Public Works Director
Mayor Fred Hanna

Subject: Highway 16 West Bids

Attached is a letter from the Arkansas State Highway and Transportation Department informing the City of the costs involved in the widening of Highway 16 West from Highway 71 west to Ruple Road. The AHTD opened bids on the improvements on January 6, 1999. Mobley Contractors, Inc. of Morrilton, Arkansas submitted the low bid of \$2,880,424.01. McClinton-Anchor was the only other bidder on the job with a bid in excess of \$3,000,000.00.

In 1997 the City entered into an agreement with the Highway Department to pay for one-half of the cost of the improvements to Highway 16 (Resolution 120-97, attached). In accordance with that agreement, the City's estimated share of costs for the project is:

	<u>Total Cost</u>	<u>City Share</u>
Preliminary Engineering	\$ 92,419.72	\$ 46,209.86
Utility Relocations	286,740.12	143,370.06
Right of Way Acquisition	98,585.78	49,292.89
Construction	2,880,424.01	1,440,212.00
<u>Construction Engineering</u>	<u>288,042.40</u>	<u>144,021.20</u>
TOTALS	\$ 3,646,212.03	\$ 1,823,106.02

The City previously put up a deposit of \$50,000.00, therefore the amount due to the Highway Department at this time is **\$1,773,106.01.**

The project involves the widening of Highway 16 for a distance of 5900 feet, from the Highway 71 Bypass to Meadowlands Drive with a transition section extending west of Meadowlands Drive for about 200 feet. There are turn lanes at both Meadowlands Drive and Ruple Road and a 5 lane section of road from the Sports Park (west of Salem Road) to Highway 71. The balance of the road will be 4 lanes.

The 1999 Capital Improvements Program has \$817,000 budgeted for this project. This leaves a balance of \$956,106 to be obtained from other sources. Attached is a budget adjustment in the amount of \$956,107.00 to cover the unfunded portion of the project.

It is the recommendation of the Staff that the Council approve a resolution concurring in the Highway Department's award of the bid to Mobley Construction, Inc. in the amount of \$2,880,424.01 and approving the necessary budget adjustment.

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

Dan Flowers
Director
Telephone (501) 569-2000



P.O. Box 2261
Little Rock, Arkansas 72203-2261
Telefax (501) 569-2400

January 11, 1999

The Honorable Fred Hanna
Mayor of Fayetteville
113 West Mountain
Fayetteville, AR 72701

Re: Job 040277
Hwy. 71 - West (Fayetteville) (S)
Washington County

Dear Mayor Hanna:

Mobley Contractors, Inc. of Morrilton, Arkansas submitted the low bid of \$2,880,424.01 for the referenced project at the Department's January 6, 1999 letting. The Arkansas State Highway Commission has tentatively accepted their proposal and will execute the contract upon receipt of the City's matching funds.

The City's estimated share of costs for this project is calculated below.

	<u>Total Cost</u>	<u>State Share</u>	<u>City Share</u>
Preliminary Engineering	\$ 92,419.72	\$ 46,209.86	\$ 46,209.86
Utility Adjustments	286,740.12	143,370.06	143,370.06
Right-of-Way	98,585.78	49,292.89	49,292.89
Construction	2,880,424.01	1,440,212.01	1,440,212.00
Construction Engineering	<u>288,042.40</u>	<u>144,021.20</u>	<u>144,021.20</u>
Totals	\$ 3,646,212.03	\$ 1,823,106.02	\$ 1,823,106.01
Less Deposit Previously Received			<u>-50,000.00</u>

Total Due from City \$ 1,773,106.01

Your check for \$1,773,106.01 (made payable to the Arkansas State Highway and Transportation Department) should be forwarded to this office as soon as possible. The contract will not be executed, and construction cannot begin, until your check is received. Submittal of these funds to the Department will be considered as your concurrence in the award of this contract.

The Honorable Fred Hanna
January 11, 1999
Page Two

Upon completion of the project, a statement will be prepared reflecting the final cost and respective matching shares. At that time, the City will be returned funds remaining over the deposit or billed for additional funds required.

We look forward to working with the City to complete the proposed improvements. Should you have any questions or comments, please advise.

Yours truly,



Robert L. Walters
Chief Engineer

Post-It Fax Note 7671		Date 1-11	# of pages 2
To Charles Venable	From Bill B		
Co./Dept Fey. Pub. Works	Co. AHTD		
Phone #	Phone # 501-569-2261		
Fax # 501-575-2027	Fax #		

TOTAL P.02

RESOLUTION NO. 120-97

A RESOLUTION AUTHORIZING THE CITY OF FAYETTEVILLE TO ENTER INTO A 50/50 COST SHARING AGREEMENT WITH THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR THE WIDENING OF AN APPROXIMATELY ONE MILE SECTION OF STATE HIGHWAY 16 LOCATED WEST OF U.S. HIGHWAY 71.

WHEREAS, the Arkansas State Highway & Transportation Department has contacted the City of Fayetteville regarding the widening of State Highway 16 from U.S. Highway 71 west to the vicinity of Meadowlands Drive, a distance of approximately one mile; and,

WHEREAS, the widening of State Highway 16 is contingent upon a 50/50 cost sharing agreement with the City of Fayetteville; and,

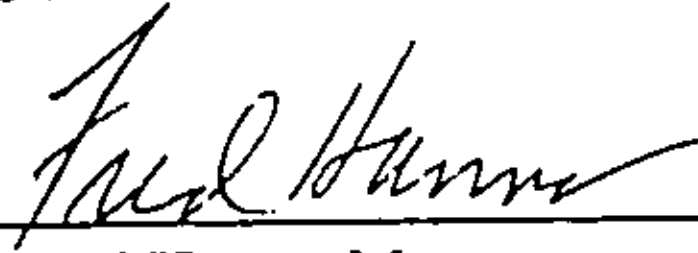
WHEREAS, the City of Fayetteville is agreeable to share the costs of widening Highway 16 upon a 50/50 basis.

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

Section 1. That the Mayor is authorized to enter into a 50/50 cost sharing agreement with the Arkansas State Highway and Transportation Department for the widening of State Highway 16 from U.S. Highway 71 west to the vicinity of Meadowlands Drive, a distance of approximately one mile. ~~A copy of the agreement is attached hereto marked Exhibit "A" and made a part hereof.~~

PASSED AND APPROVED this 16th day of December, 1997.

APPROVED:

By: 

Fred Hanna, Mayor

ATTEST:

By: 

Traci Paul, City Clerk



**City of Fayetteville, Arkansas
Budget Adjustment Form**

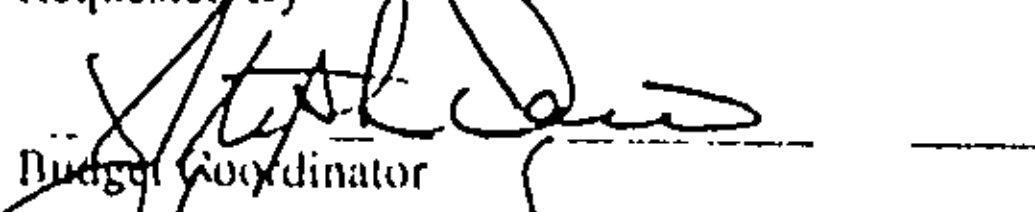
Budget Year 1998	Department: Sales Tax Capital Improvement Fund Division: Program:	Date Requested 01/12/99	Adjustment #
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Project or Item Requested: Additional funding is requested for the HWY 16 West Widening Project and authorization to shift the HWY 265 Water & Sewer Relocation funding in Sales Tax Capital Improvement Fund to Water & Sewer Fund.	Project or Item Deleted: None. Transfer of funding for the HWY 265 Water & Sewer Relocation is proposed and use of a portion of In-House Sidewalk Improvement Project funding is proposed.
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Justification of this Increase: In 1998 the City committed to cost share the cost of widening HWY 16 West from the Bypass to Meadowlands with the Arkansas State Highway and Transportation Department (AHTD). The AHTD opened bids and the City cost is \$773,106.01 above the estimated cost. Additionally, the City has received the 1998 rebate check from Beaver Water District providing the funds to pay for the HWY 265 Water & Sewer Relocation from Water & Sewer Fund.	Justification of this Decrease: The 1999 Budget split the funding for the HWY 265 Water & Sewer Relocation between Sales Tax Capital Improvement Fund and Water & Sewer Fund. The City received it's rebate check from Beaver Water District and it is for enough money to enable the City to shift the HWY 265 project to the Water & Sewer Fund. Sidewalk improvements along HWY 16 West are estimated at approximately \$250,000 with the City responsible for 50% or \$125,000. Finally, Use of Fund Balance is proposed for the 1998 funding for this project that must be rebudgeted.
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Increase Expense (Decrease Revenue)							
Account Name	Amount	Account Number				Project Number	
Highway 16 West Widening	956,107	4470	9470	5809	00	95071	20
Highway 265 Water/Sewer Reloc	700,000	5400	5600	5808	00	97043	20

Decrease Expense (Increase Revenue)							
Account Name	Amount	Account Number				Project Number	
Highway 265 Water/Sewer Reloc	700,000	4470	9470	5808	00	97043	20
Sidewalk Improvements	125,000	4470	9470	5814	00	96041	1
Use of Fund Balance	131,107	4470	0947	4999	99		
Use of Fund Balance	700,000	5400	0940	4999	99		

Approval Signatures		Budget Office Use Only	
Requested By 	Date 1-12-99	Type: A B C <u>D</u> E	
Budget Coordinator 	Date 1-12-99	Date of Approval _____	
Department Director 	Date 1-12-99	Posted to General Ledger _____	
Admin. Services Director _____	Date _____	Posted to Project Accounting _____	
Mayor _____	Date _____	Entered in Category Log _____	

H. Woodruff

STAFF REVIEW FORM

☒ Agenda Request
☐ Contract Review
☐ Grant Review

For the Fayetteville City Council meeting of January 5¹⁹, 1999.

FROM:

Alett Little

Planning

Public Works

Name

Division

Department

ACTION REQUESTED: Tom Terminella requests to build the canopy of the building he is renovating at 24 E. Meadow St. over the right of way. The requested encroachment is 18 inches over the right of way with a metal canopy attached to the side of the building and there will be no ground supports to the canopy.

COST TO CITY:

\$0

Cost of this request

Category/Project Budget

Category/Project Name

Account Number

Funds used to date

Program Name

Project Number

Remaining balance

Fund

BUDGET REVIEW:

Budgeted Item

Budget Adjustment Attached

Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

Accounting Manager

Date

ADA Coordinator

Date

City Attorney

Date

Internal Auditor

Date

Purchasing Officer

Date

STAFF RECOMMENDATION: Staff recommends approval. Precedence for approval has been set by the Brew Pub Building and the old Polk Furniture Building on Dickson Street. Approval of the request is also supported by the City's support of downtown building and renovation projects.

Division Head

12-29-98

Date

Cross Reference

Department Director

12-29-98

Date

New Item: Yes No

Administrative Services

Date

Prev Ord/Res#:

Director

Mayor

Date

Orig Contract Date:

Marlon Blackwell / Foster-Witsell Evans & Rasco

Associated Architects

21 West Mountain, Suite 122
Post Office Box 1602
Fayetteville, Arkansas 72702-1602
501-443-9321 Fax 501-443-9520

28 December, 1998

Memorandum

To: Alett Little

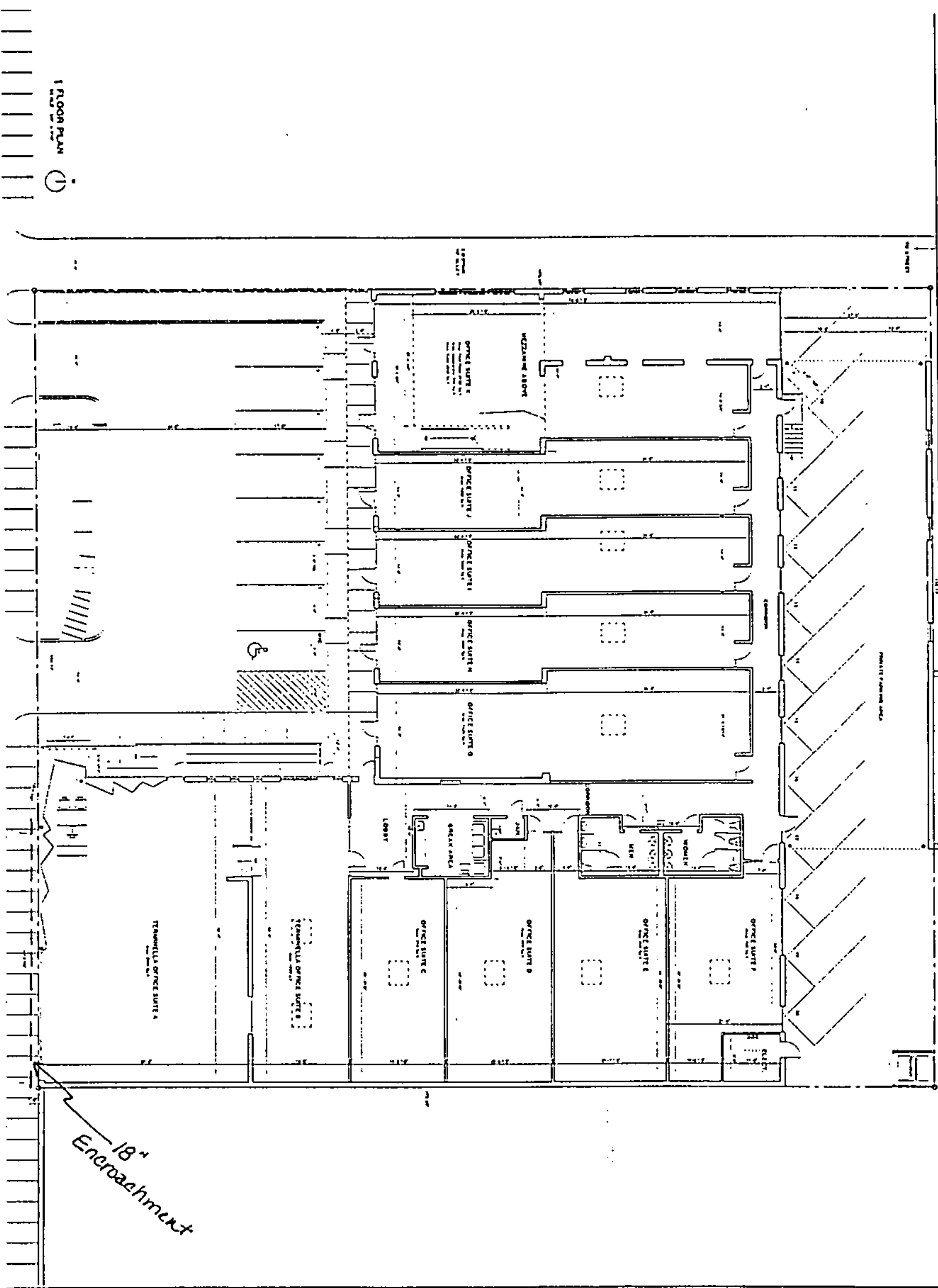
cc: Tom Terminella

Fr: Marlon Blackwell

Re: 24 E. Meadow, Canopy in Right of Way

This renovation project proposes to reduce the extension of the existing canopy along the south face of this building into the right of way of Meadow Street from 48 inches to 18 inches. The canopy which would remain serves not only as a horizontal band to tie this facade to the remainder of the project but to incorporate down lights to provide a safer and more attractive public sidewalk.

Approval of the reconstructed canopy 8'-0" above the sidewalk, 18" into the Right of Way of Meadow Street is requested.



FAYETTEVILLE TRAILS ADVISORY COMMITTEE
1993 - 1998

ISTEA PROJECTS:

EY 1994 APPROVED PROJECTS

1.) Bicycle and Pedestrian Trailway Enhancement

The project will develop a system of bicycle and pedestrian routes that would link educational facilities to one another and enhance circulation between residential and non-residential uses. This will also serve the purpose of improved bicycle and pedestrian access to the University of Arkansas, which is a major employer in Fayetteville, as well as Northwest Arkansas.

Specifically, the project will develop a system of transportation linkages between educational facilities, area park facilities, established neighborhoods, and area shopping centers. It will make possible bicycle and pedestrian movement throughout the community on a series of pathways that will link all elementary schools, the U of A, many of the City's parks, and several shopping centers. These facilities will be developed along established vehicular traffic systems and will enhance the safe accommodation of pedestrians and bicyclists in their travels throughout the community.

The goal of "providing a safe and efficient system of bicycle and pedestrian trailways" is found in the General Plan. This goal was identified by the 1991 VISIONS project.

The City's improved bicycle and pedestrian system could be linked to a statewide system of bicycle and pedestrian trails providing a means of transportation throughout the state. Furthermore, future trailways linked to Scenic Highways will promote the State's travel, recreation, and tourism effort.

The project was titled AHTD Job # 040195 Butterfield School Bike Trail project - includes the BMP Development/Keenan land donation. The funding was \$400,000 80% Federal/\$100,000 20% City

2.) Corridor Enhancement

The project will serve to enhance main entrance corridors into the City with landscape features identifying the City and emphasizing the pride and aesthetic beauty of the community to visitors and citizens entering the City.

The project is important because first impressions are lasting impressions and influence not only the well-being of those who live in the community, but influence the way in which visitors perceive the community as well. By enhancing the entrance corridors to the City, the experience becomes a pleasant one and visitors will want to return again to Fayetteville and the State of Arkansas.

The entry feature would be placed in the following location:

On the south side of Highway 45 approximately 1/4 mile east of the Highway 265/45 intersection.

The project was titled AHTD FY 1994 - Job #040197 Landscaping for Entryway Corridors.

3.) Preservation of Abandoned Railway Corridors

The project will provide for the preservation of abandoned railway corridors for conversion for use by bicycles and pedestrians. In addition, many of the railway corridors may be linked to the proposed bicycle and pedestrian trailways to provide an overall system of traveling safely from one point to another in a manner other than by motorized vehicle.

The project helps realize the General Plan goal, as identified in the VISION document, of "preserving and enhancing the natural beauty of the community, expansion of parks and open space, and preservation of historic structures and sites".

The project location is the abandoned railway corridor that extends from South School Avenue, bisecting Morningside Road, and continuing east to Armstrong Road.

The project was titled AHTD FY 1994 - Job # 040198 Railroad Corridor Preservation - For ROW acquisition and construction of trails. \$124,740 80% Federal/\$24,948 20% City...

FY 1995 APPROVED PROJECTS

1.) Preservation of Abandoned Railway Corridors

The project will provide for the preservation of abandoned railway corridors for conversion for use by bicycles and pedestrians. Specifically, this application speaks to :

a. Preservation of the railway corridor from South Garland to the Industrial Park along the historic St. Paul line (part of this corridor was included in the FY '94 application), and

b. Preservation of the railway corridor from Meadow Street to Prairie Street.

The project was titled AHTD FY 1995 - Job # 040221 Railroad Corridor Preservation (assigned March 1, 1995) - \$111,675 80% Federal/\$28,272 20% + \$1,413 1% Administrative fee City. For ROW acquisition and construction of trail.

FY 1996 APPLICATION - DENIED (This project was submitted in 1995, and denied, this was a resubmission of the same project.)

The project is the next phase in the effort to develop a system of bicycle and pedestrian routes that would link educational facilities, area parks, established neighborhoods and working and shopping areas.

Specifically, the project will involve construction of a bicycle/pedestrian path along the west side of Gregg Street from North Street to the Johnson town limits. The project will enhance the safe accommodation of pedestrians and bicyclists in their travels throughout the community. The project fulfills the goal identified in the VISION document of "providing a safe and efficient system of bicycle and pedestrian trailways".

The Trails Advisory Committee was formed after the City was notified in the Fall of 1993 that it had been awarded three transportation enhancement grants through ISTEA. The following is a chronology of activities of the TAC from December 1993 through November 1998.

- **December 1, 1993**

- The committee met for an organizational meeting. The committee consisted of City staff, staff from the Northwest Arkansas Regional Planning Commission, and citizens. Staff explained the history of the trails projects to date: The City had been granted over \$400,000 in an 80% - 20% matching grant for transportation enhancement through the Intermodal Surface Transportation Act (ISTEA). The ISTEA was intended to reform transportation planning by providing funding for alternative means of transportation and linking these alternative modes into a comprehensive transportation network.

- The first step in the City's trailways project was a feasibility study. It was determined that the first priority of the trailways project would be to link elementary schools to the neighborhoods surrounding them. A pilot project was selected, which included a strip of land donated by a private citizen and BMP Development which would link Butterfield Elementary School to the neighborhood east of the school with a pedestrian/bicycle trail. This was also one of the projects that was selected to be funded by the Enhancement monies, and would become known as the Butterfield School Trail Project and later as the Errol Street Trail.

- Other projects discussed included striping of bicycle lanes along some City streets; investigation of a bridge to link Sweetbriar Park with the Paradise View Estates subdivision to the east.

- **February 23, 1994**

- The election of a chairperson.
 - A report from U of A Senior Civil Engineering Design students explaining their project, which included a bridge at Sweetbriar Park and the layout of the trail linking the Butterfield School and surrounding neighborhoods.
 - A report on the Rails-to-Trails Conservancy. Discussion of abandoned railways for use as trails.

- **March 9, 1994**

- Selection of FY '95 ISTEA Enhancement Grant projects:
 - Acquisition of railroad ROW and construction of a bicycle/pedestrian trailway from Meadow Street to Prairie Street. (This was eventually modified to run from Center Street to Prairie Street and was named the Center/Prairie Trail).
 - Acquisition of railroad ROW and construction of a bicycle/pedestrian trailway from South School Ave., west to South Garland, with a side trail along Town Branch Creek leading to Greathouse Park and Levi Strauss. (This was later modified, in response to AHTD officials urging, to cover only identification of property owners and acquisition of ROW along the abandoned

railway running east/west across south Fayetteville. This became known as the St. Paul Spur Trail or St. Paul Trail.

- Construction of a bicycle lane along both sides of Gregg Street from North Street, north to Township. (This latter became a bicycle/pedestrian trail in the shared ROW with the railroad from Prospect Street, north to the Fayetteville/Springdale city limits, known as the Gregg Street Trail).

JOHNSON

- April 13, 1994

- Discussion of bike lanes on one way streets in the downtown area.
- Discussion on Master Trailways Plan, Master Bikeways Plan, display map of Enhancement Grant locations, cross-sections of streets with bike lanes.
- Discussion on National Trails Day, June 4, 1994.

- May 19, 1994

- Bike lanes on one way streets in downtown - none of the one way streets was ideal.
- Rails-with-Trails program - meeting planned with Arkansas Missouri Railroad to discuss shared ROW and also use of abandoned ROW.
- ISTE A Project - Butterfield School Trail Project - The land had not been appraised, because AHTD was in charge of this. Consequently, the land had not been donated to the City yet. The City learned that it must sign a Letter of Understanding with AHTD before any enhancement projects could move forward.
- Discussion of the Bicycle Feasibility Study, as it would translate into the Master Trail Plan, including the idea of a peripheral network and north, south, east, and west corridors.
- Suggestion by the Chair that a Mission Statement be developed for the TAC.
- Decision not to have a National Trails Day event.

- June 8, 1994

- Discussion about conversation with Washington County Judge Johnson. The Judge was amenable to building/extending a bike lane along Mt. Comfort Road.
- ISTE A Project - Staff presented the finished Butterfield School Trail and Bridge project. Staff explained that AHTD had not responded to phone calls or a letter from the Mayor asking if the City could use the student's work as long as it was certified by a licensed engineer either from the City or AHTD.
- Report on trail paving machine. Staff reported that a machine that would pave 4.5 to 7 foot widths would cost \$68,000.
- Additions/changes to the Master Trails Plan, and discussion of one way bike lanes on one way streets in downtown.

- July 13, 1994

- ISTE A Project - Butterfield School Trail Project - Staff asked the Chair to help draft a letter from the TAC to send to AHTD asking them to expedite the Letter of Agreement between AHTD and the City to release the contract for construction of the project. Members decided to write a letter to government officials explaining the City's position and why we

need AHTD to give us a firm commitment on the project.

- Discussion of the Master Trailways Plan and the Master Bikeways Plan - A proposal was made to put a high priority on bike lanes in the downtown/Dickson Street area. This involved painting white bike lanes on one side of several downtown streets, removing parking on that side of the streets, and linking the University, Post Office, the Square, and the Library. Members decided which streets would be involved.

- Mission Statement - The following Mission Statement was approved by the TAC -
THE FAYETTEVILLE TRAILS ADVISORY COMMITTEE IDENTIFIES THAT ITS MISSION IS TO PLAN, IMPLEMENT, AND PUBLICIZE A SAFE NETWORK OF BICYCLE AND PEDESTRIAN TRAILS WHICH ENCOURAGES CITIZENS TO INTEGRATE EXERCISE, TRANSPORTATION, AND RECREATION.

- **August 3, 1994**

- ISTEPA Project - Butterfield School Trail Project - Staff met with AHTD officials on June 29. They discussed what the City and AHTD needed to do, respectively, to get the project going. AHTD will not allow the work the University students did to go toward the City's part of the project. They said the City must hire a private consultant/engineer, which will have to be advertised for under regular AHTD procedures. (See Minutes for procedure the City could take in using the Enhancement funds).

- Discussion of the Master Trailways Plan - Staff suggested that it might be easier to get trailways in the City if the City had some adopted policies in place to support the lines on a map. A plan, complete with goals, objectives and policies should be approved by the City Council as an official City policy. This would be the cornerstone to taking parking off some of the streets in the proposed Downtown Bicycle Lane project.

- Discussion of the Downtown Bicycle Lane Plan - The TAC decided to put together some policies/goals and objectives to help promote bicycle riding in general and to support the downtown plan.

- **September 14, 1994**

- ISTEPA Projects - Butterfield School Trail Project - An Agreement of Understanding was received from AHTD. Staff rewrote the Agreement to the specifics of the Fayetteville project; the City's legal department made changes; conference call with AHTD, who said that if the City persisted in bringing in attorneys that the process would be slowed down considerably. Staff would mail the revised Agreement to AHTD, along with a letter signed by the Mayor, that explains that the City is willing to remit \$24,948 as its 20% match of \$124,740 estimated for ROW ACQUISITION for the RAILWAY CORRIDOR PRESERVATION PROJECT.

- **October 12, 1994**

- ISTEPA Projects - Butterfield School Trail Project/Abandoned Railway Corridor ROW Acquisition - Staff reported that the rewritten Agreement of Understanding had been sent to AHTD, along with a separate Agreement pertaining to the Abandoned Railway Corridor ROW Acquisition project. Staff received notification from AHTD that all three Enhancement

Projects from FY '94 (Railway Corridor Preservation, Butterfield School Trail, and Entryway Landscaping) had been given job numbers. The City chose to have AHTD do the ROW acquisition on the Railway Corridor Preservation project.

- Downtown Bicycle Lanes Plan - Discussion of route and removal of parking. The TAC took a bus trip to view the bike lane route.

- The first time the idea of a bicycle COORDINATOR was introduced to the TAC with the role of the coordinator defined.

- **November 16, 1994**

- First PUBLIC HEARING on the Downtown Bicycle Lanes Plan.

- **December 7, 1994**

- Butterfield School Trail Project/Rail Corridor Preservation Projects -

- The three Agreements of Understanding for the FY '94 Enhancement Grant project would be going before the City Council for approval, and to AHTD.

- The City received a letter of notification about the FY '95 ENHANCEMENT GRANT PROJECT involving Railway Corridor Preservation project. AHTD approved this project and told the land agents for the City to get started on research into ROW acquisition.

- Master Bikeway Plan - Staff told the TAC it can make recommendations to the Metropolitan Planning Organization (MPO) for regional trails to be included in the Regional Transportation Plan and also to the City General Plan. The TAC decided it was appropriate to identify bike lanes on collector streets. They decided not to recommend any projects to be included in the Regional Transportation Plan.

- Downtown Bike Lanes - Two proposals were decided upon to be discussed at the December 14, 1994 Public Hearing.

- **December 14, 1994**

- PUBLIC HEARING on Downtown Bike Plan proposals.

- **January 11, 1995**

- ISTEPA Project - Butterfield School Trail Project - Staff explained the critical path schedule for the project, which is contingent upon AHTD signatures. As soon as AHTD and the Mayor sign the Agreements of Understanding, advertising for a consultant can begin. The RFQ (Request for Qualifications) states that the purpose of the grant is to design and construct a network of bicycle trails, including surveying, bridges and drainage. The grant consists of \$400,000 which is to be matched with \$100,000 from the City. The 1993 Fayetteville Bikeway System Feasibility Report calls for a pilot project in the Butterfield Trail School district. The remainder of the project budget, if any, will be use to implement the remaining priorities of the Feasibility Report.

- Staff said that included in the Feasibility Report are striped lanes along a two lane Joyce Street. Since Joyce is scheduled to become a four lane street, it was suggested that the City acquire enough ROW to accommodate a separate bike path. The TAC decided to ask the

engineering department to include ROW for a bike path and to alter the Master Bikeway Plan (included in the Feasibility Report) to reflect a path on Joyce.

- Report on tentative land donation for a trail from Gulley Park to Azalea Terrace.
- Discussion of education/safety awareness program - Staff reminded the TAC that one of the responsibilities of the committee was that "safety and educational programs should be instituted before bikeways are constructed."
- National Trails Day Event - Scheduled for June 3, 1995. A rally at Lake Fayetteville South Park for the new hiking trail was suggested.
- FY '96 ISTEA Enhancement Grant Applications - TAC decided to resubmit the grant application for the railway corridor along North Gregg Street for a rails-with-trails project.
- Master Bikeways Plan - The TAC asked staff to pursue an outline for a master plan.
- Downtown Bike Lanes Proposal Status - A TAC member presented another proposal to the sub-committee.

• **February 8, 1995**

- Master Trail Plan - Staff suggested that the TAC resume work on a Master Trail Plan, with bicycle and pedestrian facilities being a component of the Plan.
- The TAC agreed that, as recommended by the Federal Highway Administration, a Bicycle/Pedestrian Trail Coordinator should be hired by the City.
- Chair mentioned that the TAC should be thinking of what type of BIKE RACKS they prefer, and where to locate them.
- Downtown Bike Lanes Proposal status - The TAC decided to leave the Proposal in committee for further discussion.

• **March 15, 1995**

- ISTEA Projects
 - Staff reported that the deadline had passed for consultants to submit their qualifications for both the Butterfield School Trail project and the entryway sign landscaping. The RFQ applications were submitted to the RFQ Review Committee.
 - Rail Corridors - The City land agent was working on determining ownership of abandoned railway corridors. The City Council accepted the FY '95 Rail Corridor Preservation and Construction project, and AHTD assigned it a job number.
- FY '96 ISTEA Enhancement Grant Applications - AHTD had not issued guidelines, however, the TAC agreed that it wanted to submit the North Gregg Bicycle/Pedestrian Path.
- Gulley Park/Azalea Trail - Staff said that more public comment was taken at the last Parks and Recreation Advisory Board meeting and that they had not made a decision on whether or not the land could be "banked" as a green space donation against future residential development in the quadrant.
- National Trails Day Event - The TAC decided to support an event at Lake Fayetteville South Park which would involve guided hikes along the completed trail, speakers, a musical band, food vendors, etc.
- Proposal for including bike paths/lanes in new street projects - The TAC suggested that bike lanes be included on some collector street improvements/new locations. These streets

would be identified on the Master Bikeways Plan.

- Downtown Bike Racks - The TAC decided to recommend that the Inverted "U" type of rack be used.

- April 12, 1995

- Master Bikeways Plan - The TAC decided to begin with a north/south trail route, and an east/west route and a peripheral route. The TAC also approved a motion that all new collectors and improvements to collectors should have 6' bike lanes, the cross-sections of collectors in the Circulation Element of the General Plan should be amended to include bike lanes and exclude parking lanes. Where bike lanes are obviously inappropriate due to topography, the Planning Commission may waive this requirement.

- Bike Racks - The Mayor and the A & P ~~Committee~~ *Commission* were willing to provide funding for the bike racks.

- May 10, 1995

- Master Bikeway Plan - The TAC decided to adopt the "broad map plan" as a framework for a transportation bicycle master plan to include lanes and paths/trails. The broad map plan included the peripheral route as well as other defined routes within the City to form a network of sidewalks, routes, paths and lanes.

- Bicycle Coordinator - The TAC again stressed the need for a bike coordinator. It said that the City Council needed to decide to what extent they were willing to commit to having trails and whether or not they would fund a trail/bicycle coordinator position.

- Bikes on Sidewalks - The idea was put forth that it should be legal to ride bikes on the sidewalks of major and minor arterials, with the stipulation that there would be a speed limit and bikes would yield to pedestrians.

- Bike Racks - The Chair said that he had a commitment of \$2,000.00 from the Mayor for bike racks in the downtown/Dickson Street area.

- June 14, 1995

- ISTEPA Projects - The trail design consultant was chosen. The Mehlburger Firm, represented by Frank Riggins, was asked to design trails for the entire City, as well as the trails for the specific Enhancement projects. This would be paid for from the FY '94 Enhancement award funds, since these could be used for design consultants. The FY '95 award could not be used for design consultants. Mr. Riggins said that their approach would be to do a site survey/analysis; moving into a Preliminary Design, with cost estimates; then into the Final Design with final cost estimates; and then to provide aid to the City in bidding and negotiation and construction observation.

- Bicycle/Pedestrian Coordinator - The City agreed to fund a trails coordinator for 1/2 time. The TAC provided a description of the coordinator position to the City.

- Bike Racks - Fifteen businesses indicated a willingness to have bike racks located at their businesses. The inverted "U" seemed to be the most likely design and research was continuing on whether or not these could be made locally.

- National Trails Day Event - The event was a success, with a band, door prizes, and

trail walks. It was discussed that the 1996 event take place at the Butterfield School Trail project site.

- **July 12, 1995**

- ISTEAE Projects - Staff urged the TAC to dictate to the consultant where the trails should go in the Citywide Trails Network Plan, and the consultant would provide the construction drawings.

- **August, September, and October**

- The TAC held meetings but no decisions were made and due to a change in staff, no progress reports were made on ISTEAE projects.

- **November 8, 1995**

- Proposed Trail System - Staff drove and walked the periphery trail system. Notes were taken and transferred to a map along with placement of the trails. The committee viewed and commented on the map.

- Request to City Council to Amend the Master Street Plan - The TAC sent a letter to the Street Committee which sent it back to staff for recommendations. It was decided that the recommendations be amended to include two 6' minimum multi-use trails on both sides and/or 10' minimum multi-use trail on one side on minor and principle arterials.

- Bike Racks - There were thirteen confirmed downtown locations for bike racks. Prices were discussed. A motion was made that the Chair order the bike racks contingent upon approval from the Mayor.

- **December 13, 1995**

- ISTEAE projects - Staff reported that they had met with Frank Riggins of the Mehlburger Firm to review the scope of services and to amend it to include acquisition of abandoned railroad ROW. The services that accompany the acquisition include title searches; contact with the property owners; the actual acquisition of the property and whether or not it will be donated or condemned. The funding for the acquisition will come from the 1994 ISTEAE grant for the Butterfield School Trail project. Staff said that the Mehlburger Firm was drawing up the plans for the Butterfield School Trail project, which then would be submitted to AHTD.

- Trails/Sidewalk Coordinator - Chair said that there was a Trails/Sidewalk Coordinator position in the next year's budget.

- Master Trailway Plan - The TAC approved the Northwest Arkansas Regional Planning Commission to do an inventory of the network discussed by the TAC.

- **January 10, 1996**

- FY '97 Enhancement Grant Projects - AHTD declined to open the application process for FY '97.

- Sidewalk/Trails Coordinator Position - The coordinator position was approved in the 1996 budget. The position would be located in the Engineering Division.

- February 7, 1996

- Use of Confiscated Equipment - The bikes that the Police Department has are lost and found, and as such must go to auction. Therefore, the City must buy the bikes from themselves. This was an idea to help in establishment of a "Yellow Bike Program" for the City.

- National Trails Day Event - The sidewalk/trails coordinator would be the event coordinator, and the TAC would help by coming up with some event ideas.

- April 10, 1996

- ISTEA projects - Staff met with Frank Riggins March 8, 1996, to clarify the scope of work and the end products expected by the City. Staff met with AHTD representatives on April 4, 1996, to review the contract and line out the correct procedure for signing of the contract. Ultimately, the contract would come to the City, be reviewed, then sent to AHTD for review. Once the City receives the go ahead from AHTD, the City would sign the contract and the work by the Mehlburger Firm could proceed. The Firm estimated that it would take them no more than 286 days to complete. The next phase, after the design of trails and identification of property owners along the abandoned railway corridors, would be the actual letting of a construction contract by AHTD.

- Introduction of the Sidewalk and Trails Coordinator - Introduction and explanation of duties, including inspection of sidewalks, conformance with ADA requirements, and Enhancement Projects coordinator. The TAC wanted to make sure that the coordinator worked 50% of the time on trails.

- Downtown Bike Racks - TAC members reported that the purchase of the racks was eminent. However, there was some confusion on what department would do the actual installation.

- National Trails Day Event - TAC decided not to formally become involved in an event this year.

- Amendment to Master Street Plan - Chair agreed to represent the TAC at the City Council meeting where the Master Street Plan amendment for larger sidewalks and multi-use trails would be decided upon.

- May 8, 1996

- ISTEA Projects - Staff reported that a revised contract was received from the Mehlbuger Firm. Staff met with AHTD representatives on April 4, 1996, to review the contract and line out the correct procedure for signing of the contract. The contract had been reviewed by the City and AHTD. The City received the go ahead from AHTD. A motion was made and passed to recommend to the City Council approval of the contract.

- Master Street Plan Amendment - Chair represented the TAC at the Planning Commission meeting where the Master Street Plan amendment for larger sidewalks and multi-use trails was decided upon. The Planning Commission gave their approval for 6' sidewalks on both sides of collector and minor and principle arterials. Another step in the process would involve modifying the ordinance that currently outlawed riding bikes on the sidewalk, to one that would allow this activity.

- Downtown Bike Lanes - The TAC chose the color white for bike lane striping. The downtown route was identified and Rolling Hills Drive was included to be striped.

- Lake Fayetteville Trail update - Two alternative plans were being discussed to link the trail around the Lake.

- July 10, 1996

- Minutes unavailable

- August 14, 1996

- Minutes unavailable

- September 11, 1996

- ISTEAs Projects - A bike trail project schedule received from the Mehlburger Firm indicated that the final design would be completed by the end of December 1996. The first presentation of the project to the TAC would be in the third week of November. The TAC wanted an update in October.

- Downtown Bike Racks - The TAC members responsible for this project said they would send the information to the Sidewalk and Trails Coordinator.

- Downtown Bike Lanes - The bidding process for lane striping would open on September 20.

- October 9, 1996

- ISTEAs Projects - Frank Riggins, of the Mehlburger Firm, presented 40 map sheets detailing the positioning of trails throughout the City. Mr. Riggins stressed that the routing shown was part of a pre-preliminary plan, and TAC member input was welcomed. Suggestions were noted and would be incorporated into the preliminary plan. He said that the preliminary plan would be finished in November, and would describe signs, alignment, crossings and intersections, as well as the routing of trails. The challenge would be to acquire ROW to cross private property. He said that the railroad ROW acquisition project was progressing and that survey crews were currently working on the abandoned railway corridors identified in the ISTEAs grants.

- November 13, 1996

- ISTEAs Projects - Frank Riggins was asked to come to the December TAC meeting and discuss what would be presented in a public hearing. Mr. Riggins told staff that the surveying on the abandoned railway corridors was almost completed.

- Gulley Park/Azalea Terrace Trail (also known as the Sweetzer Trail) - Staff told the TAC that a hydrology study was being conducted on the trail location.

- December 12, 1996

- ISTEAs Projects - Frank Riggins was present to take comments from the TAC on the Trailway Design Project. He presented 26 map sheets refining trail routes and bridge location, signage, and the trail heads. The TAC decided on February 12, 1997, as the date for a public

hearing on the Trailway Design Project.

- **January 9, 1997**

- Meeting canceled due to bad weather.

- **February 12, 1997**

- **ISTEA Projects** - A public hearing was held on the Multi-Use Trailways project. The following is the text introduction accompanying the maps: "The Fayetteville Multi-Use Trail is a system of various route elements which make up a inter-connecting network of dedicated trails, striped streets and designated routes. The purpose of this system is to provide the citizens of Fayetteville, who choose an alternate means of travel, safe and efficient thoroughfares by which to do so. The design and designation of the system has been an on-going process in association with the City of Fayetteville Department of Planning, the members of the Trails Committee and the office of the City Trails Coordinator.

The City of Fayetteville, with a grant from the Federal ISTEA (Intermodal Surface Transportation Efficiency Act) Program, has developed a map of designated routes, lanes, and trails for its citizens to utilize for the purpose of bicycling, walking, jogging, strolling, roller-blading or any other means of ambulation not requiring a motorized vehicle. Many of the trails will be handicap accessible, however, some portions of the system will not meet the minimum grade standards, due to the topography, set forth by the Americans with Disabilities Act. The relative accessibility and accommodation for the handicapped of each trail element will be clearly marked."

The system consists of approximately 51 miles of paved surface in the form of:

- Striped lanes along existing streets wide enough to accommodate motorized vehicles and bicycles. These striped lanes will generally be 5' wide and be on both sides of the street with bicycle traffic going in the same direction as the lane of motorized vehicular traffic. Universal symbols for bicycle use only will be painted at the intersection of every cross street to inform motorists that the right lane in each direction is for bicycle use only.
- Designated routes which will be signed to inform motor vehicle operators that the street will be shared with bicycles, but no designated lanes for bicycles will be striped.
- Dedicated trails along certain routes such as abandoned railroad corridors, green ways along streambeds that connect parks, and in street rights-of-way wide enough to accommodate motorized vehicular traffic and a separate trail. These trails will be 10' wide."

Mr. Riggins explained some generalities of the trail project:

- one type of bridge/drainage system will be a culvert with natural stone head walls;
- railheads will contain benches, a kiosk which will be used for sheltered seating or information, lighting, fencing, and paving, among other elements;
- in places that will need significant bridges, such as along the Gregg Street trailway, the bridges will be pre-fab steel; and
- three types of signs will be used, 1) Regulatory, 2) Informational, 3) Safety.

Mr. Riggins explained that as he understood it, the City's first priority would be the

Errol Street connection (formerly known as the Butterfield School Trail project) because the ISTEA grant funding must be used for this. After that the priorities would be selected by feasibility, cost and public sentiment. The Center/Prairie and the St. Paul Spur RR corridors also received grant funding and will need to be accomplished soon.

It was decided that the final project should go through the Planning Commission for recommendation for adoption by the City Council by ordinance. It should then be adopted into the regional Transportation Improvement Program.

- **March 12, 1997**

- Minutes unavailable.

- **April 9, 1997**

- Downtown Bike Racks - The TAC approved a motion to purchase three multiple racks and ten inverted "U" racks from Psychological Choice. They also agreed that the racks should be located on Dickson Street and the Square.

- **May 14, 1997**

- ISTEA Projects - The TAC heard an update on the progress of the multi-use trails design from the Mehlburger Firm -

- St. Paul Railroad Corridor - would be paralleled by the Town Branch Creek Trail (the corridor land acquisition will be partially funded by ISTEA Enhancement Grant monies).

- Errol Street Project (Butterfield School Trail) - will be the first project to be built. This project is funded by ISTEA, and the AHTD will review the final construction drawings and will let the contract out to bid.

- The Mehlburger Firm is researching the property owners along the St. Paul and Center/Prairie Railroad corridors. This work element was funded by ISTEA, as was the entire Multi-Use Trails Plan.

- Other Trails

- Azalea Terrace Trail (Sweetzer property) - would connect Gulley and Routh Parks. The City already owns a portion of the land, but would need to acquire the land closer to Routh Park.

- Lake Fayetteville Trail - Staff reported on the Lake Fayetteville Trail, which is not part of the Multi-Use Trailway system. It is a five mile loop around the lake. There are a lot of special interest groups which would like to see the trail constructed to suit their purposes. The City hired a consultant to develop a concept plan and gather public opinion.

- **October 7, 1997**

- The Trail Planning Workshop held by the Parks and Recreation Department was substituted as the TAC meeting. The Lake Fayetteville Trail was discussed.

- **March 11, 1998**

- ISTEA Projects

- Update on the Errol Street ROW acquisition - Staff told the committee that the ROW

belongs to one individual, not two as originally thought. The owner, James Keenan, said that he would deed the 13' ROW to the City, through a document that his attorney had. The document had been drawn up for a month or more, however Mr. Keenan had not yet signed it. The City would review the document before it became official.

In the summer of 1997, AHTD officials notified the City that it must proceed on projects that were in part being funded with ISTEA Enhancement monies. The City received an extension to continue this project, as well as the railroad ROW acquisition projects. Staff was actively pursuing closure of this project.

- St. Paul Trail ROW - Staff reported several problems with this project. The City was currently in the process of hiring an appraiser to appraise the ROW along the abandoned railway. There were 33 properties along a 2.27 mile stretch from Garland to Combs Park. These were identified by the City land agent. However, it was uncertain whether the railroad company or the adjacent property owners actually owned the land in question. Another problem, was that the trail would go right through the middle of Ozark Steel, which was not inclined to give up its property.

Additionally, AHTD must approve everything done on these Enhancement projects. This meant that the appraiser hired by the City must be confirmed by AHTD. After AHTD gave the City its approval of the appraiser, then the appraiser may appraise the land. A negotiator, hired by the City, would then negotiate with the property owners until a resolution could be reached. If the property owners refused to sell the land, the City could then condemn the property.

- Downtown Bike Racks - There was still a commitment from the Mayor to fund the purchase of bike racks. They would be installed by the Sidewalk and Trails Department.

- FAAT - Members of the Fayetteville Alliance for Alternative Transportation came to the meeting and expressed an interest and willingness to do anything to further alternative transportation in Fayetteville.

- August 2, 1998

- ISTEA Projects

- Update on land acquisition for Errol Street Trail - Staff said that there was a problem getting the location of the trail tied down. The owner of the property, James Keenan, offered to donate the land for a trail to the City, however, it seemed that he couldn't decide where he would prefer that it be located. The City had hired a consultant, the Mehlburger Firm, to do the survey of the property and locate the trail on the site. This they did. Mr. Keenan hired another consultant to do a plan for his entire property, including the land where the proposed trail would be located. Mr. Keenan now wanted the ROW for Errol Street to extend across his property, with the trail located within the ROW, on the south side of the street. Mr. Keenan's attorney was supposed to review the new plan on Thursday, August 3, 1998. If all parties were happy with the new plan, it would then have to be resubmitted to AHTD.

- Update on land acquisition issues on the St. Paul Trail - Staff said that an appraiser, hired by the City, had been working on the property appraisals, and would be done soon. The next step would be to hire an independent person to conduct the acquisition for the City.

- TEA21 - the new federal transportation bill had been approved. It does include funds

for enhancement projects. Staff did not know when AHTD would notify the City that the application process had begun.

- Other Trail projects

- Lake Fayetteville Trail - development had dropped in priority, but the concept plan was completed.

- Gulley Park/Azalea Terrace (Sweetzer) Trail - this section of trail was under construction. The trail is 10 or 12 feet wide depending on its location.

- NanChar Development - this development is located south of the Wal-Mart by the Mall. The trail ROW was currently being determined. It was hoped that it would begin by connecting with a trail that Lindsey built from Joyce to Milsap, go under 71 business, follow Mud Creek, cross the creek and then end up at Gregg Street in Johnson.

- September 16, 1998

- ISTEAE Projects

- Errol Street Trail project - Staff said that the in-house surveyor was on the property and should be finished with the surveying this week. He would show the 65' ROW for a new street and also the placement of the trail in his report. He would give the report to the City land agent, who would then meet with Mr. Keenan's attorney. They would meet on the property, and if everything was agreeable, the property would be deeded to the City.

- St. Paul Trail - Staff said the appraisal was finished on the trail, and the total cost to purchase the ROW was \$218,191.00. The City would now hire an independent agent to handle the land acquisition. There was a problem with the railroad (Burlington Northern) claiming that they still owned some of the land and that it had not reverted to the property owners. This issue was still unresolved.

- Center/Prairie Trail - The City had not pursued ROW identification and acquisition along this abandoned railway, because the AHTD maintained that the money was not included in the ISTEAE enhancement funding, which it was using to complete the Errol Street and St. Paul trails. The Center/Prairie Trail was included in the City trail network, however.

- Other Trails

- Gulley Park/Azalea Terrace Trail - Staff said that this trail starts at Gulley Park, runs along Mud Creek Tributary, through Boxwood Subdivision on City park land, and will eventually end at Routh Park. The City needed to acquire some land between the park and the subdivision. The signs had been erected to notify property owner of the trail land boundaries. The trail would be a 10' to 12' wide trail with two rail wood fences to mark the boundaries to the trail. There would also be bollards placed to discourage motorized traffic on the trail. This would be a good demonstration-type project to show what a multi-use trail really was, and it would be good for public education. The trail would be finished by spring of 1999.

- CMN Development Trail (formerly known as NanChar Development) - Staff said that this trail project was moving forward and the land had been set aside for the trail. The trail would run between Front Road, under 71B, along Mud Creek and end at Gregg Street. Hopefully, it would eventually tie into a trail running parallel to the length of Gregg Street. It had not been established how it would get to Gregg Street after it leaves the CMN property. It had been suggested that sewer and utility easements be used.

- October 15, 1998

- ISTEPA Projects

- Errol Street Trail - Staff said that the land agent had received a letter from Mr. Keenan's attorney requesting a name change from Errol Street, to Raven Lane, and that the property that was being donated be appraised as to "certain value". The City already had a Raven Lane, so changing the name was not possible. The land agent would need to respond to the letter and point out that the name change was not possible and the fact that they kept putting stumbling blocks in the way of the project was jeopardizing the federal funding for the project.

- St. Paul Trail - Staff told the TAC that the City land agent said that the appraisal work done on the trail had been sent back to the appraiser for corrections.

**FAYETTEVILLE
TRAILS ADVISORY COMMITTEE
SEPTEMBER 1998**

Chuck Rutherford, Sidewalk and Trails Coordinator, 575-8291
Charles Venable, Assistant Director, Public Works, 575-8330
Kim Rogers, Parks and Recreation, 444-3472
Officer Casey Brown, Fayetteville Police Department, 587-3565
Celia Scott-Silkwood, Northwest Arkansas Regional Planning Commission, 575-8266 751-7125
Heather Daniel, Alderman, 521-7891(H) 636-2202(W)
Stephen Miller, Alderman, 582-0055(H)
Randy Zurcher, Alderman?, 443-4697(H)
Fayetteville Planning Commission representative?, ask Alett Little

Members of the public who attend regularly:

Mark Pickett, 18 W. Prospect, 72701 picketto@ipa.net 443-6674

Andrew McQuie, 511 N. Walnut, 72701 442-0323

Dan West, 327 Meadow, 72701 521-3087(H), 442-9311(W)

David Renko, 201 Louise Street, 72701

Alison Jumper, 1208 W. James, 72703 442-9074

Laura Kelly, 410 E. Huntsville Road, Apt. B, 72701 521-4619

Joel Rush, 15592 Lake Wedington Entry Road, 72704 444-0267

Andy Burns, 212 N. Locust, 72701 587-0094

Daniel Dean, 650 W. Center, 72701 587-0864

Kenneth Easterling, 2920 S. School Street, 72701

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

Dan Flowers
Director
Telephone (501) 569-2000



June 26, 1997

P.O. Box 2261
Little Rock, Arkansas 72203-2261
Telefax (501) 569-2400

RECEIVED

JUN 30 1997

CITY OF FAYETTEVILLE
MAYOR'S OFFICE

The Honorable Fred Hanna
Mayor of Fayetteville
113 Mountain Street
Fayetteville, AR 72701

Re: Job 040195
F.A.P. STPE-ENHN(22)
Fayetteville Bicycle Trails (ATEP-94) (S)
Washington County

Dear Mayor Hanna:

Comments on the preliminary plans and specifications for the referenced project have been forwarded to The Mehlburger Firm. As you are aware from our recent correspondence on the City's other projects, we are evaluating the current enhancement program and have established a September 30, 1997 deadline for having projects ready to advertise for bids.

As a result of a meeting on June 19, 1997 between members of your staff and representatives of the Programs and Contracts Division, it is our understanding that the City is actively pursuing the acquisition of right of way for this project and that this process could extend beyond the deadline due to possible litigation. As long as the City shows a good faith effort in acquiring right of way and keeps the Department apprised of its progress, reasonable extensions of the deadline will be allowed.

Your attention to this matter is appreciated.

Sincerely,

Roger Almond
Deputy Director
and Chief Engineer

c: Commissioner Hopper
Director
Mr. Charles Venable, City of Fayetteville

Copies - CELIA SCOTT-SILKWOOD
CHUCK RUTHERFORD
JOHN SANDOZ

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

June 30, 1997

Mr. Dan Flowers
Director of Highways and Transportation
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job #040197
F.A.P. STPE-ENHN(22)
Fayetteville Entrance Corridor Landscaping (ATEP-94) (S)
Washington County

Dear Mr. Flowers:

We appreciate the opportunity to respond to your letter concerning the above-referenced enhancement project. Circumstances require us to respectfully request an extension for the ISTEA funding for our entrance corridor landscaping.

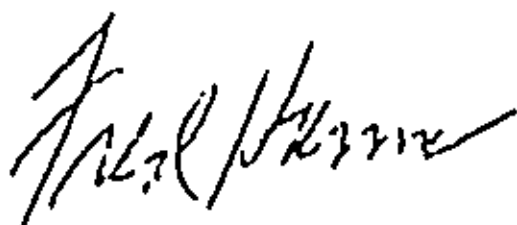
To this date, we are actively gathering information that will allow us to prepare landscape plans for the entrance corridor sites. We will submit these landscape plans, with a cost estimate for the ISTEA funds, to you for approval within the next month.

The City has advertised for bids for the construction of two entrance signs located at the intersection of highways 71 and 156, and the intersections of Ashwood and the newly constructed Razorback Road. We expect to award a contract by the end of July. Immediately following the entrance sign construction, we hope to proceed with the landscaping.

In addition, the consulting firm, Mehlberger & Associates, is in the process of preparing an ownership map and property description for the tract of land to be acquired on Highway 45 located at the intersection of Starr Drive. We plan to acquire this property using Federal Aid funds under this job number also.

We will continue to provide information to you about our progress.

Sincerely,



Fred Hanna
Mayor

cc: Charles Venable
Beth Sandeen

Chuck Rutherford
Frank Riggins

Celia Scott-Silkwood

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

Mr. Dan Flowers, Director of Highways and Transportation
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, AR 72203

June 30, 1997

Dear Mr. Flowers:

Thank you for the opportunity to respond to your letter of June 4, 1997, concerning the following two Enhancement Projects:

Job 040198
F.A. P. STPE-ENHN (22)
Fayetteville Railroad Corridor
Preservation (ATEP-94)(S)

Job 040221
F. A. P. STPE-ENHN (44)
Fayetteville Railway Corridors
Preservation (ATEP-95) (S)
Washington County

City staff and consultants with the Mehlburger Firm met with Highway Department officials on Thursday, June 19, 1997. As a result of that meeting, it is our understanding that the City may ask for an extension of Enhancement Project funding for the above referenced jobs, as well as for Job 040195, Fayetteville Bicycle Trails, F. A. P. STPE-ENHN (22), (ATEP-94) (S). Additionally, it is our understanding that the Department would like monthly progress reports and a timely completion of all projects.

The City has been working diligently toward completion of all Enhancement Projects. We contracted the Mehlburger Firm, using funds from Job 040195, to develop a multi-use trail plan and also to identify rights-of-way along two railroad corridors. Their work progress to date is as follows:

- R/W acquisition drawings and parcel descriptions have been completed for the St. Paul Rail-Trail section, approximately 2.75 miles. The City will be hiring an appraiser and negotiator for R/W acquisition in the very near future.
- Construction drawings and technical specifications for the Errol Street connection and the St. Paul Rail-Trail have been reviewed by AHTD and comments have been received by the Mehlburger Firm.
- Items to be addressed in response to AHTD comments are -
 1. Combine St. Paul and Errol Street into one set of plans and specifications.
 2. Provide Engineer's Cost Estimate.
 3. Define method of bid.
 4. Installation of new bridge decking and railings will be removed from the project and constructed by the City.

5. The Mehlburger Firm will provide certification that the Errol Street connection trail meets AASHTO design criteria.
 6. The Errol Street connection trail is shown with a 6' width, AASHTO requires a minimum trail width of 8'.
 7. Additional detail drawings of all non-standard signs will be prepared.
- Revised plans and specifications for the combined Errol Street and St. Paul Rail-Trail sections will be completed and submitted to AHTD by July 25, 1997.
 - Although additional Federal aid funding is not available at this time, plans and specifications for more than 9 miles of bike trail have been submitted to the City for review. These trail sections include:
 1. Gregg Street Corridor, 4.7 miles, from a point west of the Northwest Arkansas Plaza running south to Prairie Street in downtown Fayetteville. The final ½ mile of this trail consists of the Center Prairie Railroad corridor. The R/W along the corridor has been identified.
 2. Mudd Creek Greenway, 1.6 miles, from the existing Gulley Trail running northeast to Sweetbriar Park.
 3. Town Branch Trail, 3.1 miles, from Combs Park running westerly along Town Branch to its intersection with the St. Paul Rail-Trail.
 - In conjunction with those plans already complete, the Mehlburger Firm is preparing plans for bike lane striping and route signing for an additional 40 mile of bikeways.

The City is grateful for the opportunity to enrich the lives of its citizens through the help of Enhancement Project funding and we respectfully ask for an extension of that funding. We are fully committed to completing the projects we have begun and integrating them into a multi-use trail network.

Thank you very much for your help with these projects. Please contact Charles Venable (501-575-8330) or Chuck Rutherford (501-575-8291) if you have questions.

Sincerely,

Fred Hanna, Mayor

cc: Charles Venable, Fayetteville Assistant Public Works Director
Chuck Rutherford, Sidewalks and Trails Coordinator
Celia Scott-Silkwood, Northwest Arkansas Regional Planning Commission
Frank Riggins, Mehlburger Firm, Inc.

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

August 1, 1997

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHN (22)
Fayetteville Bicycle Trails (ATEP-94) (S)
Washington County

Dear Mr. Vozel:

The AITD had asked for progress reports relating to the above - referenced enhancement project. Since our last meeting the Mehlburger Firm has submitted the combined set of plans and technical specifications for the Errol Street and St. Paul Rail Trail sections. Ed Connell is currently putting specifications together in order to receive bids and then proceed in hiring an appraiser.

We will continue to provide information to you about our progress.

Sincerely,

Chuck Rutherford
Sidewalk and Trails Coordinator

cc: Bill Bradberry
Charles Venable
Frank Riggins
Celia Scott-Silkwood
Yolanda Fields

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

September 23, 1997

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHN (22)
Fayetteville Bicycle Trails (ATEP-94) (S)
Washington County

Dear Mr. Vozel:

The AHTD had asked for progress reports relating to the above - referenced enhancement project. Since the last report the Mehlburger Firm has surveyed the Errol Street Trail. This has been submitted to Charles Trantham an Attorney for James Keenan. The City and the Mehlburger Firm is now waiting on their approval. Ed Connell an employee of the City is working on the St. Paul Rail Trail R.O.W.

We will continue to provide information to you about our progress.

Sincerely,



Chuck Rutherford
Sidewalk & Trails Coordinator

cc: Steven Morgan
Charles Venable
Frank Riggins
Celia Scott-Silkwood
Yolanda Fields

FAYETTEVILLE, AR

THE CITY OF FAYETTEVILLE, ARKANSAS

October 22, 1997

Mr. Frank Vozel, Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHIN (22)
Fayetteville Bicycle Trails (ATEP-94) (S)
Washington County

Dear Mr. Vozel:

The AHTD had asked for progress reports relating to the above - referenced enhancement project. Since the last report the Mehlburger Firm has provided the City with a detail for the redecking of the two bridges on the St. Paul Rail - Trail. The City will be handling this portion of the project. On October 21, Charles Trantham an attorney for James Keenan informed me that he is trying to set up a meeting with Mr. Kennan and City staff to finalize the land dedication for the Errol Street Trail. Kitty Connell, one of the Land Agents for the City said an Appraiser for the St. Paul Rail Trail R.O.W. will be hired in December. The bridge detail is included as a courtesy F.Y.I.

We will continue to provide information to you about our progress.

Sincerely,

Chuck Rutherford, Sidewalk & Trails Coordinator

cc: Steven Morgan
Charles Venable
Frank Riggins
Celia Scott-Silkwood
Yolanda Fields
Kitty Connell

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

December 8, 1997

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHN (22)
Fayetteville Bicycle Trails (ATEP-94) (S)
Washington County

Dear Mr. Vozel:

The AITTD had asked for progress reports relating to the above - referenced enhancement project. Since the last report things have not progressed as fast as previously anticipated. The person giving the property for the Errol Street Trail has had a conflict with the adjacent property owner to the north. He has been advised by his attorney not to give this property for the trail until the issue with the neighbor has been resolved. The City Land Agent's office is in contact weekly with this attorney. In regards to the St. Paul Rail - Trail the Land Agent's office has scheduled a meeting with the consulting Engineering Firm for December 10, to get the required Deed information needed in the appraisal process..

We will continue to provide information to you about our progress.

Sincerely,

Chuck Rutherford, Sidewalk & Trails Coordinator

cc: Bill Bradberry	Celia Scott-Silkwood
Steven Morgan	Yolanda Fields
Charles Venable	Kitty Connell
Frank Riggins	

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

January 16, 1998

Mr. Wes Lowder, President
The Mehlberger Firm
P.O. Box 3837
Little Rock, AR 72203-3837

RE: Job 040195, F.A.P. STPE-ENHN (22)
Fayetteville Bicycle Trails, (ATEP-94) (5)
Washington County

Dear Mr. Lowder:

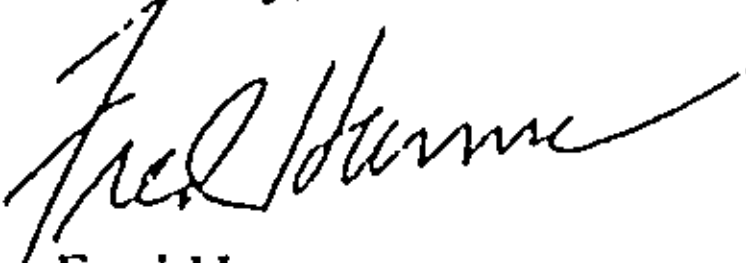
In accordance with paragraph B of Section XIV "Postponement or Cancellation of the Contract," which we have with you regarding the subject matter, the City of Fayetteville hereby notifies you of our intent to terminate said Contract as of this date and requests that all work cease until further notice. It is further requested that a status report be furnished within two weeks on the projects contained in "Appendix A" of the subject contract. Following a review of this status report by the City, a determination will be made on whether or not to complete the work in progress as of the date of this notice.

We feel that the majority of the work has been completed and the items that remain will be affected by future work planned by the City of Fayetteville or the State Highway Department.

We are hopeful that the plans developed for the Errol Street and St. Paul Railroad Spur can be advanced to contract later this year; therefore, the Title II provisions of the contract will remain in effect.

If you have any questions regarding this matter, please do not hesitate to contact us.

Sincerely,



Fred Hanna
Mayor

cc: Frank Vozel, AITD

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

January 21, 1998

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P. O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHN (22)
Fayetteville Bicycle Trails (ATEP-94)(S)
Washington County

Dear Mr. Vozel:

In accordance with your request the following progress report is submitted for the above -referenced enhancement project. The City met with the consulting engineering firm on January 15, 1998. The purpose of the meeting was to determine the status of the work found in Appendix A of the contract. It was found that most of the projects had been either completed or nearing completion and that Mehlburger would finalize the projects that were close to completion and submit them to the City for review. It was also agreed that when these current projects are finished the contract would be put on hold for now. The City has issued the consulting engineering firm a letter confirming this matter and asking them not to proceed any further at this time. A copy of this letter is enclosed.

In regard to the Errol Street Trail the attorney representing the property owner, who is giving the 0.53 acre area needed for the trail, is putting together a document to be reviewed by the City. If the document is satisfactory, the project can then proceed to the contract stage.

The St. Paul Rail Trail continues to have problems with determining the actual ownership of the properties involved. It appears that we now have everything worked out and are in the process of putting together the bid documents necessary to secure an appraisal. The best estimate of time before we will be ready to secure the appraisal is late February or early March assuming no more problems arise. We realize this date has been changed a couple of times, however, we did not realize the extent of the problems incurred. Hopefully, this is all behind us and we can actually get the appraisal underway by Spring and advance the project to the contract stage later this year.

Hopefully, in our next report we will be able to have an idea of possible construction data for both projects.

Sincerely,



Chuck Rutherford
Sidewalk & Trails Coordinator

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

March 6, 1998

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHN (22)
Fayetteville Bicycle Trails (ATEP-94) (S)
Washington County

Dear Mr. Vozel:

The AITD had asked for progress reports relating to the above - referenced enhancement project.

The ROW needed for the Errol Street Trail belongs to James Keenan. His attorney has a document waiting for Mr. Keenan's signature which will give to the City the property needed for the Trail. I talked with the attorney on March 2, 1998 and he advised me that Mr. Keenan has been out of town and has not signed the document. I was told that I will be notified as soon as the document has been signed.

The St. Paul Rail Trail approximately 2.75 miles from Garland Avenue to Combs Park involves (33) parcels of land. The City accepted written bids for an Appraiser for this project through February 26, 1998. The selection of the successful bidder is subject to the approval of the Arkansas Highway and Transportation Department, and will occur on or before March 26, 1998. The City of Fayetteville Land Agent Office has been working diligently on this project and has recently submitted a bid packet to the AITD for review. I am enclosing a copy of the letter from the Land Agent Office to Bill Bradberry of the AITD..

Hopefully, in our next report the City will have the ROW for the Errol Street Trail and an Appraiser for the St Paul Rail Trail.

Sincerely,



Chuck Rutherford
Sidewalk & Trails Coordinator

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

April 24, 1998

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHN (22)
Fayetteville Bicycle Trails (ATEP-94) (S)
Washington County

Dear Mr. Vozel:

The AHTD had asked for progress reports relating to the above - referenced enhancement project..

The ROW needed for the Errol Street Trail belongs to James Keenan. This is at the north end of a 57.81 acre tract. Mr. Keenan has hired an Architect to put together what he calls a master plan for this tract. This is a new element that has been added to this project since our last letter to the AHTD. The Architect has requested that the multi-use trail be added to a plat that he is working on. The Data Processing Department at the City completed this request yesterday and I am taking it to the Architect today. I am told that if the Architect approves of the location of this multi-use trail that Mr. Keenan will sign a document giving the ROW to the City.

The Appraiser has been hired for the St. Paul Rail Trail and will start on this project in May. This will begin at the east end because the Railroad has recently said that they own the ROW towards the western portion of the projected Trail. Mr. Vern Wear of Railroad Property Management, Inc. in Chicago, IL. is coming to Fayetteville in the next few weeks to help resolve the ROW issue on this and another rails-to-trails project that the City is pursuing.

Again, in our next report the City hopes to have the ROW for the Errol Street Trail and of being closer to some concrete answers on the ROW for the St. Paul Rail Trail.

Sincerely,



Chuck Rutherford, Sidewalk & Trails Coordinator

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

June 2, 1998

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHN (22)
Fayetteville Bicycle Trails (ATEP-94) (S)
Washington County

Dear Mr. Vozel:

The AHTD had asked for progress reports relating to the above - referenced enhancement project..

The ROW needed for the Errol Street Trail belongs to James Keenan. This is at the north end of a 57.81 acre tract. Mr. Keenan has hired an Architect to put together what he calls a master plan for this tract. The City has provided the requested plat of Mr. Keenan's property with the multi-use trail added. I met with the Architect on May 29, and he hopes to have the details worked out with Mr. Keenan within a month. Hopefully, we are getting close to getting the ROW.

St. Paul Rail Trail: The land agent's office continues the task of gaining the needed ROW for this multi-use trail.

Sincerely,



Chuck Rutherford
Sidewalk & Trails Coordinator

cc: Bill Bradberry	Frank Riggins
Ed Connell	Celia Scott-Silkwood
Yolanda Fields	Charles Venable
Steven Morgan	

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

July 9, 1998

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHIN (22)
Fayetteville Bicycle Trails (ATTEP-94) (S)
Washington County

Dear Mr. Vozel:

The ATTED had asked for progress reports relating to the above - referenced enhancement project.

Errol Street Trail: James Keenan the owner of the property needed for this trail has chosen to give ROW for the Errol St. connection instead of just for a trail. He has asked the city to provide him with a drawing showing the preferred alignment. He has been given the drawing showing the alignment, the ROW needed, and the trail on the south side of the street. I talked with the Architect yesterday and he is still waiting on Mr. Keenan's decision.

St. Paul Rail Trail: The appraisal work for this trail is under way as of June 22, 1998

Sincerely,



Chuck Rutherford
Sidewalk & Trails Coordinator

cc: Bill Bradberry	Frank Riggins
Ed Connell	Celia Scott-Silkwood
Yolanda Fields	Charles Venable
Steven Morgan	

Enclosure

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

August 19, 1998

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHIN (22)
Fayetteville Bicycle Trails (ATEP-94) (S)
Washington County

Dear Mr. Vozel:

The AITD had asked for progress reports relating to the above - referenced enhancement project..

Errol Street Trail: The city is still waiting on Mr. Keenan's decision regarding the right-of-way.

St. Paul Rail Trail: The appraisal work for this trail is supposed to be finished this month.

Sincerely,



Chuck Rutherford
Sidewalk & Trails Coordinator

cc: Bill Bradberry	Frank Riggins
Ed Connell	Celia Scott-Silkwood
Yolanda Fields	Charles Venable
Steven Morgan	

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

September 23, 1998

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHN (22)
Fayetteville Bicycle Trails (ATEP-94) (S)
Washington County

Dear Mr. Vozel:

The AHTD had asked for progress reports relating to the above - referenced enhancement project..

Errol Street Trail: The City has presented Mr. Kennan's attorney with a diagram and deed for 65 feet of total Right Of Way which represents a 28 foot wide street and a 15 foot wide trail. Also included was a 15 foot wide temporary construction easement for construction purposes. The City is now waiting for Mr. Keenan's signature on these documents...

St. Paul Rail Trail: The majority of the appraisal work has been completed. It has been given back to the appraiser for minor corrections. Once those corrections have been made the appraisals will be forwarded to the Right Of Way Division for their review prior to starting acquisition procedures.

Sincerely,



Chuck Rutherford
Sidewalk & Trails Coordinator

cc: Bill Bradberry
Ed Connell
Yolanda Fields
Steven Morgan

Frank Riggins
Celia Scott- SilkWood
Charles Venable

STOCKLAND & TRANTHAM, P.A.

ATTORNEYS AT LAW

21 SOUTH BLOCK STREET • P.O. BOX 1723

FAYETTEVILLE, AR 72702-1723

THOMAS D. STOCKLAND
CHARLES S. TRANTHAM

TELEPHONE (501) 521-7130
FAX (501) 521-3608

October 12, 1998

Kitty Connell
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

RE: Keenan Property - Errol Street Trail

Dear Kitty:

My client has reviewed the last round of documents which includes the new legal for additional properties the City has requested. At this time, my client plans to convey the property from the trust to a Raven Foundation. The Raven Foundation is a non-profit corporation in which my client oversees. In turn the Raven Foundation will convey to the City.

As a result, my client asked that the street which goes along his property be named or renamed "Raven Lane" and the property that is donated be appraised as to a certain value, so the foundation can show it contributed X-amount of dollars worth of land to the City. If there are any other incentives or breaks that my client may be entitled to as a result of this donation, I would appreciate your input. Please consider these two issues and get back with me at your earliest convenience.

Sincerely,



Charles S. Trantham
Attorney at Law

CST;cw
Enclosure

* CITY ALREADY HAS A "RAVEN'S LANE"!



STOCKLAND & TRANTHAM, P.A.

ATTORNEYS AT LAW

21 SOUTH BLOCK STREET • P.O. BOX 1723

FAYETTEVILLE, AR 72702-1723

THOMAS D. STOCKLAND
CHARLES S. TRANTHAM

TELEPHONE (501) 521-713
FAX (501) 521-040

October 27, 1998

Edward D. Connell
City of Fayetteville
113 West Mountain
Fayetteville, AR 72701

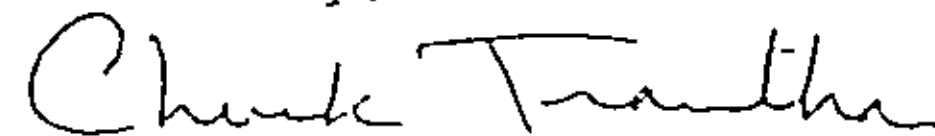
RE: Keenan (JTK Trust) Property
Pt. NW 1/4 - NE 1/4 - 36-17-30
Property Appraisal

Dear Ed:

I am in receipt of your letter to Mark Risk dated October 22, 1998. One reason that my client was interested in getting credit for the real estate an individual back some time ago donated an acre of ground similar to his and the City appraised it at \$100,000.00. Ed, keep in mind that my client is not asking for the money, just the credit, therefore, I hope that this will be taken into consideration when the appraisal is submitted.

My client has come up with another name for the street if possible. He would like for the street to be named "Farr". In your last letter, you indicated that the name "Raven" had been taken, however, if you would confirm by way of letter if renaming this street is a possibility. Your time, efforts and consideration in this matter along with your patience is deeply appreciated.

Sincerely,



Charles S. Trantham
Attorney at Law

CST;cw
cc: Client
Enclosure

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

November 4, 1998

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHN (22)
Fayetteville Bicycle Trails ATEP-94) (S)
Washington County

Dear Mr. Vozel:

The AHTD had asked for progress reports relating to the above - referenced enhancement project.

Errol Street Trail: The City has received a letter from Mr. Keenan's attorney dated October 27, 1998. They have asked for an appraisal on the amount of land being dedicated. Also, they are requesting that Errol St. be renamed to Farr St. The City is working on these requests.

St. Paul Rail Trail: The appraiser has made the minor corrections that were asked for and the Right Of Way Division at the AHTD should be receiving the appraisals for review shortly.

Sincerely,



Chuck Rutherford
Sidewalk & Trails Coordinator

cc: Bill Bradberry	Frank Riggins
Ed Connell	Celia Scott-Silkwood
Yolanda Fields	Charles Venable
Steven Morgan	

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

December 16, 1998

Mr. Frank Vozel
Engineer of Programs and Contracts
Arkansas Highway and Transportation Department
P.O. Box 2261
Little Rock, Arkansas 72203

Re: Job 040195
F.A.P. STPE-ENHN (22)
Fayetteville Bicycle Trails ATEP-94) (S)
Washington County

Dear Mr. Vozel:

The AHTD had asked for progress reports relating to the above - referenced enhancement project.

Errol Street Trail: As stated in last months letter the owner of the property has asked for an appraisal on the amount of land being dedicated. The City has asked an appraiser to do this and is waiting on the appraisal.

St. Paul Rail Trail: The appraisals were sent to the AHTD Right of Way Division for review on November 3, 1998.

Sincerely,



Chuck Rutherford
Sidewalk & Trails Coordinator

cc: Bill Bradberry
Don Bunn
Ed Connell
Yolanda Fields

Steven Morgan
Frank Riggins
Celia Scott-Silkwood
Charles Venable

STOCKLAND & TRANTHAM, P.A.

THOMAS D. STOCKLAND

CHARLES S. TRANTHAM

ATTORNEYS AT LAW
21 SOUTH BLOCK STREET • P.O. BOX 1723
FAYETTEVILLE, AR 72702-1723
TELEPHONE (501) 521-7130
FAX (501) 521-3608

tom@sandtlaw.com

chuck@sandtlaw.com

January 11, 1999

Alett Little, Planning Director
City of Fayetteville
113 W. Mountain
Fayetteville, AR 72701

RE: Raven Foundation – Donation to the City

Dear Annette:

Raven Foundation is in the process of donating acreage to the City for two purposes. The first, being that of a hike trail or park, the second is for a through street. The Raven Foundation is a non-profit corporation whose purpose is providing needs to municipalities, individuals and other needy entities. Raven Foundation has not only provided equipment and supplies to the Fayetteville law enforcement, but has contributed a great deal to their educational program.

With regard to the donation of the land, Raven Foundation requests two things. It's request that the street, which will run through the property in question be named "FARR Lane". Moreover, the Raven Foundation is also requesting that the bike trail that is to parallel the street in question, be called "Raven Trial or Raven Park". The name "FARR" is the last name of a family member of Mr. Keenans, which is why he is requesting the street name be changed. The Raven Trial or Raven Park speaks for itself and that would be named after the Foundation who donated the property.

Pursuant to our last conversation, you indicated that you would need an individual as a contact to appear before any committees or answer questions which may arise. The Raven Foundation has given me that authority. Please begin processing this request and inform me of any other information you may need or require.

Should you have any questions, please do not hesitate to call.

Sincerely,


Charles S. Trantham
Attorney at Law

CST:cw
cc: client

G:\CARLA\City of Fayetteville Raven Request letter.doc

SIDEWALK & TRAILS COMMITTEE

November 9, 1998

The purpose of the committee is to keep updated on what is going on with trail projects in the city and to give input whenever possible. There are no terms or time-frame requirements, anyone who wants to be on the committee need only come to the meeting. The committee, at this time, consist of a city council member, a regional planning commission member, and community members. It is chaired at this time by Heather Daniels, City Council Alderman, and the advisors to the committee are employees of the City of Fayetteville; Chuck Rutherford, Sidewalk & Trails Coordinator, an employee of the Police Dep't. and an employee of the Parks Dep't.. This committee meets on the second Wednesday of the month at 4:30 in Room 326, City Administration Building.

Heather Daniel
City Council
1614 Sawyer Place
P.O. Box 4041
Fayetteville, AR 72702
521-7891/636-2202 (w)

Kyle Russell
628 N. Oakland, #3
Fayetteville, AR 72701
444-6408

Bob Davis
3257 Autumn Court
Fayetteville, AR 72703
442-5950/521-2233 (w)

Conrad Odom
Planning Comm. Chairman
2590 Stagecoach Drive
Fayetteville, AR 72703
575-0431/442-7575(w)

Bill Ackerman
Parks Board Chairman
2476 St. James Place
Fayetteville, AR 72701
582-5050/582-5000 (w)

Jami Eccleston Apt. #3
FAAT Bike Collective
320 W. Meadow Street
Fayetteville, AR 72701
575-3223/582-1017(w)

Mark Pickett
P. O. Box 923
18 West Prospect St.
Fayetteville, AR 72702
443-6674

Don West
327 Meadow
Fayetteville, AR 72701
571-3087/442-9311(w)

David Renko
201 Louise St.
Fayetteville, AR 72701

Binn Ross
FAAT Bike Collective
14411 Hummingbird Rd.
Fayetteville, AR 72701-0364

Andrew McQuie
511 N. Walnut
Fayetteville, AR 72701
442-0323

Lauren Kreul
530 N. Oakland
Fayetteville, AR 72701
571-0021/575-3240(Studio)

Randy Zurcher
851 S. Hill
Fayetteville, AR 72701
443-4697/444-6577 (w)

Rex DuFour
6 Elm Street
Fayetteville, AR 72703
443-3980/442-9824(w)

Celia Scott-Silkwood
NWA Regional Planning Comm.
P. O. Box 745
Springdale, AR 72765
751-7125(w) Fax 751-7150

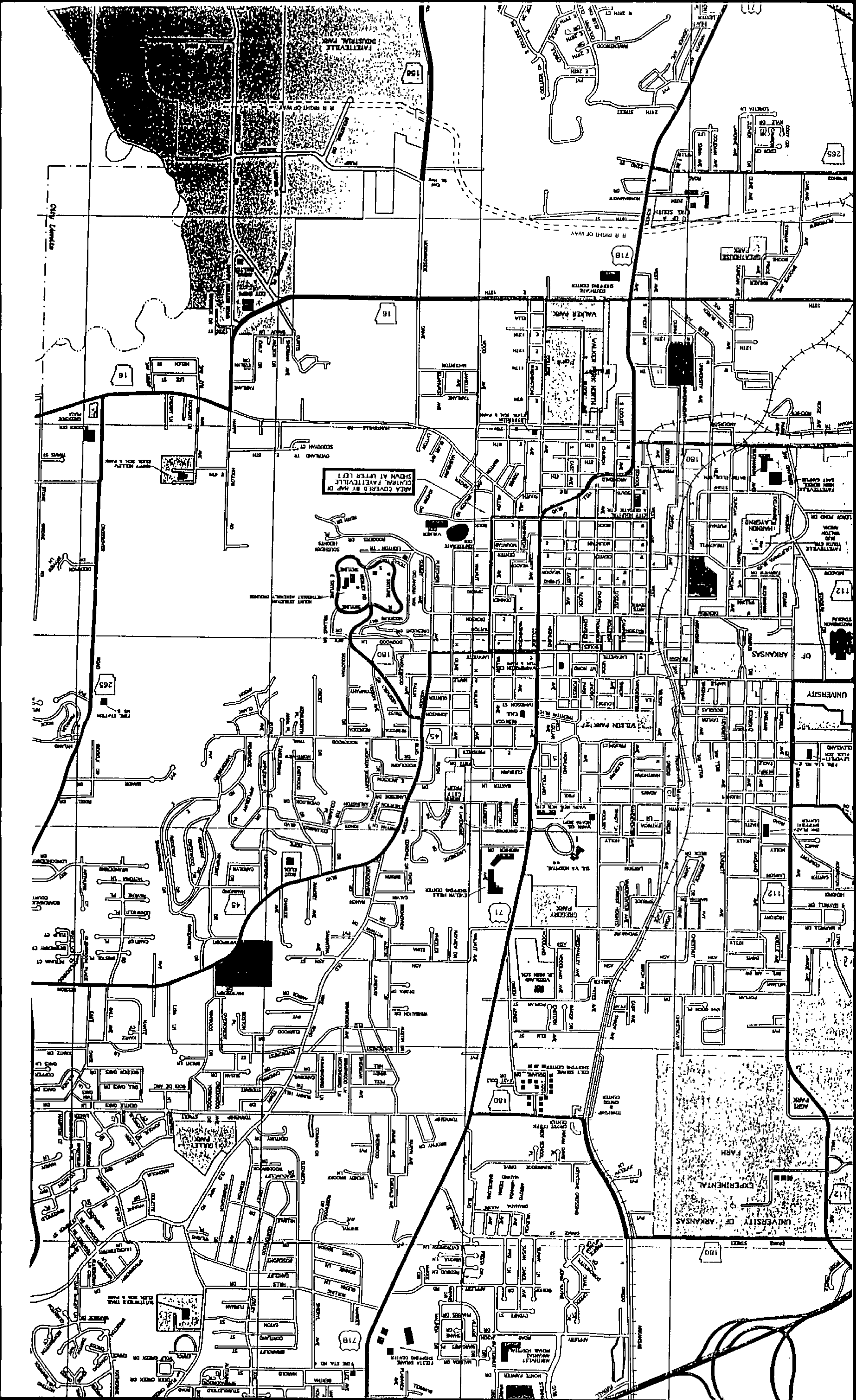
Page 2

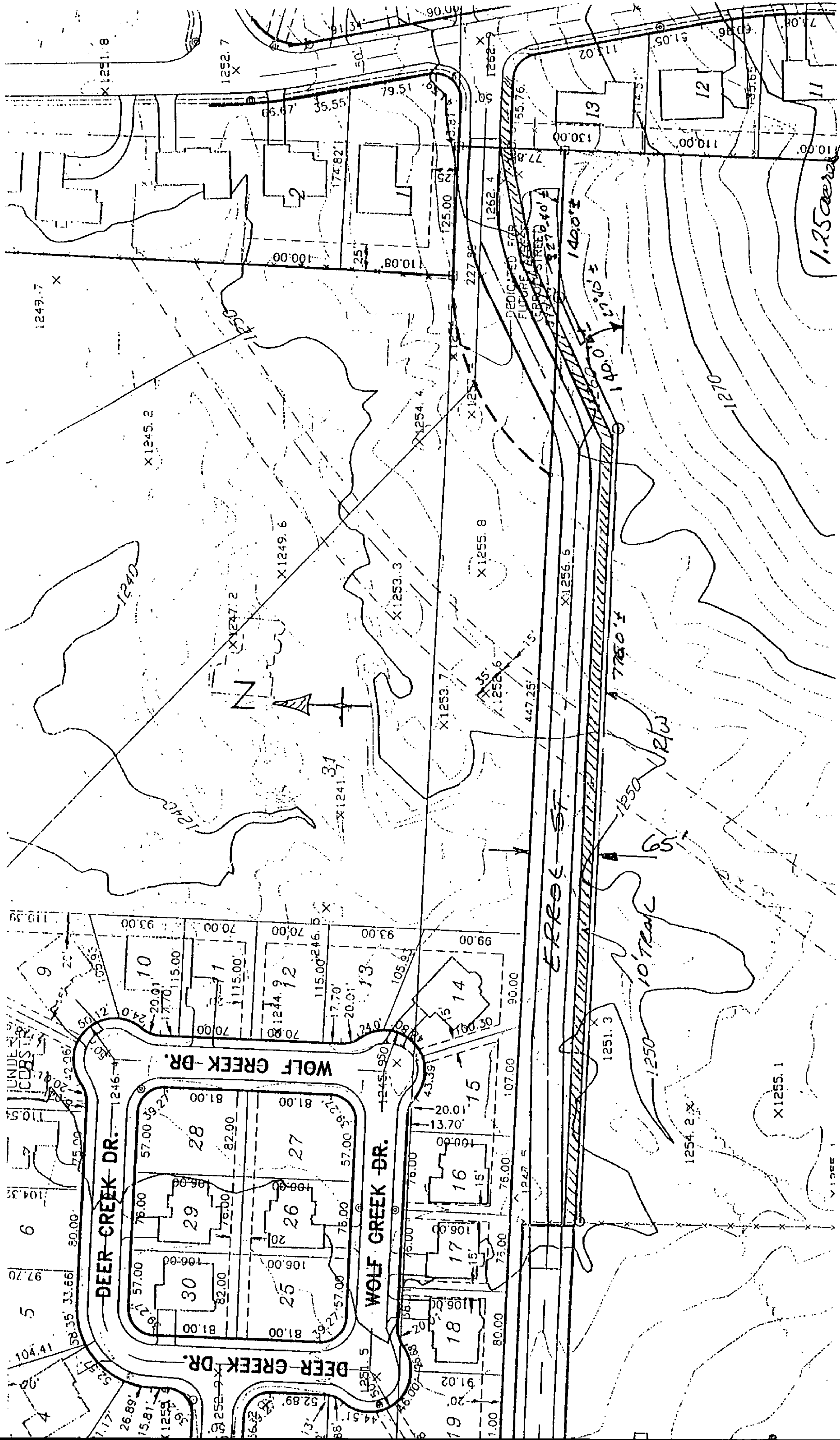
Advisors to Trails Committee:

Chuck Rutherford
Sidewalk & Trails Coordinator
Public Land Maintenance Department
City of Fayetteville
575-8291 (w)

Sgt. Casey Brown
Police Dep't.
City of Fayetteville
587-3547 (w)

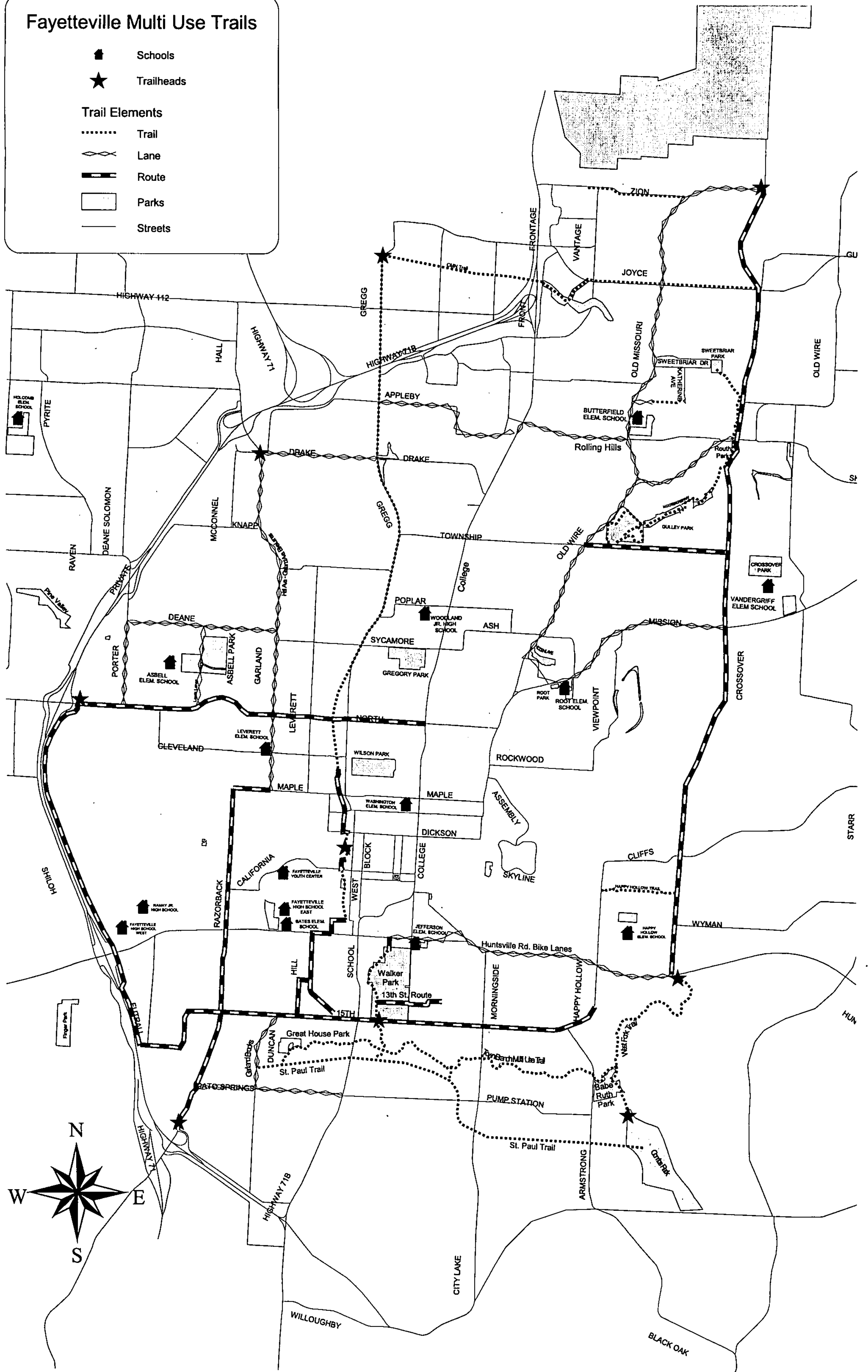
Kim Rogers
Parks Department
City of Fayetteville
444-3469 (w)





Fayetteville Multi Use Trails

-  Schools
-  Trailheads
- Trail Elements
 -  Trail
 -  Lane
 -  Route
 -  Parks
 -  Streets



FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

TENTATIVE AGENDA

FAYETTEVILLE CITY COUNCIL MEETING JANUARY 19, 1999

A meeting of the Fayetteville City Council will be held on January 19, 1999 at 6:30 p.m. in the City Administration Building, 113 West Mountain Street, Room 219, Fayetteville, Arkansas.

The following items will be considered:

I. CONSENT

- A. **WATER & SEWER STUDY:** A resolution awarding a contract to Black and Veatch Consulting Engineering for the purpose of conducting a water and sewer study.
- B. **STATE OF ARKANSAS CONTRACT:** A resolution accepting the State of Arkansas Contract award ST-99-0157, item # 9, 1999 Ford Crown Victoria police pursuit sedan including option "IO" and modifications to "ee" for fourteen units.
- C. **DRUG LAW ENFORCEMENT PROGRAM:** A resolution renewing the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant for the Drug Law Enforcement Program.

II. OLD BUSINESS

III. NEW BUSINESS

Only items presented by the City Council or City Staff may be discussed during the meeting. If you have an item you wish to discuss, please contact your have it presented at the next City Council Agenda Session. For further assistance, alderman to please contact Heather Woodruff, City Clerk, at 575-8323.

STAFF REVIEW FORM

NW ARK AVIATION
III.L.1

XX AGENDA REQUEST
____ CONTRACT REVIEW
____ GRANT REVIEW

For the Fayetteville City Council meeting of February 2, 1999
FROM:

Dale Frederick
Name

Airport
Division

General Government
Department

ACTION REQUIRED: Approval of a lease with Northwest Arkansas Aviation Technologies Center to lease an executive hanger located at 4248 South School Avenue. The initial lease term is five(5) years with three (3) additional five (5) year lease options. Also requested is a budget adjustment establishing a project budget to perform the necessary building improvements to bring the building up to current building code standards.

COST TO CITY:

\$75,000 estimate
Cost of this Request

\$ -0-
Category/Project Budget

NWAATC Hanger Imp
Category/Project Name

5550-3960-5804-00
Account Number

\$ -0-
Funds Used To Date

Airport Capital
Program Name

99050-1
Project Number

\$ -0-
Remaining Balance

Airport Fund
Fund

BUDGET REVIEW: _____ Budgeted Item XX Budget Adjustment Attached

[Signature]
Budget Coordinator

Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:**GRANTING AGENCY:** _____

Accounting Manager

Date

Internal Auditor

Date

City Attorney

Date

ADA Coordinator

Date

Purchasing Officer

Date

STAFF RECOMMENDATION: Staff recommends approval of this lease and budget adjustment.

[Signature]
Division Head

Jan 21, 1999
Date

Cross Reference

Department Director

Date

New Item: **Yes No**

Administrative Services Director

Date

Prev Ord/Res #: _____

Mayor

Date

Orig Contract Date: _____

C:\APP\99BUDGET\99BUDGET\TANHANGE.LSE

DEPARTMENTAL CORRESPONDENCE

To: Fred Hanna, Mayor

From: Dale Frederick, Airport Manager 

Date: January 20, 1999

re: Lease of hanger at Drake Field to Northwest Arkansas Aviation Technologies Center

The Northwest Arkansas Aviation Technologies Center (NAATC) has been awarded a grant by the Arkansas Economic Development Commission to assist in funding an aircraft construction and maintenance school. The NAATC has entered into a contract with SABRE to establish and operate the school. The hanger is located at 4248 South School Street. It was previously occupied by Mesa Airlines and has been vacant for the past few years.

The Airport Board will review this lease at a called Airport Board meeting. Their recommendation will be presented at the City Council Agenda session on January 25, 1999.

This agenda item consists of accepting the lease agreement with NAATC and approving a budget adjustment that will establish a project and project funding to accomplish the necessary building improvements the City is responsible for in the lease agreement. The terms of the lease provide for a monthly lease payment of \$4,500 with an initial lease term of five (5) years. The lease contain three additional five year terms for a total potential lease term of twenty (20) years.

The City is responsible (under the lease terms) to bring the hanger up to current state and local building codes. Specifically, the City is responsible for basic building structure including the floors, walls, ceiling, roof, sprinkler system, all plumbing and fittings thereto, primary electrical circuits, heating, ventilation and air conditioning, maintenance of the existing paved ramp and parking lots, and, perimeter fences. The target date for completion of the all of the building improvements both by the City and the lessee in May 1, 1999.

**City of Fayetteville, Arkansas
Budget Adjustment Form**

**NW ARK AVIATION
III.L.3**

Budget Year	Department: General Government	Date Requested	Adjustment #
1999	Division: Airport	01/20/99	
	Program: Airport Capital		

Project or Item Requested: Funding is requested to establish a project to renovate an executive hanger at Drake Field for the Northwest Arkansas Aviation Technologies Center for use as an aircraft construction and maintenance school.	Project or Item Deleted: Funding proposed for this adjustment is from the HVAC Air handlers project and use of fund balance.
---	--

Justification of this Increase: The funding requested will provide the project funds to bring the basic building systems up to the current building codes. The NWAATC has committed to a multiyear lease agreement utilizing the executive hanger formally occupied by Mesa Airlines.	Justification of this Decrease: The Air Handler project was for replacement of equipment in the passenger terminal. With the relocation of essentially all of the passenger air traffic the project can be postponed. Sufficient cash & investments exist to fund the remaining cost of the this project.
---	---

Increase Expense (Decrease Revenue)

Account Name	Amount	Account Number	Project Number
Building Improvements	75,000	5550 3960 5804 00	99050 1

Decrease Expense (Increase Revenue)

Account Name	Amount	Account Number	Project Number
Building Improvements	60,000	5550 3960 5804 00	99039 1
Use of Fund Balance	15,000	5550 0955 4999 99	

Approval Signatures

Requested By	Date
	1/21/99
Budget Coordinator	Date
Department Director	Date
Admin. Services Director	Date
Mayor	Date

Budget Office Use Only

Type:	A	B	C	<u>D</u>	E
Date of Approval					
Posted to General Ledger					
Posted to Project Accounting					
Entered in Category Log					

EXECUTIVE HANGAR LEASE AGREEMENT

This LEASE AGREEMENT made this _____ day of _____, 19____, between the City of Fayetteville, Arkansas, hereinafter called "Lessor", and Northwest Arkansas Aviation Technologies Center, of 100 W. Center, Suite 300, Fayetteville, AR 72701, hereinafter called "Lessee".

WHEREAS, Lessor is the owner of an airport known as the Fayetteville Municipal Airport (Drake Field), herein referred to as the "Airport"; and

WHEREAS, Lessor is the owner of a facility at the Airport; and

WHEREAS, Lessee desires to lease this facility.

NOW, THEREFORE, the parties, in consideration of the mutual covenants contained herein, hereby agree as follows:

1. Lessor leases to Lessee, and Lessee leases from Lessor, the facility at 4248 South School Avenue, Fayetteville, Arkansas, 72701 as reflected on Exhibit "A" attached hereto and made a part hereof.

2. Lessee is granted the use, without charge, in common with others similarly authorized, of the Airport, together with all facilities, equipment, improvements, and services which have been or may hereafter be provided at or in connection with the Airport from time to time including, but not limited to, the landing field and any extensions hereof or additions thereto, roadways, not less than one hundred (100) parking spaces, runways, ramps (including noise barriers), aprons, taxiways, flood lights, landing lights, beacons, control tower, signals, radio aids,

and all other conveniences for flying, landings and take-offs.

3. Lessee shall have at all times the full and free right in ingress to and egress from the demised premises and facilities referred to herein for Lessee, its employees, students, guests, and other invitees. Such rights shall also extend to persons or organizations supplying materials or furnishing services to Lessee.

4. Subject to earlier termination as hereinafter provided, the initial term of the Lease Agreement shall be for a period of five (5) years, commencing on the later of: (i) the Date of Lessee's Beneficial Occupancy, or (ii) the 1st day of May, 1999 (the effective date hereinafter referred to as the "Commencement Date") and ending on the 30th day of April, 2004. Lessor further agrees to extend this Agreement for three additional five (5) year terms. The parties agree that the rental to be effective as of the commencement of each of the renewal terms shall be equal to the rate set forth in Section 5, as adjusted by the CIP Index, as defined to mean the monthly index published by the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for all Urban Customers (CPI-U) Dallas-Fort Worth, Texas - All Items (1982-1984=100). Lessor and Lessee agree that Lessee may terminate this Agreement at any time after the first year of Lessee's beneficial occupancy by providing notice to Lessor thirty (30) days prior to the effective date of termination.

5. Lessee agrees to pay Lessor for the use of the demised premises, facilities, rights, and privileges granted hereunder the sum of \$ 4,500.00 per month during the initial Lease term. However, should the Lease term begin on a day other than the first day of a calendar month, or should the Lease end on a day other than the last day of a calendar month, such partial month Lease payment shall be a pro-rated share of the monthly Lease payment. The initial Lease

payment is due and payable upon the Commencement Date, and all subsequent monthly Lease payments shall be due and payable in advance on or before the 1st day of each calendar month thereafter.

6. Lessor shall maintain and keep in good repair so much of the Airport premises as is not under the exclusive control of Lessee.

7. Lessee shall provide for and supply at its expense all janitor service with respect to the demised premises, and shall pay for all utilities serving the demised premises.

8. Lessee agrees to observe and obey Lessor's Ordinances and Regulations with respect to use of the demised premises and Airport; provided, however, such rules and regulations shall be consistent with safety and with all city, county, and state rules and regulations, including all current fire codes, and orders of the Federal Aviation Administration with respect to aircraft operations at the Airport. Lessee shall be subject to Lessor's "Minimum Standards for Commercial Aeronautical Activities at Drake Field" which are incorporated herein by reference thereto and made a part hereof as if set out word for word. Lessor warrants and covenants unto Lessee that no hazardous or any other substances, as defined in 40 CFR 302, exist on the demised premises which are restricted, prohibited or penalized by an "Environmental Law", which term shall mean any federal, state or local law, regulation or ordinance relating to pollution or protection of the environment. If any testing or study discloses the existence of any hazardous substances on the demised premises that are determined to have been present on the demised premises prior to the execution of this Lease, it shall be Lessor's responsibility to timely arrange and pay for any costs associated with environmental testing and/or studies, remedial action, cleaning up or removing the hazardous substances to a proper disposal site in accordance with all

applicable laws and the governmental agency having jurisdiction thereof.

9. Lessor authorizes Lessee to use the premises for the implementation and conducting of an Aviation Maintenance Technology Program, including but not limited to, the provision of such training and educational components as are required for an airframe and power plant certification by the Federal Aviation Administration under FAR 147. Subject to the prior written approval of the Lessor, which shall not be unreasonably withheld, Lessee shall also have the right to use the demised premises for other purposes ancillary or related to Lessee's operations. Aircraft, aircraft components and sub-components, vehicles, equipment, materials and/or supplies necessary to the training program may be stored on the demised premises. Lessee further agrees to store flammable material only in approved containers, and not to violate the provisions of Lessor's standard commercially available property damage insurance policy. Any such violations shall constitute a material breach of this agreement.

10. If the demised premises are partially damaged by fire or other casualty which is not due to the negligence or fault of the Lessee, said premises shall be repaired with due diligence by Lessor at Lessor's expense. If the damage is so extensive as to render such building untenable, the rent payable hereunder shall be proportionally paid up to the time of such damage and shall thenceforth cease until such time as the premises shall be fully restored. If the demised premises are completely destroyed, Lessor may reconstruct the hangar at the Lessor's own cost and the rent payable hereunder shall be adjusted as set forth above, or either Lessor or Lessee may, at its option, cancel this agreement, such cancellation to be effective as of the date the hangar was destroyed, and the rent adjusted as set forth above.

11. Lessor shall procure and maintain in force during the term of this Agreement fire

and extended coverage on the facility in an amount equivalent to the replacement cost thereof. Lessee shall be required to insure any contents within the facility.

During the term of this agreement Lessee shall at all times maintain general public liability insurance in the amount of \$1,000,000.00. Lessee shall file with Lessor's Airport Manager Certificates of Insurance evidencing the insurance coverage required hereby.

12. Lessee agrees to indemnify Lessor against any liability for injuries to persons or damage to property caused by Lessee's gross negligent use or occupancy of the leased premises; provided, however, that Lessee shall not be liable for any injury, damage or loss occasioned by the negligence of Lessor or its agents or employees; and provided further, that Lessor shall give to Lessee prompt and timely notice of any claim made or suit instituted which in any way directly or indirectly affects or might affect Lessee, and Lessee shall have the right to compromise and defend the same to the extent of its own interest. This clause shall not be construed to waive that tort immunity as set forth under Arkansas Law.

13. Improvements: Lessor shall bear the cost of all improvements necessary to comply with all current State and local building codes for the basic building structure area including, but not limited to: (i) floors, walls, ceiling and roof; (ii) sprinkler system; (iii) all plumbing and fittings thereto; (iv) primary electrical circuits; (v) heating, ventilation and air conditioning (HVAC); (vi) maintenance of existing paved ramp and parking lots; and (vii) existing perimeter fences. Lessee shall bear the cost of all improvements or additions made to the interior of the building for new classrooms and/or labs, including, but not limited to: (i) the construction of new walls and ceilings; (ii) the installation of new stairwells, doors and lighting fixtures; (iii) the relocation of existing and/or installation of new electrical circuits; (iv) the construction of a new sidewalk on

the north side of the existing building; and the installation of new HVAC ducts and grates. No improvements or additions to any part of the leased premises shall be made by Lessee without the prior written approval of the Airport Manager. Any signs to be erected on or attached to the leased premises must have the prior written approval of the Airport Manager and conform to all City ordinances.

14. Maintenance: The Lessor shall be responsible only for major maintenance of the existing equipment, i.e. replacement of heating unit and other equipment installed by Lessor which includes roof, exterior walls and exterior plumbing, HVAC, and sprinkler system, existing paved ramp and paved parking lots. The Lessor agrees that if the roof or any part of the exterior walls or exterior plumbing of said building thereof shall become defective or damaged at any time during the term due to ordinary wear and tear and not due to negligence of the Lessee, or Lessee's agents or invitees, upon notice from Lessee, the Lessor will immediately cause repairs to be made and restore the defective portions to good condition. Routine maintenance of the large aircraft doors shall remain the responsibility of the Lessor.

15. If Lessee fails to make any payment due hereunder within thirty (30) days of the date on which such payment is due, Lessor may, at its option, terminate this Agreement and take possession of so much of Lessee's personal property as is reasonably necessary to secure payment of the amount due and unpaid. Lessor shall also have the right to terminate this Agreement in the event Lessee breaches any other terms of this Agreement; provided, however, no breach shall be deemed to exist unless Lessee fails to cure said breach within thirty (30) days after receipt of written notice thereof. As to curing of a breach (other than the payment of rent) which would reasonably require a greater period of time for curing than is provided for above, if the Lessee

shall, within the time stipulated, commence such curing and diligently pursue same, then the above time period shall be extended to allow Lessee reasonable opportunity to complete said cure.

16. On the expiration or other termination of this Lease, Lessee's right to use the demised premises shall cease, and Lessee shall vacate the premises without unreasonable delay. All permanent interior structures installed, erected, or placed by Lessee in, on, or about the premises leased hereunder shall remain the property of Lessor.

17. Lessor may enter the premises leased to Lessee at any reasonable time for any purpose necessary or incidental to the performance of its obligation.

18. Lessee shall maintain the demised premises in a clean and orderly fashion at all times.

19. Lessee shall not start or operate aircraft engines within the facility leased hereby and shall not allow such operations by any other person.

20. Lessee shall not at any time assign this lease or sublet the demised premises without the prior written consent of Lessor.

21. Any notice or consent required by this Agreement shall be sufficient if sent by Certified Mail, return receipt requested, postage paid, to the following address:

LESSOR: Airport Administration Office
4500 S. School, Suite F
Fayetteville, Arkansas 72701
Phone: 501-521-4750, ext. 6

LESSEE: Chairman
Northwest Arkansas Aviation Technologies Center
100 West Center Suite 300
Fayetteville, AR 72701
Telephone: 501-582-2100

23. This Agreement shall be construed under the laws of the State of Arkansas.

24. All the covenants, conditions, and provisions under this Agreement shall extend to and bind the legal representatives, successors, and assigns of the respective parties hereof.

(The remainder of this page is intentionally left blank)

IN WITNESS WHEREOF, the parties have executed this Lease on the day and year first
above written.

LESSOR:
CITY OF FAYETTEVILLE, ARKANSAS

By: _____
Fred Hanna, Mayor

ATTEST:

By: _____
Heather Woodruff, City Clerk

LESSEE:
NORTHWEST ARKANSAS AVIATION
TECHNOLOGIES CENTER

By: _____
Mark Simmons

Title: _____
Chairman

ATTEST:

By: _____
Buddy Philpot

Title: _____
(Secretary)

FAYETTEVILLE HOUSING AUTHORITY

#1 NORTH SCHOOL AVE.
FAYETTEVILLE, AR. 72701-5928
PH: (501) 521-3850 FAX (501) 442-6771

December 21, 1998

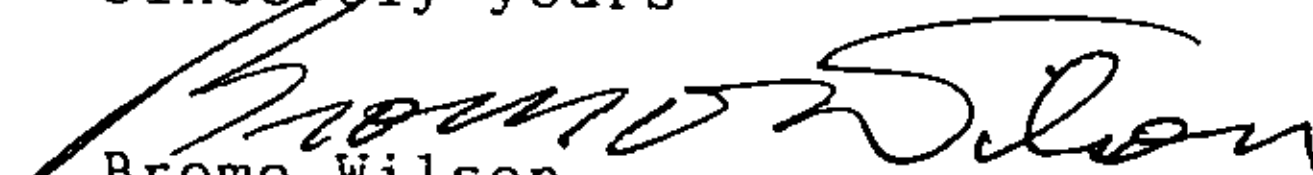
Honorable Mayor Fred Hanna
City of Fayetteville
113 West Mountain Street
Fayetteville, AR 72701

Dear Mayor Hanna,

The Fayetteville Housing Authority Board of Commissioners met in monthly meeting December 16, 1998, and re-elected Clarence Fries to the board. His five year term will run to December 28, 2003.

We would appreciate the City Board's confirmation of this election at their next regular board meeting.

Sincerely yours


Bromo Wilson
Executive Director

RECEIVED

DEC 22 1998

CITY OF FAYETTEVILLE
MAYOR'S OFFICE

STAFF REVIEW FORM

☒ AGENDA REQUEST
☐ CONTRACT REVIEW
☐ GRANT REVIEW

For the Fayetteville City Council meeting of: January 5, 1999

FROM:

Randy Allen
Name

Street
Division

Public Works
Department

ACTION REQUIRED: Approve bid awards for construction materials utilized in the Street Fund, In-House Pavement Improvements, In-House Sidewalk Improvements and other Divisions.

COST TO CITY:

\$1,041,701
Cost of this request

\$1,313,082
Category/Project Budget

In-House Pavement Imp.
Category/Project Name

4470-9470-5809.00
Account Number

\$271,381
Funds Used to Date

N/A
Program Name

97033 & 96041
Project Number

\$1,041,701
Remaining Balance

Sales Tax Capital
Fund

BUDGET REVIEW:

☒ Budgeted Item

☐ Budget Adjustment Attached

[Signature]
Budget Coordinator

[Signature]
Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY:

[Signature]
Accounting Manager

12-18-98
Date

[Signature]
ADA Coordinator

12/16/98
Date

[Signature]
City Attorney

12-16-98
Date

[Signature]
Internal Auditor

12/16/98
Date

[Signature]
Purchasing Officer

12-16-98
Date

STAFF RECOMMENDATION:

[Signature]
Division Head

[Signature]
Date

Cross Reference

New Item: YES NO

[Signature]
Department Director

12-18-98
Date

Prev Ord/Res #: _____

[Signature]
Administrative Services Director

[Signature]
Date

Orig. Contract Date: _____

[Signature]
Mayor

12/18/98
Date

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

TO: Fayetteville City Council

THRU: Fred Hanna, Mayor

FROM: Charles Venable, Public Works Director
Randy Allen, Street Superintendent *R.A.*

DATE: December 16, 1998

SUBJECT: Bid Awards for Construction Materials

Bids were opened for construction materials utilized by the Street Division and other divisions for the fiscal year 1999. The following is the results of those bids and staff's award recommendation.

The asphalt and aggregate bid only had one bidder and should be awarded to McClinton-Anchor.

The ready-mix concrete bid only had one bidder and should be awarded to Beaver Lake Concrete.

The curb and gutter bid only had one bidder and should be awarded to Sweetser Construction.

The red hillside gravel bid only had one bidder and should be awarded to Les Rogers, Inc.

The hot-applied thermoplastic pavement marking bid only had one bidder and should be awarded to Time Striping, Inc.

The geotextile fabric bid had two bidders and should be awarded to the low bidder, Darragh Company.

The de-icing salt bid had three bidders and should be awarded to the low bidder, Bruce Oakley, Inc.

The portland cement bid had two bidders and should be awarded to the low bidder, Blue Circle Cement.

The asphalt oil bid had three bidders and item 1 should be awarded to Lion Oil Company, item 3 should be awarded to Koch Materials Company, and item 4 should be awarded to Lion Oil Company. No bid was received on item 2 and it will not be re-bid.

The bid for topsoil had no bidders and had to be re-bid. The results of that bid opening will be available before the council meeting on January 5th, 1999.

City of Fayetteville
Agenda Attachment

Schedule of Funds Available for Ready-Mix Concrete, Asphalt and Related Materials, Limestone Products, Hillside, Thermoplastic Striping and Curb Ramps.

<u>Account #</u>	<u>Account/Project Name</u>	<u>Project #</u>	<u>Amount</u>
4470-9470-5809.00	In-House Pavement Imp.	95047	\$843,000
4470-9470-5814.00	In-House Sidewalk Imp.	96041	281,000
2100-4120-5215.00	Hot Mix, Asphalt, & Gravel	Operations	95,832
5400-4310-5216.00	Construction Materials	Operations	64,500
5400-4410-5216.00	Construction Materials	Operations	<u>28,750</u>
	Total Funds Available		\$1,313,082
	Funds Committed/Used		<u>271,381</u>
	Funds Remaining		<u><u>\$1,041,701</u></u>

Funds committed include labor and equipment for the in-house paving program of \$50,000 and \$221,381 respectively.

INVITATION TO BID

SHARPS LOCATION

BID # 99-6	DATE ISSUED: November 23, 1998	DATE AND TIME OF OPENING: December 10, 1998 at 11:00 a.m.
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BUYER: City of Fayetteville, AR	DATE REQUIRED: 30 DAYS ARO
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F. O. B. Fayetteville, AR	BUYER'S PHONE # (501) 575-8289	GUARANTEED DELIVERY DATE:
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ITEM #	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
1	Coarse Lime	TON	<i>NO BID</i>	
2	Abrasive-LS (Grit)	TON	<i>NO BID</i>	
3	1 1/4" Concrete Aggregate	TON	<i>NO BID</i>	
4	3/4" Concrete Aggregate	TON	<i>NO BID</i>	
5	Class 7 Base (SB-2)	TON	<i>4.90</i>	
6	Fill Material	TON	<i>1.25</i>	
7	Surge Pile (8" Minus)	TON	<i>NO BID</i>	
8	Rip Rap (Sized Rock)	TON	<i>10.00</i>	
9	Shot Rock	TON	<i>3.75</i>	
10	TY-2 HM SURF-LS	TON	<i>21.75</i>	
11	TY-3 HM SURF-LS	TON	<i>21.75</i>	
12	TY-2 HM SURF-SS	TON	<i>23.00</i>	
13	TY-3 HM SURF-SS	TON	<i>23.00</i>	
14	Premix-Coarse	TON	<i>25.00</i>	
15	HM Base (Black Base)	TON	<i>20.50</i>	
16	TY-1 HM Binder	TON	<i>21.50</i>	
17	TY-2 HM Binder	TON	<i>21.50</i>	
18	Delivery price to City of Fayetteville Corporate City Limits	TON		
		<i>HAUL</i>		
	RESTRICTIONS OR EXCEPTIONS TO THE BID MUST BE NOTED:	<i>AGGREGATE</i>	<i>2.70</i>	
		<i>RIPRAP</i>	<i>3.70</i>	
		<i>ASPHALT</i>	<i>3.00</i>	
	<i>UNIT PRICES REFLECT DISCOUNT</i>			
	<i>TAXES EXCLUDED</i>			
	<i>SUBJECT TO AVAILABILITY</i>			

EXECUTION OF BID

Upon signing this Bid, the bidder certifies that they have read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agrees to furnish these articles at the prices stated.

UNSIGNED BIDS WILL BE REJECTED	NAME OF FIRM: <i>APAC-ARKANSAS, INC.</i> <i>MCCUNTON-ANCHOR DIVISION</i>	PHONE: <i>521-3550</i>	TAX PERMIT: <i>58-140-1469</i>
	BUSINESS ADDRESS: <i>P.O. BOX 1367</i> <i>240 NORTH BLOCK STREET</i>	CITY AND STATE: <i>FAYETTEVILLE, AR</i>	
	AUTHORIZED SIGNATURE: <i>James A. Cole</i>	TITLE: <i>VICE PRESIDENT</i>	ZIP: <i>72702</i>
			DATE: <i>12/9/98</i>

INVITATION TO BID

WESTFORK LOCATION

BID # 99-6	DATE ISSUED: November 23, 1998	DATE AND TIME OF OPENING: December 10, 1998 at 11:00 a.m.
BUYER: City of Fayetteville, AR		DATE REQUIRED: 30 DAYS ARO
F. O. B. Fayetteville, AR	BUYER'S PHONE # (501) 575-8289	GUARANTEED DELIVERY DATE:

ITEM #	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
1	Coarse Lime	TON	4.90	
2	Abrasive-LS (Grit)	TON	5.40	
3	1 1/4" Concrete Aggregate	TON	6.90	
4	3/4" Concrete Aggregate	TON	7.15	
5	Class 7 Base (SB-2)	TON	5.40	
6	Fill Material	TON	0.90	
7	Surge Pile (8" Minus)	TON	5.65	
8	Rip Rap (Sized Rock)	TON	10.00	
9	Shot Rock	TON	3.65	
10	TY-2 HM SURF-LS	TON	21.75	
11	TY-3 HM SURF-LS	TON	21.75	
12	TY-2 HM SURF-SS	TON	23.00	
13	TY-3 HM SURF-SS	TON	23.00	
14	Premix-Coarse	TON	25.00	
15	HM Base (Black Base)	TON	20.50	
16	TY-1 HM Binder	TON	21.50	
17	TY-2 HM Binder	TON	21.50	
18	Delivery price to City of Fayetteville Corporate City Limits	TON		
		<i>HAUL</i>		
	RESTRICTIONS OR EXCEPTIONS TO THE BID MUST BE NOTED:	<i>AGGREGATE</i>	<i>2.15</i>	
		<i>RIPRAP</i>	<i>3.15</i>	
		<i>ASPHALT</i>	<i>2.45</i>	
	<i>UNIT PRICES REFLECT DISCOUNT</i>			
	<i>TAXES EXCLUDED</i>			
	<i>SUBJECT TO AVAILABILITY</i>			

EXECUTION OF BID

Upon signing this Bid, the bidder certifies that they have read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agrees to furnish these articles at the prices stated.

UNSIGNED BIDS WILL BE REJECTED	NAME OF FIRM: <i>APAC-ARKANSAS, INC.</i>	PHONE: <i>521-3550</i>	TAX PERMIT: <i>58-140-1469</i>
	<i>McCLINTON-ANCHOR DIVISION</i>		
	BUSINESS ADDRESS: <i>P.O. BOX 1367</i>	CITY AND STATE: <i>FAYETTEVILLE, AR</i>	ZIP: <i>72702</i>
	<i>240 NORTH BLOCK STREET</i>		
	AUTHORIZED SIGNATURE: <i>James A. Cole</i>	TITLE: <i>VICE PRESIDENT</i>	DATE: <i>12/9/98</i>

INVITATION TO BID

BID # 99-1	DATE ISSUED: November 23, 1998	DATE AND TIME OF OPENING: December 10, 1998 at 11:00 a.m.
BUYER: City of Fayetteville, AR		DATE REQUIRED: 30 DAYS ARO
F. O. B. Fayetteville, AR	BUYER'S PHONE # (501) 575-8289	GUARANTEED DELIVERY DATE:

ITEM #	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
1	3000 PSI, 1 1/4" Max. Aggregate Size, 4" Slump - per Cubic Yard.		\$53.47	
2	3500 PSI, 1 1/4" Max. Aggregate Size, 4" Slump - per Cubic Yard.		\$55.60	
3	4000 PSI, 1 1/4" Max. Aggregate Size, 4" Slump - per Cubic Yard.		\$57.73	
4	5000 PSI, 1 1/4" Max. Aggregate Size, 4" Slump - per Cubic Yard.		\$64.13	
5	1% Calcium Chloride Admixture - c.y.		\$ 1.45	
6	2% Calcium Chloride Admixture - c.y.		\$ 2.90	
7	Air entraining Admixture - per c.y.		\$ N/C	
8	Hot Water - per c.y.		\$ 1.00	
9	3/4" Rock - per c.y.		\$ 1.10	
10	Flowable Fill - per c.y.		\$44.80	

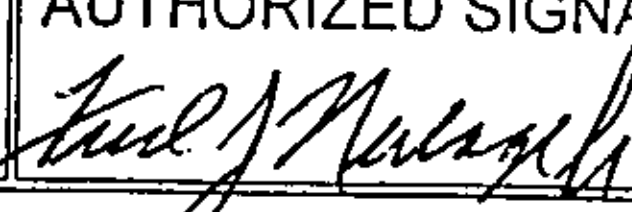
MINIMUM BILLED AMOUNT: three (3) cubic yards

PRICE OF DELIVERY MUST BE INCLUDED IN CUBIC YARD PRICE.

RESTRICTIONS OR EXCEPTIONS
TO THE BID MUST BE NOTED: Minimum load charge is three (3) cubic yards.

EXECUTION OF BID

Upon signing this Bid, the bidder certifies that they have read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agrees to furnish these articles at the prices stated.

UNSIGNED BIDS WILL BE REJECTED	NAME OF FIRM:	PHONE:	TAX PERMIT:
	Beaver Lake Concrete, Inc.	501 756-1833	
	BUSINESS ADDRESS:	CITY AND STATE:	ZIP:
	2425 Old Wire Road P.O. Box 307	Springdale, Arkansas	72765-0307
	AUTHORIZED SIGNATURE:	TITLE:	DATE:
		Fred Neslage Vice President	12/7/98

INVITATION TO BID
CITY OF FAYETTEVILLE, ARKANSAS

BID # 99-2	DATE ISSUED: November 23, 1998	DATE AND TIME OF OPENING: December 10, 1998 at 11:00 a.m.
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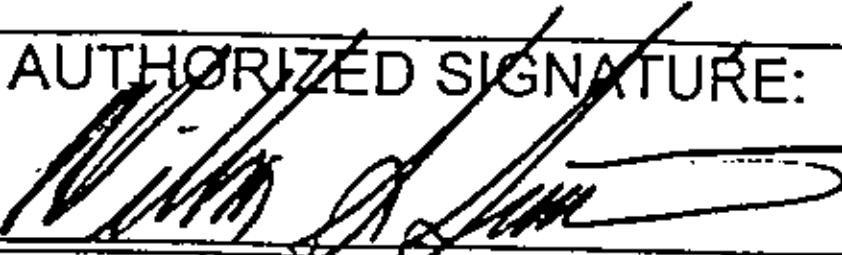
BUYER: City of Fayetteville, AR	DATE REQUIRED: 30 DAYS ARO
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F. O. B. Fayetteville, AR	BUYER'S PHONE # (501) 575-8289	GUARANTEED DELIVERY DATE:
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ITEM #	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
1	Price per linear foot of Hand-Formed curb & gutter. (per attached specifications)	2000 LF	8.35	16700.00
2	Price per linear foot of Machine-Placed curb & gutter. (per attached specifications)	1000 LF	7.35	7350.00
3	Price per square foot of sidewalk. (per attached specifications)	100 SF	4.55	455.00
	Restrictions or exceptions to the bid must be noted:			24505.00

EXECUTION OF BID

Upon signing this Bid, the bidder certifies that they have read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

UNSIGNED BIDS WILL BE REJECTED	NAME OF FIRM: JERRY D. SWEETSER, INC.	PHONE: (501) 443-3026 OFFICE (501) 442-0119 FAX	TAX PERMIT:
	BUSINESS ADDRESS: 580 WEST POPLAR FAYETTEVILLE, AR 72703	CITY AND STATE: 580 WEST POPLAR FAYETTEVILLE, AR 72703	ZIP:
	AUTHORIZED SIGNATURE: 	TITLE: PRESIDENT	DATE: 12-8-98

ARKANSAS PREFERENCE REQUESTED: ☒ YES ☐ NO

WILLIAM G. SWEETSER

INVITATION TO BID

BID # 99-5	DATE ISSUED: November 23, 1998	DATE AND TIME OF OPENING: December 10, 1998 at 11:00 a.m.		
BUYER: City of Fayetteville, AR		DATE REQUIRED: 30 DAYS ARO		
F. O. B. Fayetteville, AR	BUYER'S PHONE # (501) 575-8289	GUARANTEED DELIVERY DATE:		
ITEM #	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
1	Red Hillside Gravel - per Cubic Yard	1	1.25	\$1.25
2	Delivery Price - per Cubic Yard	1	2.25	2.25
Please submit copy of soil analysis report for the material being bid.				
Location of material:				
If City of Fayetteville picks up, will there be equipment at the site to load our trucks?		Yes ☒ No ☐		
Is there a loading charge?		Yes ☐ No ☒	Amount:	\$3.50
RESTRICTIONS OR EXCEPTIONS TO THE BID MUST BE NOTED:				
Would like some				
notice on delivery				
if possible.				

EXECUTION OF BID

Upon signing this Bid, the bidder certifies that they have read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agrees to furnish these articles at the prices stated.

UN SIGNED BIDS WILL BE REJECTED	NAME OF FIRM:	PHONE:	TAX PERMIT:
	Les Royers FALC	4436130	010-8403-72-001
	BUSINESS ADDRESS:	CITY AND STATE:	ZIP:
	1555 Warehouse Dr	Fayetteville Ar	72701
	AUTHORIZED SIGNATURE:	TITLE:	DATE:
	San Royer	President	12-7-98
ARKANSAS PREFERENCE REQUESTED: () YES () NO			

INVITATION TO BID

BID # 99-7	DATE ISSUED: November 23, 1998	DATE AND TIME OF OPENING: December 10, 1998 at 11:00 a.m.		
BUYER: City of Fayetteville, AR		DATE REQUIRED: 30 DAYS ARO		
F. O. B. Fayetteville, AR	BUYER'S PHONE # (501) 575-8289	GUARANTEED DELIVERY DATE: 30 Days		
ITEM #	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
1	Hot Truck Applied Thermoplastic White or Yellow (4") - per linear foot.	45,000 If (estimate only)	.35	
2	Hot Applied Thermoplastic Arrows - Each	as needed	100.00	
3	Hot Applied Thermoplastic Words - Each.	as needed	175.00	
4	Hot Applied Thermoplastic Railroad Emblems - Each.	as needed	750.00	
5	Hot Applied Thermoplastic Handicap Emblems - Each. (Blue Background w/White Emblem)	as needed	242.50	
6	Hot 4" Hand Applied Thermoplastic for Parking Spaces - per linear foot.	as needed	1.10	
* All pavement marking material and lay down procedures must meet current AHTD specifications. RESTRICTIONS OR EXCEPTIONS TO THE BID MUST BE NOTED:				

EXECUTION OF BID

Upon signing this Bid, the bidder certifies that they have read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agrees to furnish these articles at the prices stated.

UNSIGNED BIDS WILL BE REJECTED	NAME OF FIRM:	PHONE:	TAX PERMIT:
	<i>Time Striping, Inc.</i>	<i>501-474-0452</i>	<i>71-0669392</i>
	BUSINESS ADDRESS:	CITY AND STATE:	ZIP:
	<i>P.O. Box 1236</i>	<i>Van Buren</i>	<i>72956</i>
	AUTHORIZED SIGNATURE:	TITLE:	DATE:
	<i>Paul Moon</i>	<i>Sec./Treas.</i>	<i>12-1-98</i>

BID: 99-3
DATE: 12/10/98
TIME: 11:00 AM
CITY OF FAYETTEVILLE

DESCRIPTION: GEOTEXTILE FABRIC

BIDDER	ITEM #1
DARRAGH COMPANY	\$0.345 sq yd
CHOCTAW INC	\$0.35 sq yd

Certified by *P. Vice* P Vice Purch Mgr
Witness *P. Williams* Date 12/10/98

Construction Materials
III.B.11

99-8
E: 12/10/98
: 11:00/AM
OF FAYETTEVILLE

DESCRIPTION: DE-ICING SALT

BIDDER	ITEM #1
BRUCE OAKLEY INC	\$47.25 del
INDEPENDENT SALT CO	N/B
CARGILL INC SALT DIV	\$50.00
MORTON INTL SALT DIV	\$62.95

Certified by *PV Lee*
P Vice Purch Mgr

Witness *R. W. Williams*
Date *12/10/98*

BID: 99-9
DATE: 12/10/98
TIME: 11:00 AM
CITY OF FAYETTEVILLE

DESCRIPTION: PORTLAND CEMENT

BIDDER		ITEM #1	
LONE STAR IND		\$101.63 less \$1.00 discount if pd by 10th EOM	
BLUE CIRCLE CEMENT		1/1 thru 3/31/99 \$78.72	4/1 thru 12/31/99 \$81.72

Certified by P Vice P Vice Purch Mgr
Witness R Williams Date 12/10/98

Construction Materials III.B.13

D: 99-4
YTE: 12/10/98
ME: 11:00 AM
TY OF FAYETTEVILLE

DESCRIPTION: ASPHALT OILS

BIDDER	ITEM #1	ITEM #2	ITEM #3	ITEM #4
LION OIL COMPANY	\$0.6666 del	N/B	N/B	\$0.8560 del
ERYON ASPHALT	N/B	N/B	\$0.8575	N/B
KOCH MATERIALS COMPANY	N/B	N/B	\$0.6758 del	N/B

Certified by *PVica* P Vice Purch Mgr
Witness *Ru Williams* Date *12/10/98*

STAFF REVIEW FORM

XX AGENDA REQUEST
 _____ CONTRACT REVIEW
 _____ GRANT REVIEW

For the Fayetteville City Council meeting of Jan 5, 1999
 FROM: _____

Louise Schaper Library Public Works
 Name Division Department

ACTION REQUIRED:
 Award bid #98-95 - Library Book Detection System.

COST TO CITY:

<u>\$36,000 nte</u> Cost of this Request	<u>\$ 36,000</u> Category/Project Budget	<u>Library Book Detection System</u> Category/Project Name
<u>4470-9470-5720-00</u> Account Number	<u>\$</u> Funds Used To Date	<u>Program Name</u>
<u>99006</u> Project Number	<u>\$ 36,000</u> Remaining Balance	<u>Sales Tax Capital</u> Fund

BUDGET REVIEW: XX Budgeted Item _____ Budget Adjustment Attached

Steph Davis (For budget only)
 Budget Coordinator Administrative Services Director

CONTRACT/GRANT/LEASE REVIEW:

GRANTING AGENCY: _____

<u>Accounting Manager</u>	<u>Date</u>	<u>Internal Auditor</u>	<u>Date</u>
<u>City Attorney</u>	<u>Date</u>	<u>ADA Coordinator</u>	<u>Date</u>
<u>Purchasing Officer</u>	<u>Date</u>		

STAFF RECOMMENDATION:
 Staff recommends award of bid.

Joan N Schaper 12/18/98
 Division Head Date

Cross Reference

Department Director Date

New Item: Yes No

Administrative Services Director Date

Prev Ord/Res #: _____

Mayor Date

Orig Contract Date: _____
 C:\APP\99BUDGET\LIB_BK.AGA

FAYETTEVILLE

THE CITY OF FAYETTEVILLE, ARKANSAS

DEPARTMENTAL CORRESPONDENCE

To: Fred Hanna, Mayor

Thru: Charles Venable, Public Works Director

From: Louise Schaper, Library Director

Re: Award of bid for Library Book Detection System

Date: December 18, 1998

I request that the Library Book Detection System bid award be placed on the January 5, 1999 City Council agenda. The bids have been advertised and will be opened on December 24, 1998. The bid tabulation will be available for distribution to City Council at the City Council agenda session scheduled for December 29.

INVITATION TO BID

BID # 98-95	DATE ISSUED: December 8, 1998	DATE AND TIME OF OPENING: December 24, 1998, at 2:30 p.m.
BUYER: City of Fayetteville, AR		DATE REQUIRED: As scheduled by Project Manager
F. O. B. Fayetteville, AR	BUYER'S PHONE # (501) 575-8289	GUARANTEED DELIVERY DATE:

ITEM #	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
1	PER ATTACHED SPECIFICATIONS: Electronic Library Material Theft Detection System as specified. <u>SUBCONTRACTORS:</u> _____ _____ _____ 100% Performance & Payment Bond required on contracts of \$10,000 or more before notice to proceed is given. Project Manager to contact for site visit is Ms. Louise Schaper at 442-2242 5% BID BOND REQUIRED WITH BIDS SUBMITTED OVER \$20,000. CONTRACTOR'S LICENSE# Mandatory on bids \$20,000 or more. RESTRICTIONS OR EXCEPTIONS TO THE BID MUST BE NOTED:	1		

PLEASE SUBMIT
ITEMIZED PRICING FOR
EQUIPMENT INVOLVED.

EXECUTION OF BID

Upon signing this Bid, the bidder certifies that they have read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

UN SIGNED BIDS WILL BE REJECTED	NAME OF FIRM:	PHONE:	FEDERAL ID#
	BUSINESS ADDRESS:	CITY AND STATE:	ZIP:
	AUTHORIZED SIGNATURE:	TITLE:	DATE:

SPECIFICATIONS

For an electronic library material theft detection system to be installed in the Fayetteville Public Library, located at 217 E. Dickson Street, Fayetteville, Arkansas.

DESCRIPTION OF WORK:

The Fayetteville Public Library circulates over 300,000 items per year and has a collection of over 130,000 items (including genealogy). In 1998 a study was completed that indicated a 6% shrinkage of library inventory had occurred from mid-1997 to mid-1998. This represents an approximately \$55,000 loss in inventory in a one-year period.

Therefore, an electronic library material theft detection system specifically designed for libraries and capable of providing the library with a durable, functional and reliable means of stopping unauthorized removal of books, periodicals and AV materials is to be procured and installed as soon as possible in early 1999.

Three single aisle 9.5Mhz radio frequency security systems are to be installed. One system will be installed at the interior north entrance to the main library. The second system will be installed at the interior south entrance to the main library. The third system will be installed at the interior entrance to the children's library. At one main library entrance system and at the children's library system, theater rope will be installed to prevent patron bypass of the system.

Louise Schaper, Director or Cathy Rew, Finance Manager at (501) 442-2242 may be contacted to answer questions or set up appointments for inspecting the areas where systems will be installed.

The project consists of installing the three single aisle systems, peripheral equipment as listed below, and training all management and staff in its use.

GENERAL REQUIREMENTS:

- Must be a 9.5Mhz radio frequency system; allow up to 5 foot aisle width; and require no more than 1 foot clearance from metal. It must be equivalent in size, style, and supplies and peripherals to Checkpoint's QS4000 XT. Equivalent system bids must meet or exceed specifications of the Checkpoint QS4000 XT system and system labels must be compatible with existing labels in the collection and those available from Baker and Taylor, Inc. The City of Fayetteville will be the sole judge of whether equivalent system bids meets specifications.
- Each bidder must provide bids for their most current models, supply information regarding the systems area of detection, size of all components and power requirements of all components.
- The detection system must not be harmful to, or interfere with the health or well-being of our staff and community of users, or any prosthetic device they may be using, e.g. hearing aids, pacemakers.
- A letter of certification guaranteeing compliance with these stipulations must be

submitted with this bid by all bidders.

- The entire system shall be designed and installed in compliance with all A.D.A. standards and requirements for the handicapped.
- The detection system shall not false alarm due to commonly carried or used items, such as three ring binders, loose leaf binders, wire-bound notebooks, backpacks, belt buckles, keys, etc.
- The detection system must detect treated items that have not been properly checked out. The system will detect these items hidden under clothing, in backpacks, briefcases, etc.
- If the bidding company uses a disclaimer (terms and condition of sale) on any brochures, literature, product or contracts, a copy of this disclaimer shall be included with this bid, accompanied with an explanation of why there is a need for such a disclaimer.

COMPONENTS

A. Sensing monitors:

1. Radio frequency technology—detection system must be compatible with existing labels in the library collection.
2. Overall dimensions: 63.5"H x 21.5"D x 3.5"W
3. Material—charcoal and white colored, ABS plastic
4. Floor mounted with two (2) ½" cement lag bolts per monitor
5. Each monitor equipped with red alarm lights to provide visual and sounder for audible alarm.
6. Aisle width expandable up to 60 in.
7. Weight – 22 lbs. per monitor.

B. Control module:

1. Housing 9"H x 5 3/8"D x 3 1/2" W
2. Weight 6 lbs.
3. Power on indicator light.
4. Primary power requires 110v. 50/60 HZ (grounded outlet)

DETECTION LABELS

Flexible, programmed tag laminated on one side with paper stock, pressure sensitive adhesive coating on reversed side with siliconized release paper. Adhesive film coating requires no moisture, heat or other preparation prior to or after application to clean dry surfaces; will not discolor or lose adhesive or cohesive strength due to age. Its design precludes loss of sensitivity due to normal causes and phenomena. Available in several standard printed formats or custom printing is available.

- The following quantities of detection devices are specified:
 - 130,000 Date Due detection devices (2"x2")
 - 20,000 Reference printed detection devices (2"x2")
 - 1000 Bar code printed detection devices (1.5"x1.6") for CDs, periodicals, equipment.
 - 3000 "Be Kind Please Rewind" detection devices (1.5" x 1.6") for videos

OTHER LABELS AND SUPPLIES

- The following quantities of other labels and supplies are specified:
 - 1000 "cover-up" labels to cover-up the detection circuit from view on CDs.
 - 700,000 Date Due mini-tabs tabs to alter transmission characteristics of previously sensitized items during circulation transactions. Upon removal during the return transaction, protected items maintain their normal state of detectability.
 - 2000 Video Check cards used for due dates and deactivation of detection label on videocassette.
 - Two printer dispensers with key pads used to print "due date" on date due tabs.
 - Three programmable voice alarms—wall-mounted, external alarm, programmable to repeat a personalized message to return to the circulation desk when the system has been alarmed by an unauthorized removal.
 - Two portable verifiers—lightweight hand-held electronic scanner used to pinpoint location of concealed RF security targets causing system to alarm. Powered by two 9 volt batteries that produce an audible tone when active RF label is within 7 inches.
 - Three micro detachers for opening the safer boxes.
 - Eight (8) cartons of CD safer boxes (total 800 plastic reusable security boxes).
 - One carton of double CD safer boxes (total 140 plastic reusable security boxes).
 - Theater cord: 1 post and one four foot section of cord

WARRANTY:

A warranty with at least one-year all-inclusive parts and labor from date of installation must be included. A maintenance/service agreement must be available following the warranty period. Installation and service will be performed by company trained employees only. Local security companies that do not have experience in installing and servicing the system that is being bid will not be accepted. Service calls will have a maximum forty-eight hour response time and an 800 number will be available if service is required.

INSTALLATION AND TRAINING:

The Fayetteville Public Library will accept only turnkey installations, therefore all traffic control items (i.e. post, railing, theater cord etc.) that are needed to insure proper traffic flow will be listed, included in the bid price and installed by the bidding company.

The Library will provide standard 110 volt AC convenience outlet (non-dedicated) for the detection equipment. The cost of any other special wiring required by the system must be included in the bid. If additional items such as transformers etc. are required for satisfactory performance of the system, the bidding company must list and include these items and installation of these items in their bid price.

Installation and training must be at the convenience of the library staff. The successful bidder must provide a written public relations program, training manual, product catalog and provide personal training for key personnel in system operation, use and procedures at the time of installation or within five working days of installation.

In addition to the above specifications, the following terms and conditions shall apply:

1. Scheduling: The project must be completed by February 15, 1998.
2. Insurance: The successful bidder shall, during the term of the installation, maintain statutory limits of workmens' compensation insurance, and public liability insurance providing coverage for personal injury, death or property damage in at least the minimum amounts of \$50,000/\$100,000/\$100,000. Contractor shall provide evidence of such coverage within 15 days of the bid award. Bids totaling \$20,000 or over require a bidder to have a contractors license. A performance bond equaling the total amount of any bid exceeding \$10,000 must be provided for any contract for the repair, alteration or erection of any public building, public structure or public improvement (pursuant to Act 351 of 1953 as amended by Act 539 of 1979).
3. Bids shall be good and firm for a period of 60 days from date of bid opening.
4. Sales tax shall be included in the bid and paid by the bidder.
5. The Library Director shall inspect the work and shall be the sole judge of whether it meets specifications and has been properly installed.
6. Progress payments will be made after approval and acceptance of work and submission of invoice. Payments will be made approximately 30 days after receipt of invoice.
7. All parts of the bid must be completed. Bids must be submitted on forms provided by the City. Bids must be submitted in a sealed envelope clearly marked on the outside of the envelope Bid No. #98-95.
8. All bid prices shall be FOB, 113 West Mountain Street, Fayetteville, Arkansas.
9. The City reserves the right to accept or reject any or all bids, waive informalities in the bidding and make a bid award deemed to be in the best interest of the City.
10. Bids will be received in Room 306, 3rd Floor, 113 W. Mountain, Fayetteville, AR 72701, until 2:30 p.m. December 24, 1998. Bids received after this date and time will not be accepted.

CITY OF FAYETTEVILLE, ARKANSAS
Terms and Conditions

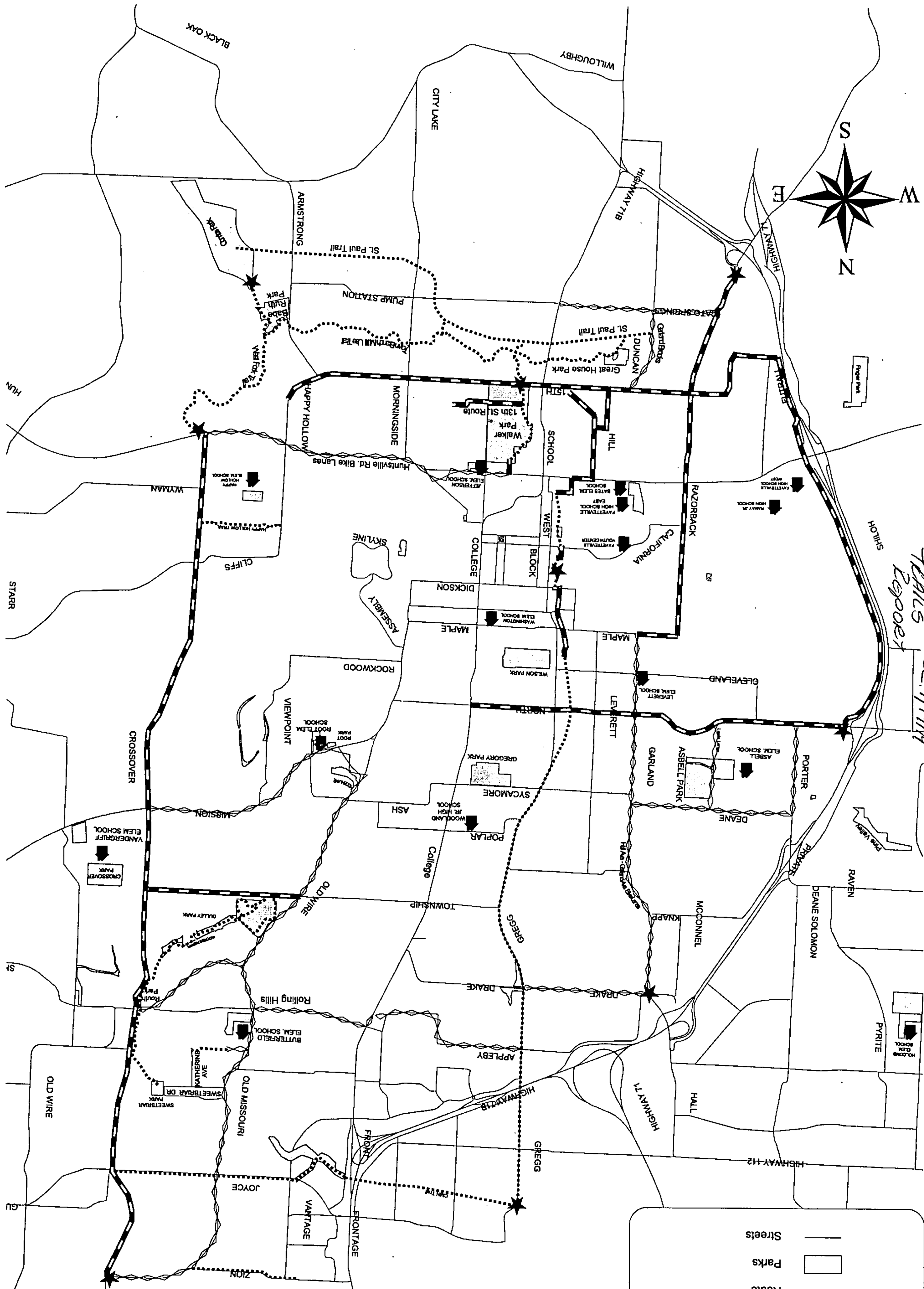
1. All bids shall be submitted in a sealed envelope and must be submitted on forms provided by the City.
2. The item bid and the bid number shall be stated on the face of the sealed bid envelope.
3. Bidders shall include all applicable local, state, and federal sales tax in bid. The responsibility of payment shall remain with the successful bidder.
4. Bids received after the date and time set for receiving bids will not be considered.
5. The City reserves the right to accept or reject any or all bids, waive formalities in the bidding and make a bid award deemed to be in the best interest of the City. The City shall be able to purchase more or less than the quantity indicated subject to availability of funds.
6. The bid price shall remain good and firm until project is completed.
7. All products delivered shall comply with applicable standards of quality.
8. Any exceptions to the requirements of the City of Fayetteville must be noted on the Bid Form.
9. Prices shall include all labor, materials, overhead, profit, insurance, etc., to cover the furnishing of the items bid.
10. Each bidder shall state on the face of the bid form the anticipated number of days from the date of receipt of an order for delivery of equipment and installation to the City of Fayetteville.
11. Copy of the warranty shall accompany the bid, and any exceptions to the warranty shall be clearly noted on the bid form.
12. Bidders must provide the City with their bids signed by an employee having legal authority to submit bids on behalf of the bidder. The entire cost of preparing and providing responses shall be borne by the bidder.
13. The City reserves the right to request any additional information it deems necessary from any or all bidders after the submission deadline.
14. The request for bid 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 bidder in preparation of bid.

15. The City will not be responsible for misdirected bids. Vendor should call the Purchasing Office at (501) 575-8289 to insure receipt of their bid documents prior to opening time and date listed on the bid form.
 16. If products and/or components other than those described in this bid document are proposed, the bidder must include complete descriptive literature and technical specifications. All requests for additional information must be received within five working days following the request.
 17. Bids must be hand delivered or received by mail in the Purchasing Office, Room 306, 113 W. Mountain St. Fayetteville, AR 72701, on or before the time of closing listed on the face of the bid.
 - *18. Public improvement bids with a total of \$20,000 or more shall submit certificates of insurance within 10 days of notice of bid award. Certificates of insurance are to be addressed to the City of Fayetteville, showing that the contractor carries the following insurance which shall be maintained throughout the term of the bid. Any work sublet, the contractor shall require the subcontractor similarly to provide the same insurance coverage. In case any employee engaged in work on the project is not protected under Workers' Compensation, the Contractor shall provide, and shall cause each subcontractor to provide, adequate employer's liability insurance for the protection of such of his employees as are not otherwise protected.

Workers' Compensation:	Statutory Amount
Comprehensive General & Automotive Liability:	\$250,000 each person.
	\$500,000 aggregate.
Property Damage Liability:	\$100,000 aggregate.
 - *19. Public improvement bids with a total of \$10,000 or more require a 5% bid bond and if awarded, a 100% performance and payment bond to be submitted before notice to proceed is given.
 - *20. Public improvement bids exceeding \$20,000 or more require a contractor's license.
 - *21. The City shall pay Contractor based on unit prices indicated in contractor's bid proposal. Progress payments will be made after approval and acceptance of work and submission of invoice. Payments will be made approximately 30 days after receipt of invoice.
 - *22. Contractor shall not assign his duties under the terms of this agreement. All work shall be coordinated directly with the Project Manager, or their designee.
- *Applies to construction public improvement projects only, unless otherwise noted.

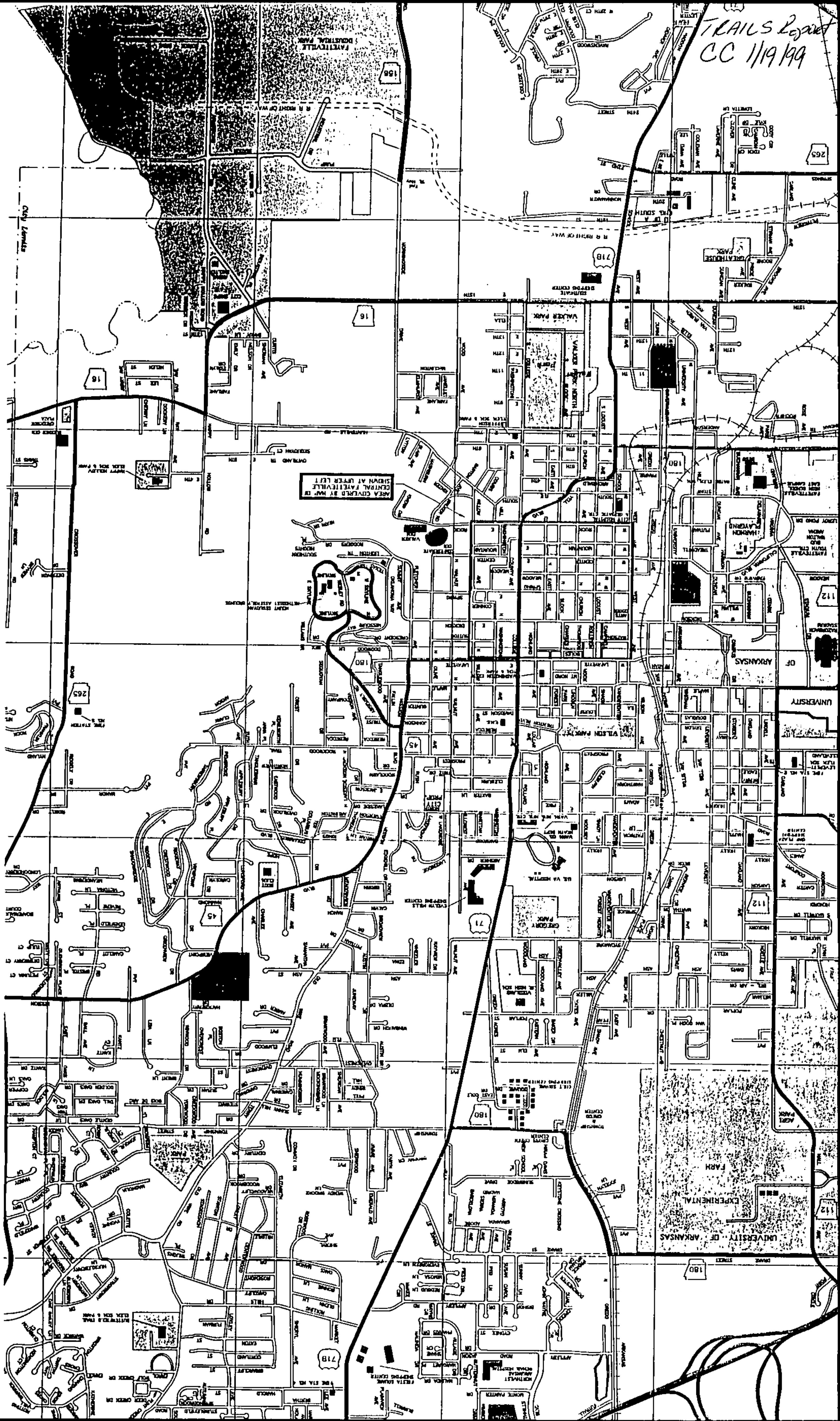
Fayetteville Multi Use Trails

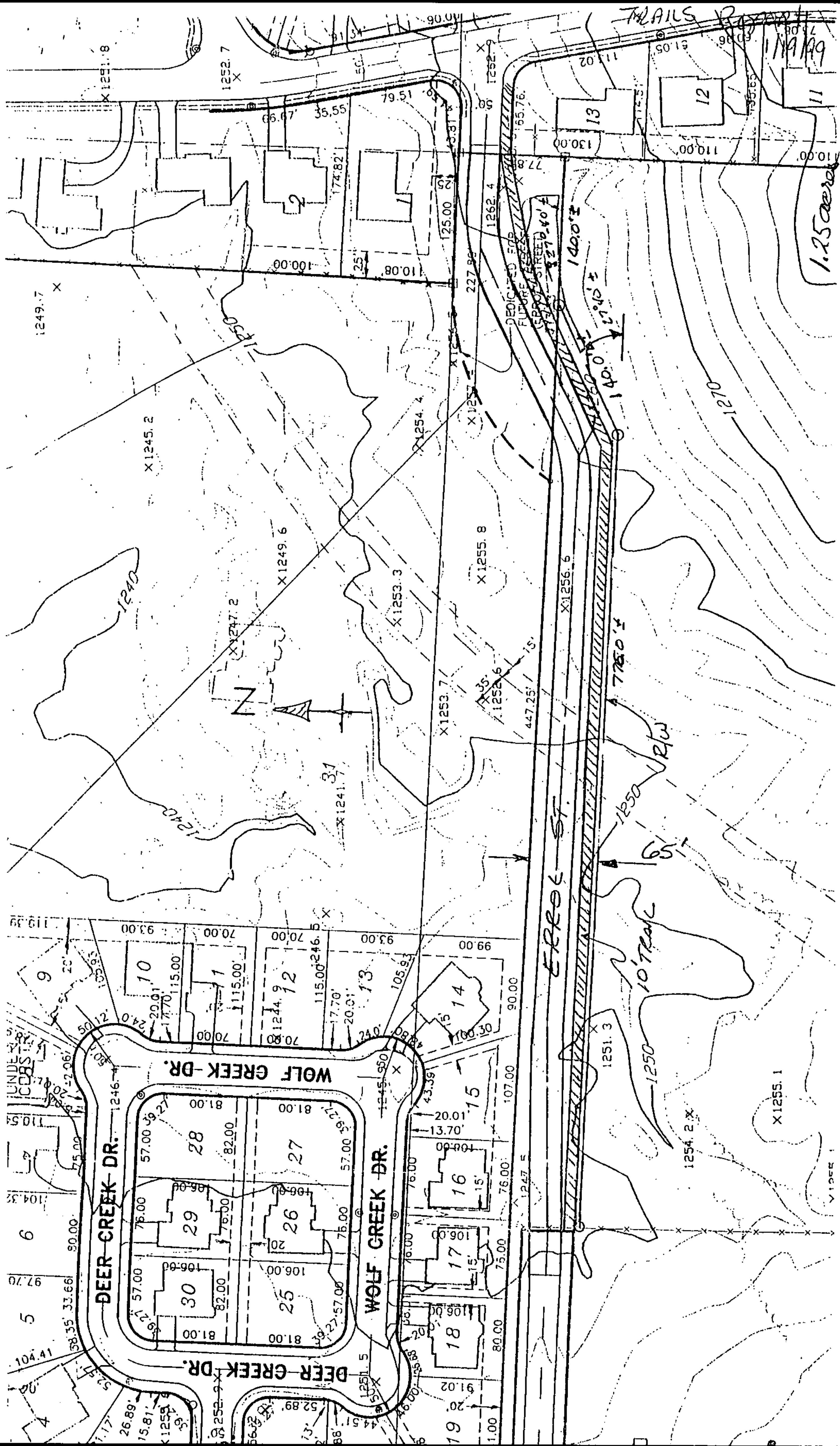
Trailheads	★
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Parks	□
Streets	—



TRAILS
Report
02.11.1989

TRAILS Report
CC 1/19/99





Monday, January 18, 1999

Northwest Arkansas TIMES A9



CITY OF FAYETTEVILLE CITY COUNCIL AGENDA NOTICE

A meeting of the Fayetteville City Council will be held on January 19, 1999 at 6:30 p.m., in the City Administration Building, 113 W. Mountain Street, Room 219, Fayetteville AR.

The following items will be considered:

I. CONSENT

APPROVAL OF MINUTES: Approval of minutes from January 5, 1999 meeting.

A. WATER & SEWER STUDY: A resolution awarding a contract to Black and Veatch Consulting Engineering for the purpose of conducting a water and sewer study.

B. STATE OF ARKANSAS CONTRACT: A resolution accepting the State of Arkansas Contract award ST-99-0157, item #9, 1999 Ford Crown Victoria police pursuit sedan including option "IO" and modifications to "ee" for fourteen units.

C. DRUG LAW ENFORCEMENT PROGRAM: A resolution renewing the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant for the Drug Law Enforcement Program.

II. OLD BUSINESS

III. NEW BUSINESS

A. HWY 16 WIDENING: A resolution awarding a bid to Mobley Construction, Inc. for \$2,880,042.40 in connection with the widening of Highway 16 West. Also approval of the necessary budget adjustment.

B. RIGHT-OF-WAY ENCROACHMENT: A resolution allowing Tom Terminella to construct a metal canopy 18 inches over the right-of-way at 24 E. Meadow Street (there will be no ground supports to the canopy).

C. TRAILS COMMITTEE REPORT: A report from the Trails Committee.

D. STREET NAME CHANGE: An ordinance changing the name of Raven Street to Farr Street.

Only items presented by the City Council or City Staff may be discussed during the meeting. If you have an item you wish to discuss, please contact your have it presented at the next City Council Agenda Session. For further assistance, alderman to please contact Heather Woodruff, City Clerk, at 575-8323.