

Alderman Adella Gray
Ward 1 Position 1

Alderman Sarah Marsh
Ward 1 Position 2

Alderman Mark Kinion
Ward 2 Position 1

Alderman Matthew Petty
Ward 2 Position 2



Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. Smith

Alderman Justin Tennant
Ward 3 Position 1

Alderman Martin W. Schoppmeyer, Jr.
Ward 3 Position 2

Alderman Rhonda Adams
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

Final Agenda City of Fayetteville Arkansas City Council Meeting September 16, 2014

A meeting of the Fayetteville City Council will be held on September 16, 2014 at 5:30 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

City Council Meeting Presentations, Reports and Discussion Items:

1. Nominating Committee Report APPROVED

Agenda Additions:

A. Consent:

1. **2014 Bulletproof Vest Partnership Program:** A resolution authorizing acceptance of a fifty percent (50%) matching grant award from the 2014 Bulletproof Vest Partnership Program in the amount of \$40,209.00 for the replacement of body armor vests for Fayetteville police officers and tactical body armor vests for emergency response team officers, and approving a budget adjustment.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 167-14

2. **Federal and State Law Enforcement Forfeiture Revenue:** A resolution approving a budget adjustment in the total amount of \$54,451.00 recognizing federal and state law enforcement forfeiture revenue received through August 2014 and proceeds from the sale of used tasers.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 168-14

3. **Arkansas Fire and Police Pension Board Supplement:** A resolution to approve a budget adjustment in the amount of \$12,563.00 to recognize revenue received from the Arkansas Fire and Police Pension Board for a future supplement to pensioners of the Fayetteville Firefighters Pension and Relief Fund.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 169-14

4. **Bid #14-50 H&H Directional Boring Services:** A resolution to award Bid #14-50 and authorize the purchase of directional boring services from H&H Directional Boring, Inc. in variable amounts as needed for constructing pipeline crossings through the end of 2014.

PASSED AND SHALL BE RECORDED AS RESOLUTION NO. 170-14

B. Unfinished Business: None

C. Public Hearing:

1. **909 W. Eagle Street Raze and Removal:** A resolution to order the razing and removal of a dilapidated and unsafe structure owned by Kenneth C. and Wanda L. Easterling located at 909 W. Eagle Street in the City of Fayetteville, Arkansas, and to approve a budget adjustment.

THIS RESOLUTION WAS TABLED TO THE DECEMBER 2, 2014 CITY COUNCIL MEETING.

D. New Business:

1. **RZN 14-4803 (Intersection of Champion and Windswept Drives/Summit Place S/D):** An ordinance rezoning that property described in Rezoning Petition RZN 14-4803, for approximately 15.62 acres, located along Champion and Windswept Drives from NC, Neighborhood Conservation, to RSF-4, Residential Single Family, 4 units per acre.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5710

2. **RZN 14-4807 (103 Plainview Ave./Daniel):** An ordinance rezoning that property described in Rezoning Petition RZN 14-4807, for approximately 3.34 acres, located at 103 Plainview Avenue from RSF-4, Residential Single Family, 4 units per acre, to R-O, Residential-Office.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5711

3. **Kessler Consulting, Inc.:** A resolution to authorize a contract with Kessler Consulting, Inc. of Tampa, Florida for the development of a ten year solid waste master plan in an amount not to exceed \$264,890.00, and to approve a budget adjustment.

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4. **2014 Millage Levy:** An ordinance levying a tax on the real and personal property within the City of Fayetteville, Arkansas, for the year 2014 fixing the rate thereof at 1.3 mills for General Fund Operations, 0.4 mills for the Firemen's Pension and Relief Fund, 0.4 mills for the Policemen's Pension and Relief Fund and 1.0 mill for the Fayetteville Public Library; and certifying the same to the County Clerk of Washington County, Arkansas.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5712

5. **Hotel, Motel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014:** An ordinance authorizing the issuance and sale of not to exceed \$11,900,000 of Hotel, Motel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014, by the City of Fayetteville, Arkansas for the purpose of (1) refunding the City's outstanding Hotel, Motel and Restaurant Gross Receipts Tax Refunding Bonds, Series 2003, (2) financing certain costs in connection with the renovation and expansion of Walton Arts Center, and (3) financing certain costs in connection with a Regional Park; authorizing the execution and delivery of a Trust Indenture pursuant to which the Series 2014 Bonds will be issued and secured; authorizing the execution and delivery of an Official Statement pursuant to which the Series 2014 Bonds will be offered; authorizing the execution and delivery of a Bond Purchase Agreement providing for the sale of the Series 2014 Bonds; authorizing the execution and delivery of an Escrow Deposit Agreement providing for the redemption of the Series 2003 Bonds; authorizing the execution and delivery of a continuing Disclosure Agreement; and prescribing other matters relating thereto.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5713

E. City Council Agenda Session Presentations:

1. 2015 General Fund Budget Discussion – Paul Becker, Finance Director

F. City Council Tour:

G. Announcements:

Adjournment: 6:30 p.m.

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Old business and new business.

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Courtesy and respect. All members of the public, all city staff and elected officials shall accord the utmost courtesy and respect to each other at all times. All shall refrain from rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives or personalities. Any member of the public who violates these standards shall be ruled out of order by the Mayor, must immediately cease speaking and shall leave the podium.

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Subject:	Roll				
Alderman Adams arrived at 5:34 p.m.	Tennant	✓			
	Schoppmeyer	✓			
	Adams	✓			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Mayor Jordan	✓			

9-0

Subject:	Add to Nominating Committee Report				
Motion To:		Tennant			
Motion By:		Gray			
Seconded:					
<u>Passed</u>	Tennant	✓			
	Schoppmeyer	✓			
	Adams	Absent during the vote.			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Mayor Jordan				

7-0

Subject:	Nominating Committee Report				
Motion To:		<i>Approve</i>			
Motion By:		<i>Gray</i>			
Seconded:		<i>Tennant</i>			
<i><u>passed</u></i>	Tennant	✓			
	Schoppmeyer	✓			
	Adams	<i>Absent during the vote.</i>			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Mayor Jordan				

7-0

Subject:	Consent				
Motion To:		<i>Approve</i>			
Motion By:		<i>Long</i>			
Seconded:		<i>Tennant</i>			
<i><u>passed</u></i>	Tennant	✓			
	Schoppmeyer	✓			
	Adams	✓			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Mayor Jordan				

8-0

167-14-
170-14

Subject:	None				
Motion To:					
Motion By:					
Seconded:					
B. Unfinished Business	Tennant				
	Schoppmeyer				
	Adams				
	Long				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Mayor Jordan				

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Tennant				
	Schoppmeyer				
	Adams				
	Long				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Mayor Jordan				

Subject:	909 W. Eagle Street Raze and Removal				
Motion To:		<i>Table to Dec. 2, 2014</i>			
Motion By:		<i>Petty</i>			
Seconded:		<i>Marsh</i>			
C. 1 Public Hearing <i>Tabled to Dec. 2, 2014</i>	Tennant	✓			
	Schoppmeyer	✓			
	Adams	✓			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Mayor Jordan				

8-0

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Tennant				
	Schoppmeyer				
	Adams				
	Long				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Mayor Jordan				

Subject:		RZN 14-4803 (Intersection of Champion and Windswept Drives/Summit Place S/D)			
Motion To:		2nd Read	3rd Read	Pass	
Motion By:		Petty	Gray		
Seconded:		Gray	Marsh		
D. 1 New Business <u>Passed</u> 5710	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	Adams	✓	✓	✓	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Mayor Jordan				
		8-0	8-0	8-0	

Subject:		RZN 14-4807 (103 Plainview Ave./Daniel)			
Motion To:		2nd Read	3rd Read	Pass	
Motion By:		Tennant	Adams		
Seconded:		Adams	Tennant		
D. 2 New Business <u>passed</u> 5711	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	Adams	✓	✓	✓	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Mayor Jordan				
		8-0	8-0	8-0	

Subject:	Kessler Consulting, Inc.				
Motion To:		Approve			
Motion By:		Petty			
Seconded:		Marsh			
D. 3 New Business <u>passed</u> 171-14	Tennant	✓			
	Schoppmeyer	✓			
	Adams	✓			
	Long	✓			
	Gray	✓			
	Marsh	✓			
	Kinion	✓			
	Petty	✓			
	Mayor Jordan				

8-0

Subject:	2014 Millage Levy				
Motion To:		2nd Read	3rd Read	Pass	
Motion By:		Petty	Petty		
Seconded:		Gray	Gray		
D. 4 New Business <u>passed</u> 5712	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	Adams	✓	✓	✓	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	✓	
	Petty	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

8-0

Subject:		Hotel, Motel & Restaurant Gross Receipts Tax & Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014			
Motion To:		2nd Read	3rd Read	Pass	
Motion By:		Gray	Gray		
Seconded:		Marsh	Adams		
<u>passed</u> 5713	Tennant	✓	✓	✓	
	Schoppmeyer	✓	✓	✓	
	Adams	✓	✓	✓	
	Long	✓	✓	✓	
	Gray	✓	✓	✓	
	Marsh	✓	✓	✓	
	Kinion	✓	✓	abstain	
	Petty	✓	✓	✓	
	Mayor Jordan				

8-0

8-0

7-0

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Tennant				
	Schoppmeyer				
	Adams				
	Long				
	Gray				
	Marsh				
	Kinion				
	Petty				
	Mayor Jordan				



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Patti Mulford
Paralegal

TO: **Mayor Jordan**

THRU: **Sondra Smith**, City Clerk

FROM: **Kit Williams**, City Attorney

DATE: **September 17, 2014**

RE: **Resolutions and Ordinances prepared by the City Attorney's Office and passed at the City Council meeting of September 16, 2014**

1. **2014 Bulletproof Vest Partnership Program:** A resolution authorizing acceptance of a fifty percent (50%) matching grant award from the 2014 Bulletproof Vest Partnership Program in the amount of \$40,209.00 for the replacement of body armor vests for Fayetteville police officers and tactical body armor vests for emergency response team officers, and approving a budget adjustment.
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RESOLUTION NO. _____

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$54,451.00 RECOGNIZING FEDERAL AND STATE LAW ENFORCEMENT FORFEITURE REVENUE RECEIVED THROUGH AUGUST 2014 AND PROCEEDS FROM THE SALE OF USED TASERS

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached as Exhibit "A", in the total amount of \$54,451.00 recognizing federal and state law enforcement forfeiture revenue received through August 2014 and proceeds from the sale of used Tasers through GovDeals.com.

PASSED and APPROVED this 16th day of September, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

A PLASTIC BAG FREE FAYETTEVILLE

Kessler Consulting

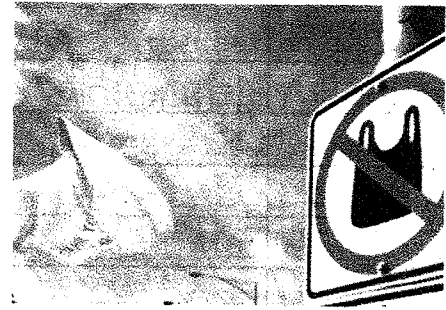
Dear Mr. Mayor and City Council Members,

Petition started on August 10, 2012

I would like to see our beautiful city, Fayetteville, AR, become a plastic bag free city. There are countless precedents for this around the country and around the world:

Santa Cruz Becomes 50th City in CA to Ban Plastic Bags On 7/10/12 the city of Santa Cruz, California became the 50th city to live plastic bag free. Los Angeles is the largest plastic bag-free city to date as of May 24, 2012.

- Every year, Americans use approximately 1 billion shopping bags, creating 300,000 tons of landfill waste.¹
- Plastic bags do *not* biodegrade. Light breaks them down into smaller and smaller particles that contaminate the soil and water and are expensive and difficult to remove.¹
- Less than 1 percent of plastic bags are recycled each year. Recycling one ton of plastic bags costs \$4,000. The recycled product can be sold for \$32.¹
- When the small particles from photodegraded plastic bags get into the water, they are ingested by filter feeding marine animals. Biotoxins like PCBs that are in the particles are then passed up the food chain, including up to humans.²



"Today, there are 100 million tons of trash in the North Pacific Gyre. In some parts of the Pacific, plastic outweighs plankton 6 to 1. All of this trash in the Pacific is creating an ecological disaster:

- ✧ Turtles and seabirds frequently ingest floating plastic, mistaking it for food. They also get entangled in bags and often drown or die of suffocation.
- ✧ Adult seabirds inadvertently feed small bits of plastic to their chicks—often causing them to starve to death after their stomachs become filled with plastic.
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Sincerely,

Quinn Montana

Quinn Montana
508 N Sequoyah Dr.
Fayetteville, AR 72701

WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE—

Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
1) Levi Guter	<i>Levi Guter</i>	843 N. Oakland Ave, 72701	guter24@yahoo.com
2) Katie Rice	<i>Katie Rice</i>	843 N. Oakland Ave, 72701	KathleenNRice@gmail.com
3) Matthew J. Erhardt	<i>Matthew J. Erhardt</i>	202 B J. Barton Ave, 72701	mje0690@yahoo.com
4) Don Bennett	<i>Don Bennett</i>	1231 W. DEANE ST FAY, AR 72703	don.bennett62@yahoo.com
5) Bob Pellegrino	<i>Bob Pellegrino</i>	2804 W Easy St. Rogers, AR	bdfronatch@gmail.com
6) Jenny Tuz	<i>Jenny Tuz</i>	920 N. Everett Fayetteville, AR	jennytp2@gmail.com
7) Chad Pollock	<i>Chad Pollock</i>	243 Baxter Ln Fayetteville, AR	chadpollock@gmail.com
8) Robyn Higgins	<i>Robyn Higgins</i>	888 W. Lawson Fayetteville, AR	robynherd@yahoo.com

1. Clean Air Council (2009) May. Why Plastic Bag Free? Writ.

2. Pinner, K. Plastic Bags: What Are the Realities? The World Cup. Retrieved July 2014 from <http://www.southcoastplasticbags.com/2012/07/20/plastic-bags-what-are-the-realities/>

3. Retrieved August 2012 from <http://www.washingtonpost.com/archive/local/2012/08/10/plastic-bags-are-not-biodegradable/2012/08/10/>

A PLASTIC BAG FREE FAYETTEVILLE

WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE—

Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
9) Michael Reese	Michael Reese	2118 N. Chestnut Ave	mbrees1103@hotmail.com
10) Joannablock	Joannablock	243 Butler Lane	ggg73@hotmail.com
11) Celeste Gustafson	Celeste Gustafson	20101 Floyd Rd Springdale	
12) Kelly Bassemier	Kelly Bassemier	1231 W. Deane St. Fayetteville	kbassemier@uark.edu
13) Renee Conley	Renee Conley	4645 E. N. Rivercrest 72701	
14) Aleks Berru	Aleks Berru	428 E. Trust 72701	aleksberru@yahoo.com
15) Janette Byrd	Janette Byrd	2452 East Mayfield 72701	jebyrd@gmail.com
16) Bob Byrd	Bob Byrd	2452 East Mayfield 72701	
17) Bekah Stuck	Bekah Stuck	1923 Old Wire Road 72703	srebekahstuck@gmail.com
18) Kelsey Hill	Kelsey Hill	1111 Breeze Cove 72704	khill@uark.edu
19) Jerry Pollock	Jerry Pollock	1500 N. Everett Ave. 72703	jpollock@uark.edu
20) Britt Coello	Britt Coello	1500 N. Everett Ave 72703	bcoello72@gmail.com
21) Dale Freese	Dale Freese	7247 Aspen Dr. Fayetteville, AR 72703	dale-freese@mac.com
22) R.A. Jordan	R.A. Jordan	33 W. Prospect St 72701	myfairy2000jordan@gmail.com
23) Noah Billig	Noah Billig	818 E. Ash St Fayetteville 72703	nsbillig@uark.edu
24) Amanda Velazquez	Amanda Velazquez	2411 W. Bronze Tree 72703	amanda.velazquez@yahoo.com
25) Janet Titus	Janet Titus	508 N. Sequoyah Dr 72701	jltitus2772@sbcglobal.net
26) David Beck	David Beck	304 E. Cotton St 72701	ACELAS@gmail.com
27) Emily Lawson	Emily Lawson	409 E. Huntville Rd Fayetteville	emilylawson@cs.c
28) Jessy Lang	Jessy Lang	204 E. Meadow Ave. Fay.	jessy@godthingsboutique.com
29) Jaynie Hesselgren	Jaynie Hesselgren	4998 W. Dover St. Fay	jhesselgren@yahoo.com
30) Deborah Cross	Deborah Cross	2271 Puttix Ct Fay	
31) Kathryn Frank	Kathryn Frank	41 S. Gregg Ave. #B	katefrank@yahoo.com
32) Sandra French	Sandra French	3997 N. Crossover Rd Fay	SFrench@uark.edu
33) Virginia Russell	Virginia Russell	2245 N. Wood St Fay	VRUSSELL@gmail.com
34) James H. Rector	James H. Rector	1113 N. Main Ave #4 72701	jrector@uark.edu
35) Elizabeth Rogers	Elizabeth Rogers	313 E. Lafayette #304 72701	elizabethrogers@gmail.com
36) KIRK LANIER	Kirk Lanier	1885 HAROLD ST 72703	kbas9@att.net
37) Lindsay Smith	Lindsay Smith	340 N. Rollston 72701	lsmith@ci.fayetteville.us
38) Lionel Jordan	Lionel Jordan	1600 Arrowhead 72701	ljordan7@hotmail.com
39) Mark H. Jordan	Mark H. Jordan	73 W. Prospect St	markh.jordan@uark.edu
40) Sharon Killian	Sharon Killian	15847 Round Mt Rd	Sharon.Killian@cox.net

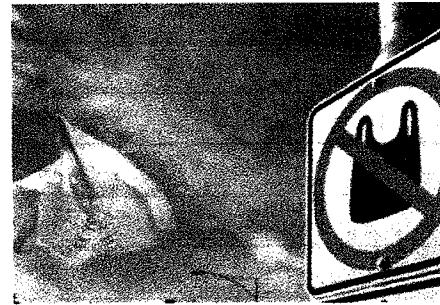
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WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE—

Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
⁴¹⁾ JAMES THOMAS DUREKA	<i>[Signature]</i>	19 W. PIKE ST. FAY 72701	tdureka@gmail.com
⁴²⁾ Doug Shields	<i>[Signature]</i>	1249 Oakland 72703	
⁴³⁾ Anne Grecoff	<i>[Signature]</i>	118B Lafayette St. 72701	grecoff@hotmail
⁴⁴⁾ Karel Bessin	<i>[Signature]</i>	524 N. Shady Ave, Fay	kbessin@verizon.net
⁴⁵⁾ Richard T. Fany	<i>[Signature]</i>	105 NW Willow 72701	ret.fany@yahoo.com
⁴⁶⁾ Russell Mick	<i>[Signature]</i>	101 S. Duran Ave 72701	russ.mick@gmail.com
⁴⁷⁾ Timido Ricard	<i>[Signature]</i>	195 Madison St 72701	timido@comcast.net
⁴⁸⁾ Paul Vela	<i>[Signature]</i>	414 N. Assembly, Fay 72701	pucaters@cox.net

1 Clean Air Council (2009, May). Why Plastic Bag Fees Work.

2 Bushnell, K. Plastic Bags: What About Recycling Them? The Sierra Club. Retrieved June 2010 from http://www.sierraclub.org/sustainable_consumption/articles/bags2.asp

3 Retrieved August 2012 from <http://ecowatch.org/2012/why-bans-needed/>

A PLASTIC BAG FREE FAYETTEVILLE

WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE—

Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
49) Rachel Moedan	<i>Rachel Moedan</i>	422 S. Church 72701	rachel.moedan@gmail.com
50) Cory Thwing	<i>Cory Thwing</i>	216 N. Fletcher 72701	
51) Elizabeth Sharp	<i>Elizabeth Sharp</i>	3 E. 4th St. Fay 72701	Elizabethlongsharp@gmail.com
52) Courtney Gager	<i>Courtney Gager</i>	147 E Spring St Fay	
53) Emily Katz	<i>Emily Katz</i>	5 East Davidson 72701	
54) Linda Duck	<i>Linda Duck</i>	809 S. Wood Ave 72701	
55) HANK KAMINSKY	<i>Hank Kaminsky</i>	543 Assembly 72701	
56) JELUANI	<i>JELUANI</i>	254 N. OLIVE 72701	
57) Barbara Jagusch	<i>Barbara Jagusch</i>	319 Sutton St. 72701	
58) Janis Ward	<i>JANIS WARD</i>	1747 N. Rayfield Dr 72703	
59) Robin Burch	<i>Robin Burch</i>	427 E. Johnson St. Fay 72701	
60) Steve Skoch	<i>Steve Skoch</i>	241 W. Main St., Fay 72701	
61) Christine Coker	<i>Christine Coker</i>	524 1/2 Rebecca St. Fay 72701	
62) Darrell Pennington	<i>Darrell Pennington</i>	524 1/2 Rebecca St. Fay 72701	
63) Marilyn Skiffitt	<i>Marilyn Skiffitt</i>	1663 N Old Oak Lane 72703	
64) Sue Payton	<i>Sue Payton</i>	111 W Mt. NORD 72701	
65) Shelley Burdette	<i>Shelley Burdette</i>	13866 Pin Oak Rd. 72704	goodhelp@cyfarms.com
66) ELLIS RALPH	<i>Ellis Ralph</i>	745 N SEQUOYAN 72701	ELLISRALPH@INBOX.COM
67) Judi Neal	<i>Judi Neal</i>	745 N. SEQUOYAN 72701	JNEAL@WALTON.VARK.EDU
68) Christy Pollack	<i>Christy Pollack</i>	114 N. Valley View Dr. 72701	cpollack@gmail.com
69) Janie Schumann	<i>Janie Schumann</i>	556 E. Ash 72703	
70) Aubrey Shephard	<i>Aubrey Shephard</i>	1101 S. Duncan Ave 72701	
71) Ben Pollack Jr.	<i>Ben Pollack Jr.</i>	114 N. Valley Dr. Fay 72701	pollackark@sbsglobal.net
72) Alan Wooten	<i>Alan Wooten</i>	279 W ILA, Fayetteville, AR 72701	alanwooten@gmail.com
73) Carol Sue Wooten	<i>Carol Sue Wooten</i>	279 W ILA, Fayetteville, AR 72701	CarolWooten501@gmail.com
74) Patti Cox	<i>Patti Cox</i>	106 St Peter's Church Fayetteville	
75) Mike Crane	<i>Mike Crane</i>	1558 or 518 Wardsville, Ar.	
76) Cynthia Mats	<i>Cynthia Mats</i>	PO Box 541 Fayetteville AR 72702	
77) Jim Hodisa	<i>Jim Hodisa</i>	202 Elm St 72701	
78) Karla Caraway	<i>Karla Caraway</i>	810 N. Woolsey Ave. Fay. AR 72701	kcaraway@subell.net
79) Brandy Moller	<i>Brandy Moller</i>	3134 Kessler Mtn Dr Fayetteville AR 72701	brmoller@carl.com
80) MK Benton	<i>MK Benton</i>	1 N School APT 1207 Fayetteville	ladddyke@gmail.com
81) Jessica Mellen	<i>Jessica Mellen</i>	322 W. N. St	jessicamellen@gmail.com

A PLASTIC BAG FREE FAYETTEVILLE

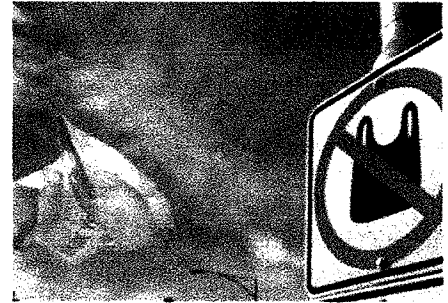
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Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
Casey Bryant	[Signature]	2135 Lacy Dr. Fay	
Amy Edie	[Signature]	325 S. Marshall Ave Fay	
Alyssa Snyder	[Signature]	305 West Ave. Fay	alyssa@seedsfeed.org
Aron Shetter	[Signature]	111 E Rock St	aron@seedsfeed.org
Margaret Thomas	[Signature]	305 S. West Ave	
Alicia DeGrado	[Signature]	1011 N Skyline Dr.	
Alan D Vick	[Signature]	514 East Rock St	manhuts_03@hotmail.com
SUZANNE HILL	[Signature]	304 N Willow Ave	
Elaine Wade	[Signature]	100 No. Sang Ave. Fay	
Lynn F. Wade	[Signature]	100 N. Sang Fay	

A PLASTIC BAG FREE FAYETTEVILLE

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Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
92) Amanda Bancroft	<i>Amanda S. Bancroft</i>	405 S. Mashburn Ave. 72701	culturedlimber@yahoo.com
93) Ryan Bancroft	<i>Ryan Bancroft</i>	405 S. Mashburn Ave. 72701	rbancroft@gmail.com
94) Denise Garner	<i>Denise Garner</i>	3390 E. Mission Blvd 72703	dgarner@bigdental.net
95) Hershel Garner	<i>Hershel Garner</i>	3390 E. Mission Blvd 72703	herhgar@gmail.com
96) NORMAN GLENN SOWDER	<i>Norman Glenn Sower</i>	626 W. ADAMS, 72702	
97) Maral Schreier	<i>Maral Schreier</i>	2474 Birchwood Way 72703	snugbugattack@gmail.com
98) Scott DeLyke	<i>Scott DeLyke</i>	3729 N Crossover Dr Fay, 72703	
99) Steve Stramel	<i>Steve Stramel</i>	Po Box 241	
100) Harlan Smelling	<i>Harlan Smelling</i>	551 E Rebecca St 72701	harlan121056@live.com
101) Cathi Cody	<i>Cathi Cody</i>	605 N Rachel Rd 72701	
102) Carl Cody	<i>Carl Cody</i>	" " " " "	
103) Natasha Cornell	<i>Natasha Cornell</i>	532 S. Sang Ave 72701	natasha.cornell@marl.com
104) Chet Cornell	<i>Chet Cornell</i>	532 S. Sang Ave 72701	ccornell@uark.edu
105) Sarah Fontenot	<i>Sarah Fontenot</i>	306 W Shiple Alley apt 102 72701	
106) Mary Lynn Veder	<i>Mary Lynn Veder</i>	531 S Washington, 72701	mveder@uark.edu
107) Robert Walsh	<i>Robert Walsh</i>	406 E. North, 72701	
108) Tina Roberts	<i>Tina Roberts</i>	"	
109) Mary K. Williams	<i>Mary K. Williams</i>	466 W. Tumbleweed	mkg@therapyshare.com
110) Brent Williams	<i>Brent Williams</i>	466 W. Tumbleweed	btwilli@uark.edu
111) Laure Moffitt	<i>Laure Moffitt</i>	201 W I-66	
112) Becky McCain	<i>Becky McCain</i>	2270 Country Way	bmccain1@aol.com
113) Lydia McCain	<i>Lydia McCain</i>	2408 Robin Rd	lmccain@stake.org
114) Max Mahle	<i>Max Mahle</i>	"	tooledustmax@hotmail.com
115) Alan Hylles	<i>Alan Hylles</i>	662 W Taylor	
116) Will Watson	<i>Will Watson</i>	3257 S. CITY WALKER 72701	
117) Jordana Thibodeau	<i>Jordana Thibodeau</i>	1626 E Ridgeway Dr.	
118) Paul Jancie	<i>Paul Jancie</i>	522 S. Wood Ave 72701	pjancie@yahoo.com
119) Emily LeBlanc	<i>Emily LeBlanc</i>	1325 E. Winkler Pl. 72703	monkeyhouse@earthlink.net
120) Eric LeBlanc	<i>Eric LeBlanc</i>	1325 E. Winkler Pl 72703	leblanc72703@gmail.com
121) Mary Gocio	<i>Mary Gocio</i>	785 N. Vinson Ave Fay 72701	migocio@gmail.com
122) John Ray	<i>John Ray</i>	"	johnnyray22@earthlink.net
123) John KERRY	<i>John Kerry</i>	257 22 St FAY 72701	
124) Courtney Fox	<i>Courtney Fox</i>	221 W. Walnut Drive 72703	cefox@uark.edu

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Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
125) Sarah Faltak	<i>Sarah Faltak</i>	1515 E. Overcrest St Fay	sfaltak@cox.net
126) ASGERDUR JOHANNESDOTIR	<i>Asgerdur Johannesdotir</i>	882 N Rainier Rd	asgeioh@gmail.com
127) E. HARRISS	<i>E. Harriess</i>	"	edharriess@gmail.com
128) Kate Frank	<i>Kate Frank</i>	41 S. Gregg Ave. Fay, AR	KateFrank@yahoo.com
129) Antoinette Wilk	<i>Antoinette Wilk</i>	P.O. Box 3054, Fay AR	antoinette.wilk@faymichs.org
130) Bill West	<i>Bill West</i>	2477 Riverfront Ln Fay AR 72703	bwest64@peaceonline.com
131) Paula West	<i>Paula West</i>	"	"
132) Deborah Kitz	<i>Deborah Kitz</i>	1127 S. Washington Fay AR 72701	
133) NANCY KAHANA	<i>Nancy Kahana</i>	17725 Clear Water Fay 72764	ganaka@wildblue.net
134) RANJANA MATHUR	<i>Ranjana Mathur</i>	1543 W. Greene St. Fay, AR 72701	

A PLASTIC BAG FREE FAYETTEVILLE

WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE—

Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
(135) GYANESH MATHUR	<i>G. Mathur</i>	1543 W. Grove Dr. Fayetteville 72701	gmathur@work.com
(136) Aubrey Shepherd	<i>Aubrey Shepherd</i>	1101 S. Duncan Ave 72701	aubrey.shepherd@work.com
(137) Leanne Baribeau	<i>Leanne Baribeau</i>	1516 N. Longford Ave. 72701	lbaribeau@core-arch.com
(138) Amanda Smith	<i>Amanda Smith</i>	540 N. Sequoyah Dr. 72701	agsdesigns11@gmail.com
(139) Erica Tadlock	<i>Erica Tadlock</i>	3505 W. Dorothy Earnest St. 70704	
(140) Andrew Horowitz	<i>Andrew Horowitz</i>	714 W. Douglas St. 72701	
(141) Moshe Newmark	<i>Moshe Newmark</i>	1039 Overcrest 72730	
(142) BO SENESE	<i>BO SENESE</i>	802 W. 15 St 72701	
(143) Saurse Disney	<i>Saurse Disney</i>	317 East Huntsville road	saurse.grl@gmail.com
(144) MINA SPENCER	<i>Mina Spencer</i>	3483 N. 23rd Ave. Fayetteville	MINA.SPENCER@att.net
(145) CHAD SPENCER	<i>Chad Spencer</i>	11	pezzalini@gmail.com
(146) Lucy Kagan	<i>Lucy Kagan</i>	619 N. Whitham Ave	lkagan7@gmail.com
(147) Tim Olson	<i>Tim Olson</i>	201 W. Sycamore St. Fayetteville 72703	
(148) Elizabeth Lamb	<i>Elizabeth Lamb</i>	344 W. Wren Circle Fayetteville 72704	plamb1956@yahoo.com
(149) Margaret Rivi	<i>Margaret Rivi</i>	346 W. Wren Circle Fayetteville 72704	margrivi@hotmail.com
(150) Ann Mesrobian	<i>Ann Mesrobian</i>	19 West Pike St. Fay 72701	mesrobiana@gmail.com
(151) JAMES T. DUREKA	<i>James T. Dureka</i>	19 W. Pike St. Fayetteville AR 72701	tdureka@gmail.com
(152) Judi Neal	<i>Judi Neal</i>	745 N. Sequoyah Dr. Fayetteville 72701	jneal@work.com
(153) April Heard	<i>April Heard</i>	2773 N. Barcelona 72703	aprilmarieheard@gmail.com
(154) Philip Hanger	<i>Philip Hanger</i>	1013 N. Vandeventer Ave. 72701	phanger@work.com
(155) Kristi Akers	<i>Kristi Akers</i>	980 N. Rush Dr. 72701	xander185@gmail.com
(156) Becky Hauck	<i>Becky Hauck</i>	51 Fletcher Ave. 72701	
(157) Stephanie Clemen	<i>Stephanie Clemen</i>	318 S. Duncan Ave 72701	
(158) ANIKKA CIVELLI	<i>Anikka Civelli</i>	318 S. Duncan Ave 72701	
(159) Seagay Crosson	<i>Seagay Crosson</i>	1309 S. Washington #1 72701	
(160) MARGARET EMENEGER	<i>Margaret Emeneager</i>	4820 MISSION 72703	emeneager@cox.net
(161) DOT NEELY	<i>Dot Neely</i>	72701	EarthlingsSPB@gmail.com
(162) Roslyn Turre	<i>Roslyn Turre</i>	1705 E. 5th St Fayetteville 72701	
(163) Kasey Kunes	<i>Kasey Kunes</i>	4071 W. Hinespark Dr. 72704	
(164) Katie Terrell	<i>Katie Terrell</i>	197 W. Lafayette St. #1 72701	KLTerrell@gmail.com
(165) Sean Petersen	<i>Sean Petersen</i>	2481 N. Azalea Terr Fayetteville AR 72703	
(166) Suzanne L. L. L.	<i>Suzanne L. L. L.</i>	2481 Azalea Terrace Fayetteville AR 72703	
(167) Susannah Farmer	<i>Susannah Farmer</i>	221 N. Church St Fayetteville AR 72701	

A PLASTIC BAG FREE FAYETTEVILLE

Dear Mr. Mayor and City Council Members,

Petition started on August 10, 2012

I would like to see our beautiful city, Fayetteville, AR, become a plastic bag free city. There are countless precedents for this around the country and around the world:

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"What's really scary is that scientists tell us this plastic may never biodegrade and every day we go without tackling this problem, it becomes a little bit worse."³

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Please pass a law banning plastic bags and show that Fayetteville is, once again, willing to be a leader in our state in the protection of our environment. Thank you.

Sincerely,

Quinn Montana

(Signed on Page 1)

WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE—

Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
168) Jill Schillinger	Jill Schillinger	922 W. 15 th Street Apt B 72701	jchilli@uark.edu
169) Jen Morio	Jen Morio	4294 W. Chynoweth Dr	Jenmorio64@gmail.com
170) Nick Gable	Nick Gable	1251 E Shepherd Ln 72703	
171) Ed Plana	Ed Plana	1525 Robert Rd Fay 72701	
172) Rebecca Taylor	Rebecca Taylor	313 W. Spring St. #3 Fay 72701	lvrz10t33@yahoo
173) Nestor Camacho	Nestor Camacho	3000 Quince St 72703	nescabre@daglab.org
174) Will Africano	Will Africano	353 Rollston Ave 72701	
175) Kayla Kimball	Kayla Kimball	525 S. Duncan Ave Apt #5 72701	KaylaKimball286@yahoo.com
176) Aina Sarrell	Aina Sarrell	4776 W. Mayflower Court	emarusafox@gmail.com
177) Barbara Dillon	Barbara Dillon	126 E. Fay 72701	bdillon70@hotmail

A PLASTIC BAG FREE FAYETTEVILLE

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Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
Sammi Jones	Sammi Jones	800 N Cedarwood Ave 72701	
Sava Miller	Savamiller	619 Maple 72701	
Jake Pitts	Jake Pitts	2847 W Wildwood 72704	
SARA BURNINGHAM	SARA BURNINGHAM	218 E. MAPLE 72701	SaraBurningham@uark.edu
Leslie Oelsner	Leslie Oelsner	1451 CANTERBURY FAY 72701	leslieo@uark.edu
Geoff Oelner	Geoff Oelner	" "	" "
Susan Rausch	Susan Rausch	12018 Strain Comm Rd 72701	srausch@uark.edu
Beverly Block	Beverly Block	72 Oklahoma Way Fayetteville 72701	
ANTHONY ORNELAS	ANTHONY ORNELAS	927 Betty Jo Fayetteville 72701	
Dominique Siacca	Dominique Siacca	1634 E. Mission Blvd 72703	
Keith Stegall	Keith Stegall	1634 E Mission Blvd 72703	
Nguyeri Karas	Nguyeri Karas	1666 W Halsell Rd 72701	
Rob Karas	Rob Karas	1666 W Halsell Rd 72701	
Sheila McMullin	Sheila McMullin	32 W. Louise St. 72701	
MIT BUREL	MIT BUREL	" " "	miburch@uark.edu
Amy Webb	Amy Webb	608 N. Tourmaline Way 72701	amystella.webb@gmail.com
AMAZON WILLIAMS	AMAZON WILLIAMS	134 S. Locust #4 72701	
B. EMEKEGGER	B. EMEKEGGER	4820 Mission Blvd 72703	EMEKEGGER@cox.net
Jen Deau	Jen Deau	410 S Church Ave 72701	
Sarah Skvasla	Sarah Skvasla	1236 S. Nelson Dr	
Rachel Kraus	Rachel Kraus	612 N Storer Ave. Apt 5 72701	rkraus@uark.edu
Nicholas Brennan	Nicholas Brennan	1359 W Levee St. Apt 26	nbrennan920@gmail.com
Michael Deines	Michael Deines	958 N. Lewis Ave 72701	mdeines@uark.edu
Jenny Long	Jenny Long	155 N McIlroy 72701	JennyLong42@gmail.com
Grace Fechter	Grace Fechter	177 N Garland 72701	gfechter@uark.edu
Victoria Stokes	Victoria Stokes	404 W Maple St. 72701	vstokes@uark.edu
Susanna Farnington	Susanna Farnington	404 W. Maple St. 72701	
Nathan Stern	Nathan Stern	600 W. North, Apt. E-7 72701	
Sarah Colpitts	Sarah Colpitts	600 W. North, apt K-6 72701	
CLAIRE HANSEN	CLAIRE HANSEN	2403 Bristol Pl. 72701	clairelizhansen@gmail.com
Bruce Delsh	Bruce Delsh	721 W. Washington 72701	
Glenn E. K. HARRIS	Glenn E. K. HARRIS	180 Stoneridge 72701	
Denise Kern	Denise Kern	210 W. South Str. 72701	

A PLASTIC BAG FREE FAYETTEVILLE

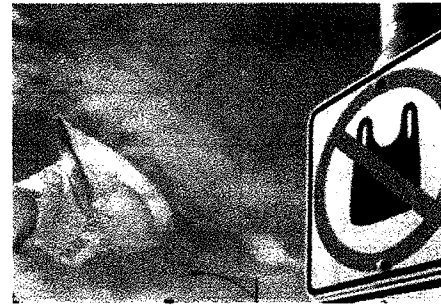
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WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE—

Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
211) Rosa v. Hader	<i>Rosa v. Hader</i>	8219 N. Lela Lane 72701	
212) Doreen D	<i>Doreen D</i>	896 S. APPOLO 72701	
213) Marietta Camille	<i>Marietta Camille</i>	1699 W. Arrowshead St 72701	
214) Elizabeth Hill	<i>Elizabeth Hill</i>	Rockwood 72701	
215) Marina Calico	<i>Marina Calico</i>	1803 Fallbrook 72701	
216) Terese Post	<i>Terese Post</i>	3110 W. Hickory 72704	
217) PEGGY GARCIA	<i>Peggy Garcia</i>	2580 N. Karyn Ave 72703	
218) William Heath	<i>William Heath</i>	980 W. Cleveland St 72701	
219) Vanessa Smith	<i>Vanessa Smith</i>	2110 #4 N. Chestnut Ave. 72703	
220) Pat Calkins	<i>Pat Calkins</i>	2071 N. Chestnut Ave. 72703	

A PLASTIC BAG FREE FAYETTEVILLE

WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE—

Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
221) Jerry Bailey	[Signature]	468 S. MASHBURN AVE 72701	j.d.Bailey@SDCgloBA.com
222) BOB CRAIG	[Signature]	4111 NW MEADOW CREEK 72703	
223) Caroline Smith	[Signature]	1459 W JUNCTION STREET 72701	
224) Brandon Villavreal	[Signature]	1010 S Dunn Ave. 72701	
225) Brad Volz	[Signature]	7754 W. WILLOW ST 72701	bdvolz@yahoo.com
226) Kamsuk Nwume	[Signature]	1039 Overcast St. Fay 72703	
227) LISA NETHERLAND	[Signature]	3361 CITY LAKE RD. FAY. 72701	
228) ROCHELLE NEWMARK	[Signature]	2741 Quail DR. FAY 72704	R.B.NLinks@gmail.com
229) Hari Newmark	[Signature]	2741 Quail Dr. Fay., 72704	
230) MARGARET KONEK	[Signature]	616 W. Reagan 72701	E.Konek@gmail.com
231) JOANNE OKSZEK	[Signature]	616 W REAGAN 72701	560616@gmail.com
232) Fawn Smith	[Signature]	604 Whitham / 72701	pufferphish1@gmail.com
233) Maria Tolt & Shacter	[Signature]	841 W. Hazel St. 72703	
234) Holly Eiland	[Signature]	841 W. HAZEL ST. 72703	
235) John McFarland	[Signature]	2310 West Stone Street	19999hz@gmail.com
236) Lisa Riley	[Signature]	2798 N. Jharly Ave Fay 72703	lizariley@hotmail.com
237) Earl McShane	[Signature]	3524 N Duane Way	u.jeeen@yahoo.com
238) Birch Griesse	[Signature]	2452 W. Sycomore St. 72703	b.griesse@yahoo.com
239) Yvonne Segal	[Signature]	3656 Dead Horse Mt Rd 72701	
240) Jerry Segal	[Signature]	3656 Dead Horse Mtn Rd 72701	
241) James Morgan	[Signature]	18235 W. J. F Rd	Fayetteville 72701
242) Teresa Maurer	[Signature]	18235 Wildlife Rd	Fayetteville 72701
243) DAVID MERVIS	[Signature]	422 N. WASHINGTON AVE 72701	fayar48@yahoo.com
244) MARCY BENHAM	[Signature]	203 N. OKLAHOMA WAY 72701	
245) Matt Bishop	[Signature]	3355 N. Cherokee DR	
246) Sun-jae Rishi	[Signature]	900 N. Levee Rd. 72701	
247) Rishiken Tan	[Signature]	" " 72701	
248) Mariah White	[Signature]	3702 Wilson Hollow Rd Fay AR 72701	clarence.frazier@yahoo.com
249) Clarence Frazier	[Signature]	1354 N. Levee Ave Apt. 16	" " "
250) Hannah Heston	[Signature]	" " "	Hannahbell87@gmail.com
251) Gabriel Kennedy	[Signature]	601 W Adams St Fayetteville 72701	
252) Heidi Zeck	[Signature]	209 Lapis Lane 72701	heid.zeck@yahoo.com
253) GABRIEL ZECK	[Signature]	" " "	GABZECK@GMAIL.COM

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Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
254) Jonathan Graham	<i>[Signature]</i>	103 N. School 72701	Jig001@uark.edu
255) Josh Pohl	<i>[Signature]</i>	2147 Meandering Way 72701	jpohl@uark.edu
256) Colton Kendrick	<i>[Signature]</i>	448 N. Carl Ln 72704	ccapric1@uark.edu
257) Chrissy Mulliken	<i>[Signature]</i>	15735 Tallgrass Dr 72701	40paul@att.net
258) FRANK Mulliken	<i>[Signature]</i>	1573 S. Trailways Dr 72701	40 Paul & PT.NET
259) Terry Michael	<i>[Signature]</i>	530 Dockery Ln, Fayetteville AR 72701	terry.michael530@gmail.com
260) Leonard Schulte	<i>[Signature]</i>	1235 S. West, Fayetteville AR 72701	l.schulte@juno.com
261) D Scot Linton	<i>[Signature]</i>	405 S Mashburn, Fayetteville AR 72701	DScot60@gmail.com
262) Lance Mallette	<i>[Signature]</i>	515 N. Fallin 72701	lance.mallette@gmail.com
263) Lance Foster	<i>[Signature]</i>	4907 Echo View 72703	

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Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
264) KELLY FOSTER		5907 E. ESTATE AR 72703	LK.foster@cox.net
265) Ashley Seat		2963 W. Dorothy Jeanne Fayetteville 72704	aseat@uark.edu
266) Jennifer Seat		1756 Creek Ct Fay, 72701	jseat@shrglobal.net
267) E Gamah		311 E Huntville, Fay 72701	esgab@yahoo.com
268) Catherine Manna		2500 N. Fennchurch 72703	Catherine.manna@svk.edu
269) Melissa Swan		1503 E. Ridgeway Dr. 72701	mswannome.com
270) Dion Barber		TKW Sycamore 72703	nutt3ame.com
271) John McClay		1660 W Maple 72701	jb.yangblat83@gmail.com
272) Madi Davidson		1882 Strimmon drive Fay. Ark 72701	MadilynND7@gmail.com
273) Stephen Farish		4324 W. Chaparral Fay, Ark.	Stephen.farish@hotmail.com
274) Andrea Love		624 N. Oakland Apt 5 Fay Ark	andrea.love@gmail.com
275) DEREK LINN		624 N. Oakland #5 Fay AR 01	derek.linn@quad.com
276) Lauren Filmer		147 E. Spring Fayetteville 72703	laurenfilmer@gmail.com
277) Brian Cardwell		"	"
278) Stuart Brune		4343 W. Pecan	St Brune@gmail.com
279) Ellen Brune		4343 W Pecan St	Ellen & Bruno 3@gmail.com
280) M. J. Mel		232 Adams Fay 72701	mckm11@yahoo.com
281) E Casey		12 N. Palmer Ave Fay. Ark 72701	erinmck@charter.net
282) K. P. Nowicki		2654 East Hardy Lane Fay	kimkashan@gmail.com
283) Beth Presley		4301 Ozark Trail Fayetteville AR 72703	bepresley@gmail.com
284) Janet Sellers		986 E. Rodgers Fayetteville 72701	sellersjanets@msn.com
285) Mark Jones		986 E. RODGERS Fayetteville 72701	FELISMT@MSN.COM
286) John R. L. E		1610 Hahlo Ln. 72701	
287) Christine Klinger		515 Rebecca St., 72701	
288) Sara Sawyer		1610 N Ramsey Ave 72703	sawguy@gmail.com
289) Tim Sawyer		1610 N RAMSEY AVE 72703	huckfinn1964@gmail.com
290) Shannon Mitchell		506 W. Hawthorn Fay, 72701	
291) John Lawrence		150 E. R. King Hill Dr Fay 72703	
292) Mary Thornton		2140 S. Clover Dr Fay 72701	mary.lily.11@gmail.com
293) Caleb Clark		2140 S. Clover Dr. Fay 72701	
294) Ken Conner		574 S. Block Ave. 72701	
295) Keith Barber		"	"
296) DAVID LARSON		2453 W VALLEY DR 72703	jdmlg1sts@gmail.com

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Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
383) Tommy Shepherd	<i>Tommy Shepherd</i>	2453 W Valley Dr 72703	luckykrazy@gmail.com
384) Gladys Tiffany	<i>Gladys Tiffany</i>	105 N. Willow Fayetteville 72701	gladystiffany@yahoo.com
385) Susan Shore	<i>Susan Shore</i>	232 W. Adams 72701	sushore@sbcglobal.net
386) Richard Tiffany	<i>Richard Tiffany</i>	105 N Willow Fayetteville 72701	vc.tiffany@yahoo.com
387) Samuel Kincannon	<i>Sam K</i>	1405 N Crowland Fayetteville, 72703	skkincannon@gmail.com
388) Margaret Britain	<i>Margaret Britain</i>	1931 N. Wheeler Ave Fayetteville, AR	mm.britain@gmail.com
389) Dick BENNETT	<i>Dick Bennett</i>	2582 Summie 72703	
390) Shannon Joyce	<i>Shannon Joyce</i>	1335 N. Crestwood Fayetteville, 72701	snjoyce@uark.edu
391) CHRIS JAMES	<i>Chris James</i>	3120 N. MALINDA DR, FAYETTEVILLE 72703	
392) JENNIFER WATKINS	<i>Jennifer Watkins</i>	731 E Rebecca St, Fayetteville 72701	jenniferw@stittenenergy.com

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Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
393) Celeste Wharmy	<i>Celeste Wharmy</i>	28 E Cleburne Fay, AR 72701	Celestenic@yahoo.com
394) Ruth Francis	<i>Ruth Francis</i>	6770 E. Holmdar, 72701	rfrancis05@gmail.com
395) JOHN RULE	<i>John Rule</i>	Box 2, Box 195, Wms Lou, AR 72959	none
396) JANE STITT	<i>Jane Stitt</i>	1011 N. SKYLINE, FAYETTEVILLE, AR	STITTI88@GMAIL.COM
397) Margot Jackson	<i>Margot Jackson</i>	202 A.S. Barton Ave Fayetteville	MargotJackson@gmail.com
398) Nora Skattebo	<i>Nora Skattebo</i>	2103 Lonn Circle, Fayetteville	nskattebo@skattebo.com
399) Steven Skattebo	<i>Steven Skattebo</i>	2103 Loren Circle Fayetteville	stevenskattebo@hotmail.com
400) David Druding	<i>David Druding</i>	107 S. West Ave. Fay 72701	druding@juno.com
401) Paul Spornas	<i>Paul Spornas</i>	1555 MLK JR. DR. Fay 701	Paul.Spornas700@yahoo.com
402) Rob Spornas	<i>Rob Spornas</i>	2416 Ferguson Ave Fayetteville 72703	Rob.Spornas1@aol.com
403) James Crawshaw	<i>James Crawshaw</i>	1219 W Deane, Fayetteville 72703	jamesacrawshaw@yahoo.com
404) Terrell Baker	<i>Terrell Baker</i>	1219 W. Deane, Fay 72703	TBaker@NWACONLINE.com
405) Olivia Hines	<i>Olivia Hines</i>	1024 W. Hickory St. Fayetteville 72704	oliviahines@ymail.com
406) Brian N. Baker	<i>Brian N. Baker</i>	1219 W. Deane St Fayetteville 72703	briannicholasbaker@yahoo.com
407) Ann Mesrobian	<i>Ann Mesrobian</i>	19 West Pike St Fayetteville 72701	mesrobiana@gmail.com
408) Evinice Mann	<i>Evinice Mann</i>	3001 W. Wedington Fayetteville 72704	
409) Evinice Mann	<i>Evinice Mann</i>	3001 W. Wedington Dr. 72701	msringgold@yahoo.com
410) Debra Lopez	<i>Debra Lopez</i>	3130 Telluride Dr. Apt 109 72704	greywolfe@softhome.net
411) Kathleen Rice	<i>Kathleen Rice</i>	PO Box 4448, 72701	
412) Levi Guter	<i>Levi Guter</i>	PO Box 4448, 543 N. Oakland Ave Fayetteville, AR	
413) Megan Wallace	<i>Megan Wallace</i>	412 W. Highland Ave Fayetteville, AR 72701	MeganWallace@gmail.com
414) Keston Smith	<i>Keston Smith</i>	313 E Lafayette St #305 72701	Ksmith1200@gmail.com
415) Ginny Masullo	<i>Ginny Masullo</i>	1837 Ruppel Rd. 72704	masullo.ginnyL@gmail.com
416) David Garcia	<i>David Garcia</i>	252 THOMPSON 72703	
417) Karen Takemoto	<i>Karen Takemoto</i>	278 Wolfe Lane 72730	ktakemoto@aol.com
418) Julie Thacker	<i>Julie Thacker</i>	949 Eagle Fayetteville 72701	
419) Jerrica Cameron	<i>Jerrica Cameron</i>	2202 West Wellington Drive Fayetteville	jerrica.cameron@rocketmail.com
420) Don Austin	<i>Don Austin</i>	15995 Hamstring Cr. Fayetteville	TherapyDon@aol.com
421) Ed Mice	<i>Ed Mice</i>	101 S. DUNCAN AVE, FAYETTEVILLE, AR 72701	GRANSIMERS@HOTMAIL.COM
422) Carol Patridge	<i>Carol Patridge</i>	334 N. Sequoyah Dr. 72701	
423) Susan Hutchcroft	<i>Susan Hutchcroft</i>	334 N. Sequoyah Dr. 72701	SUSANHUTCHCROFT@yahoo.com
424) John Ray	<i>John Ray</i>	485 N. Vinson Ave. - Fayetteville 72701	johnnyray22@earthlink.net
425) Moshe Newmark	<i>Moshe Newmark</i>	1039 Overcrest 72703	MosheNewmark@hotmail.com
426) LEANN HARSEY	<i>Leann Harsey</i>	2034 N. Blackburg Dr Fayetteville, 72703	2LHDAWG@gmail.com
427) JODY COHEN	<i>Jody Cohen</i>	PO Box 181, Fay, AR 72702	jcpriority@yahoo.com

earlier -- 8AM.

A PLASTIC BAG FREE FAYETTEVILLE

Dear Mr. Mayor and City Council Members,

Petition started on August 10, 2012

I would like to see our beautiful city, Fayetteville, AR, become a plastic bag free city. There are countless precedents for this around the country and around the world:

Santa Cruz Becomes 50th City in CA to Ban Plastic Bags On 7/10/12 the city of Santa Cruz, California became the 50th city to live plastic bag free. Los Angeles is the largest plastic bag-free city to date as of May 24, 2012.

- Every year, Americans use approximately 1 billion shopping bags, creating 300,000 tons of landfill waste.¹
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- When the small particles from photodegraded plastic bags get into the water, they are ingested by filter feeding marine animals. Biotoxins like PCBs that are in the particles are then passed up the food chain, including up to humans.²



"Today, there are 100 million tons of trash in the North Pacific Gyre. In some parts of the Pacific, plastic outweighs plankton 6 to 1. All of this trash in the Pacific is creating an ecological disaster:

- ✱ Turtles and seabirds frequently ingest floating plastic, mistaking it for food. They also get entangled in bags and often drown or die of suffocation.
- ✱ Adult seabirds inadvertently feed small bits of plastic to their chicks—often causing them to starve to death after their stomachs become filled with plastic.
- ✱ Toxic pollutants leach from the plastic into the water. Fish and other marine animals absorb these toxic pollutants. We also absorb them when we eat fish.

"What's really scary is that scientists tell us this plastic may never biodegrade and every day we go without tackling this problem, it becomes a little bit worse."³

Similar laws have been passed in cities in CA, OR, CO, NY, WA, and others, even our neighbor Texas has several cities which have banned plastic bags.

Please pass a law banning plastic bags and show that Fayetteville is, once again, willing to be a leader in our state in the protection of our environment. Thank you.

Sincerely,

Quinn Montana

(Signed on Page 1)

WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE—

Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
428) Alison Carter	Alison Carter	951 E Missouri Way 72701	alisoncarter2@yahoo.com
427) Diana Rives	Diana Rives	440 South Willow	
428) Vick Kelley	Vick Kelley	Ed Edwards 72701	vjkelley@peoplepc.com
429) Richard Linsenber	Richard Linsenber	W Lakewood Dr Fayetteville, AR 72701	RAL1124@hotmail.com
430) Emily Hallgren	Emily Hallgren	20588 A Hill Top Dr. Fayetteville AR 72701	eahallgren@gmail.com
431) Aaron Mitchell	Aaron Mitchell	1784 N. Levee Rd Fayetteville AR 72703	permaculture2000@yahoo.com
432) Joseph O'Neill	Joseph O'Neill	2357 N. Old Wire Rd 72703	oneill.c.joseph@gmail.com
433) PEGGY ANDERSON	Peggy Anderson	FRANKIE GROVE LK RD 72753	panderson1234@gmail.com
434) Randi Barsch	Randi Barsch	10113 N Highway 67 Fayetteville AR 72721	turtletatter@gmail.com
435) BARBARA McCLELLAND	Barbara McClelland	2615 N. Stagecoach Dr, Fayetteville, AR 72703	

OVER → ²¹

A PLASTIC BAG FREE FAYETTEVILLE

WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE—

Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
438) Maya Porter	<i>Maya Porter</i>	2418 W. Morgan Dr 72704 Fayetteville, AR	<i>mayap</i>
439) Dawn Newman	<i>Dawn Newman</i>	1676 Broadview	dawniesun@sbcglobal.net
438) Jan Saxon	<i>Jan Saxon</i>	1004 Co. Hwy 72701	
439) Lake Simons	<i>Lake Simons</i>	2530 Kantz Rd Fayetteville 72703	
440) Geoffrey Oelsner	<i>Geoffrey Oelsner</i>	1451 N. Canterbury Rd. Fayetteville 72701	greenwaters@cox.net
441) Leslie Oelsner	<i>Leslie Oelsner</i>	" " " " " "	leslie@cox.net
442) Dennis Rugden	<i>Dennis Rugden</i>	600 W North St 72701	rugden@gmail.com
443) John Kester	<i>John Kester</i>	1221 W Mt Comfort Rd #33	jkester@uark.edu
444) Kelly Magoulick	<i>Kelly Magoulick</i>	409 E Village Dr Fayetteville, AR 72703	magoulick@sbcglobal.net
445) Bernadette Mastroianni	<i>Bernadette Mastroianni</i>	3652 E. Bluestone, Fayetteville, AR 72704	bjmp101@mac.com
446) Miranda Hinkle	<i>Miranda Hinkle</i>	8124 N. Stadium Drive	mghinkle@uark.edu
447) Dalenna Do	<i>Dalenna Do</i>	1585 N. Evening Shade / 72703	d.dalenna@gmail.com
448) Annee Littell	<i>Annee Littell</i>	517 E. Johnson 72701	anneelittle@yahoo.com
449) William Rosser	<i>William Rosser</i>	600 W. Cherry St 72701	wrosser4@gmail.com
450) Chris Fletcher	<i>Chris Fletcher</i>	1881 Scull Creek 72703	cwfletcher@uark.edu
451) Alex Hill	<i>Alex Hill</i>	173 W. Mitchell St 72701	alexhill@gmail.com
452) Elizabeth Scott	<i>Elizabeth Scott</i>	4718 Hwy 295. 72721	
453) Lauren Cain	<i>Lauren Cain</i>	31 Stadium Drive 72701	lcain@uark.edu
454) Matt Lyon	<i>Matt Lyon</i>	2566 Arthur Hart 72703	mthlyon@uark.edu
455) Melodie Strawn	<i>Melodie Strawn</i>	1602 N. Marion Way #105	mstrawn@uark.edu
456) Shara Kolar	<i>Shara Kolar</i>	315 Stadium Dr. 72701	snkolar@uark.edu
457) Royal McClayer	<i>Royal McClayer</i>	309 W Spring St #2 72701	rmcclayer@uark.edu
458) Caitlin Khame	<i>Caitlin Khame</i>	9675 Bardi Ave 72701	caitrhame@yahoo.com
459) Amie West	<i>Amie West</i>	124 S. Hill Ave. #1 Fayetteville AR 72701	awest@uark.edu
460) Kershelle Garner	<i>Kershelle Garner</i>	3396 E Mission Blvd 72703	krshegarner@gmail.com
461) Steve Cooper	<i>Steve Cooper</i>	70 E. Poplar, Fayetteville 72703	s33cooper@hotmail.com
462) Kay Curry	<i>Kay Curry</i>	Hammond St	mkcurry@cox.net
463) <i>Cheryl</i>	<i>Cheryl</i>	2284 Malindine 72701	
464) Willow Walker	<i>Willow Walker</i>	380 W Skilton 72701	
465) Megantrethley	<i>Megantrethley</i>	215 S. Block Ave Fayetteville AR 72701	megantrethley@gmail.com
466) Madlin Harris	<i>Madlin Harris</i>	6501 W. Crismon / #10 Fayetteville 72701	
467) Nick Wright	<i>Nick Wright</i>	1142 N. Rowland 72703	
468) Amy Bradley	<i>Amy Bradley</i>	1943 N. Pine Valley Rd	amariel471@yahoo.com

A PLASTIC BAG FREE FAYETTEVILLE

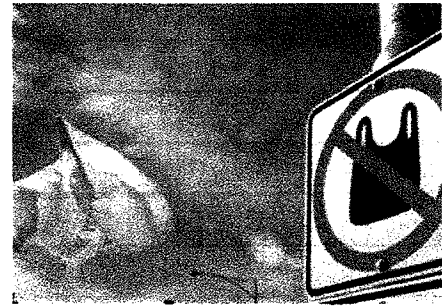
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Sincerely,
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Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only) 72701	Email
469) Andrew Ryan	<i>[Signature]</i>	301 N. Garland Ave	abdyuan11@hotmail.com
470) Nate Alexander	<i>[Signature]</i>	145 S. Pinson Pt.	natealexander@uark.edu
471) Kadelin Cherry	<i>[Signature]</i>	701 E. Lafayette St	kdcherry@uark.edu
472) Holly Young	<i>[Signature]</i>	2486 W Biloxi Crossing	hoy002@uark.edu
473) Blake Ahrendsen	<i>[Signature]</i>	1802 Applebury Pl 72701	bahrendsen@uark.edu
474) Lacey Nelson	<i>[Signature]</i>	628 N. Oakland Ave, Apt E 72701	ldnelson@uark.edu
475) Mike Thomas	<i>[Signature]</i>	115 Plant Sci, Fay 72701	
476) George Mones	<i>[Signature]</i>	6248 Milliken Blvd, Fay 72704	georgemones@gmail.com
477) ERIN Killen	<i>[Signature]</i>	655 N. Whitham, Fay, 72701	
478) Seth McKiden	<i>[Signature]</i>	65 S. Duncan Ave, Fay 72701	

A PLASTIC BAG FREE FAYETTEVILLE

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Name (Print ↓)	then Sign ↓	Address (Street and Zip Code only)	Email
479) Amelia Windsor		140 S. Hill Ave Apt 203 72701	amwindsor@uark.edu
480) Abigail Jobst		1106 W Maple 72701	atjobst@uark.edu
481) Emily Cole		607 Shady Acres Lane	ecr001@uark.edu
482) Amy Blackman		1234 N. Heritage Ave 72704	amylizzie511@gmail.com
483) Brad Brakes		735 N SHARP	slowlopn@yahoo.com
484) Janie Agee		1561 N Rhonda Dr 72703	gijerwoman@gmail.com
485) Kim Agee		1561 N Rhonda 72703	kragee59@yahoo.com
486) Sam Simpson		333 Adams St. 72701	sam-simpson@sbglobal.net
487) Spencer Seaborn		1769 N Wheeler Ave 72703	spinnot@yahoo.com
488) Stephanie Conway		4309 W Chaparral 72704	stephanie.sara.conway@yahoo.com
489) Jay Phillips		2339 Laverne 72701	degeneratoduck@gmail.com
490) Heather Richards		1278 E Overcrest 72703	heatherdouglass@gmail.com
491) Ben Richards		"	benjaminrichards@gmail.com
492) Emma Badgley		2428 Locust Ave 72701	
493) Amber Higgins		1318 S College Ave 72701	Amberst6300@gmail.com
494) Caleb Critz		2715 Wuchernut 72703	ccritz11@hotmail.com
495) Lynlee Critz		"	"
496) Kirk Lanier		1885 Harold St 72703	
497) Karen Tabor		202 W Maple Fayetteville 72701	ktteach123@yahoo.com
498) Carole Cimarosa		14241 Rand Mtn Corn Forest 72701	Cimarosa-rose72@yahoo.com
499) Courtney Thomas		1111 N. Skyline Dr. Fayetteville 72701	cthomas07@gmail.com
500) Jessie Golden		Black Deer 72701	
501) ERIC HALL		25 S Stadium Dr	ERICTHALL5@GMAIL.COM
502) Whitley Hall		25 S Stadium Dr	whitleyphillane@gmail.com
503) Gina Zantow		FAY. 72701	
504) Sean Trumbo		1302 Summersby Fay. 72701	Strumbo@MCKLHILL.COM
505) Renita Trumbo		1302 Summersby Fay 72701	renitatrumbo@gmail.com
506) Alex Estrella		1302 Summersby Fay 72701	
507) Austin P. Anderson		Pleasant Wood Dr 72701	
508) Luke Freeman		Coral Canyon Loop 72704	
509) Ashley Reid		12 S. Hill Ave #3 72701	ashereid@gmail.com
510) Luke Freeman		1416 W Mt Comfort Rd	lukeRFE@gmail.com
511) Gavin E. Reid		318 S. Washington ave 72701	gavinereid@gmail.com

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Name (Print...)	...then Sign)	Address (Street and Zip Code only)	Email
512) Kyle Smith	<i>[Signature]</i>	2801 W Dove Dr 72701	kylesmith@projectgaleane
513) Margaret Ternes	<i>[Signature]</i>	1720 E turner 72703	mbht-21@yahoo.com
514) Rick Ternes	<i>[Signature]</i>	" " " "	" "
515) Samantha Barnes	<i>[Signature]</i>	338 E Sycamore 72703	
516) Eric Barnes	<i>[Signature]</i>	338 E Sycamore 72703	ericjohnbarnes@gmail.com
517) Jacqueline Shin	<i>[Signature]</i>	1941 Helen 72701	jshinsharks@gmail.com
518) Dawna Shin	<i>[Signature]</i>	1018 S. college	dshin@ark.edu
519) HAVILY MUMMAN	<i>[Signature]</i>	200 Granger 72703	hmvilal@gmail.com
520) Megan Brown	<i>[Signature]</i>	708 Mission	MKB7188@gmail.com
521) Sue George	<i>[Signature]</i>	1550 E. 5th St 72701	suegeorge@yahoo.com

A PLASTIC BAG FREE FAYETTEVILLE

Name (Print...)	...then Sign)	Address (Street and Zip Code only)	Email
522) APRIL HELEN		PO BOX 217 72641	artofyogastudioandgallery@gmail.com
523) SARAH CHURCHILL		15 E. 5th St. 72701	smooregr81@gmail.com
524) Sarah K Gehrk		8184 Lakeside Dr. 72701	kgehrk@hotmail.com
525) Heather Chavira		280 S Hill Ave 72701	heather.marie.mcdougall@gmail.com
526) Kathleen Lucas		18982 Shondalyn Way 72703	kplucas59999@yahoo.com
527) Tony Bewardsley		707 Crest 72701	
528) Michelle Welch		707 Crest 72701	
529) Tracy Gursch		PO Box 3091 72702	tracyrichardline@gmail.com
530) Anna Pope		2536 Elizabeth Ave	
531) Heather Zelaya		201 E. Appleby Rd. lot 51, 72703	heatherzelaya@gmail.com
532) Laura Held		27615 N Aquaxing #6, 72701	murphy.164@gmail.com
533) Justin Held		154 N. Aquaxing #6, 72701	jrh144@case.edu
534) Katherine Sozansky		608 N Frisco Avenue	ksozansky@gmail.com
535) Casey Hamaker		623 N. Willow 72701	caseyhamaker@gmail.com
536) Morgan Holladay		114 E Lafayette St 72701	morganholladay@gmail.com
537) Sherri Fry		1015 E. Bonnie Ln 72703	
538) Anne Smith		Fayetteville 72701	
539) Lisa Purkayastha		Fayetteville 72703	
540) LISA PURKAYASTHA		FAYETTEVILLE 72703	
541) Delilah Blevis		Fayetteville, 72704	
542) Ethan Hetherington		Fayetteville, 72703	
543) Kevin Hetherington		6 Ranch Edge 72703	
544) LISA NETHERLAND		3361 CITY LAKE RD. 72701	
545) Makdm LeVois		510 W. Prairie 72701	
546) Diana Potter		1 No. School Ave. Apt. 403 72701	
547) Jane Strinkhaus		828 Vandeventer Ave. Fay, AR 72701	
548) Rachael Chel		3497 WESSEX DRIVE 72701	
549) Rachel Chel		3497 WESSEX Dr. Fayetteville AR	rchel182@hotmail.com
550) Corey Collins		2287 Scamion Circle 72701	collins.ajreen@gmail.com
551) Alanna Sorrell		4776 W. Mayflower Ct. 72704	emrosafax@gmail.com
552) Whitney Week		529 Wintham Apt A1 72701	wwweeks@uark
553) VICTORIA LARSEN		12 E SYCAMORE AVE 72703	victoriacarlson@gmail.com
554) Roger Hill		715 E. EDNA, Fayetteville, 72703	writerogerc@cox.net
555) Cari Finley		4131 W Wheeler Rd. Fay 72701	
556) Claire Barker		14701 Bethel Boulevard 72730	clane@newheights.com
557) Alexis Shafer		3005 W. Dorothy Jeanne St. 72704	

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Name (Print...)	...then Sign)	Address (Street and Zip Code only)	Email
557) Karly Kenyon	Karly Kenyon	boratny lane 72704	KMyKenyon@gmail.com
558) Elk Bingham	Elk Bingham	50 N Garden Dr 72701	elkbining@gmail.com
559) Levi Still	Levi Still	1035 N. Bell St #5 72704	
560) Lisa Still	Lisa Still	1035 N. Bell St #5 72701	
561) Mark Laverne	Mark Laverne	1832 E Viewpoint Dr 72701	EA
562) Amber Carouge	Amber Carouge	521 N Highland 72701	apleema@yahoo
563) Tino Deaso	Tino Deaso	521 N. HIGHLAND 72701	
564) Kanner term	Kanner term	549 N. 15th 72703	kannermentis13@yahoo
565) Donald MARR	Donald MARR	1805 Hill Ave 72701	DAMARRjr@gmail.com
566) Haley Fought	Haley Fought	1176 S Camellia Ln 72704	hixsonh@band-x.com

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Name (Print...)	...then Sign)	Address (Street and Zip Code only)	Email
567) Victoria Covert	Victoria Covert	3900 Tahoe Circle	VictoriaCovert@aol.com
568) Tracee Riggs	Tracee Riggs	915 Tuttle Rd 72701	traceeriggs@gmail.com
569) Hawley Woods	Hawley Woods	2406 W. Sycamore #2703	hawleywoods@gmail.com
570) Caitlin Thorne	Caitlin Thorne	396 S. University Ave 72701	thorne.caitlin@gmail.com
571) Jason Jones	Jason Jones	130 E Rock St 72701	artist.jason.jones@gmail.com
572) Donna Davis	Donna Davis	12055 W. Double Springs 72704	dsdavis@uark.edu
573) Madeline Restrepo	Madeline Restrepo	502 W. Maple 72701	mrestrepo@gmail.com
574) Kelsi Wiederhold	Kelsi Wiederhold	904 E Lakeside Dr 72701	kumperd@gmail.com
575) Kayla Norbush	Kayla Norbush	2215 N Old Wire Rd 72703	ksnorbush@gmail.com
576) Ivan Mayes	Ivan Mayes	2215 N. Old wire Rd 72703	ivanmayes@gmail.com
577) Janna Handiss	Janna Handiss	1206 N Cardboard Trace 72704	jrossmaria1@gmail.com
578) Abrah Garrison	Abrah Garrison	1206 N. Cardboard Trace	hnds2hral@hotmail.com
579) Linda Gorsh	Linda Gorsh	2503 Stage 04	H50 Linda@aol.com
580) Marvyn Coats	Marvyn Coats	2361 W. Wellington 72701	mncos5@gmail.com
581) Nelson Bridger	Nelson Bridger	9705 Sportsman Dr 72701	
582) Geoff Brock	Geoff Brock	213 N Summit Av 72701	
583) Padma V. Swamy	Padma V. Swamy	213 N Summit Av 72701	padma.v@gmail.com
584) Yara Young	Yara Young	1340 N Fairall 72703	
585) Steven Fought	Steven Fought	1176 S Camilla Ln Fayetteville AR	
586) Keegan Evans	Keegan Evans	435 N Garland PO Box 2406	keegan.evans@gmail.com
587) Rachel Evans	Rachel Evans	Fayetteville AR 727014030	
588) Garrett Evans	Garrett Evans	" "	RaeEvans@email.crawcock
589) Emma Franklin	Emma Franklin	948 McKnight Ave, West Fork, AR 72774	garrettzevans@gmail.com
590) Billy Kist	Billy Kist	" "	antdeadyet@gmail.com
591) Ashley Smith	Ashley Smith	1013 Hollywood Ave. Fayetteville AR 72701	smith6117@gmail.com
592) Lauren Smith	Lauren Smith	PO Box 371 72702	lms02@uark.edu
593) Tami Smith	Tami Smith	1005 Chestnut Ave 72744	
594) Lenzi Lynam	Lenzi Lynam	" "	
595) William R. Kunkel	William R. Kunkel	1 S. University apt. 72701	willrckunkel@gmail.com
596) Courtney Harg	Courtney Harg	3594 N. Tower Cir 72704	crh0115@uark.edu
597) Casey Kinsey	Casey Kinsey	" "	caseykinsey@yahoo.com
598) Pat Wyatt	Pat Wyatt	2488 Fox Trail 72703	
599) Amy Deitchler	Amy Deitchler	2924 N. Old Wire Rd 72703	amydeitchler@gmail.com
600) Ashley Niblett	Ashley Niblett	3080 N. Arroyo Ave 72704	
601) Stephanie Millard	Stephanie Millard	926 N. Gregg Ave #2 72703	
602)			

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Sincerely,
Quinn Montana

(Signed on Page 1)

WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE —

Name (Print ☐then Sign ☐)	Address (Street and Zip Code only)	Email
603) William T. Meers <i>William T. Meers</i>	1663 N. Saddlehorn Ave. 72703	
604) Ethan Charles <i>Ethan Charles</i>	4276 N. Valley Lake DR. 72703	
605) Olivia Hines <i>Olivia Hines</i>	1024 W. Hickory St. Fay, AR 72701	
606) Kevin P. Danks <i>Kevin P. Danks</i>	2126 N. Chestnut Apt 110 Fayetteville 72703	kp.danks@univ.edu
607) Brina Cowell <i>Brina Cowell</i>	602 W. North St. Apt B-5 72701	
608) Aaron Mitchell <i>Aaron Mitchell</i>	1784 N. Levertt Fayetteville Arkansas 72701	
609) Danielle Davies <i>Danielle Davies</i>	305 N. Vaughn Rd 72701	
610) Mia Schick <i>Mia Schick</i>	655 DUNCAN #20 FAYETTEVILLE AR 72701	
611) Raven Bayh <i>Raven Bayh</i>	765 N. Cleveland St. Fayetteville AR 72701	rbayh@univ.edu

A PLASTIC BAG FREE FAYETTEVILLE

612

612 Ernest Lawrence	Ernest Lawrence	688 South Soils Ave	
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Name (Print ☐then Sign <input 915="" 947="" 965"="" data-label="Page-Footer" type="checkbox/>)</th><th>Address (Street and Zip Code only)</th><th>Email - optional</th></tr> <tr> <td>613) R. Logan White</td><td>825 W. Clinton St 72701</td><td></td></tr> <tr> <td>614) Olivia Callahan</td><td>6205 Kenwood Rd 72207</td><td></td></tr> <tr> <td>615) Jennifer Billie</td><td>938 S. Wood Fville 72701</td><td></td></tr> <tr> <td>616) James Crashaw</td><td>1214 W Deane St. Fay. 72703</td><td></td></tr> <tr> <td>617) Olivia Hines</td><td>1024 W. Hickory St Fay. 72703</td><td></td></tr> <tr> <td>618) Thomas Hollingsworth</td><td>1843 Crown Drive, 18th Apt</td><td></td></tr> <tr> <td>619) Haley Smith</td><td>1641 W Halsell Rd 72701</td><td></td></tr> <tr> <td>620) Laura Neumann</td><td>1259 W Mt Comfort apt 107 72703</td><td></td></tr> <tr> <td>621) Casey Kayser</td><td>222 E. Dickson #1 Fay 72701</td><td></td></tr> <tr> <td>622) Vivian Davis</td><td>347 N. Washington Ave</td><td></td></tr> <tr> <td>623) Dave Frick</td><td>1524 Stephens 72703</td><td></td></tr> <tr> <td>624) Kristen Berkash</td><td>1998 Spinel Link 72701</td><td></td></tr> <tr> <td>625) Eric Stamps</td><td>2920 E. Sterling Ct 72703</td><td></td></tr> <tr> <td>626) Madeleine Young</td><td>701 W. Sycamore Apt 71 / 72703</td><td></td></tr> <tr> <td>627) Parker Dickinson</td><td>3001 W Wedington Apt 94</td><td></td></tr> <tr> <td>628) Darnissa Holmes</td><td>1165 W. Maple St. Fayetteville, AR</td><td></td></tr> <tr> <td>629) Bart Belaire</td><td>750 W. Cleveland St. Fayetteville, AR</td><td></td></tr> <tr> <td>630) Lisa Corrigan</td><td>2538 E. Lanier St. Fayetteville AR</td><td></td></tr> <tr> <td>631) Jon Bame</td><td>2457 N. Abbott Lane</td><td></td></tr> <tr> <td>632) Austin Hoxey</td><td>612 N Levere Ave</td><td></td></tr> <tr> <td>633) Tom Crosby</td><td>3512 Buckeye</td><td></td></tr> <tr> <td>634) Tom DUREKA</td><td>19 W. Pike Fay 72701</td><td></td></tr> <tr> <td>635) Kyle Jones</td><td>1026 W Hickory St</td><td></td></tr> <tr> <td>636) John Work</td><td>1005 W Adams</td><td></td></tr> <tr> <td>637) William Pictor</td><td>16 S. West Ave. Fayetteville</td><td></td></tr> <tr> <td>638) SAT Pictor</td><td>16 S. West Ave, Fayetteville, AR.</td><td></td></tr> <tr> <td>639) Tom Dooley</td><td>14080 Highland Blvd Fayetteville, AR</td><td></td></tr> <tr> <td>640) Michael Langford</td><td>232 Rebecca S. Fville</td><td></td></tr> <tr> <td>641) Deborah Coley</td><td>2871 W Riverside FV, AR</td><td></td></tr> <tr> <td>642) Dong McKinney</td><td></td><td></td></tr> <tr> <td>643) Barbara Jagusch</td><td>319 Sutton St., Fayetteville AR 72701</td><td></td></tr> <tr> <td>644) Steven Skatko</td><td>2103 Loren Circle Fay</td><td></td></tr> <tr> <td>645) Nora Skatko</td><td>2103 Loren Circle Fay</td><td></td></tr> <tr> <td>646) Jeanne Mitchell</td><td>1794 N Levere Fay 72701</td><td></td></tr> </table> </div> <div data-bbox="/> 20

A PLASTIC BAG FREE FAYETTEVILLE

Dear Mr. Mayor and City Council Members,

Petition started on August 10, 2012

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WE THE UNDERSIGNED RESIDENTS SHARE THIS SENTIMENT AND SUPPORT THIS MEASURE

Name (Print...)	...then Sign)	Address (Street and Zip Code only)	Email
649) Jeffery Rust	<i>[Signature]</i>	1926 North Gregg Ave	72703
650) Fadelte Powell	<i>[Signature]</i>	863 Erika 72701	
651) Sandra Smith	<i>[Signature]</i>	231 Erika ST	72701
652) Jeffery Silberman	<i>[Signature]</i>	" "	72701
653) JACKI TIGHE	<i>[Signature]</i>	551 ROCKCLIFF RD -	72701
654) Patricia M. K.	<i>[Signature]</i>	14177 Dogwood Dr.	72704
655) J. Annam...	<i>[Signature]</i>	543 Assembly Fay 72701	kjo-ann@hotmail.com
656) Mary K. Williams	<i>[Signature]</i>	4669 W. Tumbleweed	mkw@therapyshare.c
657) Brent Williams	<i>[Signature]</i>	4669 W. Tumbleweed	btwillig@uark.edu
658) Dale Eldredge	<i>[Signature]</i>	11285 Mt. Springs Dr.	72701 dmeldredge@

gmail.com
31

A PLASTIC BAG FREE FAYETTEVILLE

Name (Print...)	...then Sign)	Address (Street and Zip Code only)	Email
659) A. Baxter	A. Baxter	335 E. Village Dr. 72703	
660) G. Baxter	Gerald Baxter	335 E. Village Dr 72703	
661) Chuck Burkley	Chuck Burkley	523 W Hawthorn 72701	
662) Carrie Burkley	Carrie Burkley	523 W Hawthorn 72701	
663) Courtney Curtis	Courtney Curtis	300 W 15th St Fayetteville AR 72701	CurtisC8@yahoo.com
664) Caitlin Turner	Caitlin Turner	503 S College Apt A 72701	Caitlin.turner88@yahoo
665) Terry Gibson	Terry Gibson	7649 West Wedington DR 72704	
666) Bonnie Gibson	Bonnie Gibson	7649 W. Wedington AR 72704	
667) David Pulliam	David Pulliam	380 JAY AVE AR 72701	
668) David Laett	David Laett	625 S Ray Ave. AR 72701	
669) L. Milner	Lauren Milner	4080 N Cadillac Dr 72703	
670) Marcella Harris	Marcella Harris	17 E CENTRAL 72701	
671) Aubrey A.	Aubrey A.	17 E Central 72701	
672) KRISTEN RALL	Kristen Rall	1549 Poplar Dr 72704	
673) Tracy Dancer	Tracy Dancer	110 N Nolan 72703	
674) Leitham Cirmore	Leitham Cirmore	15 N LOCUST AVENUE 72701	
675) Anthony Taylor	Anthony Taylor	833 W 21st St #C 72703	
676) Matthew Krammer	Matthew Krammer	836 N Leverett Apt 6 72701	
677) Venya North	Vanya North	534 S. Buchanan Ave Apt 15	
678) TRACY SITES	Tracy Sites	816 N. Fritz 72701	
679) Joanna Sites	Joanna Sites	" " 72701	
680) Cheryl Walker	Cheryl Walker	" " 72701	
681) Whitney Wesson	Whitney Wesson	750 W. Cleveland St. Apt E. 72701	
682) Jon Turman	Jon Turman	1219 W Storer Apt 52 72701	
683) Allison Wolf	Allison Wolf	2200 W Beary St 72701	
684) Andrew Cox	Andrew Cox	170 S Hill Ave 102 72701	
685) Jermey Gault	Jermey Gault	878 N. JACKSON 72701	
686) Brad Vitz	Brad Vitz	3254 W. Ward St 72704	
687) Jared Hennessy	Jared Hennessy	1029 N. Leverett 72701	
688) Brock McDay	Brock McDay	1029 N Leverett 72701	
689) JEGOTH	JEGOTH	1732 N. Carolyn Dr 72701	
690) Saravare, M.	Saravare, M.	1710 E 5th St 72701	
691) Amber Gallagher	Amber Gallagher	891 W. Melmar #129 72703	
692) Misty Jackson	Misty Jackson	662 W. TAYLOR St #5 72701	
693) Kelley Flowers	Kelley Flowers	1711 W Dene St 72703	
694) Liz Bland	Liz Bland	4015 W. Mahogany Dr 72701	

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Name (Print...)	...then Sign)	Address (Street and Zip Code only)	Email
695) Kate Phillips	[Signature]	101 S. Hartman Ave Fayetteville, AR 72701	
696) Megan Phillips	[Signature]	1055 S. School Ave. Fayetteville, AR 72701	
697) Morgan Trott	[Signature]	1005 S. School Ave Fayetteville, AR 72701	
698) James Warrick	[Signature]	1636 S. Harnish Rd Fayetteville, AR 72704	
699) Alexander Avery Ross	[Signature]	1622 N. Garland Fayetteville, AR 72703	alexaveryross@gmail.com
700) Curt Ron	[Signature]	3926 E. Fox Hunt Fayetteville, AR 72703	CRON@FAU.EDU
701) Hannah Walker	[Signature]	1543 W. Crown Circle Fayetteville, AR 72703	HEWODU@UARK.EDU
702) Joe Kessel	[Signature]	503 N. Assembly Fayetteville, AR 72701	josephkessel@gmail.com
703) Cade Walker	[Signature]	3763 E. Wyman Rd, Fayetteville, AR 72703	cadewalker@yahoo.com
704) Jonathan Prince	[Signature]	4011 N. Country Lane Fayetteville, AR 72703	princej@fayetteville-ar.gov

A PLASTIC BAG FREE FAYETTEVILLE

Name (Print...)	...then Sign)	Address (Street and Zip Code only)	Email
705) Jack Mcloy	<i>Jack Mcloy</i>	8. S. Hill ave apt.2 72701	jem027@uark.edu
706) Kyle Dobson	<i>Kyle Dobson</i>	900 N Leverett Ave #119 72701	Kdobson@uark.edu
707) [unclear]	<i>[unclear]</i>	1350 W. [unclear] 72701	[unclear]
708) [unclear]	<i>[unclear]</i>	475 North St. 72701	[unclear]
709) Jessica Nightringle	<i>Jessica Nightringle</i>	1108 N Leverett Ave 72703	jlnigh+1@uark.edu
710) Travis Appel	<i>Travis Appel</i>	2029 Birch Creek Rd 72762	tjappel@uark.edu
711) [unclear]	<i>[unclear]</i>	1114 E Ridgeway Dr 72701	
712) Brent Fisher	<i>Brent Fisher</i>	2277 Hatterly 72703	Kxf014@uark.edu
713) Peyton Fogleman	<i>Peyton Fogleman</i>	618 West Maple 72701	pfoglema@uark.edu
714) Chaz Nelson	<i>Chaz Nelson</i>	1969 North St 72701	
715) Megan Lankford	<i>Megan Lankford</i>	3140 W Hayes Welding Rd 72703	
716) Terrence Frest	<i>Terrence Frest</i>	W227 N2650 meadows Ln, WI 53186	terrence.frest@gmail.com
717) Lauren Jones	<i>Lauren Jones</i>	6005 Covington 72761	
718) [unclear]	<i>[unclear]</i>	1050 W Dilson St 72701	
719) Casey Tilson	<i>Casey Tilson</i>	1019 Village Ct. Arlington TX 76012	
720) [unclear]	<i>[unclear]</i>	1019 Village Ct. Arlington TX 76012	
721) Jarred Green	<i>Jarred Green</i>	1642 S Arizona Dr 72701	jlg011@uark.edu
722) [unclear]	<i>[unclear]</i>		
723) Cassie Cavill	<i>Cassie Cavill</i>	177 N Garland 72701	
724) Cate Scott	<i>Cate Scott</i>	31. S. Stadium Dr. 72701 PMB 10	cas018@uark.edu
725) Jared Machen	<i>Jared Machen</i>	1380 N Merion Way Apt 303	
726) Zachary Morris	<i>Zachary Morris</i>	1235 W. Mt. Comfort Rd. Apt. 304	
727) Danielle Shewmaker	<i>Danielle Shewmaker</i>	2942 E. Fremont Dr. 80122	
728) Catarina Wolfe	<i>Catarina Wolfe</i>	21000 N. Codorus Ch Rd 72701	
729) Julie Perkins	<i>Julie Perkins</i>	164 Madison 4408 72721	jap016@uark.edu
730) Milan Horak	<i>Milan Horak</i>	2138 W St. Peter's Court #111	
731) Ben Fabian	<i>Ben Fabian</i>	31 S. Stadium Dr. PMB 0064	
732) Marlee Maier	<i>Marlee Maier</i>	2112 Pine St. Stuttgart, AR 72160	
733) Sarah Girouard	<i>Sarah Girouard</i>	1005 S Royal Oak Rwy Apt 204 72701 AR	
734) Kyle Kubecka	<i>Kyle Kubecka</i>	1205 N. Oakland #2	Kkubecka@uark.edu
735) [unclear]	<i>[unclear]</i>	1635 W Neptune St #12	
736) KATE HURLBUT	<i>Kate Hurlbut</i>	303 S GREGG ST 72703	kehurlbu@uark.edu
737) Cassandra Grandyke	<i>Cassandra Grandyke</i>	985 W. Berry St. #5 72701	
738) Carlos Ochoa	<i>Carlos Ochoa</i>	625 W. 11th St 72701	cochoajt@uark.edu
739) Kay Kay DeLassette	<i>Kay Kay DeLassette</i>	630 N. Leverett Ave Apt. #4	Khderossa@email.uark.edu
740) Kaelin Groom	<i>Kaelin Groom</i>	1002 W. Clinton Dr Apt A	kmg.josiah@gmail.com

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Name (Print...)	...then Sign)	Address (Street and Zip Code only)	Email
741) And Aaronson	And Aaronson	1934 East Helen St, 72701	
742) Chelsea Miller	Chelsea Miller	1071 N. S. Highway Dr 72701	
743) Spencer Hindmarsh	Spencer Hindmarsh	1833 Deane St Fayetteville, AR 72703	
744) Susan Cockrell	Susan Cockrell	4390 E. Lanendale Dr. 72701	
745) Will LaPage	Will LaPage	4390 East Lanendale Dr 72701	
746) Lauren Hawkins	Lauren Hawkins	1101 S. Duncan Ave 72701	
747) Rhannon Bowlin	Rhannon Bowlin	10633 Emerald Lane Rogers, AR 72756	
748) Kim Seymour	Kim Seymour	PO Box 3404 Fayetteville AR 72702	
749) Travis W. Trustice	Travis W. Trustice	10633 Emerald Lane Rogers, Ar. 72756	
750) Fran Alexander	Fran Alexander	1946 Fox Hunter 72701	fran@deane-alexander.com

A PLASTIC BAG FREE FAYETTEVILLE

Name (Print...)	...then Sign	Address (Street and Zip Code only)	Email
751) James Alexander	<i>[Signature]</i>	1946 Fox Hunter 72701	
752) Jennifer Gred	<i>[Signature]</i>	1116 S. Duncan Ave. 72701	
753) Dick Bennett	<i>[Signature]</i>	2587 Simmie 72703	placentastue@hotmail.com
754) David Orr	<i>[Signature]</i>	1564 W Cedar 72703	jbennet@uark.edu
755) Anna Newman	<i>[Signature]</i>	11010 Broadview Dr 72703	ozarknature@gmail.com
756) Joe Norman	<i>[Signature]</i>	1676 Broadview Dr 72703	annajnewman@gmail.com
757) Matt Cartie	<i>[Signature]</i>	898 S. Hill Ave 72701	
758) Shelley Burnett	<i>[Signature]</i>	13266 Bird Oak Rd, Goodhelp 72701	
759) Nan Yarnelle	<i>[Signature]</i>	902 Fritz, Fayetteville AR 72701	
760) Jeff Kearney	<i>[Signature]</i>	1025 Indian Tr. Fay Ar 72701	
761) Kara Kearney	<i>[Signature]</i>	1025 Indian Tr. Fay Ar 72701	
762) Daniel Kennebak	<i>[Signature]</i>	920 N. Sunset Ave 72701	danielk@uark.edu
763) Chris Aasende	<i>[Signature]</i>	10633 Emerald Lane Rogers, AR	
764) Tyler Patrick	<i>[Signature]</i>	1719 Carolyn Drive Fayetteville, AR	txp0046@uark.edu
765) Jerry Gates	<i>[Signature]</i>	1747 N. Oakland Ave Fayetteville AR	jhgates@uark.edu
766) Roscoe Bate	<i>[Signature]</i>	2314 WOODSTOWN DR Fayetteville AR 72701	RBATE@uark.edu
767) Kirby Sanders	<i>[Signature]</i>	511 S. Wood; Fay 72701	Kirby.sanders@uark.edu
768) Hunter Richards	<i>[Signature]</i>	240 W. Cherry Tulsa AZ 85711	hmrichar@email.uark.edu
769) JOSH BASS	<i>[Signature]</i>	214 St. Joseph, CA 95203	smallmountainbuss@hotmail.com
770) Jacob Holloway	<i>[Signature]</i>	247 S. L. H. AR 72701	
771) CHRIS PROBE	<i>[Signature]</i>	608 BLACK OAK AVE #14 SPRINGDALE AR 72764	
772) YOGESHA	<i>[Signature]</i>	608 Black Oak Ave, #14 Springdale AR 72764	
773)			
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Alderman Adella Gray
Ward 1 Position 1

Alderman Sarah Marsh
Ward 1 Position 2

Alderman Mark Kinion
Ward 2 Position 1

Alderman Matthew Petty
Ward 2 Position 2



Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. Smith

Alderman Justin Tennant
Ward 3 Position 1

Alderman Martin W. Schoppmeyer, Jr.
Ward 3 Position 2

Alderman Rhonda Adams
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

Tentative Agenda City of Fayetteville Arkansas City Council Meeting September 16, 2014

A meeting of the Fayetteville City Council will be held on September 16, 2014 at 5:30 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

City Council Meeting Presentations, Reports and Discussion Items:

1. Nominating Committee Report

Agenda Additions:

A. Consent:

1. Approval of the August 19-20, 2014 City Council meeting minutes.

2. **2014 Bulletproof Vest Partnership Program:** A resolution authorizing acceptance of a fifty percent (50%) matching grant award from the 2014 Bulletproof Vest Partnership Program in the amount of \$40,209.00 for the replacement of body armor vests for Fayetteville police officers and tactical body armor vests for emergency response team officers, and approving a budget adjustment.
3. **Federal and State Law Enforcement Forfeiture Revenue:** A resolution approving a budget adjustment in the total amount of \$54,451.00 recognizing federal and state law enforcement forfeiture revenue received through August 2014 and increasing the related expense budget.
4. **Arkansas Fire and Police Pension Board Supplement:** A resolution to approve a budget adjustment in the amount of \$12,563.00 to recognize revenue received from the Arkansas Fire and Police Pension Board for a future supplement to pensioners of the Fayetteville Firefighters Pension and Relief Fund.
5. **Bid #14-50 H&H Directional Boring Services:** A resolution to award Bid #14-50 and authorize the purchase of directional boring services from H&H Directional Boring, Inc. in variable amounts as needed for constructing pipeline crossings through the end of 2014.

B. Unfinished Business: None

C. Public Hearing:

1. **909 W. Eagle Street Raze and Removal:** A resolution to order the razing and removal of a dilapidated and unsafe structure owned by Kenneth C. and Wanda L. Easterling located at 909 W. Eagle Street in the City of Fayetteville, Arkansas, and to approve a budget adjustment.

D. New Business:

1. **RZN 14-4803 (Intersection of Champion and Windswept Drives/Summit Place S/D):** An ordinance rezoning that property described in Rezoning Petition RZN 14-4803, for approximately 15.62 acres, located along Champion and Windswept Drives from NC, Neighborhood Conservation, to RSF-4, Residential Single Family, 4 units per acre.
2. **RZN 14-4807 (103 Plainview Ave./Daniel):** An ordinance rezoning that property described in Rezoning Petition RZN 14-4807, for approximately 3.34 acres, located at 103 Plainview Avenue from RSF-4, Residential Single Family, 4 units per acre, to R-O, Residential-Office.
3. **Kessler Consulting, Inc.:** A resolution to authorize a contract with Kessler Consulting, Inc. of Tampa, Florida for the development of a ten year solid waste master plan in an amount not to exceed \$264,890.00, and to approve a budget adjustment.

4. **2014 Millage Levy:** An ordinance levying a tax on the real and personal property within the City of Fayetteville, Arkansas, for the year 2014 fixing the rate thereof at 1.3 mills for General Fund Operations, 0.4 mills for the Firemen's Pension and Relief Fund, 0.4 mills for the Policemen's Pension and Relief Fund and 1.0 mill for the Fayetteville Public Library; and certifying the same to the County Clerk of Washington County, Arkansas.
5. **Hotel, Motel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014:** An ordinance authorizing the issuance and sale of not to exceed \$11,900,000 of Hotel, Motel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014, by the City of Fayetteville, Arkansas for the purpose of (1) refunding the City's outstanding Hotel, Motel and Restaurant Gross Receipts Tax Refunding Bonds, Series 2003, (2) financing certain costs in connection with the renovation and expansion of Walton Arts Center, and (3) financing certain costs in connection with a Regional Park; authorizing the execution and delivery of a Trust Indenture pursuant to which the Series 2014 Bonds will be issued and secured; authorizing the execution and delivery of an Official Statement pursuant to which the Series 2014 Bonds will be offered; authorizing the execution and delivery of a Bond Purchase Agreement providing for the sale of the Series 2014 Bonds; authorizing the execution and delivery of an Escrow Deposit Agreement providing for the redemption of the Series 2003 Bonds; authorizing the execution and delivery of a continuing Disclosure Agreement; and prescribing other matters relating thereto.

E. City Council Agenda Session Presentations:

1. 2015 General Fund Budget Discussion – Paul Becker, Finance Director

F. City Council Tour:

G. Announcements:

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

All cell phones must be silenced and may not be used within the City Council Chambers.

Below is a portion of the **Rules of Order and Procedure of the Fayetteville City Council** pertaining to City Council meetings:

Agenda additions. A new item which is requested to be added to the agenda at a City Council meeting should only be considered if it requires immediate City Council consideration and if the normal agenda setting process is not practical. The City Council may only place such new item on the City Council meeting's agenda by suspending the rules by two-thirds vote. Such agenda addition shall be heard prior to the Consent Agenda.

Consent Agenda. Consent Agenda items shall be read by the Mayor and voted upon as a group without discussion by the City Council. If an Alderman wishes to comment upon or discuss a Consent Agenda item that item shall be removed and considered immediately after the Consent Agenda has been voted upon.

Old business and new business.

Presentations by staff and applicants. Agenda items shall be introduced by the Mayor and, if an ordinance, read by the City Attorney. City staff shall then present a report. An agenda applicant (city contractor, rezoning or development applicant, etc.) may present its proposal only during this presentation period, but may be recalled by an alderman later to answer questions. Staff and applicants may use electronic visual aids in a City Council meeting as part of their presentation.

Public comments. Public comment shall be allowed for all members of the audience on all items of old and new business and subjects of public hearings. No electronic visual aid presentations shall be allowed, but the public may submit photos, petitions, etc. to be distributed to the City Council. If a member of the public wishes for the City Clerk to distribute materials to the City Council before its meeting, such materials should be supplied to the City Clerk office no later than 9:00 a.m. on the day of the City Council meeting. Any member of the public shall first state his or her name and address, followed by a concise statement of the person's position on the question under discussion. Repetitive comments should be avoided; this applies to comments made previously either to the City Council or to the Planning Commission when those Planning Commission minutes have been provided to the Aldermen. All remarks shall be addressed to the Mayor or the City Council as a whole and not to any particular member of the City Council. No person other than the Aldermen and the person having the floor shall be permitted to enter into any discussions without permission of the Mayor. No questions shall be directed to an Alderman or city staff member except through the Mayor.

Courtesy and respect. All members of the public, all city staff and elected officials shall accord the utmost courtesy and respect to each other at all times. All shall refrain from rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives or personalities. Any member of the public who violates these standards shall be ruled out of order by the Mayor, must immediately cease speaking and shall leave the podium.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call (479) 575-8330.

A copy of the complete City Council agenda is available at www.fayetteville-ar.gov or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.

City of Fayetteville Staff Review Form

2014-0384

Legistar File ID

9/16/2014

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

Greg Tabor

8/27/2014

Police /
Police Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of the 2014 Bulletproof Vest Partnership (BVP) Program reimbursement grant award and budget adjustment in the amount of \$40,209 for the purchase of body armor vests for our police officers and tactical body armor vests for our Emergency Response Team (ERT) officers. BVP grant will reimburse 50% of the cost of each body armor vest up to the total grant award of \$40,209.

Budget Impact:

1010.2920.5210.00		General	
Account Number		Fund	
37042-2014		Bulletproof Vest Partnership - 2014	
Project Number		Project Title	
Budgeted Item?	Yes	Current Budget	\$ 2,340.00
		Funds Obligated	\$ 1,715.74
		Current Balance	\$ 624.26
Does item have a cost?	No	Item Cost	
Budget Adjustment Attached?	Yes	Budget Adjustment	\$ 40,209.00
		Remaining Budget	\$ 40,833.26

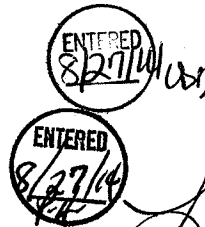
V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Comments:

8/27/14
Paula A. Bush
8-27-2014



Approval Date: _____

[Handwritten Signature]

Jim Man 8-27-14

CITY COUNCIL AGENDA MEMO

MEETING OF SEPTEMBER 16, 2014

TO: Mayor and City Council

FROM: Greg Tabor, Chief of Police 

DATE: August 27, 2014

SUBJECT: 2014 Bulletproof Vest Partnership Grant Program Award

RECOMMENDATION:

Staff recommends approval of a grant award from the 2014 Bulletproof Vest Partnership Grant Program and budget adjustment in the total amount of \$40,209 for the purchase of body armor vests for our police officers and tactical vests for our Emergency Response Team (ERT) officers.

BACKGROUND:

The Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant Act of 1998, is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement. Since 1998, the Fayetteville Police Department has obtained grant funding in excess of \$120,000 for the purchase of body armor vests through this partnership. The BVP program provides an important component to the continuing health and welfare of our police officers. Each body armor vest has a guaranteed life of five years. All state-of-the-art body armor is custom made to the exact specifications of the wearer. This ensures all officers have our required level of protection.

DISCUSSION:

In 2015, the Police Department will replace 74 body armor vests for our police officers and 12 tactical body armor vests for our ERT officers due to the vests reaching their guaranteed end of life. We also project the purchase of 7 new body armor vests to be on an as needed basis for replacement due to wear/tear and new police officers. The total cost of these body armor vest purchases is estimated to be \$92,000 pending formal bid completion. The BVP grant funding will provide reimbursement of 50% of the City's expenses, up to the allowed grant maximum of \$40,209, for the purchase of body armor vests for our police and ERT officers. In addition to the BVP grant award, the Police Department has budgeted \$52,000 in fiscal year 2015 of the Capital Improvements Program for the purchase of body armor vests.

BUDGET/STAFF IMPACT:

Approval of the attached budget adjustment will increase both revenues and expenses equally to recognize the BVP grant award. There is no staffing impact related to this grant application.

Attachments:

Budget Adjustment

Grant Award

Page 69 of 2015 Capital Improvements Program

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING ACCEPTANCE OF A FIFTY PERCENT (50%) MATCHING GRANT AWARD FROM THE 2014 BULLETPROOF VEST PARTNERSHIP PROGRAM IN THE AMOUNT OF \$40,209.00 FOR THE REPLACEMENT OF BODY ARMOR VESTS FOR FAYETTEVILLE POLICE OFFICERS AND TACTICAL BODY ARMOR VESTS FOR EMERGENCY RESPONSE TEAM OFFICERS, AND APPROVING A BUDGET ADJUSTMENT

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes acceptance of a fifty percent (50%) matching grant award from the 2014 Bulletproof Vest Partnership Program in the amount of \$40,209.00 for the replacement of body armor vests for Fayetteville police officers and tactical body armor vests for emergency response team officers.

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

PASSED and APPROVED this 16th day of September, 2014.

APPROVED:

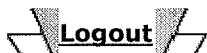
ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer



Section Status > Application History > Application Summary

1. Registration1.1 [Agency Information](#)1.2 [Agency Contacts](#)**2. Application**2.1 [Application Profile](#)2.2 [Manage Application](#)2.3 [Review Application](#)2.4 [Submit Application](#)**3. Payment**3.1 [Bank Information](#)3.2 [Print Bank Form](#)3.3 [Manage Receipts](#)3.4 [Payment Request](#)3.5 [Payment History](#)**4. Status**4.1 [Current Status](#)4.2 [LEA Status](#)4.3 [Application History](#)**5. Personal Information**5.1 [User Profile](#)5.2 [Change Password](#)

BVP HELP DESK

(Toll-Free 1-877-758-3787)

Application Profile

Participant	FAYETTEVILLE CITY
Fiscal Year	2014
Number of Agencies Applied	0
Total Number of Officers for Application	120
Number of Officers on Approved Sub-Applications	120
Unspent BVP Funds Remaining	\$623.34
Unspent BVP Funds <u>Obligated</u> for Vest Purchases	\$623.34

Sub-Application Profile

Fiscal Year	2014
<u>Vest Replacement Cycle</u>	5
Number of Officers	120
Zylon Replacement	0
<u>Emergency Replacement Needs</u> Stolen or Damaged	0
Officer Turnover	6

Application Details

Date Submitted to BVP: 05/07/14
Application Status: Approved by BVP

Application Summary for FY2014 Regular Solicitation

Applicant	Quantity	Total Cost	Date Submitted	Status
FAYETTEVILLE CITY	93	\$84,000.00	05/07/14	Approved by BVP View Details
Grand Totals:	93	\$84,000.00		

Award Summary for FY2014 Regular Solicitation

Funds Type	Eligible Amount	Award	Date Approved	Status
Regular Fund	\$84,000.00	\$40,208.44	07/28/14	Approved by BVP
Grand Totals:	\$84,000.00	\$40,208.44		

CITY OF FAYETTEVILLE, ARKANSAS
CAPITAL IMPROVEMENTS PROGRAM (2015-2019)

Project Title: Police Bulletproof Vests & Ballistic Protection

Division: Police (D200)

Funding: 4470 - Sales Tax Capital Improvements

Category: Police Improvements

Rank: 1

Project #: 13011

Project Type: Replacement X
Expansion

Timeframe: Multi Year

Project Cost		
2015	\$	52,000
2016		13,000
2017		10,000
2018		23,000
2019		62,000
Total	\$	160,000

Description:

This project provides the 50% local match and any shortfall from federal funding for the purchase of bulletproof vests for new officers, the replacement of expired bulletproof vests, and new/replacement tactical bulletproof vests for members of the Emergency Response Team (ERT). Federal, State, and Local mandates exist for all officers to wear bulletproof vests when engaging in law enforcement activities. This project further funds ballistic protection equipment for the ERT including ballistic shields, plates, and blanket. The level III shield is designed to stop small arms ammunition, and is lighter and more mobile. The level IV shield is heavier and rated to stop larger ammunition fired from rifles. The ERT members also have level IV ballistic plates carried within their ballistic vests. The ballistic blanket can be quickly deployed for high risk situations including the protection of officers and civilians as a personal shield or in vehicle transport.

Scheduled Implementation:

Active Project

The annual funding schedule is based on the expiration dates of existing bulletproof vests and a projection of new officers being placed into service for the Department. The level III ballistic shield will need to be replaced in 2016 and the level IV ballistic shield will need to be replaced in 2018. The ERT ballistic plates are scheduled for replacement in 2018 and the ballistic blanket is scheduled for replacement in 2019.

Effect on Operations:

The purchase of bulletproof vests and ballistic protection will have no adverse effect on operational funding.

City of Fayetteville Staff Review Form

2014-0390

Legistar File ID

9/16/2014

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Greg Tabor

8/29/2014

Police /

Police Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of a budget adjustment in the amount of \$54,451 to recognize federal/state law enforcement forfeiture revenue and replenish federal forfeiture funds used to purchase new Tasers with proceeds from the sale of used Tasers received through August 2014 and increase corresponding expense budgets.

Budget Impact:

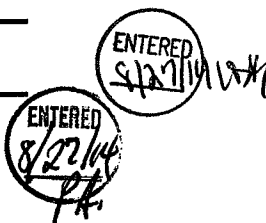
1010.2920.5802.00	General
Account Number	Fund
33045/46-1	Law Enforcement Forfeitures
Project Number	Project Title
Budgeted Item? Yes	Current Budget \$ 249,997.00
	Funds Obligated \$ 92,422.80
	Current Balance \$ 157,574.20
Does item have a cost? NA	Item Cost
Budget Adjustment Attached? Yes	Budget Adjustment \$ 54,451.00
	Remaining Budget \$ 212,025.20

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Comments:



Approval Date:

Paul a. B... 8-27-2014

Don Ma... 8-27-14

CITY COUNCIL AGENDA MEMO

MEETING OF SEPTEMBER 16, 2014

TO: Mayor and City Council

FROM: Greg Tabor, Chief of Police 

DATE: August 29, 2014

SUBJECT: Federal and State Law Enforcement Forfeitures for Fayetteville Police Department

RECOMMENDATION:

Staff recommends approval of a budget adjustment in the amount of \$54,451 to recognize federal/state law enforcement forfeiture revenue and replenish federal forfeiture funds used to purchase new Tasers with proceeds from the sale of used Tasers received through August 2014 and increase corresponding expense budgets.

BACKGROUND:

The Fayetteville Police Department receives forfeitures as a result of civil proceedings concerning cash or property seized during a criminal investigation. Most of the forfeitures we have received in the past are a direct result from the efforts of the officers we assign to the 4th Judicial District Drug Task Force (4th DTF), the local office of the Federal Drug Enforcement Agency (DEA), and the Internal Revenue Service (IRS) Financial Crimes Task Force. By statute, federal and state forfeitures are to be spent for law enforcement purposes only. All purchases utilizing these funds must follow the City of Fayetteville Purchasing Policy.

DISCUSSION:

Funds within this budget adjustment consist of Department of Justice funds which are drug related federal forfeitures, State Asset Forfeiture funds which are drug related state forfeitures, and the replenishment of federal forfeiture funds used to purchase new Tasers with proceeds from the sale of our used Tasers via GovDeals.com. The requested budget adjustment will recognize the following forfeitures and proceeds through August 2014: \$3,794 from the Department of Justice; \$37,642 from State Asset Forfeitures; and \$13,015 from proceeds from the sale of used Tasers via GovDeals.com.

BUDGET/STAFF IMPACT:

Our expense budget will increase equal to the revenue received through August 2014. There is no staffing impact related to this budget adjustment.

Attachments:

Budget Adjustment

RESOLUTION NO. _____

A RESOLUTION APPROVING A BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$54,451.00 RECOGNIZING FEDERAL AND STATE LAW ENFORCEMENT FORFEITURE REVENUE RECEIVED THROUGH AUGUST 2014 AND INCREASING THE RELATED EXPENSE BUDGET

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached as Exhibit "A", in the total amount of \$54,451.00 recognizing federal and state law enforcement forfeiture revenue received through August 2014 and increasing the related expense budget.

PASSED and APPROVED this 16th day of September, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

City of Fayetteville, Arkansas - Budget Adjustment Form (Legistar)

A. 3
Federal and State Law
Enforcement Forfeiture Revenue
Page 4 of 4

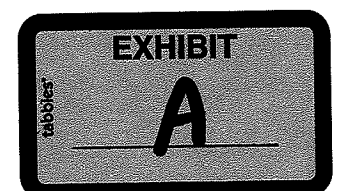
Budget Year 2014	Division: Police Dept.: Police Requestor: W. Newman	Adjustment Number
----------------------------	--	--------------------------

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

Recognize federal/state law enforcement forfeiture revenue and replenish forfeiture funds used to purchase new Tasers with proceeds from the sale of used Tasers received through August 2014 and increase corresponding expense budgets.

RESOLUTION/ORDINANCE	COUNCIL DATE:	9/16/2014
	LEGISTAR FILE ID#:	2014-0390
	Kevin Springer	
	8/27/2014 11:40 AM	
	Budget Director	Date
	TYPE:	
	DESCRIPTION:	
	GLDATE:	
	POSTED:	/

TOTAL	54,451	54,451					v.20140716
	Increase / (Decrease)		Project.Sub#				
Account Number	Expense	Revenue	Project	Sub	AT	Account Name	
1010.0001.4308.02	-	37,642	33045	1	RE	Police Law Enforcement Trust	
1010.2920.5802.00	37,642	-	33045	1	EX	Vehicles And Equipment	
1010.0001.4504.00	-	3,794	33046	1	RE	Federal Forfeitures	
1010.0001.4881.02	-	13,015			RE	Gain/Loss - Sale of Assets	
1010.2920.5802.00	16,809	-	33046	1	EX	Vehicles And Equipment	
	-	-					
	-	-					
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City of Fayetteville Staff Review Form

2014-0386

Legistar File ID

9/16/2014

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Kevin Springer

8/26/2014

Budget & Information Management /
Finance & Internal Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

To approve a budget adjustment in the amount of \$12,563 to recognize the additional revenue received by the Arkansas Fire and Police Pension Board for a future supplement to pensioners on the old fire pension plan.

Budget Impact:

6810.9810.5335.06

Fire Pension

Account Number

Fund

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 44,000.00

Funds Obligated \$ 56,563.00

Current Balance \$ (12,563.00)

Does item have a cost? No

Item Cost \$ -

Budget Adjustment Attached? Yes

Budget Adjustment \$ 12,563.00

Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Comments:

Kevin Springer 8-27-14
Paul A. Butler 8-27-2014
Don Mann 8-27-14



Approval Date: _____

Frank Jordan

CITY COUNCIL AGENDA MEMO

MEETING OF SEPTEMBER 16, 2014

TO: Mayor and City Council

THRU: Paul A. Becker, Chief Financial Officer **P.A.B.**

FROM: Kevin Springer, Budget Director

DATE: August 26, 2014

SUBJECT: Recognize Fire Pension Future Supplemental Revenue

RECOMMENDATION:

Staff recommends approval of the budget adjustment recognizing the increase in revenue from the Arkansas Fire and Police Pension Review Board (PRB) for the Future Supplemental benefits paid to pensioners.

BACKGROUND:

This account is budgeted based on the prior year amount. Each year the PRB sends a distribution that complies with Act 1373 of 2003. The amount received is then distributed to each retiree, beneficiary, and DROP participant as reflected on the Annual Financial Report for the Local Plan at December 31 of the prior year. The effective date of distribution is July 1 of the current year.

DISCUSSION:

The amount varies from year to year. For 2014, the amount is \$1,235 for each paid participant. This is a one time distribution each year.

BUDGET/STAFF IMPACT:

As the amount of funds received are to be paid out, the fund this year increased by the additional revenue of \$12,563.

Attachments:

SRF_Fire Pension Revenue
SRM_Fire Pension Revenue
BA_Fire Pension Revenue

RESOLUTION NO. _____

A RESOLUTION TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$12,563.00 TO RECOGNIZE REVENUE RECEIVED FROM THE ARKANSAS FIRE AND POLICE PENSION BOARD FOR A FUTURE SUPPLEMENT TO PENSIONERS OF THE FAYETTEVILLE FIREFIGHTERS PENSION AND RELIEF FUND

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves the attached budget adjustment in the amount of \$12,563.00 to recognize revenue received from the Arkansas Fire and Police Pension Board for a future supplement to pensioners of the Fayetteville Firefighters Pension and Relief Fund.

PASSED and APPROVED this 16th day of September, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

A. 4
Arkansas Fire and Police
Pension Board Supplement
ent Number Page 4 of 4

Budget Year 2014	Division: Budget & Information Management Dept.: Finance & Internal Services Requestor: Barbara Fell	Adjustment Number
--------------------------------	---	--------------------------

To recognize the additional revenue received by the Arkansas Fire and Police Pension Board for a future supplement to pensioners on the old fire pension plan.

COUNCIL DATE: 9/16/2014

LEGISTAR FILE ID#: 2014-0386

Kevin Springer
8/26/2014 2:19 PM

Budget Director	Date
TYPE:	
DESCRIPTION:	
GLDATE:	
POSTED:	/

RESOLUTION/ORDINANCE

[illegible]

City of Fayetteville Staff Review Form

2014-0392

Legistar File ID

9/16/2014

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

Tim Nyander

8/28/2014

Water & Sewer Maintenance /
 Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A Resolution approving a bid with H & H Directional Boring, Inc. for constructing pipeline crossings using the horizontal directional drilling method.

Budget Impact:

5400.4310.5315.00

Water & Sewer

Account Number

Fund

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 12,769.00

Funds Obligated \$ 4,529.45

Current Balance \$ 8,239.55

Does item have a cost? Yes

Item Cost

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget \$ 8,239.55

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

9/12/14

Paul A. Bucher 9-2-2014

Don Miller 9-3-14



[Handwritten signature]



CITY COUNCIL AGENDA MEMO

MEETING OF SEPTEMBER 16, 2014

TO: Mayor Lioneld Jordon
Fayetteville City Council

THRU: Don Marr, Chief of Staff

FROM: Tim Nyander, Interim Director for Water & Sewer

DATE: August 28, 2014

SUBJECT: A Resolution approving a bid with H & H Directional Boring, Inc. for constructing pipeline crossings using the horizontal directional drilling method.

RECOMMENDATION:

City Staff recommends awarding Bid 14-50 to H & H Directional Boring to construct pipeline crossings when needed using the horizontal directional drilling method.

BACKGROUND:

The purchase of directional boring services is necessary to install pipeline crossings underneath road surfaces, curbs and sidewalks in a manner which does not disturb the integrity of these surfaces. Sealed bids in accordance with State statutes, City ordinances, and purchasing procedures were publicly read and the results are attached to this memo.

DISCUSSION:

The low bid for directional boring was submitted by H & H Directional Boring Incorporated. The City has purchased directional boring services from this vendor in the past. Their operation meets all necessary specifications and their service is satisfactory.

BUDGET/STAFF IMPACT:

Funds for the acquisition of these services have been budgeted in the Water & Sewer Fund. Directional boring services will be purchased on an "as needed" basis.

Attachments:

Bid 14-50 Tabulation
Bid Submittal
Staff Review Form

RESOLUTION NO. _____

A RESOLUTION TO AWARD BID #14-50 AND AUTHORIZE THE PURCHASE OF DIRECTIONAL BORING SERVICES FROM H&H DIRECTIONAL BORING, INC. IN VARIABLE AMOUNTS AS NEEDED FOR CONSTRUCTING PIPELINE CROSSINGS THROUGH THE END OF 2014

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby awards Bid #14-50 and authorizes the purchase of directional boring services from H&H Directional Boring, Inc. in variable amounts as needed for constructing pipeline crossings through the end of 2014.

PASSED and APPROVED this 16th day of September, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

			Gastony Directional Boring, Inc			H&H Directional Boring, Inc		
Item #	DESCRIPTION	Estimated Annual Linear Feet	PRICE PER LINEAR FOOT	EXTENDED TOTAL LINE ITEM PRICE	PRICE PER LINEAR FOOT	EXTENDED TOTAL LINE ITEM PRICE		
1	Directional Boring, as specified, for installation of 1" or 2" poly pipe, <u>pipe shall be provided by the City</u>	2,500	\$ 38.00	= \$ 95,000.00	\$ 20.00	= \$ 50,000.00		
2	Directional Boring, as specified, for installation of 6" ductile or cast iron pipe, <u>pipe shall be provided by the City</u>	100	\$ 88.00	= \$ 8,800.00	\$ 70.00	= \$ 7,000.00		
3	Directional Boring, as specified, for installation of 8" ductile or cast iron pipe, <u>pipe shall be provided by the City</u>	100	\$ 105.00	= \$ 10,500.00	\$ 90.00	= \$ 9,000.00		
4	Directional Boring, as specified, for installation of 12" ductile or cast iron pipe, <u>pipe shall be provided by the City</u>	100	\$ 120.00	= \$ 12,000.00	\$ 130.00	= \$ 13,000.00		
			Total Base Bid :	\$ 126,300.00	Total Base Bid :	\$ 79,000.00		

CERTIFIED:

P Vice

Carolyn Reef
Witness

Witness

8 | 21 | 14

Date



City of Fayetteville, Arkansas
Purchasing Division – Room 306
113 W. Mountain
Fayetteville, AR 72701
Phone: 479.575.8220

TDD (Telecommunication Device for the Deaf): 479.521.1316

INVITATION TO BID

INVITATION TO BID: Bid 14-50, Construction – Directional Boring
DEADLINE: Thursday, August 21, 2014 before 3:00 PM, Local Time
DELIVERY LOCATION: Room 306 – 113 W. Mountain, Fayetteville, AR 72701
PURCHASING AGENT: Andrea Foren, CPPO, CPPB, aforen@fayetteville-ar.gov, 479.575.8220
DATE OF ISSUE AND ADVERTISEMENT: Friday, August 01 & August 08, 2014

INVITATION TO BID Bid 14--50, Construction – Directional Boring

No late bids shall be accepted. Bids shall be submitted in sealed envelopes labeled and should have the name and address of the bidder as well as the bid number and name.

All bids shall be submitted in accordance with the attached City of Fayetteville specifications and bid documents attached hereto. Each bidder is required to fill in every blank and shall supply all information requested; failure to do so may be used as basis of rejection.

NOTICE TO ALL BIDDERS:

All vendors intending on bidding SHALL register as a plan holder by notifying Andrea Foren, Purchasing Agent, via e-mail at aforen@fayetteville-ar.gov. When registering as a plan holder, vendors shall submit primary contact information including name of contractor, primary contact, phone number, fax number, and physical address. **FAILURE TO REGISTER AS A PLAN HOLDER CAN RESULT IN YOUR BID BEING REJECTED.**

BID DISTRIBUTION INCLUDES 1 FILE: *Document available for direct download at www.bids.accessfayetteville.org*

Bidder assumes all responsibility for receiving updates and any addenda issued to this project by monitoring www.bids.accessfayetteville.org. Failure to acknowledge addenda issued as instructed could result in rejection of such bid.

Bid 14-50, Addendum 1



Date: Thursday, August 14, 2014

To: All Prospective Vendors

From: Andrea Foren, CPPO, CPPB – 479.575.8220 – aforen@fayetteville-ar.gov

RE: Bid 14-50, Construction – Directional Boring

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

1. This addendum contains a revised bid form in its entirety. **All bidders shall use the enclosed revised bid form.** Failure to use the correct bid form will result in bid rejection.
2. City shall provide all pipe needed for directional boring. Pricing shall include all other work, taxes, and labor to complete directional boring per liner foot.

SEE ATTACHED
REVISED BID
FORM
(PAGES 2-5)

Project Manual



CITY OF FAYETTEVILLE
ARKANSAS

CONSTRUCTION – DIRECTIONAL BORING

BID # 14-50
Date: August 2014

CITY OF



Project Check List

This checklist is for the Bidder's use in preparing & submitting a bid. It is not intended to include all details necessary to prepare a bid and shall not be used as a substitute for the requirements of the bid documents. Information is shown below only as a matter of convenience. Use of this checklist does not relieve the Bidder from the responsibility of meeting all requirements of the Specifications concerning the preparation of an acceptable bid. Bidders are welcome to use this form as a coversheet for a sealed envelope; however, using this form itself is NOT a requirement.

☐

- 5% Bid Bond of the amount bid accompanied by required documentation (Power of Attorney, etc.)
- In lieu of a bid bond, the bidder may submit a cashier's check from a bank located in the State of Arkansas for at least five percent (5%) of the amount bid (inclusive of any deductive alternates). Cashiers checks shall be made payable to the City of Fayetteville, AR.

☐

All addenda shall be signed, acknowledged, and submitted on the appropriate forms (submitting the actual addendums or marking acknowledgement on other bid pages).

☐

All line items shall be appropriately filled out and extended to reveal the line item price as well as the total bid price. Total base bid should be calculated in the provided space.

☐

All pages provided with signature lines shall be appropriately signed, dated accordingly, and included with submitted bid documents

☐

All bid documents shall be delivered in a sealed envelope to the address listed below before the stated deadline on the coversheet of the bid. All bids should be delivered with the name of the bidder (contractor) on the sealed envelope as well as the bidders Arkansas Contractor's License Number.

City of Fayetteville, AR
Purchasing Division – Suite 306
113 W. Mountain
Fayetteville, AR 72702

CONTRACTOR NAME: H&H Directional Boring, INC.

ARKANSAS CONTRACTORS LICENSE NUMBER: 0091820415

City of Fayetteville
Bid 14-50, Construction – Directional Boring
Advertisement

CITY OF FAYETTEVILLE
INVITATION TO BID
BID 14-50, Construction –Directional Boring

The City of Fayetteville is accepting bids from properly licensed firms for the directional boring services thru December 31, 2014 at various locations within the city limits of Fayetteville, Arkansas. Questions should be addressed to Andrea Foren, Purchasing Agent at aforen@fayetteville-ar.gov or by calling (479) 575-8220.

All bids shall be submitted in a sealed envelope or package labeled with the project name and/or description. All bids shall be received before **Thursday, August 21, 2014 before 3:00 PM, local time** at the City of Fayetteville, Purchasing Division address listed below. A public bid opening will be conducted shortly after the deadline at City Hall. No late bids shall be accepted. The City of Fayetteville shall not be responsible for lost or misdirected bids.

City of Fayetteville
Purchasing Division – Room 306
113 West Mountain Street
Fayetteville, AR 72701

Bidding documents and plans shall be obtained by the City of Fayetteville Purchasing Division electronically. No partial sets shall be issued. Plans may also be reviewed only at the Fayetteville Purchasing Division.

Each bid shall be accompanied by a certified check from a bank doing business in the State of Arkansas or a corporate bid bond in an amount not less than five (5) percent of the amount bid. A one hundred percent (100%) performance and payment bond is required with the contract awarded and shall be file marked by the Washington County Circuit Clerk's Office upon receipt to the City. A State of Arkansas Contractor's License is required for all bid and license shall be valid at the time of bid deadline.

Attention is called to the fact that the minimum prevailing wage rates for each craft or type of worker and the prevailing wage rate for overtime work as determined by the Arkansas Department of Labor only applies to contracts exceeding \$75,000.

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

The City of Fayetteville reserves the right to waive irregularities, reject bids, and postpone the award of any Contract for a period of time which shall not exceed beyond sixty (60) days from the bid opening date.

CITY OF FAYETTEVILLE, ARKANSAS

By: Andrea Foren, CPPO, CPPB
City Purchasing Agent
Ad dates: 08/01/14 and 08/08/14

City of Fayetteville
Bid 14-50, Construction – Directional Boring
Instructions to Bidders

PART ONE - DEFINED TERMS

- 1.1 Terms used in these Instructions to Bidders which are defined in the General Conditions have the meanings assigned to them in the General Conditions. Certain additional terms used in these Instructions to Bidders have the meanings indicated below which are applicable to both the singular and plural thereof.
- 1.2 Bidder - one who submits a Bid directly to City of Fayetteville as distinct from a sub-bidder, which submits a bid to a Bidder.
- 1.3 Issuing Office - the office from which the Bidding Documents are to be issued and where the bidding procedures are to be administered.
- 1.4 Successful Bidder - the lowest, responsible, and responsive Bidder to whom the City of Fayetteville (on the basis of the City of Fayetteville's evaluation as hereinafter provided) makes an award.

PART TWO - COPIES OF BIDDING DOCUMENTS

- 2.1 Complete sets of the Bidding Documents in the number and for the deposit sum, if any, stated in the Advertisement for Bids may be obtained from the Issuing Office.
- 2.2 Complete sets of Bidding Documents must be used in preparing Bids. Neither City of Fayetteville nor Architect assumes any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Bidding Documents.
- 2.3 City of Fayetteville and Architect in making copies of Bidding Documents available on the above terms do so only for the purpose of obtaining Bids for the Work and do not confer a license or grant for any other use.

PART THREE - EXAMINATION OF SITE AND CONTRACT DOCUMENTS

- 3.1 Bidders are advised that the Drawings and Specifications are on file at the City of Fayetteville Purchasing Division, and shall constitute all of the information which the City of Fayetteville shall furnish. No other information given or sounding made by the City of Fayetteville or any official thereof, prior to the execution of said contract, shall ever become a part of, or change the contract, drawings, specifications and estimates, or be binding on City of Fayetteville.

Prior to submitting any Bid, Bidders are required to: read carefully the Specifications, contract, and Bonds; examine carefully all Drawings; visit the site of the Work to carefully examine local conditions; inform themselves by their independent research and sounding of the difficulties to be encountered, and all attending circumstances affecting the cost of doing the work, and the time specified for its completion; and obtain all information required to make an intelligent bid.

- 3.2 Bidders shall rely exclusively upon their surveys, estimates, investigations, and other things which are necessary for full and complete information upon which the bid may be made and for which a contract is to be awarded. The Bid Form, providing for unit and lump sum prices bid by the Contractor, contains a statement that all bids are made with the full knowledge of the difficulties and conditions that may be encountered, the kind, quality and quantity of the plans, work to be done, excavation, and materials required and with full knowledge of the drawings, profiles, specifications, and estimates and all provisions of the contract and Bonds.
- 3.3 Bidders shall promptly notify Architect of all conflicts, errors, ambiguities, or discrepancies which Bidder has discovered in or between the Contract Documents and such other related documents.
- 3.4 Information and data shown or indicated in the Contract Documents with respect to existing Underground Facilities at or contiguous to the site is based upon information and data furnished to City of Fayetteville and Architect by City of Fayetteville's of such Underground Facilities or others, and City of Fayetteville and Architect do not assume responsibility for the accuracy or completeness thereof unless it is expressly provided otherwise in the Supplementary Conditions.

- 3.5 On request, City of Fayetteville will provide each Bidder access to the site to conduct such examinations, investigations, explorations, tests, and studies as each Bidder deems necessary for submission of a Bid. Bidder must fill all holes and clean up and restore the site to its former conditions upon completion of such explorations, investigations, tests, and studies.
- 3.6 Reference is made to the General Requirements for the identification of the general nature of work that is to be performed at the site by City of Fayetteville or others (such as utilities and other prime contractors) that relates to the work for which a Bid is to be submitted. On request, and as available, City of Fayetteville will provide to each Bidder, for examination, access to or copies of Contract Documents (other than portions thereof related to price) for such work.
- 3.7 The submission of a Bid will constitute an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article 3, that without exception the Bid is premised upon performing and furnishing the Work required by the Contract Documents and applying the specific means, methods, techniques, sequences, or procedures of construction (if any) that may be shown or indicated or expressly required by the Contract Documents, that Bidder has given Architect written notice of all conflicts, errors, ambiguities, and discrepancies that Bidder has discovered in the Contract Documents and that the written resolutions thereof by Architect are acceptable to Bidder, and that the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the Work.

PART FOUR - AVAILABILITY OF LANDS FOR WORK AND WORK BY OTHERS

- 4.1 The lands upon which the Work is to be performed, rights-of-way and easements for access thereto and other lands designated for use by Contractor in performing the Work are identified in the Contract Documents. All additional lands and access thereto required for temporary construction facilities, construction equipment, or storage of materials and equipment to be incorporated in the Work are to be obtained and paid for by Contractor. Easements for permanent structures or permanent changes in existing facilities are to be obtained and paid for by City of Fayetteville unless otherwise provided in the Contract Documents.

PART FIVE - INTERPRETATION OF CONTRACT DOCUMENTS AND ADDENDA

- 5.1 If any person contemplating submitting a bid for construction of the Work is in doubt as to the true meaning of any part of the proposed Contract Documents or finds discrepancies in or omissions from any part of the proposed Contract Documents, he should submit a written request for interpretation thereof to the Architect not later than seven days before the date set for bid opening. The person submitting the request shall be responsible for its prompt delivery.
- 5.2 Interpretation or correction of proposed Contract Documents will be made only by Addendum to all holders of Bidding Documents. Only questions answered by formal written Addenda will be binding. Oral and other interpretations or clarifications will be without legal effect. City of Fayetteville will not be responsible for any other explanations or interpretations of the proposed Contract Documents.
- 5.3 Addenda may also be issued to modify the Bidding Documents as deemed advisable by City of Fayetteville.
- 5.4 Bidder assumes all responsibility for checking the City's website at www.accessfayetteville.org for updates and addenda issued to this project.

PART SIX - APPROXIMATE ESTIMATE OF QUANTITIES

- 6.1 The provided estimate of quantities is approximate only and shall be the basis for receiving unit price bids for each item but shall not be considered by Bidders as actual quantities that may be required for the completion of the proposed work. However, such quantities, at the unit and lump sum prices bid for each item, shall determine the amount of each bid for comparison of Bids and aid in determining the low and responsive Bidder for the purpose of awarding the contract, and will be used as basis for fixing the amount of the required Bonds.

PART SEVEN - PRICES

- 7.1 Bidders must state a price for each item of work named in the Bid Form. Unit and Lump Sum prices shall include amounts

sufficient for the furnishing of all labor, materials, tools, equipment, and apparatus of every description to construct, erect, and finish completely all of the work as called for in the Specifications or indicated on the Drawings.

- 7.2 Prices bid on the various items in the Bid Form shall bear a fair relationship to the cost of the work to be done. Bids which appear unbalanced and are deemed not to be in the best interest of City of Fayetteville may be rejected at the discretion of City of Fayetteville.
- 7.3 By submission of a Bid, Bidder represents that Bidder has considered the entire Project and the Work required, and has reviewed the Drawings and Specifications to verify the full scope of the Work.

PART EIGHT - BID FORM

- 8.1 Bids are due as indicated in the Advertisement for Bids.
- 8.2 Bids must be made out in ink on the Bid Form included in these Bidding Documents. The unit price or lump sum bid for each item must be stated in figures and in words in the appropriate blank spaces provided on the Bid Form. The figures must be clear and distinctly legible so that no question can arise as to their intent and meaning. In case of a difference in the written words and figures, the amount stated in written words shall govern. Discrepancies between the multiplication of units of Work and unit prices will be resolved in favor of the unit prices. Discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the correct sum.
- 8.3 Bids which are incomplete, unbalanced, conditional, or obscure or which contain additions not called for, erasures, alterations, or irregularities of any kind or which do not comply with these Instructions to Bidders may be rejected as informal or non-responsive at the option of City of Fayetteville. However, City of Fayetteville reserves the right to waive technicalities as to changes, alterations, or revisions and to make the award in the best interest of City of Fayetteville.
- 8.4 Address sealed bids to City of Fayetteville, and deliver to the address given in the Advertisement for Bids on or before the day and hour set for opening the bids. Enclose the completed Bid Form and Project Manual in a sealed envelope bearing the title of the project, the name of the Bidder, Bidder's Arkansas Contractor's License Number, and the date and hour of the bid opening. If this sealed envelope is delivered by a public carrier, it must be contained in another envelope addressed to City of Fayetteville and the attention of the project name. It is the sole responsibility of Bidder to see that the Bid is received on time.
- 8.5 Acceptance of deductive alternate bids is at the City of Fayetteville's discretion, as best serves the City of Fayetteville's interest. Each deductive alternate, if presented, will be provided on the Bid Form. The price of the Bid for each deductive alternate will be the amount to be deducted from the price of the Total Base Bid if the City of Fayetteville selects any of the alternates. The unit price amount for each alternate shall be the same as the unit price amount listed in the Bid.
- 8.6 No Bidder shall divulge the information in the Bid to any person whomsoever, except those having a partnership or other financial interest with him in the Bid, until after the bids have been opened.

PART NINE - SIGNATURE ON BIDS

- 9.1 If the Bid is made by an individual, the firm name must be given, and the Bid Form signed by the individual or a duly authorized agent. If the Bid is made by a partnership, the firm name and the names of each member must be given, and the Bid signed by a member of the partnership, or a person duly authorized. If the Bid is made by a company or corporation, the company or corporate name must be given and the Bid signed by an officer or agent duly authorized. The corporate seal must be affixed and attested by the secretary or an assistant secretary. The corporate address and state of incorporation must be shown below the signature.
- 9.2 All names must be typed or printed in black ink below the signature.
- 9.3 The address and telephone number for communications regarding the Bid must be shown.
- 9.4 Powers of attorney, properly certified, for agents and others to sign Bids must be in writing and filed with City of Fayetteville.

9.5 The Bid shall also contain a signed acknowledgment of receipt of all Addenda.

PART TEN - BID SECURITY

- 10.1 A five percent (5%) bid security, in the form of a bid bond, or cashier's check from a bank located in the State of Arkansas, as stated in the Advertisement For Bids, shall accompany each bid. Bid bonds for the difference in price between low bidder and second low bidder shall not be acceptable. The Successful Bidder's security will be retained until City of Fayetteville receives a signed Agreement and required Bonds and Certificates of Insurance. If the Successful Bidder fails to execute and deliver the Agreement and furnish the required contract security within fifteen days after the Notice of Selection, City of Fayetteville may annul the Notice of Selection and the Bid security of that Bidder will be forfeited.
- 10.2 The City of Fayetteville reserves the right to retain the security until the Successful Bidder enters into the Contract or until sixty (60) days after bid opening, whichever is sooner. Cash equivalent security of the second and third low bidder may be exchanged for an equivalent bid bond after bid tabulations are complete or thirty (30) days after bid opening, whichever is sooner.

PART ELEVEN - PERFORMANCE BOND AND PAYMENT BOND

- 11.1 Prior to signing the Agreement, Contractor shall furnish a surety performance Bond and a payment Bond, equal to one hundred percent of the contract price.
- 11.2 Contractor shall pay all expenses in connection with the obtaining of said Bonds. The Bonds shall be conditioned that Contractor shall faithfully perform the contract and shall pay all indebtedness for labor and materials furnished or performed in the construction of such alterations and additions as prescribed in this contract.
- 11.3 The surety company issuing the Bonds must be a solvent company on the "Surety Companies Annual List" issued by the U.S. Department of the Treasury, and the Bonds are not to be issued in an amount greater than the underwriting limitations for the surety company as set out therein.
- 11.4 In Arkansas, prevailing law requires that performance and payment Bonds on public works contracts shall be executed by a resident local agent who is licensed by the Insurance Commissioner to represent the surety company executing said Bonds and filing with such Bonds his Power of Attorney as his authority. The mere countersigning of the Bonds will not be sufficient.
- 11.5 The date of the Bonds, and of the Power of Attorney, must not be prior to the date of the contract. At least two originals of the Bonds shall be furnished, each with Power of Attorney attached.
- 11.6 Bonds are to be approved by City of Fayetteville. If any Bonds contracted for become unsatisfactory or unacceptable to City of Fayetteville after the acceptance and approval thereof, Contractor, upon being notified to that effect, shall promptly execute and furnish acceptable Bonds in the amounts herein specified. Upon presentation of acceptable Bonds, the unsatisfactory Bonds may be canceled at the discretion of Contractor.

PART TWELVE - CONTRACT TIME

- 12.1 The number of days within which, or the dates by which the Work is to be substantially completed and also completed and ready for final payment is outlined in the Bid Form.

PART THIRTEEN - LIQUIDATED DAMAGES

- 13.1 Provisions for liquidated damages, if any, are set forth in the Bid Form.

PART FOURTEEN - SUBCONTRACTORS SUPPLIERS AND OTHERS

- 14.1 Contractor shall not assign or sublet all or any part of this contract without the prior written approval of City of Fayetteville nor shall Contractor allow such subcontractor to commence work until approval of workman's compensation insurance and

public liability insurance as may be required. Approval of each subcontract by City of Fayetteville will in no manner release Contractor from any obligations as set out in the Drawings, Specifications, contract, and Bonds.

PART FIFTEEN - SUBSTITUTE AND "OR EQUAL" ITEMS

- 15.1 Any reference to a particular brand or manufacture is in an effort to establish an acceptable level of quality for this purchase. Brands or manufacturers that are included in a bid that are of at least equal quality, size and specification as to what has been specified, will be acceptable for consideration.

PART SIXTEEN - COMPLIANCE WITH STATE LICENSING LAW

- 16.1 A Contractor's License is required to bid this project, however, prior to executing the agreement with the City of Fayetteville, the Contractor shall be licensed in accordance with the requirements of Act 150, Arkansas Acts of 1965, the "Arkansas State Licensing Law for Contractors" for bids in excess of \$20,000.

PART SEVENTEEN - QUALIFICATIONS AND RESPONSIBILITY OF BIDDERS

- 17.1 To demonstrate qualifications to perform the Work, each Bidder must be prepared to submit within five days after bid opening, upon City of Fayetteville's or Architect's request, detailed written evidence such as financial data, present commitments, and other such data as may be called for. Each Bid must contain evidence of Bidder's qualification to do business in the State of Arkansas.

PART EIGHTEEN - DISQUALIFICATIONS OF BIDDERS

- 18.1 Any one or more of the following may be considered as sufficient for the disqualification of bidders and the rejection of Bids.
- 18.2 More than one Bid Form for the same work from an individual, firm, partnership, or corporation under the same or different names.
- 18.3 Evidence of collusion among bidders. Participants in such collusion may receive no recognition as bidders for any future work.
- 18.4 Unbalanced Bid Forms in which the prices for some items are out of proportion to the prices for other items, or changes written in, or amendments by letter, or failure to submit a unit price for each item of work for which a bid price is required by the Bid Form, or failure to include all required contract documents.
- 18.5 Lack of competency as revealed by the financial statement, experience, plant, and equipment statements submitted. Lack of responsibility as shown by past work judged from the standpoint of workmanship and progress.
- 18.6 Uncompleted work which, in the judgment of City of Fayetteville, might hinder or prevent the prompt completion of additional work if awarded.
- 18.7 Being in arrears on existing contracts, in litigation with City of Fayetteville, or having defaulted on a previous contract.

PART NINETEEN - OPENING OF BIDS

- 19.1 Bids will be opened and read aloud publicly at the place where Bids are to be submitted in a room to be designated by City of Fayetteville the day of the bid opening. An abstract of the amounts of the base Bids and major alternates (if any) will be made available to Bidders after the opening of Bids.

PART TWENTY - CONSIDERATION OF BIDS

- 20.1 After the bids are opened and read, the quantities will be extended and totaled in accordance with the bid prices of the accepted Bids. This review of the Bids will confirm the low bidder.

20.2 In evaluating Bids, City of Fayetteville will consider the qualifications of Bidders, whether or not the Bids comply with the prescribed requirements, and such alternates, unit prices, and other data as may be requested in the Bid Form or prior to the Notice of Selection.

20.3 City of Fayetteville may consider the qualifications and experience of Subcontractors, Suppliers, and other persons and organizations proposed for those portions of the Work as to which the identity of Subcontractors, Suppliers, and other persons and organizations must be submitted as provided in the Supplementary Conditions. City of Fayetteville also may consider the operating costs, maintenance requirements, performance data, and guarantees of major items of materials and equipment proposed for incorporation in the Work when such data is required to be submitted prior to the Notice of Selection.

PART TWENTY-ONE - RIGHT TO REJECT BIDS

21.1 City of Fayetteville reserves the right to reject any and all Bids, to waive technicalities, and to advertise for new bids. All Bids are subject to this reservation. City of Fayetteville reserves to itself the right to decide which shall be deemed the lowest responsive and responsible Bid. Due consideration will be given to the reputation, financial ability, experience and equipment of the Bidder.

21.2 City of Fayetteville also reserves the right to waive informalities not involving price, time or changes in the Work and to negotiate contract terms with the Successful Bidder.

PART TWENTY-TWO - AWARDING OF CONTRACT

22.1 City of Fayetteville reserves the right to withhold the awarding of a contract a reasonable period of time from the date of opening bids, not to exceed sixty (60) days except with the consent of the Successful Bidder. The awarding of a contract upon a successful Bid shall give the Bidder no right to action or claim against City of Fayetteville upon the contract until the contract is reduced to writing and signed by the contracting parties. The letting of a contract shall not be complete until the contract is executed and the necessary Bonds approved.

PART TWENTY-THREE - RETAINAGE

23.1 Provisions concerning retainage and Contractor's rights to deposit securities in lieu of retainage are set forth in the Agreement.

PART TWENTY-FOUR - SIGNING OF AGREEMENT

24.1 When City of Fayetteville gives a Notice of Selection to the Successful Bidder, it will be accompanied by the number of unsigned counterparts of the Agreement as indicated in the Supplementary Conditions, with all other written Contract Documents attached. Within ten (10) days thereafter, Contractor shall sign and deliver the required number of counterparts of the Agreement and attached documents to City of Fayetteville with the required Bonds & Certificate of Insurance. Within ten (10) days thereafter City of Fayetteville shall deliver one fully signed counterpart to Contractor.

PART TWENTY-FIVE - MATERIALS GUARANTY

25.1 Before any contract is awarded Bidder may be required to furnish a complete statement of the origin, composition, or manufacture of any or all materials proposed to be used in the construction of the Work, together with samples, which may be subjected to tests provided for in the Specifications to determine their quality and fitness for the Work.

PART TWENTY-SIX - FAMILIARITY WITH LAWS

26.1 Bidder is presumed to be familiar with all federal, state, and city laws, ordinances, and regulations which in any manner affect those engaged or employed in the Work, or the materials or equipment used, or that in any way affect the Work and shall in all respects comply with said laws, ordinances, and regulations. No claim of misunderstanding or ignorance on the part of Contractor will in any way serve to modify the provisions of the contract. No representations shall be binding unless embodied in the contract.

PART TWENTY-SEVEN - ADDITIONAL LAWS AND REGULATIONS

Bidders' attention is called to the following laws and regulations which may have an impact on the Work and on the preparation of the Bid.

- 27.1 Americans with Disabilities Act.
- 27.2 Storm water discharge regulations, enacted under the Clean Water Act and administered by the Arkansas Department of Environmental Quality (ADEQ) under a general permits program. Contractor may be required to obtain coverage under general permit ARR001000 prior to commencing work at the site.
- 27.3 Arkansas Act 291 of 1993, dealing with excavation safety, signed into law on March 1, 1993.

PART TWENTY-EIGHT – PAST EXPERIENCE REQUIRED

- 28.1 All bidders shall have past experience in providing similar work as described for this project. The City of Fayetteville reserves the right to reject for inadequate experience. A minimum of four (4) references are required.

End of Section

City of Fayetteville
Bid 14-50, Construction – Directional Boring
General Terms and Conditions

1. SUBMISSION OF BID & BID EVALUATION:

- a. Bids will be reviewed following the stated deadline, as shown on the cover sheet of this document.
- b. Bidders shall submit bids based on documentation published by the Fayetteville Purchasing Division.
- c. Bids shall be enclosed in sealed envelopes or packages addressed to the City of Fayetteville, Purchasing Division, Room 306, 113 W. Mountain, Fayetteville, AR 72701. The name, address of the firm and Bid, RFP, or RFQ number shall be on the outside of the packaging as well as on any packages enclosed in shipping containers or boxes.
- d. The City will not be responsible for misdirected bids. Vendor should call the Purchasing Office at 479.575.8220 to ensure correct receipt of bidding documents prior to opening time and date listed on the bid form.
- e. Bidders must have experience in providing products and/or services of the same or similar nature.
- f. Bidder is advised that exceptions to any of the terms contained in this bid must be identified in its response to the bid. Failure to do so may lead the City to declare any such term non-negotiable. Proposer's desire to take exception to a non-negotiable term will not disqualify it from consideration for award.
- g. Local time is defined as the time in Fayetteville, Arkansas on the due date of the deadline. Bids shall be received before the time as shown by the atomic clock located in the Purchasing Division Office.
- h. Bids will be evaluated and awarded based on the best interest of the City of Fayetteville. The City reserves the right to award bids in their entirety, none, or by line item.

2. WRITTEN REQUESTS FOR INTERPRETATIONS OR CLARIFICATION:

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

3. DESCRIPTION OF SUPPLIES AND SERVICES:

Any reference to a particular brand or manufacturer is done in an effort to establish an acceptable level of quality for this project. Brands or manufacturers that are included in bid that are of at least equal quality, size, design, and specification as to what has been specified, will be acceptable for consideration only if approved by the City of Fayetteville Purchasing Division. The City of Fayetteville reserves the right to accept or reject any requested equal.

4. RIGHTS OF CITY OF FAYETTEVILLE BID PROCESS:

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

- a. The City of Fayetteville reserves the right to select the bid that it believes will serve the best interest of the City.
- b. The City of Fayetteville reserves the right to accept or reject any or all bids.
- c. The City of Fayetteville reserves the right to cancel the entire bid.
- d. The City of Fayetteville reserves the right to remedy or waive technical or immaterial errors in the invitation to bid or in bids submitted.
- e. The City of Fayetteville reserves the right to request any necessary clarifications, additional information, or data without changing the terms of the bid.

5. COSTS INCURRED BY BIDDERS:

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

6. CONFLICT OF INTEREST:

- a. The bidder represents that it presently has no interest and shall acquire no interest, either direct or indirect, which would conflict in any manner with the performance or services required hereunder, as provided in City of Fayetteville Code Section 34.26 titled "Authority of City Employee to Contract with the City".
- b. All bidders shall promptly notify the City Purchasing Agent, in writing, of all potential conflicts of interest for any prospective business association, interest, or other circumstance which may influence or appear to influence the bidder's judgment or quality of services being provided. Such written notification shall identify the prospective business association, interest or circumstance, the nature of which the bidder may undertake and request an opinion to the City as to whether the association, interest or circumstance would, in the opinion of the City, constitute a conflict of interest if entered into by the bidder. The City agrees to communicate with the bidder its opinion via e-mail or first-class mail within thirty days of receipt of notification.

7. WITHDRAWAL OF PROPOSAL:

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

8. LATE PROPOSAL OR MODIFICATIONS:

Bid modifications received after the time set for the bid submittal shall not be considered. Modifications in writing received prior to the deadline will be accepted. The City will not be responsible for misdirected bids. Bidders should call the Purchasing Division at (479) 575-8220 to verify receipt of their submittal documents prior to opening time and date listed.

9. LOCAL, STATE, AND FEDERAL COMPLIANCE REQUIREMENTS:

- a. The laws of the State of Arkansas apply to any purchase made under this bid. Bidders shall comply with all local, state, and federal directives, orders and laws as applicable to this proposal and subsequent contract(s) including but not limited to Equal Employment Opportunity (EEO), Disadvantaged Business Enterprises (DBE), & OSHA as applicable to this contract.
- b. Pursuant to Arkansas Code Annotated §22-9-203 the City of Fayetteville encourages all *qualified* small, minority and women's business enterprises to bid on and receive contracts for goods, services, and construction. Also, City of Fayetteville encourages all general contractors to subcontract portions of their contract to *qualified* small, minority and women's business enterprises.

10. PROVISION FOR OTHER AGENCIES:N/A

11. COLLUSION:

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

12. RIGHT TO AUDIT, FOIA, AND JURISDICTION:

- a. The City of Fayetteville reserves the privilege of auditing a vendor's records as such records relate to purchases between the City and said vendor.
- b. Freedom of Information Act: City contracts and documents prepared while performing City contractual work are subject to the Arkansas Freedom of Information Act. If a Freedom of Information Act request is presented to the City of Fayetteville, the (Contractor) will do everything possible to provide the documents in a prompt and timely manner as prescribed in the Arkansas Freedom of Information Act (A.C.A. §25-19-101 et seq.). Only legally authorized photocopying costs pursuant to the FOIA may be assessed for this compliance.
- c. Legal jurisdiction to resolve any disputes shall be in Washington County, Arkansas with Arkansas law applying to the case.

13. CITY INDEMNIFICATION:

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

14. VARIANCE FROM STANDARD TERMS & CONDITIONS:

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

15. ADA REQUIREMENT FOR PUBLIC NOTICES & TRANSLATION:

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

16. PROCUREMENT POLICY FOR RECYCLED MATERIALS:

The City of Fayetteville wishes to encourage its bidders to use recycled products in fulfilling contractual obligations to the City and that such practices will serve as a model for other public entities and private sector companies.

17. PAYMENTS AND INVOICING:

The bidder must specify in their bid the exact company name and address which must be the same as invoices submitted for payment as a result of award of this bid. Further, the successful bidder is responsible for immediately notifying the Purchasing Division of any company name change, which would cause invoicing to change from the name used at the time of the original bid. Payment will be made within thirty days of invoice received. The City of Fayetteville is very credit worthy and will not pay any interest, fees, or penalty for untimely payments. Payments can be processed through bidder's acceptance of Visa at no additional costs to the City for expedited payment processing. The City will not agree to any nonrefundable deposit or retainer that would remain property of the bidder even if the hourly work actually performed by the bidder would not justify such fee.

The City will pay the awarded bidder based on unit prices provided on invoicing. Progress payments will be made after approval and acceptance of work and submission of invoice. Payments will be made within 30 days of accepted invoice.

18. CANCELLATION:

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

- b. Failure of the contractor to comply with any of the provisions of the contract shall be considered a material breach of contract and shall be cause for immediate termination of the contract at the discretion of the City of Fayetteville.
- c. In addition to all other legal remedies available to the City of Fayetteville, the City reserves the right to cancel and obtain from another source, any items and/or services which have not been delivered within the period of time from the date of order as determined by the City of Fayetteville.
- d. In the event sufficient budgeted funds are not available for a new fiscal period, the City shall notify the vendor of such occurrence and contract shall terminate of the last day of the current fiscal period without penalty or expense to the City

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

- a. The Contractor shall perform this contract. No assignment of subcontracting shall be allowed without prior written consent of the City. If a bidder intends to subcontract a portion of this work, the bidder shall disclose such intent in the bid submitted as a result of this bid.
- b. In the event of a corporate acquisition and/or merger, the Contractor shall provide written notice to the City within thirty (30) calendar days of Contractor's notice of such action or upon the occurrence of said action, whichever occurs first. The right to terminate this contract, which shall not be unreasonably exercised by the City, shall include, but not be limited to, instances in which a corporate acquisition and/or merger represent a conflict of interest or are contrary to any local, state, or federal laws. Action by the City awarding a proposal to a firm that has disclosed its intent to assign or subcontract in its response to the bid, without exception shall constitute approval for purpose of this Agreement.

20. NON-EXCLUSIVE CONTRACT:

Award of this bid shall impose no obligation on the City to utilize the vendor for all work of this type, which may develop during the contract period. This is not an exclusive contract. The City specifically reserves the right to concurrently contract with other companies for similar work if it deems such an action to be in the City's best interest. In the case of multiple-term contracts, this provision shall apply separately to each item.

21. LOBBYING:

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

22. ADDITIONAL REQUIREMENTS:

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

23. ADD OR DELETE LOCATIONS OR SERVICES:

The City reserves the right to unilaterally add or delete locations and/or services, either collectively or individually, at the City's sole option, at any time after award has been made as may be deemed necessary or in the best interests of the City. In such case, the Contractor(s) will be required to provide services to this contract in accordance with the terms, conditions, and specifications.

24. INTEGRITY OF BID DOCUMENTS:

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

25. OTHER GENERAL CONDITIONS:

- a) Bidders shall be familiar with all federal, state, and city laws, ordinances, and regulations which in any manner affect those engaged or employed in the Work, or the materials or equipment used, or that in any way affect the Work and shall in all respects comply with said laws, ordinances, and regulations. No claim of misunderstanding or ignorance on the part of Bidder or Proposer will in any way serve to modify the provisions of the contract. No representations shall be binding unless embodied in the contract.
- b) Prices shall include all labor, materials, overhead, profit, insurance, shipping, freight, etc., to cover the products and services presented. ***All applicable taxes shall be included in the bid price.*** Applicable Arkansas sales tax laws will apply to this bid. The City of Fayetteville is not a tax exempt entity.
- c) Each bidder should state the anticipated number of days from the date of receipt of an order for delivery of services to the City of Fayetteville.
- d) 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.
- e) The City reserves the right to request any additional information it deems necessary from any or all bidders after the submission deadline.
- f) 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. It shall be clearly understood that any costs incurred by the Proposer in responding to this request for proposal is at the bidder's own risk and expense as a cost of doing business. The City of Fayetteville shall not be liable for reimbursement to the Proposer for any expense so incurred, regardless of whether or not the proposal is accepted.
- g) If products, components, or services other than those described in this bid document are proposed, the bidder must include complete descriptive literature for each. All requests for additional information must be received within five working days following the request.
- h) **NOTE: Any uncertainties shall be brought to the attention to Andrea Foren immediately via telephone (479.575.8220) or e-mail (aforen@fayetteville-ar.gov). It is the intent and goal of the City of Fayetteville Purchasing Division to provide documents providing a clear and accurate understanding of the scope of work to be completed and/or goods to be provided. We encourage all interested parties to ask questions to enable all bidders to be on equal bidding terms.**
- i) Any inquiries or requests for explanation in regard to the City's requirements should be made promptly to Andrea Foren, City of Fayetteville, Purchasing Agent via e-mail (aforen@fayetteville-ar.gov) or telephone (479.575.8220). No oral interpretation or clarifications will be given as to the meaning of any part of this request for proposal. All questions, clarifications, and requests, together with answers, if any, will be provided to all firms via written addendum. Names of firms submitting any questions, clarifications, or requests will not be disclosed until after a contract is in place.

- j) Any information provided herein is intended to assist the bidder in the preparation of proposals necessary to properly respond to this bid. The bid is designed to provide qualified Proposers with sufficient basic information to submit proposals meeting minimum specifications and/or test requirements, but is not intended to limit a bid's content or to exclude any relevant or essential data.
- k) Bidders irrevocably consent that any legal action or proceeding against it under, arising out of, or in any manner relating to this bid, or any contract entered related thereto, shall be governed by Arkansas law without regard to conflicts of law principles. Proposer hereby expressly and irrevocably waives any claim or defense in any action or proceeding based on any alleged lack of jurisdiction or improper venue or any similar basis.
- k) The successful bidder shall not assign the whole or any part of this Contract or any monies due or to become due hereunder without written consent of City of Fayetteville. In case the successful bidder assigns all or any part of any monies due or to become due under this Contract, the Instrument of assignment shall contain a clause substantially to the effect that it is agreed that the right of the assignee in and to any monies due or to become due to the successful bidder shall be subject to prior liens of all persons, firms and corporations for services rendered or materials supplied for the performance of the services called for in this Contract.
- l) The successful bidder's attention is directed to the fact that all applicable Federal and State laws, municipal ordinances, and the rules and regulations of all authorities having jurisdiction over the services shall apply to the contract throughout, and they will be deemed to be included in the contract as though written out in full herein. The successful bidder shall keep himself/herself fully informed of all laws, ordinances and regulations of the Federal, State, and municipal governments or authorities in any manner affecting those engaged or employed in providing these services or in any way affecting the conduct of the services and of all orders and decrees of bodies or tribunals having any jurisdiction or authority over same. If any discrepancy or inconsistency should be discovered in the Contract Documents or in the specifications herein referred to, in relation to any such law, ordinance, regulation, order or decree, s/he shall herewith report the same in writing to City of Fayetteville.

26. **ADDITIONAL REQUIREMENTS:** Bidders shall conform to the requirements listed below and include appropriate evidence for each unless otherwise stated. Proof of appropriate insurance as well as performance and payment bond shall be provided before work begins and is not required for bid opening. Five percent bid bond shall be submitted with ALL bids exceeding \$20,000.

- a. Workers Compensation as required by Arkansas State Statutes
- b. Bidder shall have general liability insurance as required at a minimum of \$1,000,000.00
- c. A bid bond of five percent (5%) shall be submitted with all bids. A cashier's check from a bank located in the State of Arkansas for five percent (5%) of the amount bid will also be acceptable as a replacement to a bid bond. In the event a cashier's check is submitted AND that vendor is awarded the bid, the bid bond will not be returned until the City of Fayetteville has a valid one hundred (100) percent performance and payment bond.
- d. A 100% performance and payment bond is required within ten (10) calendar days after a contract has been signed by all parties. The performance and payment bond shall be received by the City before any work is initiated on the project. The performance and payment bond shall be presented to the City after it has been stamped by the Washington County Clerk's Office.
- e. A State of Arkansas Commercial Contractor's License is required to bid on the project.
- f. All bidders shall have commercial construction experience completing jobs of similar scope to this project. Bidders shall provide a minimum of four (4) references listing contracts completed within the past five (5) years.
- g. Insurance shall be provided to the City after contract award. Bidder shall furnish a certificate of insurance addressed to the City, showing that the awarded entity carries the following insurance which shall be maintained throughout the term of the Contract. Any work sublet, the contractor shall require the subcontractor similarly to provide worker's compensation insurance. In case any employee engaged in work on the project under this contract is not protected under Worker's Compensation Insurance, Bidder 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.
 - i. Workmen's Compensation – Statutory Amount
 - ii. Comprehensive General & Automobile Insurance:

1. Bodily Injury Liability – \$500,000 for each person injured.
2. Each Accident – \$1,000,000
- iii. Property Damage Liability – \$1,000,000 aggregate.

- h. Any dumpster used on site shall be acquired from the City of Fayetteville Solid Waste and Recycling Division. Use of other commercial third-party containers is not allowed.

27. DESCRIPTION OF BID:

- a. The project will be bid under a Lump Sum, Base Bid format: Work includes Site Preparation and Improvements, Demolition of Existing Building Components and Systems, Cleaning of the existing building, new Construction and Renovation along with any and all other Work as shown on the Drawings, described in the Specification and described herein, all to be let under one prime contract.
- b. Contractors, Sub-Contractors, Suppliers, Vendors and Others are to refer to the conditions and instructions issued by the City of Fayetteville for additional bidding requirements.

28. EXAMINATION OF PREMISES, PERMITS, & FEES REQUIRED:

- a. Before submitting his quotation, Contractor will be held to have examined the premises, satisfied themselves as to the conditions of the site and site work needed and satisfied themselves as to existing conditions under which he will be obligated to operate, or that will in any manner affect Work under this contract.
- b. Before submitting his quotation, Contractor will be held to have contacted the City/County, Utilities or any other local Jurisdictions for the project and to have determined any and/or all requirements for completion of the work at this specific location including, but not limited to: Building Permits, Traffic Control, Utility Connections, Zoning and Planning Requirements, Water Service Connections and any or all other requirements for the Work. The Base Bid is to include all items, costs or procedures required for completion of the work whether shown correctly on the drawings, specified correctly in the Project Manual - or not shown at all. Costs for Permits are to include any Tap, City Assessments, Impact Fees, Special Permits, Highway Access Permits and/or any other Impact Costs needed to complete the Work.
- c. Bidder shall be informed fully of conditions relating to construction of project and employment of labor. Failure to do so does not relieve successful bidder of his obligation to furnish material and labor necessary to carry out provisions of his contract. Insofar as possible Contractor, in carrying out his Work, must employ such methods or means to avoid any interruption of or interference with Work of any other Contract.

29. AVAILABILITY OF BID DOCUMENTS:

- a. Copies of drawings, specification and other proposed contract documents are available from the City of Fayetteville. All dissemination of Documents and control of the dissemination of Documents and information to sub-contractors, vendors, suppliers or others involved with the Contractor's bid are the Contractor's responsibility, the City is not responsible to disseminate Documents or Information to anyone except the proposed General Contractors who have properly registered to bid the Work with the City.

30. BID FORMS:

- a. All Bids shall be submitted on the Bid Form included. Submit one full completed and executed copy including corporation seals and signatures by parties legally able to bind the contracting firm to the City. Subcontractor bids are to comply with the requirements of the Contract Documents regardless of the bid forms or bidding paperwork supplied by the Bidding General Contractors. All bids are to be complete without qualifications or conditions.
- b. All pricing information requested on the Bid Form shall be filled out completely. Contractors shall not add any additional pricing information to the Bid Form. Contractors shall bid the entirety of the Work, if clarifications are required for a complete bid seek and obtain interpretations and addendum from the City BEFORE bids is given.

31. INTERPRETATIONS:

- a. No interpretation of plans, specifications or other bid documents will be made orally to the bidder. Requests for interpretation or clarification of Bid Documents must be made in writing addressed to the City of Fayetteville. **TO BE GIVEN CONSIDERATION, REQUESTS FOR INTERPRETATION MUST BE RECEIVED AT LEAST FIVE (5) WORKING DAYS PRIOR TO DATE FIXED FOR RECEIPT OF BIDS.**
- b. Interpretations and additional information will be issued in the form of written addenda via e-mail to all listed on the plan holders list and those subscribed to the City's Purchasing mailing list. **ADDENDA WILL BE ISSUED UP TO THREE (3) DAYS (72 hours) PRIOR TO DATE FIXED FOR OPENING OF BIDS.** Failure of bidder to receive any addendum shall not relieve bidder from obligation under his bid as submitted. All addenda so issued shall become part of Contract Documents.
- c. Should an error, inconsistency or omission be found in the Bid Documents after the Bid Opening, the Contractor will be deemed to have prepared his bid based upon the more costly way of performing the work. It is the responsibility of the Contractor, Subcontractor, Bidder, Supplier or Vendor to determine the work required for the installation of their portions of the project including the work of other trades required to facilitate their own Work during bidding and not the Architect's responsibility to provide complete and fully coordinated Documents. The Architect will have sole discretion to determine the Work to be performed based on inconsistencies in the work, or inconsistencies between any portions of the bid documents.
- d. The Contract Documents are "Complementary" and anything mentioned in the Specifications and not shown on the Drawings or shown on the Drawings and not mentioned in the Specifications is to have the same effect as if shown or mentioned in both. Anything mentioned or shown in one portion or by one discipline (i.e. mechanical, electrical, plumbing, civil, etc., versus architectural or visa versa) and not shown or mentioned in other disciplines or areas of the Drawings and/or Project Manual (i.e. equipment shown on drawings or indicated in the project manual and power not shown on the electrical drawings) is to have the same effect as if shown or mentioned in both places.
- e. Precedence **IS NOT** given to the Specifications over the Drawings or to Large Scale Drawings over Smaller Scale Drawings. All drawings and all specifications are complimentary and shall be viewed collectively when interpreting the Design Intent for the Project. The Architect is the sole judge and interpreter of Design Intent and his decision will be final and binding upon the General Contractor, Sub Contractors and Suppliers.

32. QUALIFICATIONS OF SUPPLIERS, SUB-CONTRACTORS OR BIDDERS:

- a. City may make such investigations as they deem(s) necessary to determine ability of bidder(s) to perform Work, and bidder shall furnish to City all such information and data for this purpose City may request. City reserves right to reject bid of any bidder, sub-bidder or vendor who has previously failed to perform properly, or to complete on time, contracts of similar nature; who is not in position to perform contract, or who has habitually and without just cause neglected payment of bills or otherwise disregarded obligations to subcontractors, material men, or employees.
- b. It is the responsibility of the General Contractor to determine the viability of entities who will be sub-bidders, vendors or supplier to the Work during the bidding period. The City will not increase the cost of the work to change sub-bidders, vendors or suppliers of the Work when just fail to perform or start the Work.

33. CONDITIONAL BIDS:

- a. **Conditional bids will not be considered.** Bid with conditions as to the bid amount, work amounts, limitations, qualifications or time constraints will not be considered. Bids with conditions as to the Work or items that would be included or would be not included in the Work will not be considered. Including in the Base Bid only the costs for an unconditional bid based on the Construction Documents and do not include proposed deductions or any qualifications in the Bid or Time amounts in the Base Bid whatsoever.
- b. Calculations or qualifications by Subs, Vendor or Suppliers to the Bidders are not binding on the City and can not be made a part of any Bid or relied upon in any way to modify or limit the Work required by the Contract Documents.

34. "CALL BEFORE YOU DIG" STATE LAW:

- a. State Laws passed requiring notification and marking of underground items before digging on a construction project using mechanized equipment or hand tools are a requirement of this project. Failure to not do so can result in penalties. Safety is entirely the responsibility of the Contractor(s) and the Contractor(s) are to comply with all notification laws, regulations or customary requirements of the location, jurisdiction or place in which the work is to

be preformed. It is not the responsibility of the Architect to indicate laws or applicable regulations for the location of the work and is the responsibility of the Contractor(s) to obtain a full understanding of the conditions and requirements, laws and procedures for the work in the location the work is to be completed.

35. OTHER BIDDER RESPONSIBILITIES:

- a. It is the responsibility of the Bidders to determine issues, inconsistencies or questions during the bidding period and to request clarification of such items or questions in writing to the City. Questions must be submitted at least 5 working days prior to the bid date for response. The determination of cost issues that arise after the bid process, where question or clarifications were not completed by the Bidders will be determined by the City and no additional costs will be allowed for providing any item needed to properly complete the intent of the work indicated on the Documents as interpreted by the City.
- b. It is the responsibility of the Bidder to contact all City, State and/or Local Jurisdictions, Utilities and/or other Entities having Jurisdiction over the Work during the bid period and to determine any and all requirements, installation instructions, installation details or other conditions needed for properly providing the Work indicated and envisioned in the Contract Documents. After the bid period any adjustment that is needed to complete the Work such as, but not limited to; Utility Taps, Road and Entryway Configurations, Drainage Structures, Utility Installation Configurations costs or fees or other such similar requirements of Entities with Jurisdiction(s) over the Work or any such adjustments in the Work that is determined to be different than those shown on the Contract Documents and needed to meet the demands or requirements of such Utilities or Jurisdictions will be paid for by the Bidder.

36. SUBCONTRACTOR DISCLOSURE FORMS, ILLEGAL ALIEN EMPLOYMENT ACT REGISTRATION:

- a. All BIDDERS are required to provide complete disclosure of all subcontractors, vendors, suppliers or anyone else involved in the Work. Complete disclosure of the work, costs and contractual relationship of all Bidders are to be provided upon request including both the State's Grant & Disclosure Form (F-1, revision 11-29-00) and the State of Arkansas Immigrant website statements.
- b. All bidders are required to complete the State's Illegal Alien Employment Act certifications. Successful bidders are required to access the State's Web Site (www.arkansas.gov/dfa/procurement) and to register as required.

37. DISCLOSURE OF SUBCONTRACTORS AND SUBCONTRACTOR PRICING:

- a. A detailed breakdown of costs for the Work in the CSI format is required to be delivered to the City after the Bidding by the successful Bidder for review with the City and/or State Authorities.
- b. A detailed list of all subcontractors, vendors and suppliers of the Work is required to be delivered to the City after the Bidding by the successful Bidder for review with the City and /or State Authorities. The City reserves the right to review and approve the use of any sub-contractor, vendor, material or product for use in the project.

38. CONTRACTORS COMPLETION:

- a. Lien Releases are to be executed by all sub-contractors, vendors and the General Contractor and are to be submitted along with a Consent of Surety as a condition to be completed when the Final Payment Request is delivered to the Architect for review and payment by the City.
- b. Contractor is to attach final payment request to the completed Consent of Surety Document and is to provide supporting attachments for; the General Contractors overall Final Lien Release and supporting Final Lien Release Documents from all subs, major vendors and suppliers as supporting evidence that all payments have been made and are complete for the Work. Consent of Surety document can be obtained from Architect.
- c. Letter of Completion: At the time of Final Payment the Contractor is to also submit a letter on the firm's letterhead and signed by the City or Authorized Agent of the Contractor stating that all work has been completed to the requirements of the Contract Documents and the Work is ready for Occupancy. Attach copies of local jurisdictions Occupancy Permit where required.

39. ATTACHMENTS TO BID DOCUMENTS: The following attachments are hereby included and made part of the requirements for this bid package. Pricing shall be inclusive of entire bid package.

- a. Attachment A: Section 171.13 from the City of Fayetteville Code of Ordinances
- b. Attachment B: D1 & D2 Specifications

40. ADDITIONAL SPECIFIC JOB REQUIREMENTS:

- a. The City of Fayetteville will begin utilizing the primary supplier on a low bidder first basis for each qualified, responsible, responsive bidder. In the event the first ranking low bidder is not available, the City will contact the second low, etc.
- b. Bidders shall have experience in providing products and/or services of the same or similar nature. Bidders are required to be on jobsite as scheduled and coordinated with the City. Failure to show up as scheduled can result in bidder to disqualification for the remainder of the calendar year.
- c. All pricing bid shall remain valid through 12/31/2014.
- d. All invoices / invoices shall be presented to the City with the minimum information listed below.
 - i. City Department that ordered the materials or services
 - ii. Order Date
 - iii. Delivery date or the date of service
 - iv. Name of the City Employee that requested or picked up the goods, materials, or service
 - v. Bid Number that applies to the purchase and invoice. Amounts in the bid shall match invoicing.
- e. The City will release work on an as-needed basis. Job sited will be within the city limits of Fayetteville, AR.
- f. The City will not hold any retainage from payments associated with this project.
- g. There will be no liquidated damages associated with this bid.
- h. All work shall be performed between the hours of 7:00 AM and 11:00 PM, Monday through Sunday, as allowed by the Fayetteville Noise Ordinance.
- i. Department of Labor Prevailing Wage Rates will apply to contracts exceeding \$75,000.

41. TECHNICAL SPECIFICATIONS: For the remainder of 2014, it is anticipated that the City of Fayetteville will be contracting the directional boring of approximately 2,500 feet by directional drilling. Vendor shall complete and include this section with bid submittal. In the event the bid line specification item meets the specification provided, bidder shall indicate with a check mark, writing in "yes" or other mark clearly indicating the item bid meets the individual specification. In the event the item bid does NOT meet the specification, bidder shall write in "no" or leave the item blank, indicating the item bid does not meet the specification. Bidders will not be allowed to indicate if a specification is intended to be met after the deadline has passed. The City of Fayetteville shall not accept other literature for bid specification interpretation.

- a. The Contractor shall furnish all labor, materials, tools and equipment as necessary to construct a pipeline crossing by the horizontal directional drilling method. Furnish all labor, equipment, materials and supplies and perform all work necessary to provide a complete, finished water main crossing.
 - i. Yes ☒ No ☐ Exceptions _____
- b. Contours, topography and profiles of the ground as may be shown on drawings and are believed to be reasonably correct; however, the City does not guarantee to be absolutely so and drawings are presented only as an approximation. Contractor shall verify all elevations required to successfully complete the crossing.
 - i. Yes ☒ No ☐ Exceptions _____
- c. There are no current planned projects for directional boring. All work on this contract will be emergent based on pipe failures, emergency conditions or new projects.
 - i. Yes ☒ No ☐ Exceptions No evening or weekend work performed
- d. The work includes installation of poly pipe, ductile iron or cast iron pipe. The vast majority of the poly pipe installation will be 1-inch and 2-inch.

- i. Yes ☒ No ☐ Exceptions _____
- e. The Contractor is responsible for rough backfill of any hand or machine dug pits. The pits shall be backfilled in a timely fashion unless special circumstances exist.
- i. Yes ☒ No ☐ Exceptions _____
- f. Pricing bid shall be on a dollar (\$) per foot basis. The standard installation shall include two pits, either hand dug or machine dug depending on location, and the directional bore of between the two pits.
- i. Yes ☒ No ☐ Exceptions _____
- g. The Contractor is responsible for obtaining locates when required to expose existing utilities. It is expected that potholes are to be excavated with as minimal disturbance as possible. Where the pothole is in a grassy area, the pothole shall be restored immediately using the material taken out of the hole.
- i. Yes ☒ No ☐ Exceptions _____
- h. Response Time. The awarded contractor will be expected to respond in the following time frame:
- i. Emergency water leak/water main break – Four (4) hours maximum from notification
1. Yes ☒ No ☐ Exceptions no evening or weekend work
- ii. Non-emergency water leak – Seventy-two (72) hours maximum from notification
1. Yes ☒ No ☐ Exceptions _____

City of Fayetteville
Bid 14-50, Construction – Directional Boring
Bid Form – REVISED PER ADDENDUM 1

**ADDENDUM 1 –
REVISED BID FORM**

Contract Name: Bid 14-50, Construction – Directional Boring
Bid Number 14-50

BID TO:

Owner: The City of Fayetteville, Arkansas
113 West Mountain Street
Fayetteville, Arkansas 72701

BID FROM:

Bidder: H&H Directional Boring, INC.
1609 MALLY Wagon Rd.
Fayetteville AR, 72701

Section 1 – Intent:

1. The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an agreement with the City of Fayetteville in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Bid price and within the Bid time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

Section 2 – Terms & Conditions:

2. Bidder accepts all of the terms and conditions of the Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 180 days after the day of Bid opening. Bidder will sign and deliver the required number of counterparts of the Agreement with the Bonds and other documents required by the Bidding Requirements within 15 days after the date of City's Notice of Award.

Section 3 – Bidder's Representations:

In submitting this Bid, Bidder represents, as more fully set forth in the Agreement, that:

A.) Bidder has examined and carefully studied the Bid Documents, and the following Addenda, receipt of all which is hereby acknowledged:

<u>Number</u>	<u>Date</u>
<u>#1</u>	<u>08.15.14</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

B.) Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, performance, and furnishing of the Work.

City of Fayetteville, Arkansas
Bid 14-50, Addendum 1
Page 1 of 2

C.) Bidder is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, performance, and furnishing of the Work.

D.) Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site; and (2) reports and drawings of a Hazardous Environmental Condition, if any, at the Site. Bidder acknowledges that such reports and drawings are not Contract Documents and may not be complete for Bidder's purposes. Bidder acknowledges that City and Engineer do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Bid Documents with respect to Underground Facilities at or contiguous to the Site.

E.) Bidder has obtained and carefully studied (or assumes responsibility for having done so) all such additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site or otherwise which may affect cost, progress, performance, or furnishing of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder and safety precautions and programs incident thereto.

F.) Bidder does not consider that any additional examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performing and furnishing of the Work in accordance with the times, price, and other terms and conditions of the Contract Documents.

G.) Bidder is aware of the general nature of work to be performed by City and others at the Site that relates to Work for which this Bid is submitted as indicated in the Contract Documents.

H.) Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports, and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.

I.) Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Bidder.

J.) The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the Work for which this Bid is submitted.

K.) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm, or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham bid; Bidder has not solicited or induced any person, firm, or a corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for himself any advantage over any other Bidder or over City.

1. L.) Bidder will perform the Work in compliance with all applicable trench safety standards set forth in Occupational Safety and Health Administration (OSHA) Part 1926 – Subpart P – Excavations.
2. M.) No Bid shall be based upon aggregate of Subcontractors performing more than 60 percent of the total Work.
3. N.) The experience, past performance, and ability of each proposed Subcontractor will be considered in the evaluation of Bids. Any Subcontractor so requested shall be required to furnish experience statements prior to the Notice of Awards.

Section 4 – Price:

Item #	DESCRIPTION	Estimated Annual Linear Feet	PRICE PER LINEAR FOOT	EXTENDED TOTAL LINE ITEM PRICE
1	Directional Boring, as specified, for installation of 1" or 2" poly pipe, <u>pipe shall be provided by the City</u>	2,500	x \$ <u>20.00</u>	= \$ <u>50,000.00</u>
3	Directional Boring, as specified, for installation of 6" ductile or cast iron pipe, <u>pipe shall be provided by the City</u>	100	x \$ <u>70.00</u>	= \$ <u>7,000.00</u>
4	Directional Boring, as specified, for installation of 8" ductile or cast iron pipe, <u>pipe shall be provided by the City</u>	100	x \$ <u>90.00</u>	= \$ <u>9,000.00</u>
5	Directional Boring, as specified, for installation of 12" ductile or cast iron pipe, <u>pipe shall be provided by the City</u>	100	x \$ <u>130.00</u>	= \$ <u>13,000.00</u>
Total Base Bid:				\$ <u>79,000.00</u>
Bid pricing shall be inclusive of labor, taxes, shipping, mobilization, and all other charges. Invoicing shall be paid based off of unit pricing multiplied by the actual linear footage of directional boring. <u>ALL PIPE SHALL BE PROVIDED BY THE CITY OF FAYETTEVILLE.</u>				

Section 5 – Listing of Subcontractors:

I, the signed General Contractor, certify that proposals from the following subcontractors were used in the preparation of my proposal. I agree that if I am the successful bidder, and if the following subcontractors are approved by the City, I will not enter into contracts with others for these divisions of the Work without written approval from the City.

Section 6 – Contract Times:

A.) Bidder agrees that the Work will be substantially completed and ready for final payment within the number of calendar days indicated in the bid documents.

B.) Bidder accepts the provisions of the Agreement referring to liquidated damages in the event of failure to complete the Work with the times specified in the bid document.

Section 7 – Debarment:

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

City of Fayetteville, Arkansas
 Bid 14-50, Addendum 1
 Page 1 of 4

- a. Federal Executive Order (E.O.) 12549 "Debarment and Suspension" requires that all contractors receiving individual awards, using federal funds, and all sub-recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government.
- b. Your signature below certifies that neither you nor your principal is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

Section 8 - Communications:

A.) Communications concerning this Bid shall be addressed to the Bidder as follows:

H&H Directional Boring, INC.

1609 MA114 Wagon Rd.

Fayetteville AR 72701

Phone No. 479 443-9107

FAX No. 479 443-5555

Section 9 - SIGNATURE:

A.) This bid is being submitted in good faith, according to the entire bid package presented:

SUBMITTED on this 21 Date of August, 20 14

Arkansas State Contractor License No. 0091820415

If Bidder is:

OPTION 1: An Individual

Name (type or printed): _____

By: _____ (SEAL)

(Individual's Signature)

Doing business as: _____

Business address: _____

Phone No.:

FAX No.:

City of Fayetteville, Arkansas

Bid 14-50, Addendum 1

Page 1 of 5

OPTION 2: A Partnership

Partnership Name: _____ (SEAL)

By: _____
(Signature of general partner – attach evidence of authority to sign)

Name (type or printed): _____

Business address: _____

Phone No.: _____ FAX No.: _____

OPTION 3: A Corporation

Corporation Name: H&H Directional Boring, INC. (SEAL)

Date of Incorporation: November 6, 2000

Type (General Business, Professional, Service, Limited Liability): Service

By: Chad Haney
(Signature – attach evidence of authority to sign)

Name (type or printed): Chad Haney

Title: President

(CORPORATE SEAL)

Business address: 1609 Mally Wagon Rd.
Fayetteville AR, 72701

Phone No.: 479 443-9107 FAX No.: 479 443-5555

City of Fayetteville
Bid 14-50, Construction – Directional Boring
Vendor References

The following information is required from all Bidders so all bids may be reviewed and properly evaluated.

COMPANY NAME: H&H Directional Boring, INC.

BUSINESS ADDRESS: 1609 Mally Wagon Rd. Fayetteville AR 72701

NUMBER OF YEARS IN BUSINESS: 14 HOW LONG IN PRESENT LOCATION: 14

TOTAL NUMBER OF CURRENT EMPLOYEES: 9 FULL TIME _____ PART TIME _____

NUMBER OF EMPLOYEES YOU PLAN TO USE TO SERVICE THIS CONTRACT: 2 FULL TIME _____ PART TIME _____

PLEASE LIST FOUR (4) LOCAL COMMERCIAL AND/OR GOVERNMENTAL REFERENCES THAT YOU HAVE PREVIOUSLY PERFORMED SIMILAR CONTRACT SERVICES FOR WITHIN THE PAST FIVE (5) YEARS (All fields must be completed). Contractors shall have valid experience.

1. Nabholz Construction
COMPANY NAME

Rogers AR 72757
CITY, STATE, ZIP

Mike
CONTACT PERSON

⁴⁷⁹ 519 7076
TELEPHONE

8-4-14
DATE COMPLETED

mike.frost@nabholz.com
E-MAIL ADDRESS

3. N.E.C., INC.
COMPANY NAME

Rogers AR 72756
CITY, STATE, ZIP

Kevin
CONTACT PERSON

721-2474
TELEPHONE

3-26-14
DATE COMPLETED

knecessary@nec-contractors.com
E-MAIL ADDRESS

2. Seven Valleys Construction
COMPANY NAME

Cassville MO 65625
CITY, STATE, ZIP

Bobby Enos
CONTACT PERSON

417 847 2287
TELEPHONE

8-15-14
DATE COMPLETED

Sevenvalleys 2003@yahoo.com
E-MAIL ADDRESS

4. Red Rock Construction Company
COMPANY NAME

Jasper, AR 72641
CITY, STATE, ZIP

Horst Graalman
CONTACT PERSON

870 365 6762
TELEPHONE

8-18-14
DATE COMPLETED

redrock@critter.net
E-MAIL ADDRESS

NOTICE TO CUSTOMERS

NOTICE TO CUSTOMERS

THE PURCHASE OF AN INDEMNITY BOND WILL BE REQUIRED BEFORE ANY OFFICIAL CHECK OF THIS BANK WILL BE REPLACED, OR REFUNDED IN THE EVENT IT IS LOST, MISPLACED OR STOLEN. THE BANK IS NOT OBLIGATED TO TAKE ANY ACTION ON THE ABOVE UNTIL THE 90TH DAY AFTER DATE OF ISSUANCE.

ARVEST BANK

P.O. Box 799
Lowell, AR 72745

DATE August 21, 2014

81-87/829
11533621

REMITTER H&H Directional Boring, Inc.

304 出

PAY TO THE ORDER OF

City of Fayetteville

THIS DOCUMENT HAS A MICRO-PRINT SIGNATURE LINE, WATERMARK, AND A THERMOCHROMIC ICON; ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

\$ 3,950.00

PAY \$9,950.00
EXACTLY \$9,950.00

DOLLARS

CASHIER'S CHECK

3 206 797 11:08 29008 7 21:11 53366 7 11:12

City of Fayetteville Staff Review Form

2014-0382

Legistar File ID

9/16/2014

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

Yolanda Fields

8/26/2014

Community Resources /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

A Resolution Ordering the Razing and Removal of a Dilapidated and Unsafe Structure owned by Kenneth & Wanda Easterling c/o Chuck Easterling, Easterling Properties, LLC. located at 909 W. Eagle Street in the City of Fayetteville, Arkansas, and approving a budget adjustment.

Budget Impact:

1010.6420.5315.04

1010 - General

Account Number

Fund

50033.1401

Raze and Removal

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 2,300.00

Funds Obligated \$ -

Current Balance \$ 2,300.00

Does item have a cost? NA

Item Cost \$ -

Budget Adjustment Attached? Yes

Budget Adjustment \$ 3,000.00

Remaining Budget \$ 5,300.00

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments: Staff recommends Approval of the Resolution and the Budget Adjustment. The \$5,300 would be needed in the event the property owner does not raze the structure by the time the resolution is in effect.

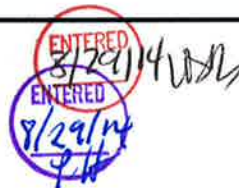
V20140710

8/29/14

Paul A. Butler

9-2-2014

9-9-14



Handwritten signature of Kenneth & Wanda Easterling.

CITY COUNCIL AGENDA MEMO

MEETING OF SEPTEMBER 16, 2014

TO: Mayor and City Council

THRU: Jeremy Pate, Development Services Department Director

FROM: Yolanda Fields, Community Resources Director

DATE: August 22, 2014

SUBJECT: Raze and Removal of Structure at 909 W. Eagle Street

RECOMMENDATION:

Staff recommends approval of the Resolution ordering the Razing and Removal of a dilapidated and unsafe structure located at 909 W. Eagle Street and to approve a budget adjustment in the amount of \$3,000 for the balance of the project.

BACKGROUND:

Service Request # 138754, Case # 19276: Code Compliance responded to a request concerning the structure located at 909 W. Eagle Street. The structure appeared to be in violation of Subsection 173.09(A), Unsafe Buildings, of the City Code of Ordinances. The Chief Building Official inspected the property and determined that the structure was in violation of Subsection 173.09(A), Unsafe Buildings, of the City Code of Ordinances. Specifically, the Chief Building Official observed: *House and Shed have extensive structural damage and shifting. Exterior walls rotten, interior physical damage extensive. Cost to repair to current codes well beyond building valuation.*

On May 22, 2014, an Unsafe Building Notice of Violation was received by the property owner. By ordinance, the property owner was given until June 23, 2014 to acquire a building permit or to raze and remove the structure.

On July 28, 2014, a Notice of Public Hearing was sent to the property owner informing him of the September 16, 2014 Public Hearing.

DISCUSSION:

This parcel contains a single story 804 square foot multi family dwelling. The structure has recently been secured but has deteriorated to a point where it is no longer safe. Staff has met on site with the property owner to discuss abatement measures. No Building Permit has been issued for this property.

BUDGET/STAFF IMPACT:

If the property owner does not comply with the Raze and Removal order, Raze and Removal costs will be expensed to current budget. A Lien will be placed on the property for the incurred costs. The current budget balance of \$2,300 is a result of another raze and removal project that was corrected by the property owners. Therefore, we are requesting a budget adjustment for \$3,000, which is the remaining balance of this raze and removal project. The winning bid amount for the project was \$5,300.

ATTACHMENTS:

Attachments include a Budget Adjustment and a packet including notifications and photos.

RESOLUTION NO. _____

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY KENNETH C. AND WANDA L. EASTERLING LOCATED AT 909 W. EAGLE STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND TO APPROVE A BUDGET ADJUSTMENT

WHEREAS, Kenneth C. and Wanda L. Easterling are the record owners of the real property located at 909 W. Eagle Street, City of Fayetteville, Washington County, Arkansas, legally described as follows:

Lot Numbered Four (4) in Block Numbered Fifteen (15) in Rose Hill Addition to the City of Fayetteville, Arkansas, as shown on the recorded plat thereof; and,

WHEREAS, the City Council has determined that the structure located on said property is dilapidated, unsightly, unsafe, and detrimental to the public welfare; and,

WHEREAS, Kenneth C. and Wanda L. Easterling, having been properly served with a Violation Notice via Certified Mail, Return Receipt Requested, and given thirty (30) days to correct said violation, have refused to repair, or raze and remove said dilapidated, unsightly, and unsafe structure.

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

Section 1: That, by the authority granted pursuant to A.C.A. §14-56-203, and in accordance with the provisions of Section 173.09 of the Fayetteville Code of Ordinances, Kenneth C. and Wanda L. Easterling are hereby ordered to raze and remove forthwith, the dilapidated, unsightly, and unsafe structure located on the aforementioned real property. The manner of removing said structure shall be: dismantle by hand or bulldozer, and haul all debris to a landfill.

Section 2: That, if Kenneth C. and Wanda L. Easterling do not comply with this order, the Mayor is hereby directed to cause the dilapidated, unsightly, and unsafe structure to be razed and removed; and a lien against the real property shall be granted and given the City, pursuant to A.C.A. §14-54-904, for the costs associated therewith.

Section 3: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution as Exhibit "A".

PASSED and APPROVED this 16th day of September, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

City of Fayetteville, Arkansas - Budget Adjustment Form (Legistar)

C. 1
909 W. Eagle Street Raze and Removal
Page 5 of 16

Budget Year 2014	Division: Community Resources Dept.: Development Services Requestor: Cherrell Lee	Adjustment Number
----------------------------	--	--------------------------

BUDGET ADJUSTMENT DESCRIPTION / JUSTIFICATION:

Moving funds in preparation of non-compliance to the Raze and Removal request for 909 W. Eagle St. Funds from the Use of Funds Balance will cover part of the project with the other part coming from funds that were left over from a previous Raze and Removal project, 50033.1303.

RESOLUTION/ORDINANCE	COUNCIL DATE: 8/22/2014
	LEGISTAR FILE ID#: 2014-0382
	<i>Kevin Springer</i> 8/26/2014 10:42 AM
	Budget Director _____ Date _____
	TYPE: _____
	DESCRIPTION: _____
	GLDATE: _____
	POSTED: _____ / _____

TOTAL	3,000	3,000					v.20140716
	Increase / (Decrease)		Project.Sub#				
Account Number	Expense	Revenue	Project	Sub	AT	Account Name	
1010.6420.5315.04	5,300	-	50033	1401	EX	Raze And Removals	
1010.0001.4999.99		3,000			RE	Use of Fund Balance	
1010.6420.5315.04	(2,300)	-	50033	1303	EX	Raze And Removals	
	-	-					
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Code Compliance Program Unsafe Building Violation Determination

Address / Location: 909 W. Eagle St.

WC Parcel # 765-10416-000

I have determined that the structure above has become dilapidated, unsafe, unsanitary, or detrimental to the public welfare.



I recommend the raze and removal of the structure.



I recommend securing the structure.


15 April

Building Official

Observations: Roof and shed has extensive structural damage
and shifting of trusses to the interior physical
damage extensive. Cost to repair to current codes
well beyond bldg. valuation. R

I have determined that the structure above is not in violation of Subsection 173.09 (A) of the Fayetteville Code Of Ordinances.

Building Official



I recommend pursuing a Property Nuisance, City Code 173.09(B).

PLEASE RETURN THIS FORM TO CODE COMPLIANCE

Date Sent: April 9, 2014

SR# 138754

Date Received: 4/14/14

Case# 192762



Community Resources Division Director

City of Fayetteville
113 West Mountain Street
Fayetteville, Arkansas 72701



Office of Code Compliance
Phone 479-575-8260
Fax 479-444-3445

VIOLATION NOTICE

May 14, 2014

Owner **KENNETH C & WANDA L EASTERLING**
2920 S SCHOOL AVE

FAYETTEVILLE, AR 72701-8218

RE: Property @ 909 W EAGLE ST, Fayetteville, AR

WC Parcel # 765-10416-000

Case # 19276

Dear Property Owner:

It appears that your property contains a violation of the Fayetteville Unified Development Ordinance. It is our goal to notify and assist property owners to correct violations of city ordinances before taking actual enforcement actions. **If you need clarification of this notice or advice on how to correct the problem, please call our office at (479)575-8237.**

Suspected Violation That Needs Correction:

§ 173.09 Unsafe Buildings. No persons, partnership, corporation or association, hereinafter referred to as "owner", shall keep or maintain any house or building within the corporate limits of the City which has become dilapidated, unsafe, unsanitary, or detrimental to the public welfare.

How This Violation Can Be Voluntarily Corrected:

By making repairs as needed or razing the structure and remove all debris from the lot. A building permit may be required, based on review of the Building Safety Director.

Potential Penalties:

If this violation is not corrected within thirty (30) days from the service of this notice, you can be issued a Criminal Citation for the above violation and be summoned to appear in court. Our office can also suggest the structure be razed and removed. The costs shall be charged to the owner(s) of the property and the city shall have a lien against such property for such costs. If you disagree with our conclusion that your property contains a violation of our ordinances, you have the right to appeal to the appropriate City Board, Commission or City Council. Please see Chapter 155 of the Unified Development Code.

If the residence is owner occupied and meets certain income requirements, you may qualify for federal assistance under our Community Development Block Grant. For more information on this program, please call (479) 575-8270 or 575-8240.

Sincerely,

ADAM ROBERTS
Code Compliance Officer

Cc: file

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse KENNETH C & WANDA L EASTERLING c/o CHARLES EASTERLING 2704 S 24TH STREET ROGERS, AR 72758		A. Signature <i>[Signature]</i> ☐ Agent ☐ Addressee B. (Printed Name) Kenneth Easterling C. Date of Delivery 5-22-14 Address different from item 1? ☐ Yes ☒ No or delivery address below: ☐ Yes ☒ No	
2. Article Number (Transfer from service label) 7013 1710 0001 3350 5007		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.	
PS Form 3811, February 2004		4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No Domestic Return Receipt AR 19276/19448 102595-02-M-1540	

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage \$	19276
Certified Fee	19448
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Postmark Here 5/14/14	
Sent To:	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	
PS Form 3800, August 2006 See Reverse for Instructions	



July 28, 2014

Kenneth C. & Wanda L. Easterling
c/o Chuck Easterling, Easterling Properties, LLC
2704 S. 24th Street
Rogers, AR 72758

RE: Enforcement of Fayetteville Code 173.09
Arkansas Code Ann. 14-56-203

NOTICE TO PROPERTY OWNERS

Pursuant to A.C.A. 14-56-203 at 173.09 of the Fayetteville Code, you are placed upon Notice that the Fayetteville City Council will conduct a public hearing to determine if the dwelling located at **909 W. Eagle Street (Parcel #765-10416-000)**, should be Razed and Removed.

You are free to appear at this hearing to present any evidence or statements. If you need additional information concerning this process or if you have information that we are not aware of, please call the Code Compliance Office at (479) 575-8260.

The hearing will be part of a regular City Council meeting on **September 16, 2014** beginning at 6:00 p.m. at the City Administration Building, 113 W. Mountain St, Fayetteville, AR 72701. The City Council Meetings are advertised in local newspapers and will contain an item concerning this hearing. You may also call the Fayetteville City Clerk's Office (479-575-8323) for information confirming the date of the public hearing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chad Ball", written over a horizontal line.

Chad Ball
Code Compliance Administrator

Cc: file

Parcel: 765-10416-000
Prev. Parcel: 143692-000-00
As of: 8/14/2014

Washington County Report

Property Owner

Name: EASTERLING, KENNETH C &
WANDA L

Mailing Address: 2920 S SCHOOL AVE
FAYETTEVILLE, AR 72701-8218

Type: (RI) - Res. Improv.

Tax Dist: (011) - FAYETTEVILLE SCH, FAY

Millage Rate: 53.75

Extended Legal:

Property Information

Physical Address: 909 W EAGLE ST

Subdivision: ROSE HILL ADD

Block / Lot: 015 / 004

S-T-R: 09-16-30

Size (in Acres): 0.000

Market and Assessed Values:

	Estimated Market Value:	Full Assessed (20% Market Value):	Taxable Value:
Land:	\$45,000	\$9,000	\$9,000
Building:	\$12,600	\$2,520	\$2,520
Total:	\$57,600	\$11,520	\$11,520

Homestead Credit: \$0.00

Note: Tax amounts are estimates only. Contact the
county/parish tax collector for exact amounts.

Land:

Land Use	Size	Units
	1.000	House Lot

Not a Legal Document.

Subject to terms and conditions.

www.actDataScout.com

Parcel: 765-10416-000
Prev. Parcel: 143692-000-00
As of: 8/14/2014

Washington County Report

Deed Transfers:

Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
10/22/1955	569	293	Warr. Deed	0.00	\$0	EASTERLING, KENNETH C. & WANDA L		

Details for Residential Card 1:

Occupancy	Story	Finish	1st Liv Area	Other Liv Area	Total Liv Area	Grade	Year Built	Age	Condition	Beds
Single Family	ONE	Frame Siding Std.	804	0	804	5	1886	124	Fair	N/A

Exterior Wall: SIDING

Foundation: Closed Piers

Floor Struct: Wood with subfloor

Floor Cover: Carpet & Tile

Insulation: Ceilings

Roof Cover: Metal

Roof Type: Gable

Plumbing: Full: 1

Fireplace: N/A

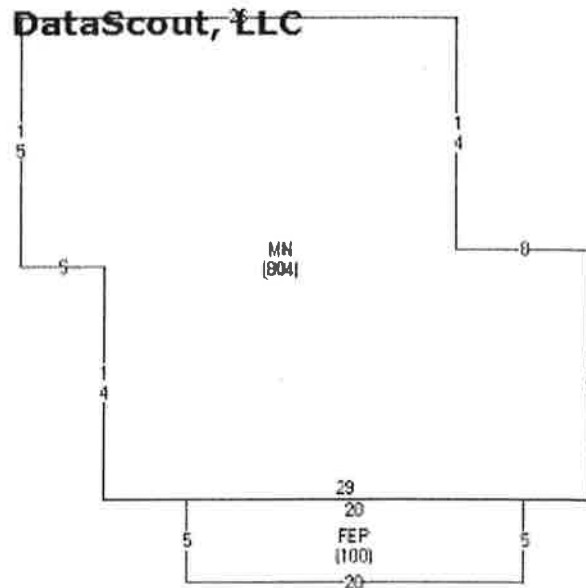
Heat / Cool: None

Basement: N/A

Basement Area: N/A

Year Remodeled: N/A

Style: N/A



Base Structure:

Item	Label	Description	Area
A	MN	Main Living Area	804
B	FEP	Frame enclosed porch	100

Not a Legal Document.

Subject to terms and conditions.

www.actDataScout.com

Parcel: 765-10416-000
 Prev. Parcel: 143692-000-00
 As of: 8/14/2014

Washington County Report

Outbuildings and Yard Improvements:

Item	Type	Size/Dlm	Unit Multl.	Quality	Age
Garage - frame unfinished, detach		10x16	1		
Fence, chain link 4'		257			

Other Adjustments:

Code	Type	Quantity
FLOORC	L	161

Map:



Not a Legal Document.

Subject to terms and conditions.

www.actDataScout.com







City of Fayetteville Staff Review Form

2014-0387

Legistar File ID

9/16/2014

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

Jesse Fulcher

8/14/2014

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 14-4803: Rezone (INTERSECTION OF CHAMPION AND WINDSWEPT DRIVES/SUMMIT PLACE S/D, 329):
Submitted by BLEW AND ASSOCIATES for property located ALONG CHAMPION AND WINDSWEPT DRIVES. The
property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 15.62 acres. The request is to
rezone the property to RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? NA

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget \$ -

Previous Ordinance or Resolution #



V20140710

Original Contract Number:

Approval Date:

Comments:



8-29-14
Paul A. Butler 9-3-2014
Jesse Fulcher 9-3-14
Jesse Fulcher

CITY COUNCIL AGENDA MEMO

MEETING OF SEPTEMBER 16, 2014

TO: Fayetteville City Council

THRU: Andrew Garner, Planning Director

FROM: Jesse Fulcher, Senior Planner

DATE: August 26, 2014

SUBJECT: **RZN 14-4803: Rezone (INTERSECTION OF CHAMPION AND WINDSWEPT DRIVES/SUMMIT PLACE S/D, 329):** Submitted by BLEW AND ASSOCIATES for property located ALONG CHAMPION AND WINDSWEPT DRIVES. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 15.62 acres. The request is to rezone the property to RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE.

RECOMMENDATION:

The Planning Commission and City Planning Staff recommend approval of an ordinance to rezone the property to RSF-4, Residential Single-family, 4 Units/Acre

BACKGROUND:

The property is zoned NC, Neighborhood Conservation, and contains 15.62 acres within the overall 30.13 acres of the Summit Place subdivision. This subdivision is approximately 500 feet east of College Avenue on the south side of Township Street. The site is within the Hillside Hilltop Overlay District (HHOD), is heavily wooded and contains significant topography change.

The final plat for the Summit Place Subdivision was filed of record on January 22, 2008. This final plat created 50 single family lots. The property was rezoned in 2011 from RSF-4 to NC, Neighborhood Conservation and the property was re-platted into smaller lots in 2012, increasing the number of single family lots from approximately 50 to 123. Access is only currently available from Township Street.

City Plan 2030: Staff finds that the RSF-4 zoning district is consistent and compatible with surrounding land uses as well as the policies and goals of City Plan 2030. The City Plan 2030 Future Land Use Map designates this area as Residential Neighborhood Area. Residential Neighborhood Areas are primarily residential in nature and support a variety of housing types of appropriate scale and context, including single family, multifamily and rowhouses. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhood, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features in the natural environment

Compatibility: The property is surrounded on three sides by residential development. The proposal to rezone the property back to RSF-4 will allow approximately half of the property to be continue to be developed for residential use consistent and compatible with surrounding land uses, albeit with larger lots sizes and front building setbacks instead of a build-to zone.

DISCUSSION:

On August 25, 2014 the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 8-0-0.

BUDGET/STAFF IMPACT:

N/A

Attachments:

CC Ordinance

Exhibit A

Exhibit B

Planning Commission Staff Report

ORDINANCE NO.

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4803, FOR APPROXIMATELY 15.62 ACRES, LOCATED ALONG CHAMPION AND WINDSWEPT DRIVES FROM NC, NEIGHBORHOOD CONSERVATION, TO RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the following described property from NC, Neighborhood Conservation, to RSF-4, Residential Single Family, 4 Units per Acre, as shown on Exhibits "A" and "B" attached hereto and made a part hereof.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

PASSED and APPROVED this day of , 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

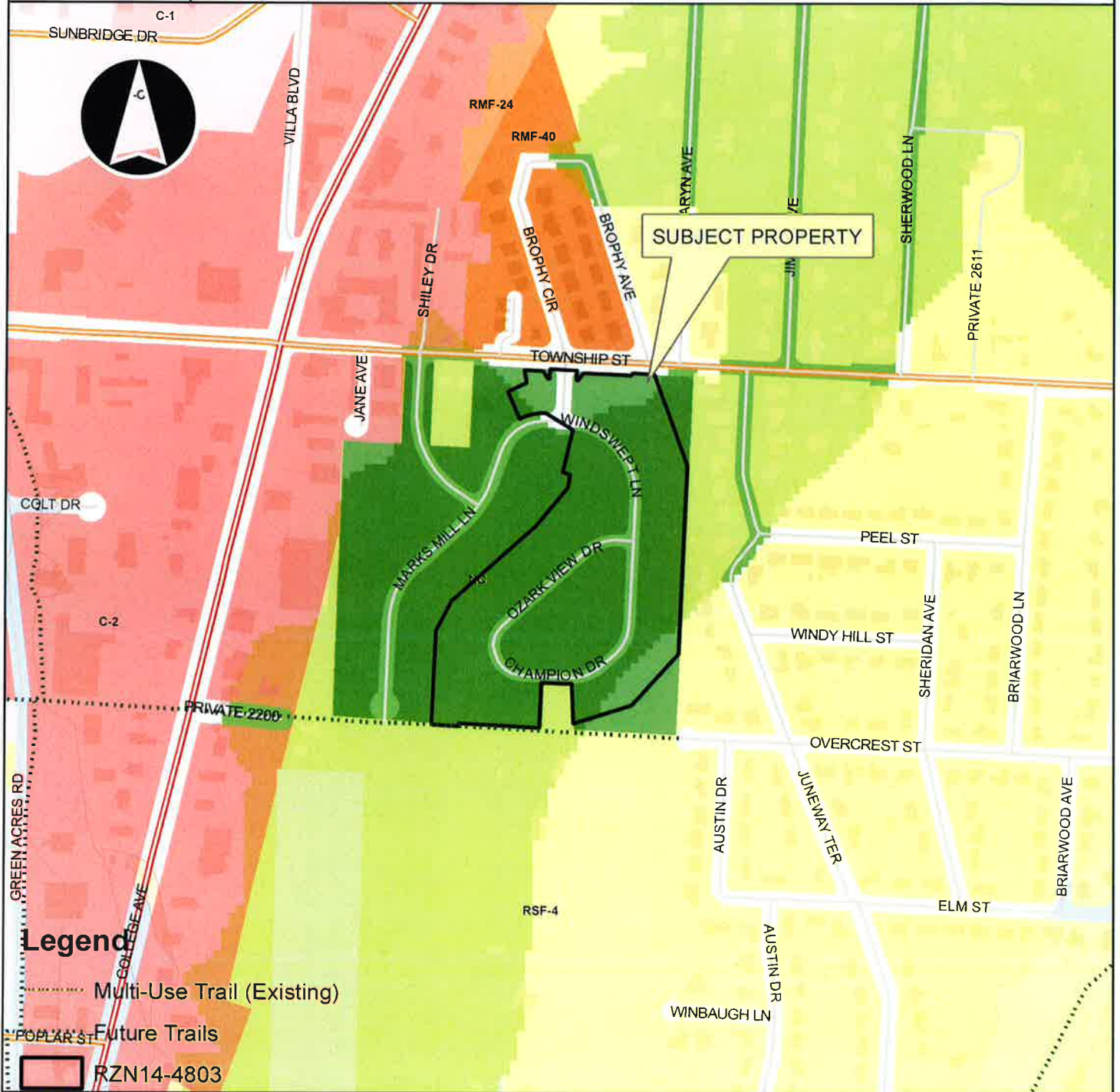
By: _____
SONDRA E. SMITH, City Clerk/Treasurer

EXHIBIT "A"

RZN14-4803

SUMMIT PLACE S/D

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- RZN14-4803

Overview

- Fayetteville City Limits
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area

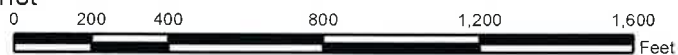


EXHIBIT "B"

SURVEY DESCRIPTION REZONED PROPERTY

A PART OF THE FRL. E1/2 OF THE NW1/4 OF SECTION 3, TOWNSHIP 16 NORTH, RANGE 30 WEST, CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING FROM THE SOUTHEAST CORNER OF SAID FRL. E1/2 OF THE NW1/4 AND RUNNING THENCE N02°37'38"E 15.78 FEET AND N87°02'18"W 454.49 FEET TO A 1/2" REBAR AND THE TRUE POINT OF BEGINNING;
THENCE N87°02'18"W 271.65 FEET TO A FOUND IRON PIN; THENCE S03°28'21"W 9.31 FEET TO A FOUND IRON PIN; THENCE N86°31'39"W 92.43 FEET TO A FOUND IRON PIN; THENCE N02°37'38"E 318.59 FEET TO A FOUND IRON PIN; THENCE N27°56'00"E 114.18 FEET TO A FOUND IRON PIN; THENCE N48°08'59"E 381.79 FEET TO A FOUND IRON PIN; THENCE N39°33'14"E 168.77 FEET TO A FOUND IRON PIN; THENCE N09°27'09"E 46.43 FEET TO A FOUND IRON PIN; THENCE N72°47'36"W 25.86 FEET TO A FOUND IRON PIN; THENCE N13°30'46"E 147.37 FEET TO A FOUND IRON PIN; THENCE N58°00'58"W 107.25 FEET TO A FOUND IRON PIN; THENCE ALONG A CURVE TO THE LEFT 91.79 FEET, HAVING A RADIUS OF 175.00 FEET (CHORD BEARING S77°36'01"W, CHORD LENGTH 90.75 FEET); THENCE N22°50'05"W 100.43 FEET TO A FOUND IRON PIN; THENCE N64°18'56"E 70.15 FEET TO A FOUND IRON PIN; THENCE N10°39'22"W 43.27 FEET TO A FOUND IRON PIN; THENCE S87°08'18"E 62.33 FEET TO A FOUND IRON PIN; THENCE S33°52'11"E 31.19 FEET TO A FOUND IRON PIN; THENCE S87°22'22"E 4.85 FEET TO A FOUND IRON PIN; THENCE N02°33'44"E 32.98 FEET TO A FOUND IRON PIN LOCATED ON THE SOUTH TOWNSHIP AVE RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY S87°08'18"E 90.17 FEET TO A FOUND IRON PIN; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING S02°51'42"W 32.61 FEET TO A FOUND IRON PIN; THENCE S87°22'22"E 4.85 FEET TO A FOUND IRON PIN; THENCE N39°07'27"E 30.50 FEET TO A FOUND IRON PIN; THENCE S87°08'18"E 157.48 FEET TO A FOUND IRON PIN; THENCE N30°36'03"E 9.04 FEET TO A FOUND IRON PIN LOCATED ON THE SOUTH TOWNSHIP AVE RIGHT-OF-WAY LINE; THENCE ALONG SAID RIGHT-OF-WAY S87°08'18"E 73.32 FEET TO A FOUND IRON PIN; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING S19°57'37"E 329.22 FEET TO A FOUND IRON PIN LOCATED ON THE EAST LINE OF SAID FRL 80 ACRE TRACT; THENCE ALONG SAID EAST LINE S02°37'38"W 640.98 FEET TO A FOUND IRON PIN; THENCE LEAVING SAID EAST LINE AND RUNNING S42°12'08"W 235.70 FEET TO A FOUND IRON PIN; THENCE S72°32'49"W 203.45 FEET TO A FOUND IRON PIN; THENCE N01°50'43"W 134.54 FEET TO A FOUND IRON PIN; THENCE 13.27 FEET ALONG CURVE TO THE RIGHT HAVING A RADIUS OF 170.00 FEET (CHORD BEARING N89°36'32"W, CHORD LENGTH 13.27 FEET); THENCE N87°22'22"W 89.50 FEET TO A FOUND IRON PIN; THENCE S02°37'38"W 153.68 FEET TO THE POINT OF BEGINNING. CONTAINING 15.62 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, Planning Director

FROM: Jesse Fulcher, Senior Planner

MEETING DATE: August 25, 2014 Updated August 26, 2014

SUBJECT: **RZN 14-4803: Rezone (INTERSECTION OF CHAMPION AND WINDSWEPT DRIVES/SUMMIT PLACE S/D, 329):** Submitted by BLEW AND ASSOCIATES for property located ALONG CHAMPION AND WINDSWEPT DRIVES. The property is zoned NC, NEIGHBORHOOD CONSERVATION and contains approximately 15.62 acres. The request is to rezone the property to RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE.

RECOMMENDATION:

Staff recommends forwarding **RZN 14-4803** to City Council with a recommendation for approval.

BACKGROUND:

The property is zoned NC, Neighborhood Conservation, and contains 15.62 acres within the overall 30.13 acres of the Summit Place subdivision. This subdivision is approximately 500 feet east of College Avenue on the south side of Township Street. The site is within the Hillside Hilltop Overlay District (HHOD), is heavily wooded and contains significant topography change. The site transitions from 1,310 feet above mean sea level (AMSL) in the northwest corner to a hilltop located at 1,500 feet AMSL in the southeast corner of the site, an elevation change of approximately 200 feet. Slopes vary in percent gradient from 10% to greater than 20%. The final plat for the Summit Place Subdivision was filed of record on January 22, 2008. This final plat created 50 single family lots. The property was rezoned in 2011 from RSF-4 to NC, Neighborhood Conservation and the property was re-platted into smaller lots in 2012, increasing the number of single family lots by from approximately 50 to 123. Access is only currently available from Township Street. The surrounding zoning and land uses are depicted in *Table 1*.

Table 1 - Surrounding Zoning and Land Use

Direction from Site	Land Use	Zoning
North	Multi- and single-family residential; Commercial	RMF-40, Residential Multi-Family Forty Units Per Acre/C-2, Thoroughfare Commercial
South	Undeveloped, scattered residences	RSF-4, Residential Single-Family Four Units Per Acre
East	Single family residential	RSF-4, Residential Single-Family Four Units Per Acre
West	Commercial (College Avenue commercial corridor)	C-2, Thoroughfare Commercial

Request: The request is to rezone the property from NC, Neighborhood Conservation to RSF-4, Residential Single-family/4 Units per Acre. The applicant has stated that the rezoning will allow the property to be developed with a variety of lot sizes and some homes with deeper setbacks than the NC zoning district requires.

Public Comment: Staff has not received public comment.

INFRASTRUCTURE:

Streets: The site has two access points to Township Street, an improved Collector. Any improvements to this streets would be determined at time of development. A cost share for turn lane widening is anticipated.

Water: Public water is accessible to the site. An 8-inch water main exists in the public streets throughout the subdivision. All lots are served with water.

Sewer: Sanitary sewer is available to the site. An 8-inch sewer main exists in the streets and behind some downhill lots in the subdivision. All lots are served with sewer.

Drainage: Any additional improvements or requirements for drainage will be determined at time of development. This property is not affected by the 100-year floodplain or the Streamside Protection Ordinance. However, the majority of the project is located in the Hillside/Hilltop Overlay District.

Fire: This development will be protected by Engine 4 located at 3385 Plainview. It is 2 miles from the station with an anticipated response time of 5 minutes to the beginning of the development. The Fayetteville Fire Department does not feel this development will affect our calls for service or our response times.

Police: The Police Department did not express any concerns with this request.

CITY PLAN 2030 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates this site as **Residential Neighborhood Area**. **Residential Neighborhood Areas** are primarily residential in nature and support a variety of housing types of appropriate scale and context, including single family, multifamily and rowhouses. Residential Neighborhood encourages highly connected, compact blocks with gridded street patterns and reduced setbacks. It also encourages traditional neighborhood development that incorporates low-intensity non-residential uses intended to serve the surrounding neighborhood, such as retail and offices, on corners and along connecting corridors. This designation recognizes existing conventional subdivision developments which may have large blocks with conventional setbacks and development patterns that respond to features in the natural environment*

DISCUSSION:

FINDINGS OF THE STAFF

RECOMMENDATION: Staff recommends that RZN 14-4803 be forwarded to the City Council with a recommendation for approval.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>August 25, 2014</u>	☐ Tabled	☒ Forwarded	☐ Denied
Motion: <u>Cook</u>	Second: <u>Winston</u>	Vote: <u>8-0-0</u>	
CITY COUNCIL ACTION:		Required	<u>YES</u>
Date: _____	☐ Approved	☐ Denied	

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: This property has been developed with utility and street infrastructure and subdivided into single family lots, and a few homes have been built or are in the process of being built in the neighborhood. The proposal to rezone the property back to RSF-4 will allow approximately half of the property to be continue to be developed for residential use consistent and compatible with surrounding land uses, albeit with larger lots sizes and front building setbacks instead of a build-to zone. The City Plan 2030 Future Land Use Map designates this area as Residential Neighborhood Area. This designation encourages a wide range housing types and staff finds that the proposed zoning is consistent with the Residential Neighborhood designation and the surrounding residential uses.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: The proposed rezoning is justified based on the developer's desire to introduce a potentially different single family building and lot type than permitted under the current NC zoning. The developers' request in 2011 to rezone the property to NC was intended to generate interest in smaller more affordable lots, which has occurred. The applicant has indicated that development on these smaller lots has generated interest in building larger homes on larger lots on other portions of this subdivision. The current NC zoning designation does not permit homes to be set back from the road. The NC zoning requires homes to be built close to the street and into a build-to zone in contrast to what the developer has indicated is desired on this property.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: The NC zoning permits up to 10 dwellings units per acre and the RSF-4 zoning district permits up to four dwelling units per acre, reducing the potential traffic generation from this subdivision with this rezoning.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: Rezoning the property from NC to RSF-4 will reduce the allowable density from 10 units/acre to four units/acre. The rezoning would reduce the load on public services. The Police and Fire Departments have expressed no objections to the proposal.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
 - a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code sections 161.07 & 161.26
- Request Letter
- Site Plan
- One Mile Map
- Close Up Map
- Current Land Use Map
- Future Land Use Map

161.07 District RSF-4, Residential Single-Family – Four Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(C) *Density.*

	Single-family dwellings	Two-family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and area regulations.*

	Single-family dwellings	Two-family dwellings
Lot minimum width	70 ft.	80 ft.
Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.
Hillside Overlay District Lot minimum width	60 ft.	70 ft.
Hillside Overlay District Lot area minimum	8,000 sq. ft.	12,000 sq.-ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.

(E) *Setback requirements.*

Front	Side	Rear
15 ft.	5 ft.	15 ft.

(F) *Building height regulations.*

Building Height Maximum	45 ft.
-------------------------	--------

Height regulations. Structures in this District are limited to a building height of 45 feet. Existing structures that exceed 45 feet in height shall be grandfathered in, and not considered nonconforming uses, (ord. # 4858).

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 4858, 4-18-06; Ord. 5028, 6-19-07; Ord. 5128, 4-15-08; Ord. 5224, 3-3-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11)

161.26 Neighborhood Conservation

(A) *Purpose.* The *Neighborhood Conservation* zone has the least activity and a lower density than the other zones. Although *Neighborhood Conservation* is the most purely residential zone, it can have some mix of uses, such as civic buildings. *Neighborhood Conservation* serves to promote and protect neighborhood character. For the purposes of Chapter 96: Noise Control, the Neighborhood Conservation district is a residential zone.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 12	Limited Business *
Unit 24	Home occupations
Unit 25	Offices, studios, and related services
Unit 28	Center for collecting recyclable materials
Unit 36	Wireless communication facilities
Unit 44	Cottage Housing Development

(C) *Density.* 10 Units Per Acre.

(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single Family	40 ft.
Two Family	80 ft.
Three Family	90 ft.

(2) *Lot area minimum.* 4,000 Sq. Ft.

(E) *Setback regulations.*

Front	A build-to zone that is located between the front property line and a line 25 ft. from the front property line.
Side	5 ft.

Rear	5 ft.
Rear, from center line of an alley	12 ft.

(F) *Building height regulations.*

Building Height Maximum	45 ft.
-------------------------	--------

(Ord. 5128, 4-15-08; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)



Blew & Associates, P.A.

Civil Engineers Professional Land Surveyors

524 W. Sycamore Street Suite #4 Fayetteville, AR 72703
PH: 479-443-4506 * FAX: 479-582-1883
<http://www.blewinc.com>

July 16, 2014

Planning Commission Members

RE: Summit Place Re-Zoning

TMS Development, Inc is proposing to re-zone the Eastern half of the existing Summit Place Subdivision, from its current zoning of NC (Neighborhood Conservation) back to its original zoning of RSF-4. The previous rezoning of the property from RSF-4 to NC was at the owners request to generate interest in smaller more affordable lots, this rezoning was accepted by the City in 2011, part of that rezoning was to allow for phased development to help the developer incur costs at a later date. That rezoning spurred an interest in the property, as they have begun building houses in Phase I of the subdivision which has been recorded and Final Platted. This interest however has also spurred interest for larger houses, that are possibly set back farther from the road than what the current NC zoning allows.

To allow for both types of housing to continue, and to have a smooth transition no changes are being requested to the property or its current NC zoning West of and not connected to Marwood Ave. This includes Lots 1-8 and 99-112 (22 Lots) of the Summit Place Preliminary Re-Plat that will be final platted at a later date (See EX1). The request for rezoning of the Property East of and connected to the Marwood Ave Entrance to RSF-4 includes lots 9-81 (72 Lots) of the Summit Place Preliminary Re-plat or Lots 1 and 22-50 of the original Summit Place Final Plat (Less Lot 32 which has never changed) or 28 Lots with water & sewer already in place (See EX2). The proposed lots will be similar to the original lots along the front, except the required right-of-way will be provided. Part of the original rezoning the owner established a conservation easement at the rear of all the Lots, this was obviously tied to the increased density but will not be included in this proposed RSF-4 zoning as the larger houses will be set farther back from the Right-of-Way. Vegetation densities will remain in tact though as the number of Lots have dropped significantly in this Zoning area.

As is shown on the attached zoning map it fits in quite well as it was originally zoned RSF-4. The proposed zoning will be a benefit relating to traffic as it is 44 less lots

than the proposed Re-Plat. We will gladly work with the City on any assurances they need to move this re-zoning forward.

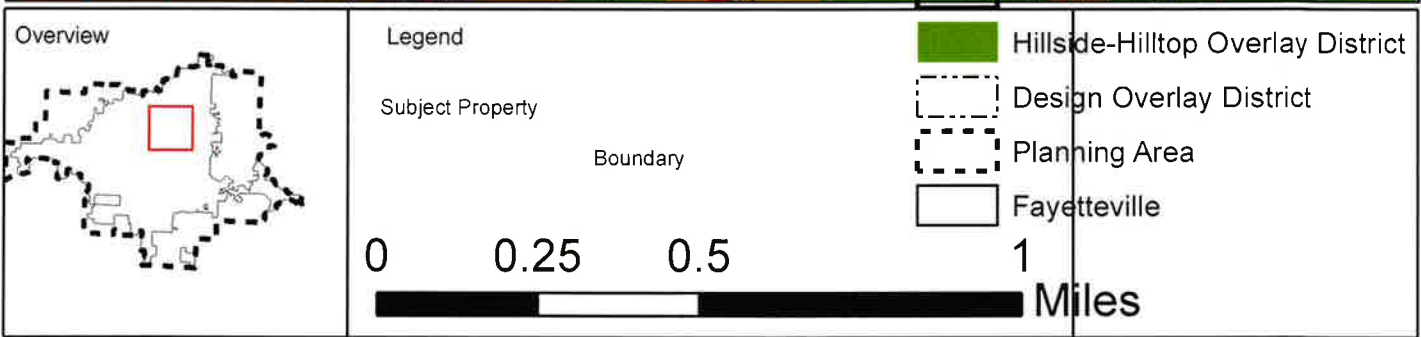
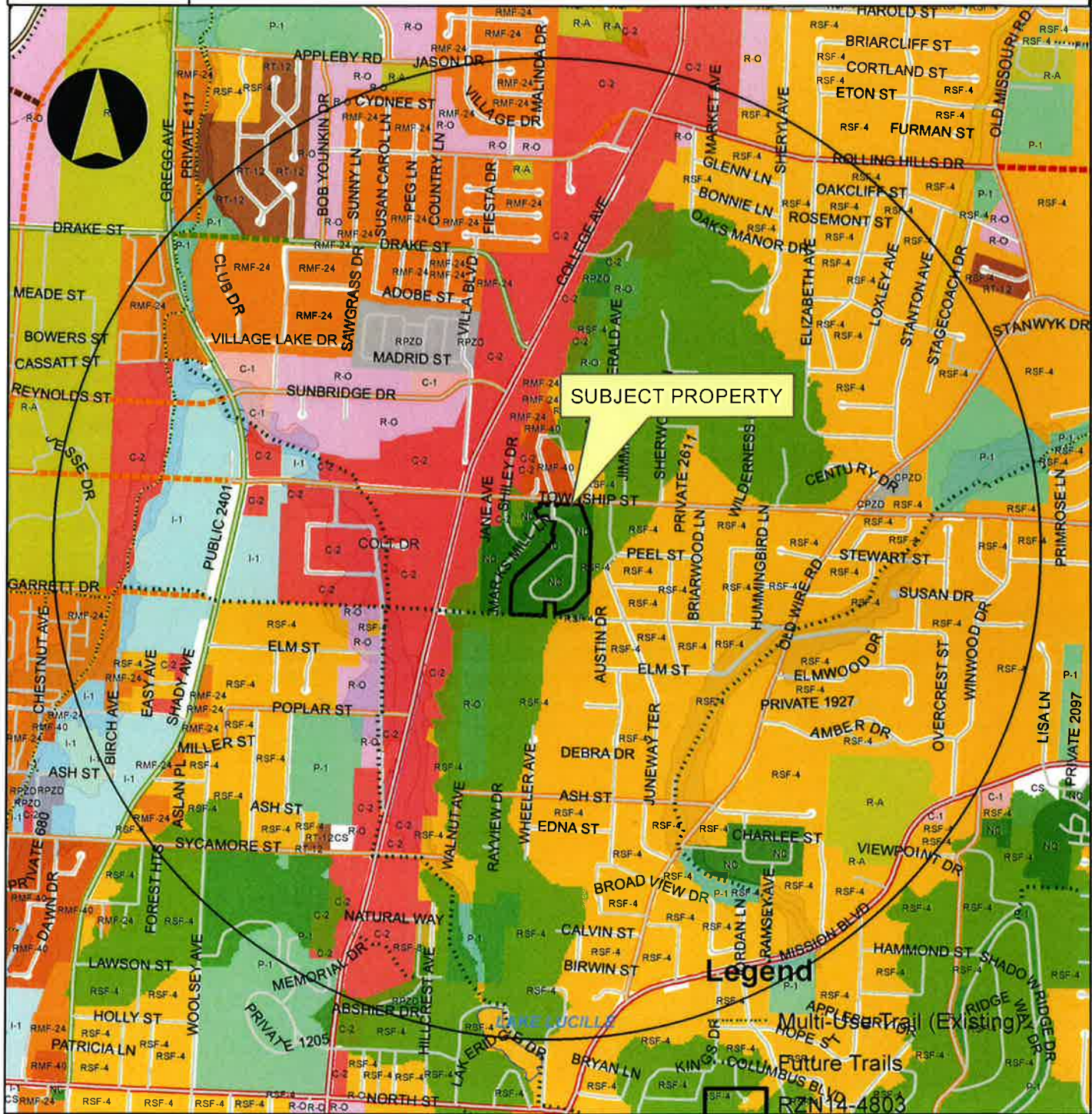
Regards,

Eric Heller
Blew & Associates, PA
479-443-4506
eric@blewinc.com

RZN14-4803

SUMMIT PLACE S/D

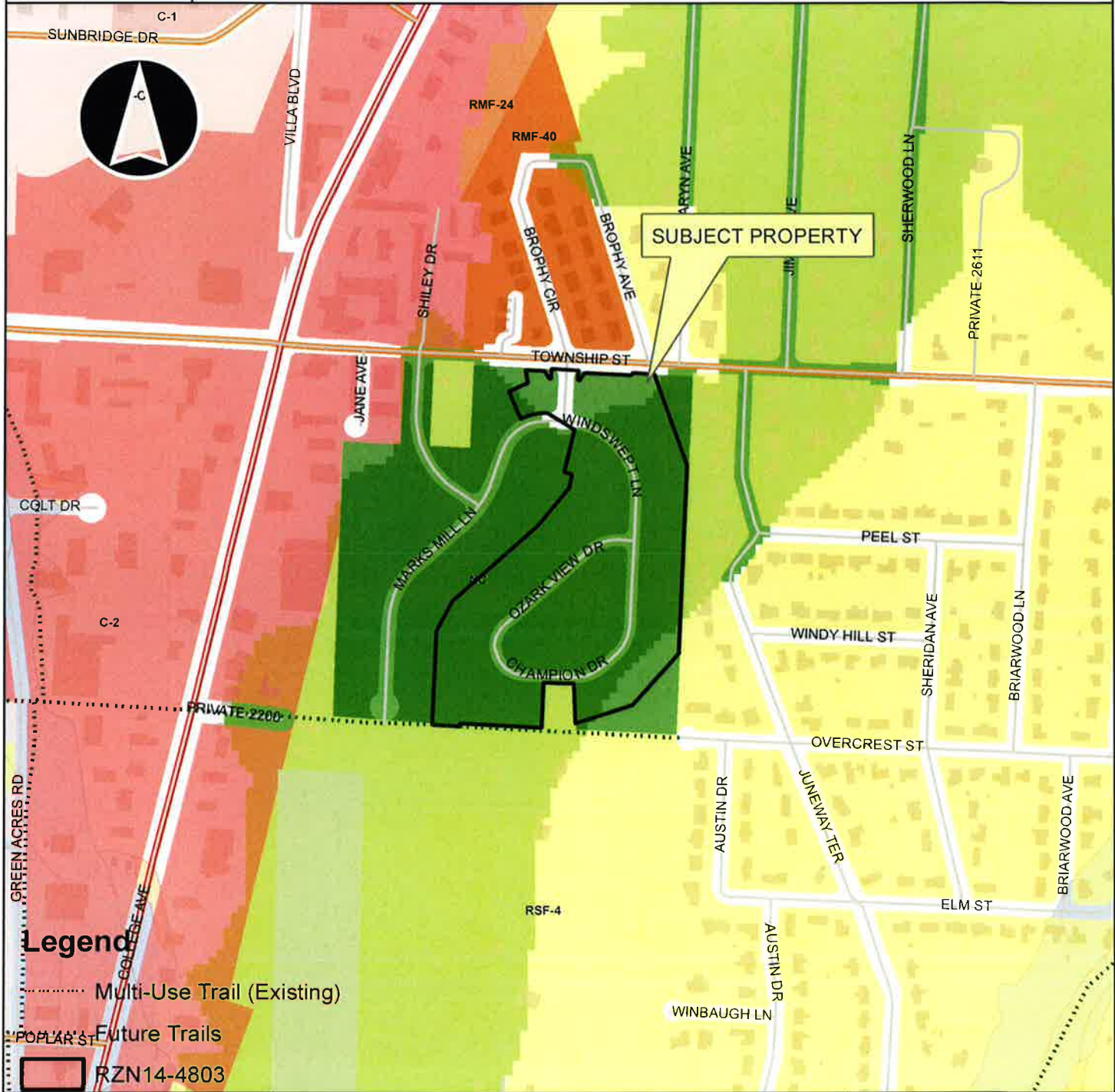
One Mile View



RZN14-4803

SUMMIT PLACE S/D

Close Up View



Legend

Multi-Use Trail (Existing)

Future Trails

RZN14-4803

Fayetteville City Limits

Footprints 2010

Hillside-Hilltop Overlay District

Design Overlay District

Design Overlay District

Planning Area

0 200 400 800 1,200 1,600 Feet

Page 19 of 20

RZN14-4803

Current Land Use

SUMMIT PLACE S/D



Overview RZN14-4803

 Fayetteville City Limits

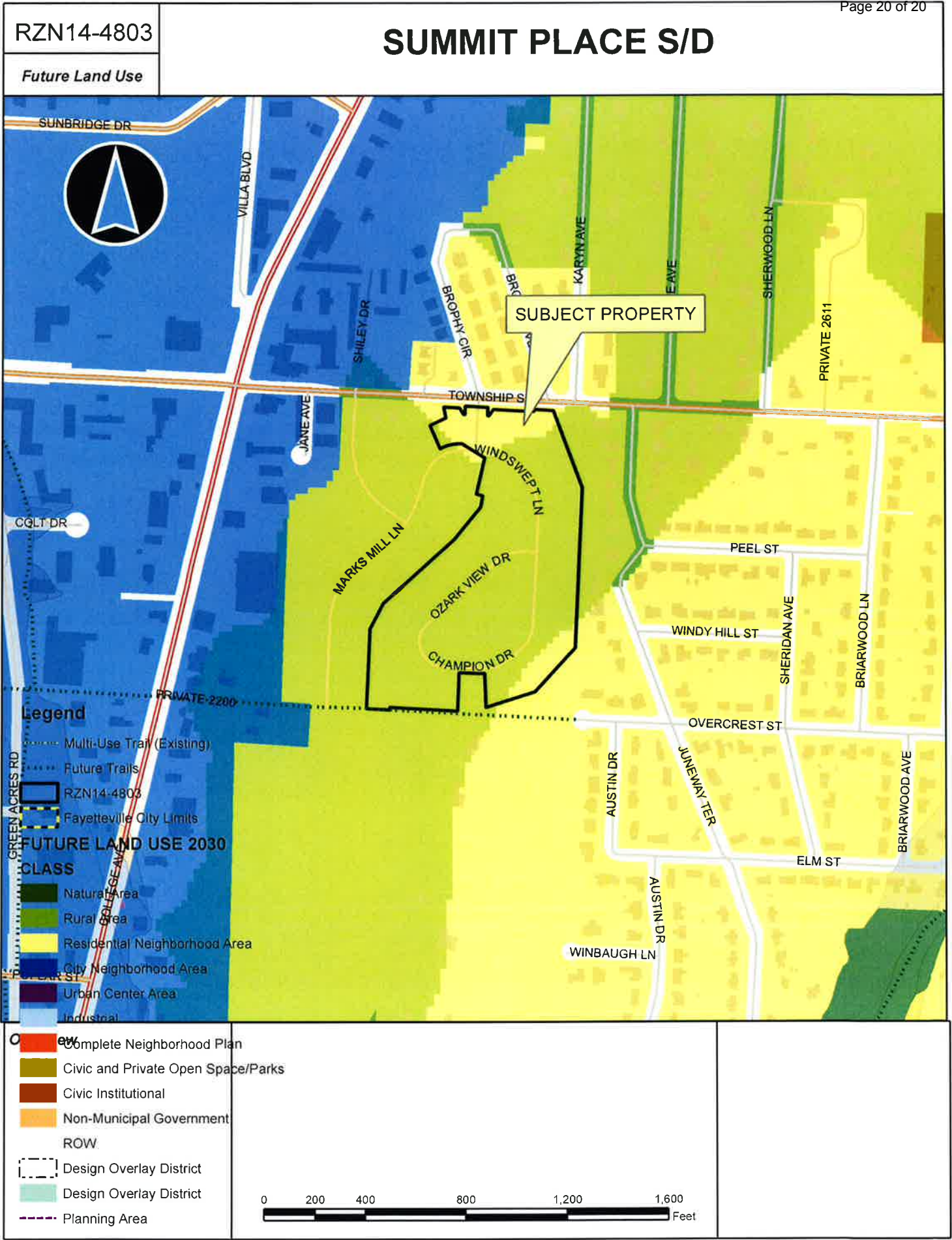
Footprints 2010

 Design Overlay District

Design Overlay District

----- Planning Area





City of Fayetteville Staff Review Form

2014-0388

Legistar File ID

9/16/2014

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

Quin Thompson

8/26/2014

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 14-4807: Rezone (103 PLAINVIEW AVE./DANIEL, 213): Submitted by BLEW AND ASSOCIATES for property located at 103 PLAINVIEW AVENUE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 3.34 acres. The request is to rezone the property to R-0, RESIDENTIAL-OFFICE.

Budget Impact:

Account Number	Fund
Project Number	Project Title
Budgeted Item? <u>NA</u>	Current Budget \$ -
	Funds Obligated \$ -
	Current Balance \$
Does item have a cost? <u>No</u>	Item Cost
Budget Adjustment Attached? <u>NA</u>	Budget Adjustment
	Remaining Budget \$

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:

-Karyn Pitts
Paul A. Beden 8-29-14
Don Man 9-3-14

ENTERED
8/28/14
ENTERED
8/29/14
David Jordan

CITY COUNCIL AGENDA MEMO

MEETING OF SEPTEMBER 16, 2014

TO: Fayetteville City Council

THRU: Andrew Garner, Planning Director

FROM: Quin Thompson, Senior Planner

DATE: August 26, 2014

SUBJECT: **RZN 14-4807: Rezone (103 PLAINVIEW AVE./DANIEL, 213):** Submitted by BLEW AND ASSOCIATES for property located at 103 PLAINVIEW DRIVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 3.34 acres. The request is to rezone the property to R-0, RESIDENTIAL-OFFICE.

RECOMMENDATION:

The Planning Commission and City Planning Staff recommend approval of an ordinance to rezone the property to R-O, Residential-Office.

BACKGROUND:

The subject property is located at 103 Plainview Drive and contains approximately 3.34 acres within the RSF-4 zoning district. The property is at the dead end of Plainview Drive, is undeveloped and significantly forested. The property is traversed by a stream and a large portion of the site is encompassed by floodplain. A residence existed on the site in 2012, but at this time only a footing remains on the property.

Staff finds that the proposal to rezone this property to R-O will allow the site to be developed for residential use consistent and compatible with surrounding neighborhood, which includes single family residential and commercial uses. The City Plan 2030 Future Land Use Map designates this area as City Neighborhood Area. This designation encourages a wide range of density and use and staff finds that the proposed zoning is consistent with the City Neighborhood designation and the surrounding mix of uses.

DISCUSSION:

On August 25, 2014 the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 8-0-0.

BUDGET/STAFF IMPACT:

N/A

Attachments:

CC Ordinance
Exhibit A
Exhibit B
Planning Commission Staff Report

ORDINANCE NO.

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4807, FOR APPROXIMATELY 3.34 ACRES, LOCATED AT 103 PLAINVIEW AVENUE FROM RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE, TO R-O, RESIDENTIAL-OFFICE.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the following described property from RSF-4, Residential Single Family, 4 Units per Acre, to R-O, Residential-Office, as shown on Exhibits "A" and "B" attached hereto and made a part hereof.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

PASSED and APPROVED this day of , 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

EXHIBIT 'A'

RZN 14-4807

D. 2
RZN 14-4807 (103 Plainview Ave./Daniel)
Page 4 of 20

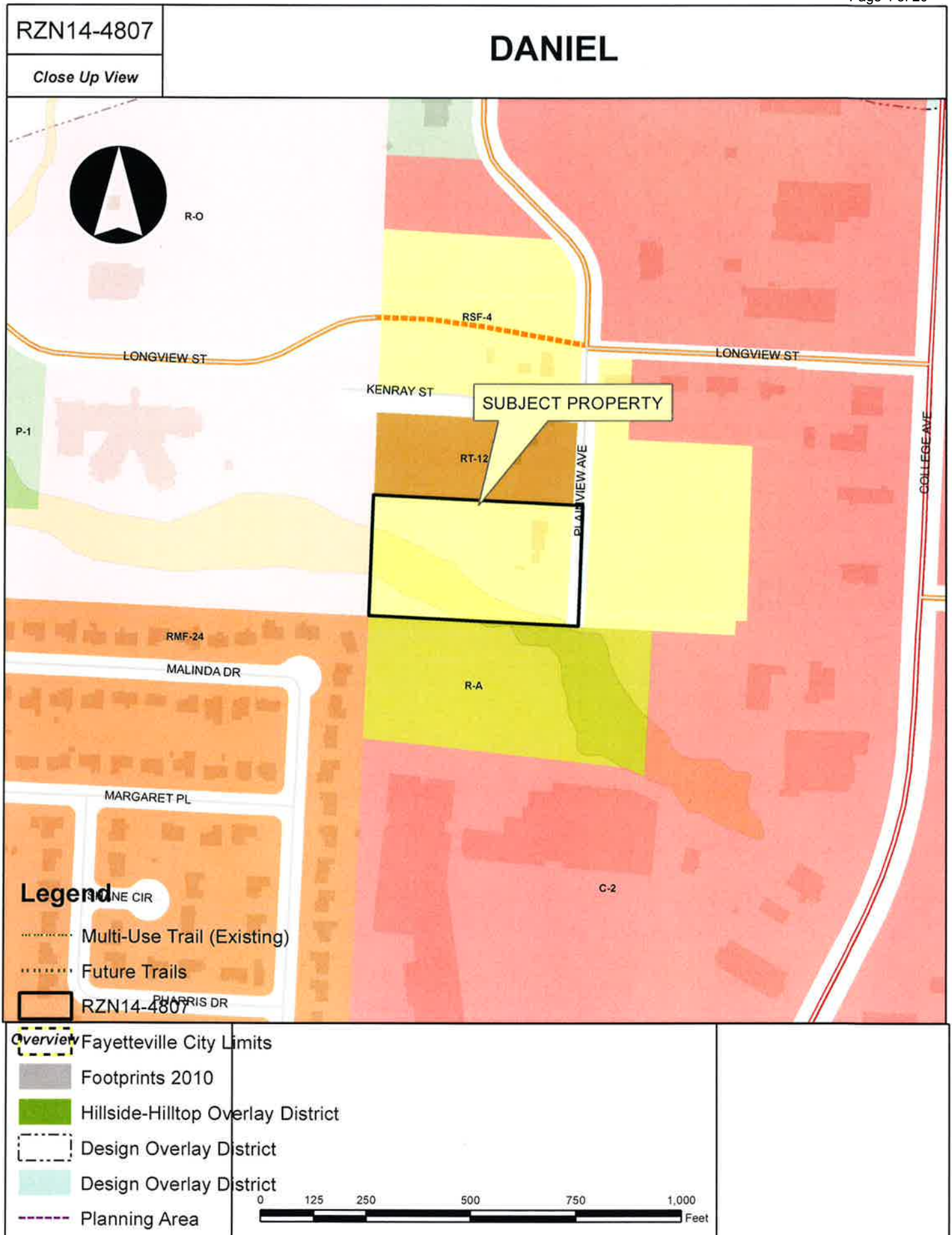


EXHIBIT 'B'

RZN 14-4807



Blew & Associates, P.A.

Civil Engineers

Professional Land Surveyors

524 W. Sycamore Street Suite #4 Fayetteville, AR 72703

PH: 479-443-4506 * FAX: 479-582-1883

<http://www.blewinc.com>

SURVEY DESCRIPTION: (PARCEL #765-15758-000)

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, SAID POINT BEING A FOUND STATE MONUMENT, AND RUNNING THENCE N02°03'55"E 290.00' TO A SET IRON PIN, THENCE S87°08'36"E 501.34' TO A SET MAG NAIL, THENCE S02°03'55"W 290.00' TO A FOUND IRON PIN, THENCE N87°08'36"W 501.34' TO THE POINT OF BEGINNING. CONTAINING 3.34 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, Planning Director

FROM: Quin Thompson, Current Planner

MEETING DATE: ~~August 25, 2014~~ **UPDATED AUGUST 26, 2014**

SUBJECT: **RZN 14-4807: Rezone (103 PLAINVIEW AVE./DANIEL, 213):** Submitted by BLEW AND ASSOCIATES for property located at 103 PLAINVIEW DRIVE. The property is zoned RSF-4, RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE and contains approximately 3.34 acres. The request is to rezone the property to R-O, RESIDENTIAL-OFFICE.

RECOMMENDATION:

Staff recommends forwarding **RZN 14-4807** to City Council with a recommendation for approval.

BACKGROUND:

The subject property is located at 103 Plainview Drive and contains approximately 3.34 acres within the RSF-4 zoning district. The property is at the dead end of Plainview Drive, is undeveloped and significantly forested. The property is traversed by a stream and a large portion of the site is encompassed by floodplain. A residence existed on the site in 2012, but at this time only a footing remains on the property. Surrounding land use and zoning is depicted on *Table 1*.

Table 1
Surrounding Land Use and Zoning

Direction from Site	Land Use	Zoning
North	Single-family Residential	RT-12, Residential Two and Three-family
South	Parking Lot for Lewis Ford	R-A, Residential Agricultural
East	Undeveloped/Pasture	RSF-4, Residential Single-family, 4 units per acre
West	Undeveloped/Forest	R-O, Residential Office

Request: The request is to rezone the property from RSF-4, Residential Single-family / 4 Units per Acre to R-O, Residential Office. The applicant has stated that the rezoning will allow the property to be developed in the future as a cottage housing development.

Public Comment: Staff has not received public comment.

INFRASTRUCTURE:

- Streets:** The site has access to Plainview Avenue. This street is a dead-end, unimproved, one-lane asphalt street. Significant street improvements are anticipated and will be determined at time of development.
- Water:** Public water is accessible to the site. A 6" water main exists in Plainview Avenue adjacent to the subject parcel.
- Sewer:** Sanitary sewer is available to the site. A 12" and 6" sewer main exists in the vicinity. The 6" main is in the Plainview Avenue Right of Way and the 12" runs through the easement/floodplain on the southern portion of this parcel.
- Drainage:** Any additional improvements or requirements for drainage will be determined at time of development. This property is affected by the 100-year floodplain and the Streamside Protection Ordinance. An unnamed tributary flows through the southern portion of this parcel.
- Fire:** This development will be protected by Engine 4 located at 3385 Plainview. It is 2 miles from the station with an anticipated response time of 5 minutes to the beginning of the development. The Fayetteville Fire Department does not feel this development will affect our calls for service or our response times.
- Police:** The Police Department did not express any concerns with this request.

CITY PLAN 2025 FUTURE LAND USE PLAN: *City Plan 2030 Future Land Use Plan designates this site as **City Neighborhood Area**. These areas are more densely developed than residential neighborhood areas and provide a varying mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types. Non-residential uses range in size, variety and intensity from grocery stores and offices to churches, and are typically located at corners and along connecting corridors.*

DISCUSSION:

FINDINGS OF THE STAFF

RECOMMENDATION: Staff recommends that RZN 14-4807 be forwarded to the City Council with a recommendation for approval.

PLANNING COMMISSION ACTION:		Required	<u>YES</u>
Date: <u>August 25, 2014</u>	☐ Tabled	☒ Forwarded	☐ Denied
Motion: WINSTON	Second: HONCHELL		Vote: 8-0-0
CITY COUNCIL ACTION:		Required	<u>YES</u>
Date: <u>September 16, 2014</u>	☐ Approved	☐ Denied	

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: This property is currently undeveloped land. The proposal to rezone the property to R-O will allow the property to be developed for residential use consistent and compatible with surrounding land uses. The City Plan 2030 Future Land Use Map designates this area as City Neighborhood Area. This designation encourages a wide range of density and use. Staff finds that the proposed zoning is consistent with the City Neighborhood designation and the surrounding mix of residential and commercial uses.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: The property could be developed under the existing zoning, however the proposed zone is more consistent with the objectives of City Plan 2030, in that it would allow for a higher density of housing in addition to limited commercial uses encouraged by the Future Land Use Map.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: The site access has access to Plainview Avenue, an unimproved, one-lane street. The proposed zoning does allow higher density and intensity of use and associated traffic. Improvements to Plainview Avenue on and off-site are anticipated and will be evaluated at the time of development.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: Rezoning the property from RSF-4 to R-O will allow for the development of more residential density and commercial activity, however development should not undesirably increase the load on public services with improvements required as part of the development. The Police and Fire Departments have expressed no objections to the proposal.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
- a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

BUDGET/STAFF IMPACT:
None

Attachments:
Unified Development Code sections 161.07 & 161.17
Request Letter
Fire Comments
One Mile Map
Close Up Map
Current Land Use Map
Future Land Use Map

UDC CHAPTER 161: ZONING REGULATIONS

161.07 District RSF-4, Residential Single-Family – Four Units Per Acre

(A) *Purpose.* The RSF-4 Residential District is designed to permit and encourage the development of low density detached dwellings in suitable environments, as well as to protect existing development of these types.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities
Unit 44	Cottage Housing Development

(C) *Density.*

	Single-family dwellings	Two-family dwellings
Units per acre	4 or less	7 or less

(D) *Bulk and area regulations.*

	Single-family dwellings	Two-family dwellings
Lot minimum width	70 ft.	80 ft.
Lot area	8,000 sq. ft.	12,000 sq.

minimum		ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.
Hillside Overlay District Lot minimum width	60 ft.	70 ft.
Hillside Overlay District Lot area minimum	8,000 sq. ft.	12,000 sq. ft.
Land area per dwelling unit	8,000 sq. ft.	6,000 sq. ft.

(E) *Setback requirements.*

Front	Side	Rear
15 ft.	5 ft.	15 ft.

(F) *Building height regulations.*

Building Maximum	Height	45 ft.
------------------	--------	--------

Height regulations. Structures in this District are limited to a building height of 45 feet. Existing structures that exceed 45 feet in height shall be grandfathered in, and not considered nonconforming uses, (ord. # 4858).

(G) *Building area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(Code 1991, §160.031; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 4858, 4-18-06; Ord. 5028, 6-19-07; Ord 5128, 4-15-08; Ord. 5224, 3-3-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11)

161.17 District R-O, Residential Office

(A) *Purpose.* The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 5	Government facilities
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 12	Limited business

Unit 25	Offices, studios, and related services
Unit 44	Cottage Housing Development

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 11	Manufactured home park*
Unit 13	Eating places
Unit 15	Neighborhood shopping goods
Unit 24	Home occupations
Unit 26	Multi-family dwellings
Unit 36	Wireless communications facilities*
Unit 42	Clean technologies

(C) *Density.*

Units per acre	24 or less
----------------	------------

(D) *Bulk and area regulations.*

(Per dwelling unit for residential structures)

(1) *Lot width minimum.*

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single-family	60 ft.
Two-family	60 ft.
Three or more	90 ft.

(2) *Lot area minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 sq. ft.
Townhouses:	
Development	10,000 sq. ft.
Individual lot	2,500 sq. ft.
Single-family	6,000 sq. ft.
Two-family	6,500 sq. ft.

Three or more	8,000 sq. ft.
Fraternity or Sorority	1 acre

(3) *Land area per dwelling unit.*

Manufactured home	3,000 sq. ft.
Townhouses & apartments:	1,000 sq. ft.
No bedroom	1,000 sq. ft.
One bedroom	1,200 sq. ft.
Two or more bedrooms	
Fraternity or Sorority	500 sq. ft. per resident

(E) *Setback regulations.*

Front	15 ft.
Front, if parking is allowed between the right-of-way and the building	50 ft.
Front, in the Hillside Overlay District	15 ft.
Side	10 ft.
Side, when contiguous to a residential district	15 ft.
Side, in the Hillside Overlay District	8 ft.
Rear, without easement or alley	25 ft.
Rear, from center line of public alley	10 ft.
Rear, in the Hillside Overlay District	15 ft.

(F) *Building height regulations.*

Building Height	60 ft.
Maximum	

Height regulations. Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot.

(Code No. 1965, App. A., Art. 5(x); Ord. No. 2414, 2-7-78; Ord. No. 2603, 2-19-80; Ord. No. 2621, 4-1-80; Ord. No. 1747, 6-29-70; Code 1991, §160.041; Ord. No. 4100, §2 (Ex A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 4726, 7-19-05; Ord. 4943, 11-07-06; Ord. 5079, 11-20-07; Ord. 5195, 11-6-08; Ord. 5224, 3-3-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11)



Blew & Associates, P.A.
Civil Engineers Professional Land Surveyors

524 W. Sycamore Street Suite #4 Fayetteville, AR 72703
PH: 479-443-4506 * FAX: 479-582-1883
<http://www.blewinc.com>

To whom it may concern:

Our client, Cynthia Daniel, currently owns the property located at 103 North Plainview Avenue, parcel # 765-15758-000. The property is currently zoned RSF-4 and the client wishes to change it to R-O. The client wishes to establish a cottage development on the property, which is not an allowed use for the current zoning. The rezoning will allow for the proposed cottage development to go forward. There are existing satisfactory utilities on the property. The rezoned property would match the existing zoning of the property to the west, and is in line with the City Master Development Plan. The proposed zoning will not create or appreciably increase traffic danger and congestion, and will not create an appreciable increase in population density or increase the load on public services. Under current zoning regulations, a conditional use permit would be required to develop.

Sincerely,
Scott Blacksher



www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS



FIRE DEPARTMENT
303 West Center Street
Fayetteville, AR 72701
P (479) 575-8365 F (479) 575-0471

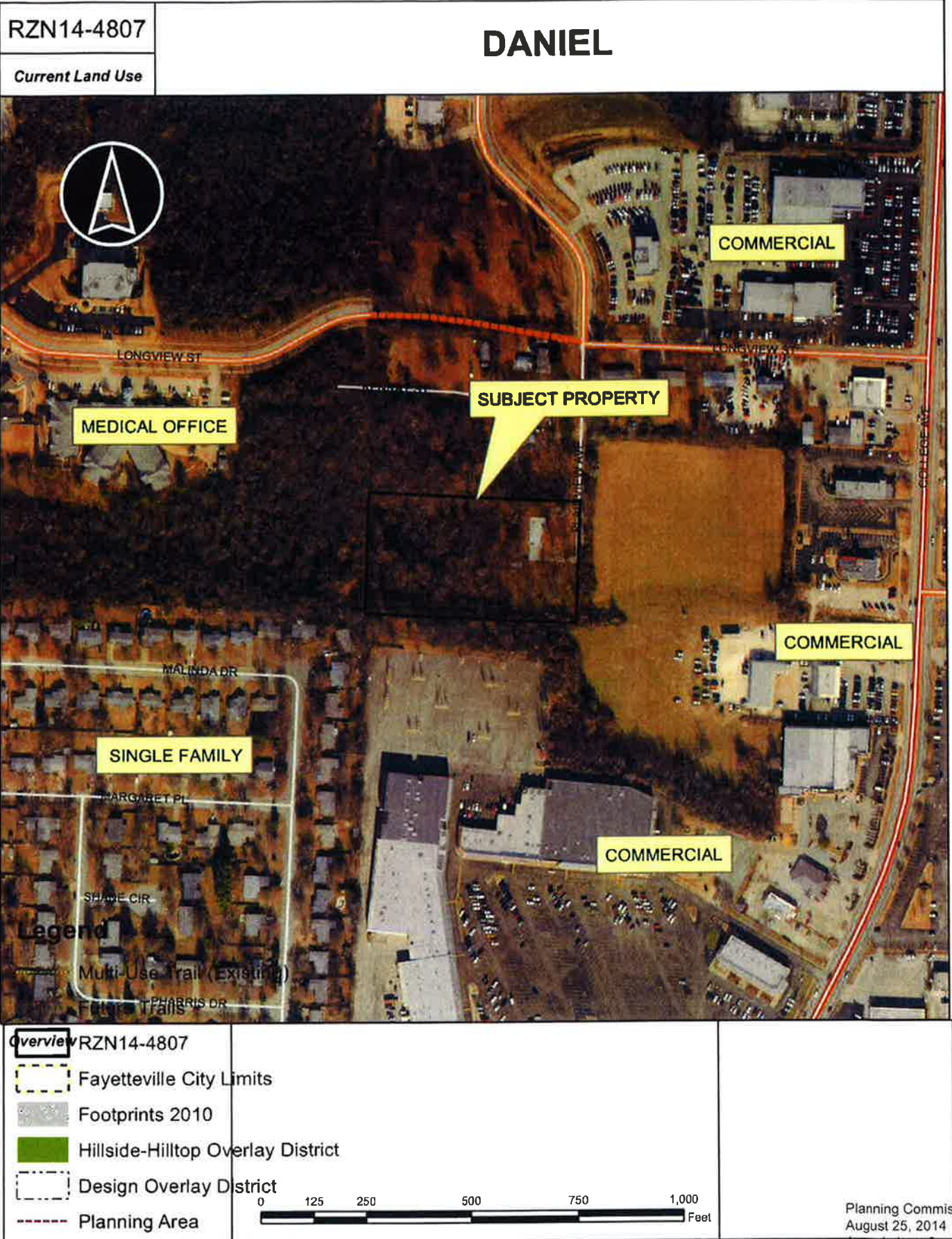
Zoning Review

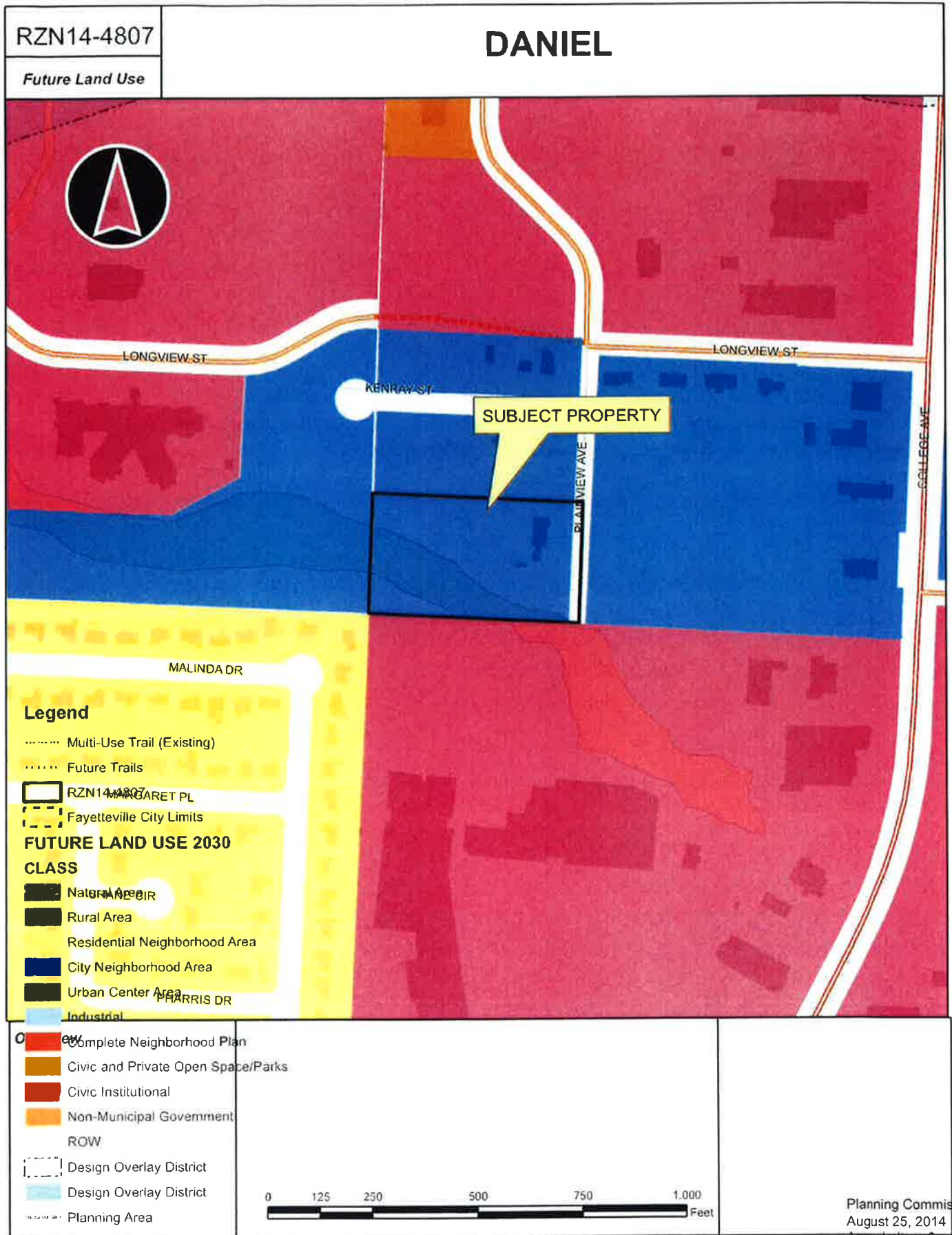
To: Quin Thompson
From: Will Beeks
Date: July 29, 2014
Re: RZN 14-4807

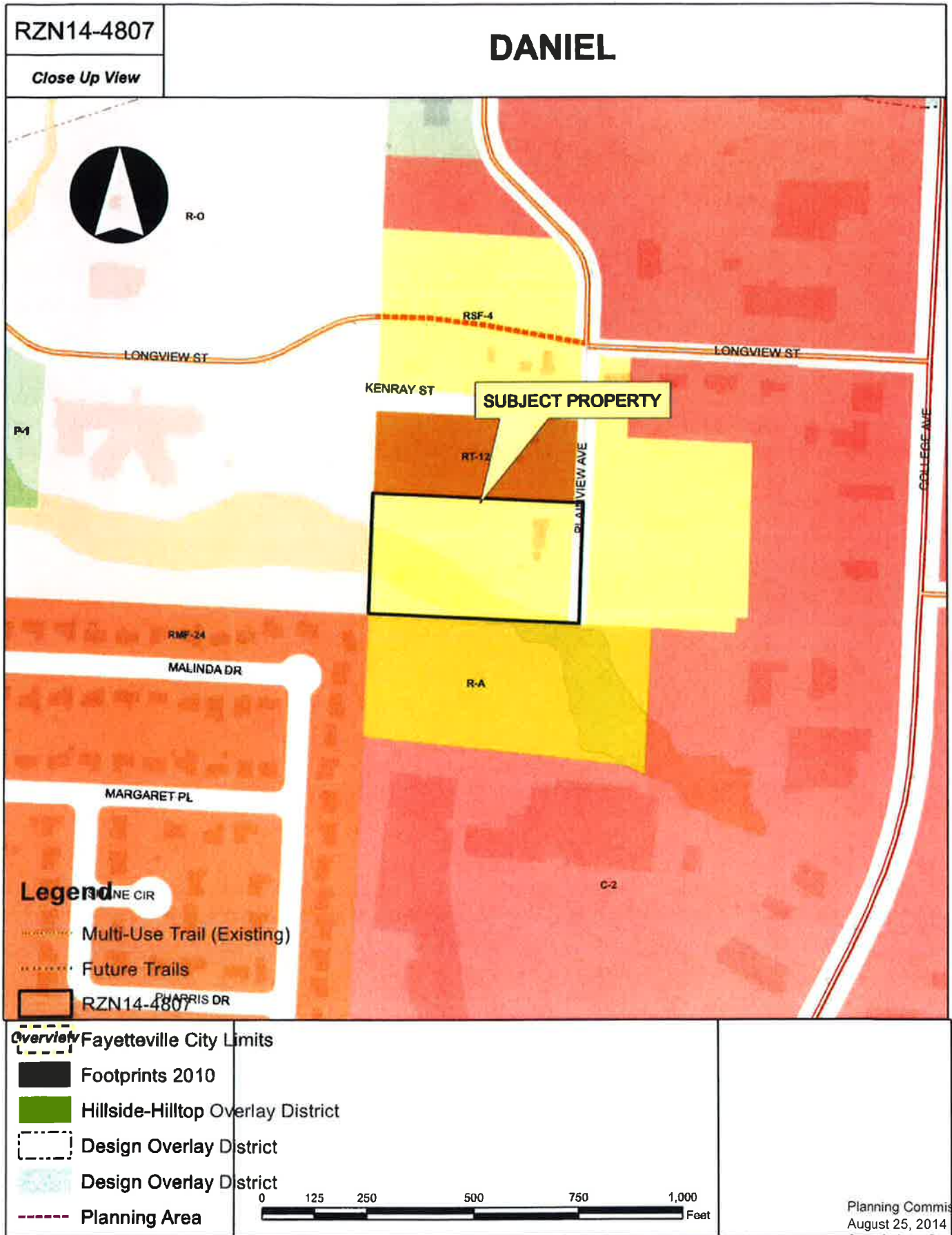
This development will be protected by Engine 4 located at 3385 Plainview.
It is 2 miles from the station with an anticipated response time of 5 minutes to the beginning of the development.
The Fayetteville Fire Department does not feel this development will affect our calls for service or our response times.

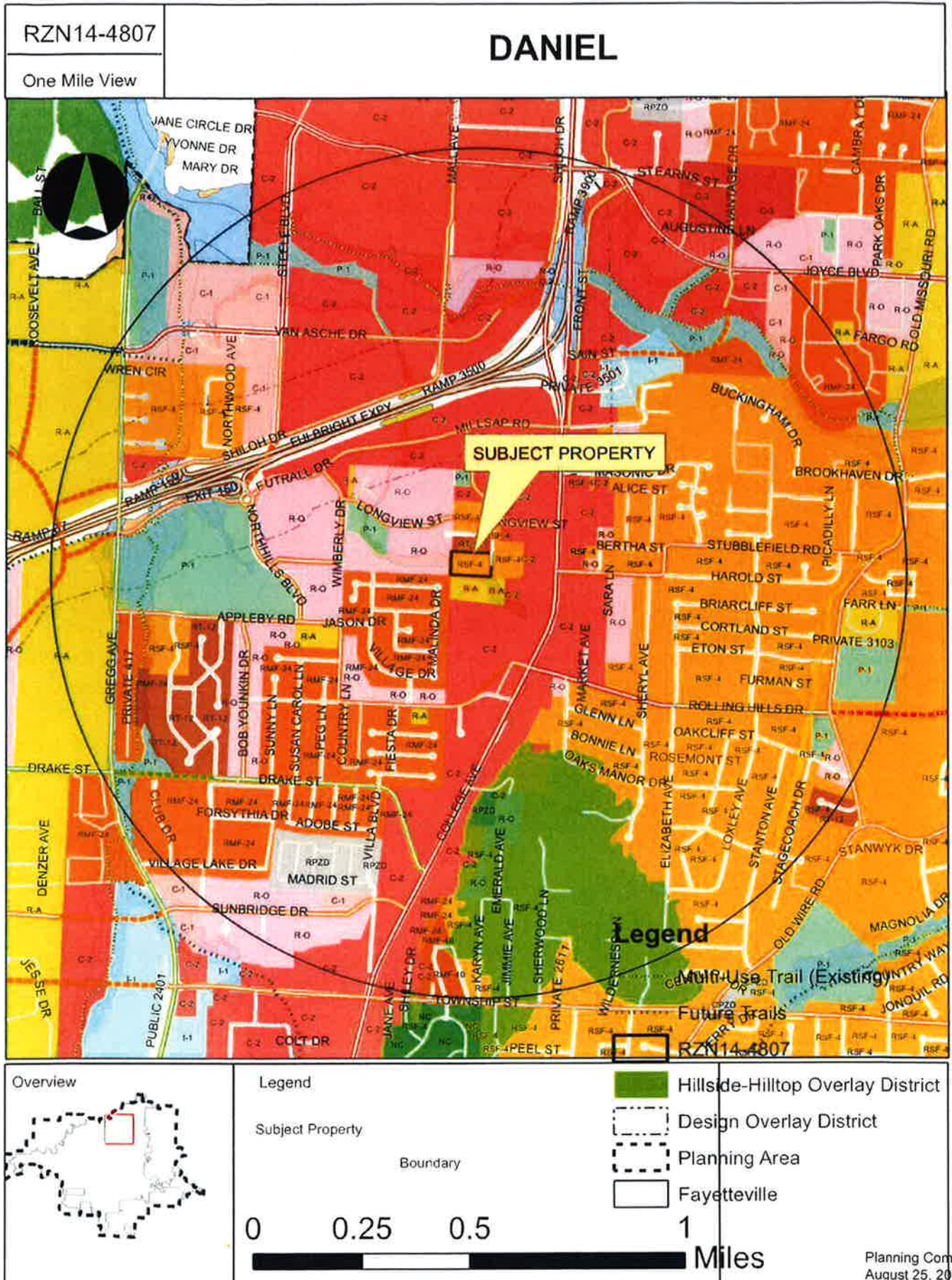
If you have any questions please feel free to contact me.

Fayetteville Fire Department









City of Fayetteville Staff Review Form

2014-0396

Legistar File ID

9/16/2014

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Leif Olson

8/29/2014

Sustainability & Resilience /
Chief of Staff

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approval of a Resolution to contract with Kessler Consulting in the amount of \$264,890 to complete a Master Plan to achieve an efficient and cost effective solid waste system that maximizes solid waste reduction, diversion and recycling and puts the City on the path to achieve our goal of 80% waste diversion. Approval of a Budget Adjustment.

Budget Impact:

5500.5080.5314.00

5500 - Solid Waste

Account Number

Fund

14019.1

Solid Waste Reduction/Recycling Master Plan

Project Number

Project Title

Budgeted Item? No

Current Budget \$ -

Funds Obligated \$ -

Current Balance \$ -

Does item have a cost? Yes

Item Cost \$ 264,890.00

Budget Adjustment Attached? Yes

Budget Adjustment \$ 264,890.00

Remaining Budget \$ -

Previous Ordinance or Resolution # 260-13

V20140710

Original Contract Number:

Approval Date:

Comments:

9/13/14

ENTERED
8/29/14

ENTERED
9/3/14

Paul G. Butler 2014 9-10-14
Don Gilman 9-3-14
Frank J. [Signature]

CITY COUNCIL AGENDA MEMO

MEETING OF SEPTEMBER 16, 2014

TO: Mayor Jordan and City Council

THRU: Peter Nierengarten, Sustainability and Resilience Director *PW*

CC: Jeff Coles, Recycling and Trash Collection Director

FROM: Leif Olson, Associate Planner

DATE: August 28, 2014

SUBJECT: Solid Waste Reduction, Diversion and Recycling Master Plan

RECOMMENDATION:

Approval of a Resolution to contract with Kessler Consulting in the amount of \$264,890 to complete a Master Plan to achieve an efficient and cost effective solid waste system that maximizes solid waste reduction, diversion and recycling and puts the City on the path to achieve our goal of 80% waste diversion.

BACKGROUND:

The City Council passed Resolution Number 260-13 in December 17, 2013 to develop a Request for Qualifications to hire a consultant to develop a 10 year solid waste master plan in order to attain a waste diversion rate of 80%. Staff developed a detailed project scope and received a total of five project proposals from qualified consulting firms. A selection committee made up of City Staff reviewed the proposals and interviewed the top three firms. Kessler Consulting Inc. was selected by the committee to be the most qualified to develop the master plan. Staff worked extensively with Kessler to develop a final scope of work that includes:

- A baseline operational assessment of the current system,
- A waste audit and litter composition study with an option to partner with the University to assess their solid waste generation and composition,
- An analysis of waste reduction and diversion options,
- Recovery scenarios modeling and financial evaluation,
- Policy recommendations,
- Development of the final solid waste master plan, and
- Master plan project coordination, community input process and final presentation.

The consultant will present the final master plan and recommendations to the City Council at the conclusion of the planning process.

BUDGET/STAFF IMPACT:

Kessler Consulting is proposing completing the master plan within a 12 month timeline at a total cost of \$249,930 to the City of Fayetteville. Inclusion of the University of Arkansas' waste composition study raises the total cost of the project to \$264,890. The University will reimburse the City \$14,960 for the cost of their waste composition study. This project will be paid for with Recycling and Trash Division Enterprise Funds.

RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE A CONTRACT WITH KESSLER CONSULTING, INC. OF TAMPA, FLORIDA FOR THE DEVELOPMENT OF A TEN YEAR SOLID WASTE MASTER PLAN IN AN AMOUNT NOT TO EXCEED \$264,890.00, AND TO APPROVE A BUDGET ADJUSTMENT

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby authorizes Mayor Jordan to sign a contract with Kessler Consulting, Inc. of Tampa, Florida for the development of a ten year solid waste master plan in an amount not to exceed \$264,890.00.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached as Exhibit "A".

PASSED and APPROVED this 16th day of September, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

City of Fayetteville - Purchase Order Request (PO)

(Not a Purchase Order)

All PO Requests shall be scanned to the Purchasing e-mail: Purchasing@fayetteville-ar.gov.
Purchase shall not be made until an actual PO has been issued.

Requisition No.:	Date: 6/29/2014
P.O Number:	

Vendor #:	24798	Vendor Name:	Kessler Consulting, Inc.	Mail ☐ Yes ☒ No	Legistar#:	2014-0396
Address: 14620 N. Nebraska, Ave., Bldg. D			FOB Point:	Taxable ☐ Yes ☒ No	Expected Delivery Date:	
City:	Tampa	State:	FL	Zip Code:	33613	Ship to code:
Requester: Leif Olson			Requester's Employee #:	2364	Extension:	8269

Item	Description	Quantity	Unit of Issue	Unit Cost	Extended Cost	Account Number	Project Sub#	Inventory #	Fixed Asset #
1	Solid Waste Reduction, Diversion and Recycling Master Plan	1	each	264,890.00	\$264,890.00	5500.5080.5314.00	14019.1		
2					\$0.00				
3					\$0.00				
4					\$0.00				
5					\$0.00				
6					\$0.00				
7					\$0.00				
8					\$0.00				
9					\$0.00				
10					\$0.00				
*	Shipping/Handling		Lot		\$0.00				

Special Instructions:

Subtotal: **\$264,890.00**
Tax: **\$0.00**
Total: **\$264,890.00**

Approvals:

Mayor: _____	Department Director: _____	Purchasing Manager: _____
Chief Financial Officer: _____	Budget Director: _____	IT Director: _____
Dispatch Manager: _____	Utilities Manager: _____	Other: _____

CONTRACT FOR SOLID WASTE CONSULTING SERVICES

THIS CONTRACT, made this ____ day of _____ 2014, is by and between the City of Fayetteville, Arkansas ("City"), whose address is 113 West Mountain Street, Fayetteville, Arkansas 72701, and Kessler Consulting, Inc. ("KCI"), a Florida corporation whose address is 14620 N. Nebraska Avenue, Building D, Tampa, FL 33613.

I. SCOPE

For and in consideration of timely payment by the City of the compensation set forth below, KCI shall provide the Scope of Services ("Services") specified in Exhibit A, which is attached hereto and incorporated herein by reference, subject to the other terms and conditions set forth in this contract. The Services to be provided may be changed by the mutual agreement of the parties hereto. The City shall promptly provide KCI with any and all documents and information needed by KCI to provide the Services. It is expressly agreed that KCI is an independent contractor of the City.

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

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

II. TERM OF AGREEMENT

The initial contract period shall commence on the date this contract is executed by the City and KCI, whichever date is later, and shall terminate two (2) years after the commencement date, unless extended by mutual agreement of the parties hereto.

III. COMPENSATION

The compensation to be paid by the City to KCI for providing the Services shall be as stated in Exhibit B, which is attached hereto and incorporated herein by reference. The City shall pay KCI for completion of Services on a time-and-materials basis for an amount not to exceed that specified in Exhibit B without prior approval by the Mayor and City Council. Labor shall be invoiced based on the hourly rates specified in Exhibit B and expenses shall be invoiced at cost, without mark-up. Labor rates may be adjusted if the contract is extended beyond the initial two (2) years upon approval of a formal contract amendment by the Mayor and the City Council.

If requested to provide additional services pursuant to Section I, compensation for these additional services shall be as negotiated between the City and KCI, as approved by the Mayor and City Council.

IV. METHOD OF BILLING AND PAYMENT

KCI may submit monthly invoices to the City requesting payment for services accomplished during each calendar month. Monthly invoices will include breakdown of employees and hours worked, description of activities performed, and reimbursable costs and expenses incurred. All invoices shall be due and payable by the City to KCI within thirty (30) days of invoice receipt. Failure to pay compensation to KCI, as and when required, shall entitle KCI to immediately cease all services, and to terminate this

contract as set forth below. Any failure by the City to pay any sums due and owing KCI shall be a material breach of this contract.

V. RIGHT TO AUDIT

The City reserves the privilege of auditing KCI's records as such records relate to purchases between the City and KCI.

VI. FREEDOM OF INFORMATION ACT

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

VII. JURISDICTION AND VENUE

Legal jurisdiction to resolve any disputes shall be Arkansas with Arkansas law applying to the case. Venue for any legal dispute shall be Washington County, Arkansas.

VIII. TERMINATION

- A. The City reserves the right to cancel this contract without cause by giving sixty (60) days prior notice to KCI in writing of the intention to cancel or with cause if at any time KCI fails to fulfill or abide by any of the terms or conditions specified.
- B. Failure of KCI to comply with any of the provisions of this contract shall be considered a material breach of contract and shall be cause for immediate termination of the contract at the discretion of the City.
- C. In addition to all other legal remedies available to the City, the City reserves the right to cancel and obtain from another source, any items and/or services which have not been delivered within the period of time from the date of order as determined by the City.
- D. In the event sufficient budgeted funds are not available for a new fiscal period, the City shall notify KCI of such occurrence and the contract shall terminate of the last day of the current fiscal period without penalty or expense to the City.
- E. If this contract is terminated for any reason, the City shall compensate KCI for all services completed through the date of termination, together with all reimbursable costs and expenses. Such payment to KCI shall be considered a payment on account, and shall not constitute payment in full of all sums owed to KCI pursuant to this contract or otherwise.

IX. INSURANCE

KCI shall procure and maintain throughout the term of this contract the following insurance limits and coverage and shall, upon executing this contract, provide the City with certificates of insurance evidencing same, showing other party as Additional Insured on all coverage except workers' compensation and professional liability. Such insurance shall include appropriate clauses and/or endorsements pursuant to which the insurance companies shall waive its right of subrogation against the City.

- A. Workers' Compensation Insurance and Employer's Liability Insurance, in accordance with Chapter 440, Florida statutes, and/or any other applicable law requiring workers' compensation, of not less than the following:

Workers' Compensation	\$1,000,000.00 limit	each accident
Employer's Liability	\$1,000,000.00 limit	disease aggregate
	\$1,000,000.00 limit	disease each employee

- B. Commercial General Liability Insurance, on forms no more restrictive than the latest edition of the Commercial General Liability policy (CG 00 01) of the Insurance Services Office, in the amount of not less than \$1,000,000.00 per occurrence to protect against claims for damages for bodily injury, including wrongful death, as well as from claims of property damages, which may arise from any operations under this contract, whether such operation be by KCI or by the City or anyone directly employed by or contracting with KCI or the City.
- C. Comprehensive Automobile Liability Insurance in the amount of not less than \$100,000.00 combined single limit for bodily injury and property damage liability to protect both parties from claims for damages for bodily injury, including the ownership, use, or maintenance of owned and non-owned automobiles, including rented automobiles whether such operations be by KCI or the City or by anyone directly or indirectly employed by KCI or the City.
- D. Professional Liability Insurance in the amount of not less than \$1,000,000 per occurrence.

Any subconsultants shall provide certificates of insurance evidencing coverage and terms in accordance with the insurance requirements outlined above.

X. ASSIGNMENT, SUBCONTRACTING, ACQUISITIONS AND/OR MERGERS

- A. KCI and any subconsultants identified in KCI's proposal to the City shall perform services pursuant to this contract. No other assignment or subcontracting shall be allowed without prior written consent of the City.
- B. In the event of a corporate acquisition and/or merger, KCI shall provide written notice to the City within thirty (30) calendar days of KCI's notice of such action or upon the occurrence of said action, whichever occurs first. The right to terminate this contract, which shall not be unreasonably exercised by the City, shall include, but not be limited to, instances in which a corporate acquisition and/or merger represent a conflict of interest or are contrary to any local, state, or federal laws.

XI. DISPUTE RESOLUTION

If a dispute arises out of or relates to this contract, or the breach thereof, the parties will attempt to settle the matter through amicable discussion.

XII. ATTORNEY'S FEES

In the event of any demand, action or proceeding between the parties arising out of or relating to this contract, the prevailing party shall be entitled to recover any and all costs, including attorney's fees and court costs, incurred in any investigations, actions, trials, appeals, mediations, arbitrations, bankruptcy proceedings, collection proceedings, collection efforts, and supplementary proceedings.

XIII. UNCONTROLLABLE CIRCUMSTANCES

KCI will not be liable in any way to the City for any delay or non-performance resulting from or arising out of any act(s) of God, severe weather, strike, civil disorder, earthquake, any law, order, proclamation, regulation, ordinance, demand or requirement of any governmental agency, or any other condition or occurrence whatsoever beyond KCI's sole control.

XIV. SEVERENCE

In the event a portion of this contract is found by a court of competent jurisdiction to be invalid or unenforceable, the provisions not having been found by a court of competent jurisdiction to be invalid or unenforceable shall continue to be effective.

XV. ENTIRETY OF AGREEMENT

This contract embodies the entire agreement and understanding between the City and KCI, and there are no other agreements and understandings, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby. No alteration, change or modification of the terms of the contract, or any attachments, shall be valid unless made in writing signed by both parties hereto.

IN WITNESS WHEREOF, the City and the KCI execute this contract as follows:

CITY OF FAYETTEVILLE

LIONELD JORDAN, Mayor

Sondra E. Smith, City Clerk/Treasurer

Date

KESSLER CONSULTING, INC.



MITCH KESSLER, President

8/25/14

Date

EXHIBIT A

City of Fayetteville, AR Solid Waste Reduction, Diversion, and Recycling Master Plan Scope of Work

Outlined herein is Kessler Consulting, Inc.'s (KCI) scope of work to assist the City of Fayetteville (City) in developing a Master Plan aimed at achieving an efficient, cost-effective solid waste system that maximizes waste reduction and recycling and puts the City on a path to attaining its goal of 80 percent waste diversion. Achieving this goal will require new and expanded programs, innovative policies, productive partnerships, and/or implementation of new technologies. It will require a fundamental shift from waste management to resource management.

KCI anticipates subcontracting with the University of Arkansas Applied Sustainability Center (ASC) to assist with discreet tasks and activities. In particular, we will seek to engage student participation in the project, primarily in assisting with the waste composition study and stakeholder meeting logistics. In addition, ASC will provide local knowledge and assist in exploring opportunities for collaboration between the City and the University.

Scope of Services

Task 1 Baseline and Operational Assessment of Current System

Purpose: In this initial task, KCI will examine, inventory, and benchmark for future comparison the City's existing solid waste programs and operations. We will review studies recently completed for the City to avoid duplication of efforts. KCI will also conduct operational assessments of the City's collection operations and the City-owned and operated transfer station, recycle center, and compost facility. We will review any existing information and performance metrics provided by the City, complemented by field observations as needed. Analyzing existing solid waste and recycling systems will lay the foundation for all future planning activities.

Activities:

1. Participate in a kick-off call with City staff to initiate the project and clearly define project objectives.
2. Review and evaluate relevant information and data including, but not limited to, the following:
 - Tonnage of solid waste, recyclables materials, yard waste, construction and demolition debris (CDD), white goods, household hazardous waste, etc. generated by source (i.e., residential, commercial, etc.) and final disposition of these wastes and recycling streams, whether at public or private facilities.
 - Current solid waste contracts.
 - Current facility permits and operating plans.
 - Solid waste system budgets and actual revenues and expenditures.
 - Recordkeeping, data management, revenue assurance systems, and user fee structure.
 - Current bond covenants.
 - Current organizational chart of solid waste department.
 - City Ordinances and other policies pertaining to solid waste and any recent planning documents regarding solid waste.
 - Inter-local agreements with Washington County or other municipalities, if applicable.

Exhibit A
City of Fayetteville, AR
Solid Waste Reduction, Diversion, and Recycling Master Plan Scope of Work

- Existing education and outreach materials.
- 3. Develop population and waste generation projections for a 10-year period, and identify factors that will affect population growth and waste generation.
- 4. Conduct an onsite assessment, anticipated to last five days, to observe collection operations and operations at the transfer station, recycle center, and compost facility. The assessment will include the following:
 - Group meeting with operational employees to gain a clear understanding of operations and engage front-line staff in the evaluation process.
 - Field-level observations, ride-alongs, and route-based data collection in cooperation with front-line staff.
 - Use of proprietary wireless and web-based technology to collect real-time, on-route data and measure route performance and to estimate recycling participation.
- 5. Analyze labor requirements, production, and current workforce levels in order to develop staffing recommendations.
- 6. Analyze equipment replacement schedules.
- 7. Compare findings with industry standards.
- 8. Identify program components and options that could potentially lower costs, improve efficiency, or otherwise help the City meet its objectives.
- 9. Identify tools to assist the City in measuring improvement progress over time.
- 10. Prepare a summary of Task 1 results and findings.

Deliverable: Technical memorandum summarizing the current solid waste system, results and findings of the operational assessment, and 10-year population and waste generation projections.

Task 2 Waste and Litter Composition Study

Purpose: KCI will conduct a study to determine the composition of waste generated within the City that is delivered to the City's transfer station for disposal. Understanding the types and quantities of materials contained in the waste stream is critical to developing effective systems to divert these resources for recycling or composting. Waste composition data also serves as a benchmark for comparing future system changes. Concurrently, KCI will conduct a study to determine the composition of litter collected from various locations throughout the City. The budget provided herein is for one sampling and sorting event lasting five days in duration. The City may wish to conduct additional sorting events to account for seasonal variability in waste composition.

The University of Arkansas (UA) has expressed interest in participating in the waste composition study while KCI's team is mobilized for the City's study. The option of including UA's waste as part of the study is discussed in Task 2A below.

Activities:

1. Request from the City and review four weeks of scale house data regarding inbound vehicles to the transfer station, including source, vehicle number, time of arrival, and tonnage.
2. Request from the City and review the windshield litter survey conducted by City staff.
3. Develop a list of material categories into which waste will be sorted, ensuring that these categories are consistent with the City's existing recycling program and any previous composition studies.

Exhibit A
City of Fayetteville, AR
Solid Waste Reduction, Diversion, and Recycling Master Plan Scope of Work

4. Identify the generator sectors (e.g., residential, commercial, litter) that will be targeted in the waste composition study.
5. Develop a sampling schedule, sampling and sorting protocol, and site safety plan for review by City staff. KCI will work closely with City staff to develop the sampling schedule for litter since the City will be responsible for mobilizing staff or volunteers to collect the litter from specified areas, mark it, and deliver it to the sorting area.
6. Work with City staff to identify an appropriate sampling and sorting area. The City will be asked to provide a covered area (an existing structure or a tent) under which the sorting team will work and a loader and operator to pull samples, as directed by KCI's Sampling Supervisor, and deliver them to the sorting area.
7. Obtain the necessary equipment for conducting the sorting event. The City will be asked to provide four six-foot folding tables and recycling bins and other containers into which materials will be sorted. KCI will provide all other safety and sorting equipment and a calibrated platform scale.
8. Mobilize for the sorting event. KCI will provide a Sort Supervisor, Sampling Supervisor, and up to seven sorters. KCI is working with ASC to hire students as the sorters, which will provide a rare hands-on learning opportunity for the students.
9. Execute the sorting event. KCI's Sampling Supervisor will work with the loader operator to pull representative samples from selected incoming loads of waste in accordance with the sampling schedule. Samples will be transferred to the sorting area and stored on tarps until sorted. All samples will be sorted into the defined material categories and weighed. KCI's Sort or Sampling Supervisor will conduct all data recording. To ensure quality and safety, KCI will conduct a training session, prior to starting work each day, to review safety and sorting procedures.
10. Analyze the data from the sorting event to calculate the percentage by weight of each material category for each generator sector, as well as for the City's overall waste stream. Data analysis will follow the *ASTM Standard Test Method for Determination of the Composition of Unprocessed Municipal Solid Waste* (D5231-92; reapproved 2008).
11. Prepare a technical memorandum summarizing the results and findings of the study.

Deliverables:

- Material categories list, sampling and sorting protocol, sampling schedule, and site safety plan.
- Technical memorandum providing the results of the waste composition study.

Task 2A UA Waste Composition Study (optional task)

Purpose: This optional task will entail sampling and sorting waste generated on the UA campus. KCI anticipates adding three additional days of field work, which will enable the KCI team to sample and sort at least 24 samples of UA waste. To ensure the statistical validity of this data, no more than three separate UA generator sectors will be included. Specific generator sectors will be determined based on discussions with UA staff, but might include classrooms, dormitories, and food service areas.

Activities:

1. Request from UA staff and review waste tonnage data, collection schedules, and other relevant, available information needed to develop the sampling schedule.
2. Confirm with UA staff that the material categories list developed for Task 2 is acceptable.
3. Identify the generator sectors that will be targeted in the waste composition study.

Exhibit A
City of Fayetteville, AR
Solid Waste Reduction, Diversion, and Recycling Master Plan Scope of Work

4. Develop a sampling schedule and provide the schedule and sampling and sorting protocol developed in Task 2 to UA staff for review.
5. Work with UA staff to ensure the necessary loads of waste will be directed to the sorting area for sampling in accordance with the sampling schedule.
6. Execute the sorting event.
7. Analyze the data from the sorting event to calculate the percentage by weight of each material category for each generator sector, as well as for UA's overall waste stream (all generators combined).
8. Incorporate the results of the UA study into the Task 2 technical memorandum.

Deliverables:

- Material categories list, sampling and sorting protocol, and sampling schedule.
- Section of Task 2 technical memorandum providing the results of the UA waste composition study.

Task 3 Reduction and Diversion Options Analysis

Purpose: The purpose of this task is to evaluate proven recovery technologies and programmatic approaches, and to identify those that offer the greatest potential material recovery and waste reduction/diversion opportunities to the City. For example, collection options might include wet/dry collection, dual stream recycling, cart-based single stream recycling, compressed natural gas (CNG) collection vehicles, incentive-based contracts, and rewards programs such as Recycling Perks. Processing technologies to capture or utilize material resources include single stream, mixed waste, and wet/dry material processing, organics processing technologies, and other emerging technologies that seek to minimize the disposal of waste.

Activities:

1. Identify and conduct an initial evaluation of material recovery technologies and programs to identify those most viable or having the greatest materials recovery and waste reduction/diversion potential. Such evaluation will include reviewing recognized regional and national programs, analyzing the potential applicability to the City, and conducting an initial analysis of the economic feasibility.
2. Evaluate potential public and private strategic partnerships for leveraging expertise and economies of scale.
3. Prepare a summary of this evaluation and identify material recovery technologies and programs that warrant further consideration. Scenarios for future consideration may include modifications to existing contracts and programs, as well as implementation of new technologies and programs.

Deliverable: Technical memorandum of this initial evaluation of technology and program options.

Task 4 Recovery Scenarios Modeling and Financial Evaluation

Purpose: KCI will use a proprietary spreadsheet-based model to conduct a more detailed analysis of high-recovery, integrated materials management system scenarios that the City desires to consider further. This interactive model takes into consideration that changes in one system component will have operational and financial impacts on other system components. Based on a set of City-specific assumptions, the model will estimate the

capital and operating cost of each scenario, potential revenues, potential waste diversion (material recovery), and site requirements. An appropriate fee structure will be linked to the anticipated costs and benefits of new or expanded services to ensure a healthy and sustainable enterprise fund. The scenario modeling and financial evaluation will also consider the intrinsic value of the selected scenarios as it relates to the triple bottom line so that the City has a comprehensive foundation for decision-making.

Activities:

1. Based on the results of Tasks 4, conduct a work session with City staff to identify material recovery scenarios for further analysis.
2. Develop and confirm assumptions that will be used in the model.
3. Evaluate the identified scenarios using KCI's comparative model.
4. Conduct a financial analysis of the implications of selected scenarios to the City's existing solid waste business model.
5. Prioritize the model results based on waste reduction/diversion potential and cost-effectiveness to the City.
6. Review the model results with City staff to identify selected scenarios for inclusion in the Master Plan.
7. Develop rate structure modifications for scenarios selected by the City that will ensure the long-term viability of the solid waste system and enterprise fund, as well as incentivize increased recycling or waste diversion.
8. Develop recommendations for inclusion in the draft Master Plan, including a consolidated rate structure and potential modifications to the City's solid waste business model.

Deliverable: Technical memorandum that includes the results of the detailed analysis of selected scenarios and associated rate structure as recommendations for inclusion in the draft Master Plan.

Task 5 Policy Recommendations

Purpose: The purpose of this task is to identify policies to implement and support the various technology and program options selected in Task 5. Policies are the principles and guidelines by which the City will reach its solid waste and resource management goals. These policies will influence future decisions regarding the solid waste system, thereby translating these policies into compatible actions and programs. Examples of policies for consideration include residential and/or commercial recycling mandates, disposal bans on specific types of recyclable or compostable materials, bans of the use of certain types of products (e.g., plastics bags, polystyrene containers), source separation standards, minimum service standards, private sector participation, and regional cooperation.

Activities:

1. Define and evaluate policies that would encourage specific behaviors and/or complement the technologies and programs selected in Task 5.
2. Identify policy recommendations that will best help guide the City toward meeting its goals and objectives, while also ensuring the long-term financial viability of the solid waste system.
3. Review the draft policy recommendations with City staff and revise as needed.

Deliverable: Technical memorandum identifying policy recommendations.

Exhibit A
City of Fayetteville, AR
Solid Waste Reduction, Diversion, and Recycling Master Plan Scope of Work

Task 6 Solid Waste Master Plan Development

Purpose: The results of the previous tasks and technical memoranda developed as part of these tasks will be incorporated into a Master Plan. Based on review and discussions with City staff, KCI will develop near-term and long-term recommendations deemed cost-effective and operationally feasible on the scale required by the City.

Activities:

Develop a draft Master Plan that includes or addresses the following:

1. **Baseline Summary:**
 - Summary of the City's current solid waste system, including waste and recyclables tonnage, flow, and management.
 - Population and waste generation projections over a 10-year period and summary of factors that affect these projections.
 - Operational assessments of City collection operations and City-owned and operated facilities, along with initial recommendations for improvements.
2. **Reduction and Diversion Options Evaluation:**
 - Evaluation of proven material recovery technologies and programs.
 - Results of the more detailed analysis of selected scenarios, prioritizing scenarios based on waste reduction/diversion potential and cost-effectiveness.
 - Potential opportunities for partnership.
 - Discussion of impacts on the City's business model and recommended modifications.
3. **Short-, Medium- and Long-Term Recommendations:**
 - **Policies:** Policy recommendations that provide the framework that derives sustainable materials recovery and guides decision-making, program and facility development, stakeholder engagement, and systems financing.
 - **Programs:** Program recommendations that are cost-effective and deemed most viable to substantially increase waste reduction and diversion, taking into account the availability of sustainable markets for the recovered resources.
 - **Facilities:** Proven technology and facility recommendations that are effective in recovering material from the waste stream, have been demonstrated on a scale commensurate with the City, and are financially viable.
 - **Education:** Recommended marketing strategy and programs that will complement and help ensure the success of the various policy, program, and facility recommendations. Emphasis will be placed on strategies for affecting changes in behavior. A summary of all community input (Task 8) will be included.
4. **Financial Analysis:**
 - Proposed business plan and financial implications (ranges from high to low) of the Master Plan recommendations.
 - Proposed rate structure intended to preserve the health and sustainability of the enterprise fund.

Deliverable: Draft and final Master Plan integrating the technical memoranda from all other tasks.

Exhibit A
City of Fayetteville, AR
Solid Waste Reduction, Diversion, and Recycling Master Plan Scope of Work

Task 7 Project Coordination, Community Input, and Presentations

Purpose: Throughout this project, KCI will maintain frequent communication with City staff regarding project status and technical aspects of the work. We also will seek stakeholder input through a variety of mechanisms including, but not limited to, workshops, meetings, and surveys. Whenever possible, we will include a web-based option for providing input, such as on-line access to town hall type meetings and on-line surveys. In addition, KCI will present the final Master Plan to elected officials, the public, or other stakeholders.

Activities:

1. Participate in monthly project team calls.
2. Prepare a monthly summary of activities.
3. Coordinate and participate in up to three days of workshops and/or meetings with stakeholder groups, the general public, and/or elected officials. KCI will arrange for stakeholders to have a web-based option to provide input whenever feasible.
4. Develop and execute a stakeholder survey in a variety of formats, including a web-based survey tool such as Survey Monkey.
5. Participate in up to two days of one-on-one and/or public meetings with City management and elected officials, as deemed appropriate, to present, review, and discuss the final Master Plan.

Deliverables:

- Monthly summary of activities.
- Participation in up to three stakeholder workshops, meetings, or focus groups.
- Survey instrument.
- Technical memorandum summarizing survey results and other stakeholder input.
- Presentation of Master Plan.

Budget and Timeline

Because of the nature of this project and the potential variability in the level of effort required, KCI proposes to conduct this scope of work on a time-and-materials basis for an amount not to exceed \$249,930, excluding Task 2A. The budget for Task 2A is \$14,960. A detailed budget breakdown by task is provided in Attachment B. Services will be invoiced at the rates indicated, which include all overhead and direct and indirect costs. Expenses (travel, etc.) will be billed at cost without markup. KCI will submit monthly invoices with a written explanation of activities completed that month.

KCI will initiate work upon notice to proceed. A proposed timeline is provided herein, which may be modified as the project progresses.

KCI looks forward to assisting the City in developing a comprehensive Solid Waste Reduction, Diversion, and Recycling Master Plan that seeks to maximize waste diversion while maintaining the long-term financial viability of the City's solid waste and resource management system.

Exhibit A
City of Fayetteville, AR
Solid Waste Reduction, Diversion, and Recycling Master Plan Scope of Work

Proposed Timeline

Tasks	Month											
	1	2	3	4	5	6	7	8	9	10	11	12
1 Baseline and Operational Assessment												
2 Waste and Litter Composition Study												
3 Reduction and Diversion Options Analysis												
4 Recovery Scenarios Modeling and Financial Evaluation												
5 Policy Recommendations												
6 Solid Waste Master Plan Development												
7 Project Coordination, Community Input, and Presentations												

EXHIBIT B

City of Fayetteville, AR Solid Waste Reduction, Diversion, and Recycling Master Plan Proposed Budget

CATEGORY (NAME)	HOURLY RATE	Task 1	Task 2	Task 2A	Task 3	Task 4	Task 5	Task 6	Task 7	With Task 2A		Without Task 2A	
		Baseline & Operational Assessment	Waste & Litter Composition Study	Optional UA Waste Composition Study	Reduction & Diversion Options Analysis	Recovery Scenario Modeling & Financial Evaluation	Policy Recommend's	Solid Waste Master Plan Development	Project Coordination, Community Input & Presentation	TOTAL HOURS	TOTAL DOLLARS	TOTAL HOURS	TOTAL DOLLARS
LABOR													
Project Director	\$185.00	10.0	4.0	2.0	10.0	10.0	8.0	20.0	50.0	114.0	\$21,090	112.0	\$20,720
Project Manager	\$140.00	48.0	16.0	8.0	40.0	40.0	40.0	60.0	60.0	312.0	\$43,680	304.0	\$42,560
Senior Consultant	\$125.00	110.0	0.0	0.0	40.0	40.0	10.0	20.0	8.0	228.0	\$28,500	228.0	\$28,500
Consultant	\$100.00	80.0	20.0	10.0	170.0	170.0	72.0	110.0	60.0	692.0	\$69,200	682.0	\$68,200
Consultant	\$95.00	0.0	150.0	50.0	0.0	0.0	0.0	0.0	0.0	200.0	\$19,000	150.0	\$14,250
Consultant	\$85.00	140.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	140.0	\$11,900	140.0	\$11,900
Research Analyst	\$80.00	0.0	16.0	12.0	80.0	80.0	40.0	80.0	20.0	328.0	\$26,240	316.0	\$25,280
Office Manager/Technical Support	\$60.00	14.0	68.0	24.0	10.0	10.0	10.0	10.0	10.0	156.0	\$9,360	132.0	\$7,920
SUBTOTAL LABOR HOURS		402.0	274.0	106.0	350.0	350.0	190.0	300.0	208.0	2170.0	\$228,970	2064.0	\$219,330
SUBTOTAL LABOR DOLLARS		\$43,060	\$24,590	\$9,640	\$36,450	\$36,450	\$19,330	\$32,600	\$26,850		\$228,970		\$219,330
DIRECT COSTS													
TRAVEL		\$3,700	\$3,700	\$2,300		\$2,000			\$6,000		\$17,700		\$15,400
SUPPLIES			\$1,000	\$500							\$1,500		\$1,000
CONTRACTED LABOR			\$4,200	\$2,520							\$6,720		\$4,200
SUBCONTRACTOR		\$1,000	\$2,000		\$500		\$500	\$1,000	\$5,000		\$10,000		\$10,000
SUBTOTAL DIRECT COST		\$4,700	\$10,900	\$5,320	\$500	\$2,000	\$500	\$1,000	\$11,000		\$35,920		\$30,600
TOTAL PROJECT BUDGET													
LABOR + DIRECT COST		\$47,760	\$35,490	\$14,960	\$36,950	\$38,450	\$19,830	\$33,600	\$37,850		\$264,890		\$249,930

City of Fayetteville Staff Review Form

2014-0379

Legistar File ID

9/16/2014

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Paul A. Becker

8/21/2014

Chief Financial Officer /
Finance & Internal Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

City Council is requested to adopt real and personal property tax rates for 2014 for the Policemen's Pension & Relief, the Firemen's Pension & Relief Funds, the Fayetteville Public Library and the City's General Fund. The rate to be adopted for the Policemen's Pension & Relief Fund and the Firemen's Pension & Relief Fund is 0.4 mils for real property and 0.4 mils for personal property. The rate for the Fayetteville Public Library is 1.0 mil for real property and 1.0 mil for personal property. The rate requested for the City's General Fund is 1.3 mils for real property and 1.3 mils for personal property.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	NA	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	NA	Item Cost	
Budget Adjustment Attached?	NA	Budget Adjustment	
		Remaining Budget	\$ -

Previous Ordinance or Resolution # 5621

Original Contract Number:

Comments:

Paul A. Becker 8-26-14

Paul A. Becker 8-27-2014

Alan Men 8-27-14



Approval Date:



[Signature]

V20140710

CITY COUNCIL AGENDA MEMO

MEETING OF SEPTEMBER, 16, 2014

TO: Mayor and City Council
THRU: Don Marr, Chief of Staff
FROM: Paul A. Becker, Chief Financial Officer *PAB*
DATE: August 21, 2014
SUBJECT: 2014 Millage Levy

RECOMMENDATION:

City staff recommends that City Council approve the millage levy ordinance approving the 0.4 mils for the Policemen's Pension and Relief Fund, 0.4 mils for the Firemen's Pension and Relief Fund, 1.0 mils for the Fayetteville Public Library, and 1.3 mils for 2015 General Fund operations. This will continue the same millage as levied last year.

BACKGROUND:

Each year the City must approve an ordinance to renew the levy of ad valorem taxes on real and personal property within the City. This request will provide for such levy on property assessed during 2014.

As of August 4, 2014 the total assessed value of real and personal property located within the city limits of Fayetteville is approximately \$1.331 billion. The assessed valuation is before the Washington County Board of Equalization has made all the changes to the County Assessors Abstract. Based on the preliminary assessments, the growth in real property assessments is approximately 2.0%.

DISCUSSION:

A millage levy ordinance must be approved by City Council in order for the City to continue to collect property taxes for the Policemen's Pension and Relief Fund and the Firemen's Pension and Relief Fund. The millage levy for the Policemen's Pension and Relief Fund is 0.4 mils for real property and 0.4 mils on personal property. The millage levy for the Firemen's Pension and Relief Fund is 0.4 mils for real property and 0.4 mils on personal property as was approved by referendum.

A millage levy ordinance must be approved for the operation of the Fayetteville Public Library and that was approved by the voters on October 1, 2002. The millage levy for the Fayetteville Public Library is 1.0 mils for real property and 1.0 mils on personal property.

Finally, City staff is requesting that City Council approve a millage levy ordinance for General Fund operations in the amount of 1.3 mils for both real and personal property.

The 2014 proposed property tax revenue amount based on the 1.3 mil levy is estimated to bring in \$1,707,000 in General Fund revenue. Below is a proposed calendar of meetings during the months of September and October to discuss the millage levy.

Tuesday, September 9	Agenda Session
Tuesday, September 16	City Council Meeting
Tuesday, September 30	Agenda Session
Tuesday, October 7	City Council Meeting
Tuesday, October 14	Agenda Session
Tuesday, October 21	City Council Meeting

BUDGET/STAFF IMPACT:

The 0.4 mils Police and 0.4 mils Fire is needed to fund the Pension plans for both. The 1.0 mils is used to fund the operation of the Fayetteville Public Library. The 1.3 mils will be used to fund General Fund operations.

Conclusion:

The millage levy must be at Washington County in time to be included in their consolidated levy ordinance which will be approved at the November 20, Quorum Court meeting. The deadline for receipt of the City's levy by the County is October 31. The City levy will be added to the levies by Washington County, the various school districts, improvement districts and other cities within the County when the Washington County Quorum Court adopts its millage levy for 2014.

The administration is requesting the same millage rate as was approved in 2013 as follows:

- 1.3 mils for General Fund Operations
- 1.0 mils for the Fayetteville Public Library
- 0.4 mils for the Police Pension Fund
- 0.4 mils for the Fire Pension Fund

If you have any questions concerning this agenda request please contact me at 575-8330.

Attachments:

SRF_2014 Property Tax
SRM_2014 Millage Levy
Agenda Millage Increase Preliminary 08042014

**City of Fayetteville
Property Tax Revenue per Mil
August 4, 2014**

<u>Millage</u>	<u>Approximate Revenue</u>
0.10	\$ 131,000
0.20	\$ 263,000
0.30	\$ 394,000
0.40	\$ 525,000
0.50	\$ 656,000
0.60	\$ 788,000
0.70	\$ 919,000
0.80	\$ 1,050,000
0.90	\$ 1,182,000
1.00	\$ 1,313,000
1.20	\$ 1,576,000
1.30	\$ 1,707,000
2.00	\$ 2,626,000
2.10	\$ 2,757,000
2.60	\$ 3,414,000
3.10	\$ 4,070,000
3.60	\$ 4,727,000
4.10	\$ 5,383,000
4.60	\$ 6,040,000

The millage revenue reflected above is based on the Washington County Preliminary Report of County Assessments for the Year 2014 dated August 4, 2014 and includes real and personal property for Utilities. The City Council can approve up to 5.0 mills for operations. The table assumes a 95% collection rate. Total real and personal property assessments for 2015 amount to approximately \$1,334 million excluding real estate and personal property for utilities.

Property Tax Impact Illustration

	<u>Appraised Value</u>	<u>Assessed Value</u>	<u>1 Mil Tax / Year</u>
Single Family Home	\$ 75,000.00	\$ 15,000.00	\$ 15.00
Single Family Home	\$ 100,000.00	\$ 20,000.00	\$ 20.00
Single Family Home	\$ 150,000.00	\$ 30,000.00	\$ 30.00

ORDINANCE NO. _____

AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF FAYETTEVILLE, ARKANSAS, FOR THE YEAR 2014 FIXING THE RATE THEREOF AT 1.3 MILLS FOR GENERAL FUND OPERATIONS, 0.4 MILLS FOR THE FIREMEN'S PENSION AND RELIEF FUND, 0.4 MILLS FOR THE POLICEMEN'S PENSION AND RELIEF FUND AND 1.0 MILL FOR THE FAYETTEVILLE PUBLIC LIBRARY; AND CERTIFYING THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS

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

Section 1. That a tax is hereby levied on the real and personal property within the City of Fayetteville, Arkansas, for the year 2014 to be collected in 2015 for the following purposes at the following rates:

REAL AND PERSONAL PROPERTY

<u>Purpose</u>	<u>Levy</u>
General Fund-Operations	1.3 mills
Fayetteville Public Library	1.0 mills
Policemen's Pension and Relief Fund	0.4 mills
Firemen's Pension and Relief Fund	<u>0.4 mills</u>
TOTAL	3.1 mills

Section 2. That the real and personal property tax so levied and the rates provided therefor are hereby certified to the County Clerk of Washington County, Arkansas, to be placed in the tax book and collected in the same manner that the county and school district taxes are collected.

Section 3. The City Clerk is hereby authorized and directed to file certified copies of this Ordinance in the office of the County Recorder, County Clerk, County Assessor, and the County Tax Collector for Washington County, Arkansas.

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Ordinance No.

PASSED and **APPROVED** this day of 16th day of September, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

City of Fayetteville Staff Review Form

2014-0393

Legistar File ID

9/16/2014

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

Paul Becker

8/28/2014

Billing & Collections /
Finance & Internal Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of An Ordinance Authorizing The Issuance And Sale Of Not To Exceed \$11,900,000 Of Hotel And Restaurant Gross Receipts Tax Capital Improvement And Refunding Bonds, Series 2014. The bond proceeds are to be used for renovation and expansion of the Walton Arts Center and for financing certain costs in connection with a regional park.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	No	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	No	Item Cost	
Budget Adjustment Attached?	No	Budget Adjustment	
		Remaining Budget	\$ -

Previous Ordinance or Resolution #

Original Contract Number:

Comments:

ENTERED 8/28/14
Approval Date: 9-2-14
There may be some changes needed for the Bond Ordinance
Paul A. Becker 9-2-2014
Dore 9-3-14
Honorable

V20140710



www.accessfayetteville.org

To: Mayor Jordan

Thru: Don Marr, Chief of Staff

From: Paul A Becker PAB.

Date: August 29, 2014

Subject: Approval of a Bond Ordinance Authorizing the Issuance and Sale of Hotel and Restaurant Gross Receipts Tax Capital Improvement and Refunding Bonds Series 2014 in an Amount Not To Exceed \$11,900,000

PROPOSAL:

At the request of the A & P Commission the City Council passed Ordinance Number 5605 which authorized ballot questions to be submitted to the voter regarding the issuance of HMR Tax bonds for the following purposes:

An amount not to exceed \$1,500,000 for the purpose of refunding the Series 2003 HMR Bonds.

An amount not to exceed \$6,900,000 for the purpose of financing Walton Arts Center Improvements.

An amount not to exceed \$3,500,000 for the purpose of financing Parks Improvements.

At the special election held on November 12, 2013 all three of these questions were approved by the voter. The City and the Walton Arts Center is now prepared to move forward with these important capital improvements. This Ordinance will authorize the actual issuance of these bonds to provide funds for the projects described above.

RECOMMENDATION:

The Staff recommends approval of issuance and sale of the Hotel and Restaurant Gross Receipts Tax Capital Improvement and Refunding Bonds Series 2014.

BUDGET IMPACT

The issuance of these bonds will provide funds for the Walton Arts Center Expansion and Renovation as well as providing funds for the Regional Park.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$11,900,000 OF HOTEL, MOTEL AND RESTAURANT GROSS RECEIPTS TAX AND TOURISM REVENUE CAPITAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2014, BY THE CITY OF FAYETTEVILLE, ARKANSAS FOR THE PURPOSE OF (1) REFUNDING THE CITY'S OUTSTANDING HOTEL, MOTEL AND RESTAURANT GROSS RECEIPTS TAX REFUNDING BONDS, SERIES 2003, (2) FINANCING CERTAIN COSTS IN CONNECTION WITH THE RENOVATION AND EXPANSION OF WALTON ARTS CENTER, AND (3) FINANCING CERTAIN COSTS IN CONNECTION WITH A REGIONAL PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE PURSUANT TO WHICH THE SERIES 2014 BONDS WILL BE ISSUED AND SECURED; AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT PURSUANT TO WHICH THE SERIES 2014 BONDS WILL BE OFFERED; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT PROVIDING FOR THE SALE OF THE SERIES 2014 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT PROVIDING FOR THE REDEMPTION OF THE SERIES 2003 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; AND PRESCRIBING OTHER MATTERS RELATING THERETO

WHEREAS, the City of Fayetteville, Arkansas (the "City") is authorized under the provisions of the Advertising and Promotion Commission Act, Arkansas Code Annotated (2008 Repl. & 2013 Supp.) §§26-75-601 *et seq.* (as from time to time amended, the "Act"), to issue its bonds secured by and payable from the revenues derived by the City from the one percent (1%) tax (the "Tax") levied by the City pursuant to Ordinance No. 2310 adopted by the City on March 1, 1977, as subsequently amended, upon (i) the gross receipts or gross proceeds derived from renting, leasing or otherwise furnishing hotel or motel accommodations for profit within the boundaries of the City and (ii) the portion of gross receipts or gross proceeds received by restaurants, cafes, cafeterias, delis, drive-in restaurants, carry-out restaurants, concession stands, convenience stores, grocery store-restaurants, caterers and similar businesses within the City from the sale of prepared food and beverages for on-premises or off-premises consumption; and

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Ordinance No.

WHEREAS, under the authority of the Act and pursuant to the provisions of Ordinance No. 4488 adopted on May 20, 2003, the City has previously issued and there are presently outstanding not more than \$1,275,000 in aggregate principal amount of the City's Hotel, Motel and Restaurant Gross Receipts Tax Refunding Bonds, Series 2003 (the "Series 2003 Bonds"), which Series 2003 Bonds are secured by the pledge of and lien upon the City's receipts of the A&P Commission Tax; and

WHEREAS, the City's Advertising and Promotion Commission (the "A&P Commission") by resolution adopted on May 13, 2013, has recommended that the City assist in (i) the completion of the Walton Arts Center expansion and renovation (the "Walton Arts Center Improvements") and (ii) the acquisition, construction and equipping of a regional park (the "Park Improvements") through the issuance of its Hotel, Motel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement Bonds ("capital improvement bonds"); and

WHEREAS, the A&P Commission has determined and the City Council concurs that the Walton Arts Center is a cultural arts and entertainment facility and its expansion and renovation will constitute a "tourism project" within the meaning of Arkansas Code Annotated (1998 Repl.) §14-170-205 which will secure and develop tourism and thereby stimulate and enhance the economic growth and well-being of the City and its people; and

WHEREAS, the A&P Commission has further determined and the City Council concurs that the City's proposed regional park will constitute a "public recreation facility" and "city park" within the meaning of Arkansas Code Annotated (2008 Repl.) §26-75-606 and a "tourism project" within the meaning of Arkansas Code Annotated (1998 Repl.) §14-170-205 which will secure and develop tourism and thereby stimulate and enhance the economic growth and well-being of the City and its people; and

WHEREAS, pursuant to the provisions of Ordinance No. 5605, duly adopted by the City Council on August 6, 2013, there was submitted to the qualified electors of the City the questions of the issuance of bonds pursuant to the Act in principal amount (i) not to exceed \$1,500,000 for the purpose of refunding the Series 2003 Bonds, (ii) not to exceed \$6,900,000 for the purpose of financing a portion of the Walton Arts Center Improvements, and (iii) not to exceed \$3,500,000 for the purpose of financing a portion of the Park Improvements, said bonds to be secured by a pledge of and lien upon the City's receipts of the Tax (the "Tax Receipts"); and

WHEREAS, at a special election held November 12, 2013, a majority of the qualified electors of the City voting on the aforementioned questions approved the issuance of the bonds for each of aforementioned purposes and the corresponding pledge of the Tax Receipts to the payment thereof; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Fayetteville, Arkansas that:

Section 1. Under the authority of the Constitution and laws of the State of Arkansas, including particularly Amendment 65 to the Constitution of the State of Arkansas and the Act, there is hereby authorized the issuance of bonds of the City to be designated as "Hotel, Motel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014" (the "Bonds"). The Bonds shall be issued in the original aggregate principal amount of not to exceed Eleven Million Nine Hundred Thousand Dollars (\$11,900,000), shall mature not later than December 1, 2044, and shall bear interest at the rates specified in the Bond Purchase Agreement. As authorized by the November 12, 2013 special election, not to exceed \$1,500,000 aggregate principal amount of the Bonds shall be deemed applicable to the refunding of the Series 2003 Bonds, not to exceed \$6,900,000 aggregate principal amount of the Bonds shall be deemed applicable to the Walton Arts Center Improvements, and not to exceed \$3,500,000 aggregate principal amount of the Bonds shall be deemed applicable to the Park Improvements

The average yield on the Bonds as a whole shall not exceed 5.000% per annum. The proceeds of the Bonds will be utilized (i) to finance a portion of the cost of redeeming the Series 2003 Bonds, (ii) to finance a portion of the costs of the Walton Arts Center Improvements, (iii) to finance a portion of the costs of the Park Improvements, (iv) to establish a debt service reserve for the Bonds or to purchase a surety bond for reserve purposes, (v) to pay a premium for bond insurance, if deemed economically beneficial, and (vi) to pay printing, underwriting, legal and other expenses incidental to the issuance of the Bonds. The Bonds shall be issued in the forms and denominations, shall be dated, shall be numbered, shall mature, shall be subject to redemption prior to maturity, and shall contain such other terms, covenants and conditions, all as set forth in the Trust Indenture submitted to this meeting.

The Mayor is hereby authorized and directed to execute and deliver the Bonds in one or more series, each series to be in substantially the form thereof contained in the Trust Indenture submitted to this meeting, and the City Clerk is hereby authorized and directed to execute and deliver the Bonds and to affix the seal of the City thereto, and the Mayor and City Clerk are hereby authorized and directed to cause the Bonds to be accepted and authenticated by the Trustee. The Mayor is hereby authorized to confer with the Trustee, Stephens Inc., Fayetteville, Arkansas (the "Underwriter"), and Kutak Rock LLP, Little Rock, Arkansas ("Bond Counsel"), in order to complete the Bonds in substantially the form contained in the Trust Indenture submitted to this meeting, with such changes as shall be approved by such persons executing the Bonds, their execution to constitute conclusive evidence of such approval.

Section 2. In order to pay the principal of and interest on the Bonds as they mature or are called for redemption prior to maturity, there is hereby pledged all of the Tax Receipts. The levy and collection of the Tax shall not be discontinued or reduced while any of the Bonds are outstanding unless sufficient funds are on deposit with the Trustee under the Trust Indenture to redeem the Bonds in full. The City covenants and agrees that all Tax Receipts will be accounted for separately as special funds on the books of the City, and all Tax Receipts will be deposited and will be used solely as provided in the Trust Indenture.

Section 3. To prescribe the terms and conditions upon which the Bonds are to be executed, authenticated, issued, accepted, held and secured, the Mayor is hereby authorized and directed to execute and acknowledge the Trust Indenture, by and between the City and Simmons First Trust Company, N.A., Pine Bluff, Arkansas, the Trustee, and the City Clerk is hereby authorized and directed to execute and acknowledge the Trust Indenture and to affix the seal of the City thereto, and the Mayor and the City Clerk are hereby authorized and directed to cause the Trust Indenture to be accepted, executed and acknowledged by the Trustee. The Trust Indenture is hereby approved in substantially the form submitted to this meeting, including, without limitation, the provisions thereof pertaining to the pledge of Tax Receipts and the terms of the Bonds. The Mayor is hereby authorized to confer with the Trustee, the Underwriter and Bond Counsel in order to complete the Trust Indenture in substantially the form submitted to this meeting, with such changes as shall be approved by such persons executing the Trust Indenture, their execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the Trust Indenture in substantially the form authorized to be executed is on file with the City Clerk and is available for inspection by any interested person.)

Section 4. There is hereby authorized and approved a Preliminary Official Statement of the City, including the cover page and appendices attached thereto, relating to the Bonds. The Preliminary Official Statement is hereby "deemed final" by the City within the meaning of U.S. Securities and Exchange Commission Rule 15c2-12. The distribution of the Preliminary Official Statement is hereby approved. The Preliminary Official Statement, as amended to conform to the terms of the Bond Purchase Agreement, including Exhibit A thereto, and with such other changes and amendments as are mutually agreed to by the City and the Underwriter, is herein referred to as the "Official Statement," and the Mayor is hereby authorized to execute the Official Statement for and on behalf of the City. The Official Statement is hereby approved in substantially the form of the Preliminary Official Statement submitted to this meeting, and the Mayor is hereby authorized to confer with the Trustee, the Underwriter and Bond Counsel in order to complete the Official Statement in substantially the form of the Preliminary Official Statement submitted to this meeting, with such changes as shall be approved by such persons, the Mayor's execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the Preliminary Official Statement is on file with the City Clerk and is available for inspection by any interested person.)

Section 5. In order to prescribe the terms and conditions upon which the Bonds are to be sold to the Underwriter, the Mayor is hereby authorized and directed to execute the Bond Purchase Agreement on behalf of the City, to be dated as of the date of its execution, by and between the City and the Underwriter, and the Bond Purchase Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Underwriter and Bond Counsel in order to complete the Bond Purchase Agreement in substantially the form submitted to this meeting, with such changes as shall be approved by such persons executing the Bond Purchase Agreement, their execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the Bond Purchase Agreement in substantially the form authorized to be executed is on file with the City Clerk and is available for inspection by any interested person.)

Section 6. In order to provide for the redemption of the Series 2003 Bonds, the Mayor is hereby authorized and directed to execute the Escrow Deposit Agreement to be dated as of the date of its execution, by and between the City and BOKF, NA, as the Escrow Trustee, and the Mayor is hereby authorized and directed to cause the Escrow Agreement to be executed by the Escrow Trustee. The Escrow Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Underwriter, the Escrow Trustee and Bond Counsel in order to complete the Escrow Agreement in substantially the form submitted to this meeting, with such changes as shall be approved by such persons executing the Escrow Agreement, their execution to constitute conclusive evidence of such approval.

(Advice is given that a copy of the Escrow Agreement in substantially the form authorized to be executed is on file with the City Clerk and is available for inspection by any interested person.)

Section 7. In order to provide for continuing disclosure of certain financial and operating information with respect to the Tax and the City in compliance with the provisions of Rule 15c2-12 of the U. S. Securities and Exchange Commission, the Mayor is hereby authorized and directed to execute the Continuing Disclosure Agreement to be dated as of the date of its execution, by and between the City and the Simmons First Trust Company, N.A., the Dissemination Agent, and the Mayor is hereby authorized and directed to cause the Continuing Disclosure Agreement to be executed by the Dissemination Agent. The Continuing Disclosure Agreement is hereby approved in substantially the form submitted to this meeting, and the Mayor is hereby authorized to confer with the Dissemination Agent, the Underwriter and Bond Counsel in order to complete the Continuing Disclosure Agreement in substantially the form submitted to this meeting, with such changes as shall be approved by such persons executing the Continuing Disclosure Agreement, their execution to constitute conclusive evidence of such approval.

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Ordinance No.

(Advice is given that a copy of the Continuing Disclosure Agreement in substantially the form authorized to be executed is on file with the City Clerk and is available for inspection by any interested person.)

Section 8. In order to secure lower interest rates on the Bonds, the Underwriter has proposed that the City consider the purchase of a policy of bond insurance with a portion of the proceeds of the Bonds, which policy would guarantee the payment of the principal of and interest on the Bonds when due. If deemed economically advantageous by the Mayor, upon the advice of the Underwriter, the Mayor is hereby authorized to execute an insurance commitment and to do any and all things necessary to accomplish the delivery of a bond insurance policy with respect to the Bonds.

Section 9. The Mayor and City Clerk, for and on behalf of the City, are hereby authorized and directed to do any and all things necessary to effect the issuance, sale, execution and delivery of the Bonds and to effect the execution and delivery of the Trust Indenture, the Bond Purchase Agreement, the Official Statement, the Escrow Agreement, the Continuing Disclosure Agreement and a Tax Regulatory Agreement relating to the tax exemption of interest on the Bonds, and to perform all of the obligations of the City under and pursuant thereto. The Mayor and the City Clerk are further authorized and directed, for and on behalf of the City, to execute all papers, documents, certificates and other instruments that may be required for the carrying out of such authority or to evidence the exercise thereof.

Section 10. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared to be illegal or invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this Ordinance.

Section 11. All ordinances, resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

PASSED and APPROVED this day of 16th day of September, 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

No Changes

Agenda Session

9/9/14

Alderman Adella Gray
Ward 1 Position 1

Alderman Sarah Marsh
Ward 1 Position 2

Alderman Mark Kinion
Ward 2 Position 1

Alderman Matthew Petty
Ward 2 Position 2



Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. Smith

Alderman Justin Tennant
Ward 3 Position 1

Alderman Martin W. Schoppmeyer, Jr.
Ward 3 Position 2

Alderman Rhonda Adams
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

**Tentative Agenda
City of Fayetteville Arkansas
City Council Meeting
September 16, 2014**

A meeting of the Fayetteville City Council will be held on September 16, 2014 at 5:30 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

City Council Meeting Presentations, Reports and Discussion Items:

1. Nominating Committee Report

Agenda Additions:

A. Consent:

1. Approval of the August 19-20, 2014 City Council meeting minutes.

2. **2014 Bulletproof Vest Partnership Program:** A resolution authorizing acceptance of a fifty percent (50%) matching grant award from the 2014 Bulletproof Vest Partnership Program in the amount of \$40,209.00 for the replacement of body armor vests for Fayetteville police officers and tactical body armor vests for emergency response team officers, and approving a budget adjustment.
3. **Federal and State Law Enforcement Forfeiture Revenue:** A resolution approving a budget adjustment in the total amount of \$54,451.00 recognizing federal and state law enforcement forfeiture revenue received through August 2014 and increasing the related expense budget.
4. **Arkansas Fire and Police Pension Board Supplement:** A resolution to approve a budget adjustment in the amount of \$12,563.00 to recognize revenue received from the Arkansas Fire and Police Pension Board for a future supplement to pensioners of the Fayetteville Firefighters Pension and Relief Fund.
5. **Bid #14-50 H&H Directional Boring Services:** A resolution to award Bid #14-50 and authorize the purchase of directional boring services from H&H Directional Boring, Inc. in variable amounts as needed for constructing pipeline crossings through the end of 2014.

B. Unfinished Business: None

C. Public Hearing:

1. **909 W. Eagle Street Raze and Removal:** A resolution to order the razing and removal of a dilapidated and unsafe structure owned by Kenneth C. and Wanda L. Easterling located at 909 W. Eagle Street in the City of Fayetteville, Arkansas, and to approve a budget adjustment.

D. New Business:

1. **RZN 14-4803 (Intersection of Champion and Windswept Drives/Summit Place S/D):** An ordinance rezoning that property described in Rezoning Petition RZN 14-4803, for approximately 15.62 acres, located along Champion and Windswept Drives from NC, Neighborhood Conservation, to RSF-4, Residential Single Family, 4 units per acre.
2. **RZN 14-4807 (103 Plainview Ave./Daniel):** An ordinance rezoning that property described in Rezoning Petition RZN 14-4807, for approximately 3.34 acres, located at 103 Plainview Avenue from RSF-4, Residential Single Family, 4 units per acre, to R-O, Residential-Office.
3. **Kessler Consulting, Inc.:** A resolution to authorize a contract with Kessler Consulting, Inc. of Tampa, Florida for the development of a ten year solid waste master plan in an amount not to exceed \$264,890.00, and to approve a budget adjustment.

4. **2014 Millage Levy:** An ordinance levying a tax on the real and personal property within the City of Fayetteville, Arkansas, for the year 2014 fixing the rate thereof at 1.3 mills for General Fund Operations, 0.4 mills for the Firemen's Pension and Relief Fund, 0.4 mills for the Policemen's Pension and Relief Fund and 1.0 mill for the Fayetteville Public Library; and certifying the same to the County Clerk of Washington County, Arkansas.
5. **Hotel, Motel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014:** An ordinance authorizing the issuance and sale of not to exceed \$11,900,000 of Hotel, Motel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014, by the City of Fayetteville, Arkansas for the purpose of (1) refunding the City's outstanding Hotel, Motel and Restaurant Gross Receipts Tax Refunding Bonds, Series 2003, (2) financing certain costs in connection with the renovation and expansion of Walton Arts Center, and (3) financing certain costs in connection with a Regional Park; authorizing the execution and delivery of a Trust Indenture pursuant to which the Series 2014 Bonds will be issued and secured; authorizing the execution and delivery of an Official Statement pursuant to which the Series 2014 Bonds will be offered; authorizing the execution and delivery of a Bond Purchase Agreement providing for the sale of the Series 2014 Bonds; authorizing the execution and delivery of an Escrow Deposit Agreement providing for the redemption of the Series 2003 Bonds; authorizing the execution and delivery of a continuing Disclosure Agreement; and prescribing other matters relating thereto.

E. City Council Agenda Session Presentations:

1. 2015 General Fund Budget Discussion – Paul Becker, Finance Director

F. City Council Tour:

G. Announcements:

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

All cell phones must be silenced and may not be used within the City Council Chambers.

Below is a portion of the **Rules of Order and Procedure of the Fayetteville City Council** pertaining to City Council meetings:

Agenda additions. A new item which is requested to be added to the agenda at a City Council meeting should only be considered if it requires immediate City Council consideration and if the normal agenda setting process is not practical. The City Council may only place such new item on the City Council meeting's agenda by suspending the rules by two-thirds vote. Such agenda addition shall be heard prior to the Consent Agenda.

Consent Agenda. Consent Agenda items shall be read by the Mayor and voted upon as a group without discussion by the City Council. If an Alderman wishes to comment upon or discuss a Consent Agenda item that item shall be removed and considered immediately after the Consent Agenda has been voted upon.

Old business and new business.

Presentations by staff and applicants. Agenda items shall be introduced by the Mayor and, if an ordinance, read by the City Attorney. City staff shall then present a report. An agenda applicant (city contractor, rezoning or development applicant, etc.) may present its proposal only during this presentation period, but may be recalled by an alderman later to answer questions. Staff and applicants may use electronic visual aids in a City Council meeting as part of their presentation.

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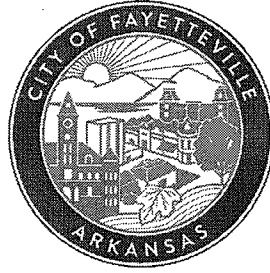
Pre Agenda Meeting 9-3-14

Alderman Adella Gray
Ward 1 Position 1

Alderman Sarah Marsh
Ward 1 Position 2

Alderman Mark Kinion
Ward 2 Position 1

Alderman Matthew Petty
Ward 2 Position 2



Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra E. Smith

Alderman Justin Tennant
Ward 3 Position 1

Alderman Martin W. Schoppmeyer, Jr.
Ward 3 Position 2

Alderman Rhonda Adams
Ward 4 Position 1

Alderman Alan T. Long
Ward 4 Position 2

**Tentative Agenda
City of Fayetteville Arkansas
City Council Meeting
September 16, 2014**

A meeting of the Fayetteville City Council will be held on September 16, 2014 at 5:30 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

City Council Meeting Presentations, Reports and Discussion Items:

1. Nominating Committee Report

Agenda Additions:

A. Consent:

- ✓ Approval of the August 19-20, 2014 City Council meeting minutes.

- ✓ 2. **2014 Bulletproof Vest Partnership Program:** A resolution authorizing acceptance of a fifty percent (50%) matching grant award from the 2014 Bulletproof Vest Partnership Program in the amount of \$40,209.00 for the replacement of body armor vests for Fayetteville police officers and tactical body armor vests for emergency response team officers, and approving a budget adjustment.
- ✓ 3. **Federal and State Law Enforcement Forfeiture Revenue:** A resolution approving a budget adjustment in the total amount of \$54,451.00 recognizing federal and state law enforcement forfeiture revenue received through August 2014 and increasing the related expense budget.
- ✓ 4. **Arkansas Fire and Police Pension Board Supplement:** A resolution to approve a budget adjustment in the amount of \$12,563.00 to recognize revenue received from the Arkansas Fire and Police Pension Board for a future supplement to pensioners of the Fayetteville Firefighters Pension and Relief Fund.
- ✓ 5. **Bid #14-50 H&H Directional Boring Services:** A resolution to award Bid #14-50 and authorize the purchase of directional boring services from H&H Directional Boring, Inc. in variable amounts as needed for constructing pipeline crossings through the end of 2014.
- #3 NB 6. **Kessler Consulting, Inc.:** A resolution to authorize a contract with Kessler Consulting, Inc. of Tampa, Florida for the development of a ten year solid waste master plan in an amount not to exceed \$264,890.00, and to approve a budget adjustment.

B. Unfinished Business: None

C. Public Hearing:

- ✓ 1. **909 W. Eagle Street Raze and Removal:** A resolution to order the razing and removal of a dilapidated and unsafe structure owned by Kenneth C. and Wanda L. Easterling located at 909 W. Eagle Street in the City of Fayetteville, Arkansas, and to approve a budget adjustment.

D. New Business:

- ✓ 1. **RZN 14-4803 (Intersection of Champion and Windswept Drives/Summit Place S/D):** An ordinance rezoning that property described in Rezoning Petition RZN 14-4803, for approximately 15.62 acres, located along Champion and Windswept Drives from NC, Neighborhood Conservation, to RSF-4, Residential Single Family, 4 units per acre.
- ✓ 2. **RZN 14-4807 (103 Plainview Ave./Daniel):** An ordinance rezoning that property described in Rezoning Petition RZN 14-4807, for approximately 3.34 acres, located at 103 Plainview Avenue from RSF-4, Residential Single Family, 4 units per acre, to R-O, Residential-Office.

3. **2014 Millage Levy:** An ordinance levying a tax on the real and personal property within the City of Fayetteville, Arkansas, for the year 2014 fixing the rate thereof at 1.3 mills for General Fund Operations, 0.4 mills for the Firemen's Pension and Relief Fund, 0.4 mills for the Policemen's Pension and Relief Fund and 1.0 mill for the Fayetteville Public Library; and certifying the same to the County Clerk of Washington County, Arkansas.
4. **Hotel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014:** An ordinance authorizing the issuance and sale of not to exceed [\$11,900,000] of Hotel and Restaurant Gross Receipts Tax and Tourism Revenue Capital Improvement and Refunding Bonds, Series 2014, by the City of Fayetteville, Arkansas for the purpose of (1) refunding the City's outstanding Hotel and Restaurant Gross Receipts Tax Refunding Bonds, Series 2003, (2) financing certain costs in connection with the renovation and expansion of Walton Arts Center, and (3) financing certain costs in connection with a Regional Park; authorizing the execution and delivery of a Trust Indenture pursuant to which the Series 2014 Bonds will be issued and secured; authorizing the execution and delivery of an Official Statement pursuant to which the series 2014 Bonds will be offered; authorizing the execution and delivery of a Bond Purchase Agreement providing for the sale of the Series 2014 Bonds; authorizing the execution and delivery of an Escrow Deposit Agreement providing for the redemption of the Series 2003 Bonds; authorizing the execution and delivery of a continuing Disclosure Agreement; and prescribing other matters relating thereto.

E. City Council Agenda Session Presentations:

1. 2015 General Fund Budget Discussion – Paul Becker, Finance Director

F. City Council Tour:

G. Announcements:

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

All cell phones must be silenced and may not be used within the City Council Chambers.

Below is a portion of the **Rules of Order and Procedure of the Fayetteville City Council** pertaining to City Council meetings:

Agenda additions. A new item which is requested to be added to the agenda at a City Council meeting should only be considered if it requires immediate City Council consideration and if the normal agenda setting process is not practical. The City Council may only place such new item on the City Council meeting's agenda by suspending the rules by two-thirds vote. Such agenda addition shall be heard prior to the Consent Agenda.

Consent Agenda. Consent Agenda items shall be read by the Mayor and voted upon as a group without discussion by the City Council. If an Alderman wishes to comment upon or discuss a Consent Agenda item that item shall be removed and considered immediately after the Consent Agenda has been voted upon.

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Nominating Committee Report

Wednesday, September 10, 2014

Members Present – Chair Justin Tennant, Adella Gray, Rhonda Adams and Mark Kinion

The Mayor recommends the following candidate for appointment:

FAYETTEVILLE PUBLIC LIBRARY

Janine A. Parry – One unexpired term ending 04/01/18

The Nominating Committee recommends the following candidates for appointment:

ACTIVE TRANSPORTATION ADVISORY COMMITTEE

Paxton Roberts – One unexpired Community Citizen at Large Bicycle Advocate term ending 12/31/15

CITY BOARD OF HEALTH

No applications were received– One unexpired Physician term ending 12/31/16

ENERGY IMPROVEMENT DISTRICT NO. 1

Kelly Tribell – One unexpired term ending 12/31/15

TOWN AND GOWN ADVISORY BOARD

No applications were received – One Ward 2 Resident term ending 09/30/16

Ryan Miller – One Ward 4 Resident term ending 09/30/16

Steve Clark – One Business Owner/City Development term ending 09/30/16

URBAN FORESTRY ADVISORY BOARD

Glenda Patterson – One Community Citizen at Large term ending 12/31/16

Damon Lipinski – One unexpired Land Development term ending 12/31/15

Branson, Lisa

From: Becker, Paul
Sent: Friday, August 29, 2014 1:45 PM
To: Branson, Lisa; Branson, Lisa
Subject: Agenda Session September 9 2014

Lisa

Please schedule a presentation at the September 9 2014 agenda session .I will need to discuss the General Fund Budget for 2015.It will take about an hour.

Paul

Paul Becker

Chief Financial Officer

Office of the Mayor

City of Fayetteville, Arkansas 72701

T 479.575.8330 | **F** 479.575.8257 | **M** 479.601.3577

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