

Aldermen

Mayor Dan Coody
City Attorney Kit Williams
City Clerk Sondra Smith



Ward 1 Position 1 - Robert Reynolds
Ward 1 Position 2 - Brenda Thiel
Ward 2 Position 1 - Kyle B. Cook
Ward 2 Position 2 - Vacant
Ward 3 Position 1 - Robert K. Rhoads
Ward 3 Position 2 - Robert Ferrell
Ward 4 Position 1 - Shirley Lucas
Ward 4 Position 2 - Lioneld Jordan

**Final Agenda
Special City Council Meeting
September 12, 2006**

A **Special** meeting of the Fayetteville City Council will be held on **September 12, 2006 at 4:30 p.m. in Room 326** of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

A. New Business:

1. **Illinois River Watershed Partnership Inc:** An ordinance to waive quotation bidding for services costing less than \$20,000.00 and approving a contract for \$10,000.00 with the Illinois River Watershed Partnership, Inc.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 4922.

Meeting adjourned at 4:40 p.m.

Adjourn 4:40 PM

Subject: Roll					
Motion To:					
Motion By:					
Seconded:					
	Rhoads	✓			
	Ferrell	✓			
	Lucas	✓			
	Jordan	✓			
	Reynolds	✓			
	Thiel	✓			
	Cook	✓			
	Mayor Coody	✓			

8-0

Subject: Illinois River Watershed Partnership, Inc.					
Motion To:		2nd read	3rd read	Pass	
Motion By:		Ferrell	Reynolds		
Seconded:		Reynolds	Ferrell		
passed Ordinance 4922	Rhoads	✓	✓	✓	
	Ferrell	✓	✓	✓	
	Lucas	✓	✓	✓	
	Jordan	✓	✓	✓	
	Reynolds	✓	✓	✓	
	Thiel	✓	✓	✓	
	Cook	✓	✓	✓	
	Mayor Coody				

7-0

7-0

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**City of Fayetteville
Staff Review Form
City Council Agenda Items
or
Contracts**

12-Sep-06
City Council Meeting Date

Ron Petrie

Submitted By

Engineering

Division

Operations

Department

Action Required:

An Ordinance to waive the requirements of competitive bidding and to approve a proposed contract with the Illinois River Watershed Partnership in the amount of \$10,000 to assist in the improvement of water quality in the Illinois River Watershed.

\$10,000.00

Cost of this request

4470-9470-5314-00

Acct Number

02097.1

Project Number

\$ 678,313.00

Category/Project Budget

\$ 302,660.04

Funds Used to Date

\$ 375,652.96

Remaining Balance

Sales Tax Capital Improvements

Program Category / Project Name

Bridge & Drainage Improvements

Program / Project Category Name

Drainage Study/Phase II Storm
Water Management

Fund Name

Budgeted Item

☒

Budget Adjustment Attached

☐

Previous Ordinance or Resolution #

Department Director

Date

Original Contract Date:

Original Contract Number:

City Attorney

Finance and Internal Service Director

Date

Received in City Clerk's Office

Received in Mayor's Office

Mayor

Date

Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Gary Dumas, Director of Operations

From: Ron Petrie, City Engineer

Date: September 12, 2006

Subject: An ordinance to waive the requirements of competitive bidding and to approve a proposed contract with the Illinois River Watershed Partnership in the amount of \$10,000.00 to assist in the improvement of water quality in the Illinois River Watershed.

RECOMMENDATION

Staff recommends approval of the proposed contract with the Illinois River Watershed Partnership in the amount of \$10,000.00 to assist in the improvement of water quality in the Illinois River Watershed.

BACKGROUND

The Illinois River Watershed Partnership (IRWP) is a non-profit organization that is led by representatives from local governments, businesses, conservation organizations and landowners in the Illinois River watershed. The objectives of the organization are to "increase public awareness of the Illinois River and the contributions citizens can make to the river; to cooperate with the scientific community to identify water-quality impacts, causes and sources; and to identify and implement environmentally viable, economically feasible, conservation and restoration projects in the watershed." The Board of Directors of this organization are comprised of representatives of agriculture, business, conservation, construction, government, technical, research, education and at-large members.

CURRENT STATUS

A large portion of the City of Fayetteville contributes storm water flows into the Illinois River Watershed including Clear Creek, Hamestring Creek, and Owl Creek. Over the next year, the Illinois River Watershed Partnership is proposing to "sponsor educational events, coordinate investigations with researchers, develop and implement restoration projects along the river and provide a forum for dialogues in which stakeholders from all

City Council Meeting of September 12, 2006

walks of life can learn how we can improve our stewardship of this important watershed.”

BUDGET IMPACT

The City currently has \$302,660.04 remaining that has been allocated for the Phase II Storm Water Management Program for these projects.

ORDINANCE NO. _____

AN ORDINANCE TO WAIVE QUOTATION BIDDING FOR SERVICES COSTING LESS THAN \$20,000.00 AND APPROVING A CONTRACT FOR \$10,000.00 WITH THE ILLINOIS RIVER WATERSHED PARTNERSHIP, INC.

WHEREAS, the Illinois River Watershed Partnership, Inc. is a non-profit corporation with unique qualifications and abilities to carry out its mission to improve the health of the Illinois River through the implementation of best management practices, water quality monitoring, public education, community outreach and ecosystem restoration; and

WHEREAS, the City of Fayetteville needs to obtain such services to comply with federal Clean Water Act requirements.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines that the unique qualifications and abilities of the Illinois River Watershed Partnership, Inc. to provide quality services to Fayetteville citizens justifies the waiver of §34.23 (A)'s quotation bids requirement and the City Council hereby waives such requirement in this exceptional situation and approves the contract with the Illinois River Watershed Partnership, Inc. attached as Exhibit A.

PASSED and APPROVED this 12th day of September, 2006.

APPROVED:

ATTEST:

By: _____
DAN COODY, Mayor

By: _____
SONDRA SMITH, City Clerk

CONTRACT

The Illinois River Watershed Partnership, Inc. and the City of Fayetteville, Arkansas agree to enter into the following contract on this 12th day of September, 2006.

WHEREAS, The Illinois River Watershed Partnership, Inc. is a non-profit corporation whose mission is to improve the health of the Illinois River through the implementation of best management practices, water quality monitoring, public education, community outreach and ecosystem restoration; and

WHEREAS, The City of Fayetteville has responsibilities to educate its citizens about these water quality and restoration issues through mandates of the Clean Water Act and has budgeted funds for such education activities.

NOW, THEREFORE, the Illinois River Watershed Partnership and the City of Fayetteville agree as follows:

1. The City of Fayetteville agrees to purchase educational, ecosystem monitoring and restoration, and community outreach services for its citizens from the Illinois River Watershed Partnership, Inc. for the sum of Ten Thousand Dollars (\$10,000.00).

2. The Illinois River Watershed Partnership agrees to furnish a year long, extensive community outreach and educational services program to Fayetteville's citizens during the period of September 12, 2006 through September 11, 2007, and further to provide implementation of and education about best management practices for stormwater management and ecosystem restoration in the Illinois River watershed.

3. The Illinois River Watershed Partnership agrees to provide two semi-annual written reports about its programs and activities to the Fayetteville City Council with the first report due on March 1, 2007, and the second due on September 1, 2007.

**ILLINOIS RIVER
WATERSHED PARTNERSHIP, INC.**

By: _____
S. Luanne Diffin, President
Illinois River Watershed Partnership, Inc.

**CITY OF FAYETTEVILLE,
ARKANSAS**

By: _____
Dan Coody, Mayor

ATTEST:

By: _____
Sondra Smith, City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 34, ARTICLE II OF THE CODE OF FAYETTEVILLE, TO EXEMPT COST SHARE AGREEMENTS FOR INFRASTRUCTURE IMPROVEMENTS FROM THE REQUIREMENTS OF §34.23.

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

Section 1. That §34.23 is hereby repealed and the following is inserted in its stead:

§34.23 Purchases And Contracts Not In Excess Of \$20,000.00

- (A) All such purchases not in excess of \$20,000.00 shall be made by the mayor, or his duly authorized representative, after the securing and recording of quotation bids therefor, provided quotation bids need not be secured for purchases under \$1,000.00.
- (B) Cost-share agreements with developers or governmental entities for the improvement of City infrastructure are expressly exempt from the requirements of this section. The City Council shall signify its approval of cost-share agreements by Resolution.
- (C) Contracts not in excess of \$20,000.00 shall be made and entered into by the mayor. The mayor shall have the authority to approve contract change orders up to the contingency amount, if any, as set forth in any approved contract even though such contingency amount may exceed \$20,000.00.
- (D) The hiring or engagement of professional services shall be conducted according to a professional hiring policy approved by the City Council.

PASSED and APPROVED this 18th day of July, 2006.

APPROVED

ATTEST

By: _____

DAN COODY, Mayor

By: _____

SONDRA SMITH, City Clerk